



## **SUMMER QUARTERLY MEETING**

Senate Hearing Room 1  
Cordell Hull State Office Building

*July 28, 2022*

**Tennessee Higher Education Commission**



**AGENDA**  
**TENNESSEE HIGHER EDUCATION COMMISSION**  
**Summer Quarterly Meeting**  
**Senate Hearing Room 1 – Cordell Hull State Office Building**  
**July 28, 2022, 9:00 a.m. CDT**

**Adoption of Agenda**

**Approval of Minutes: May 19, 2022, Meeting**

**Chairman’s Report**

**Executive Director’s Report**

**Consent Calendar**

- I. Off Campus Location Center: Construction Career Center, TCAT Chattanooga (*Action Item*)
- II. Transmission of 2022-23 Proposed Operating Budgets (*Action Item*)

**Regular Calendar**

- I. 2023-24 Agency Strategic Initiatives (*Action Item*)
- II. University of Tennessee, Martin Campus Master Plan (*Action Item*)
- III. New Academic Programs (*Action Items*)
  - A. Tennessee Technological University – Studio Arts, Bachelor of Science
  - B. University of Tennessee Health Science Center – Pathologists’ Assistant, Master of Health Science
  - C. University of Tennessee, Knoxville – Public Health, Bachelor of Science
  - D. University of Tennessee, Martin – Construction Management, Bachelor of Science
- IV. Academic Policies (*Action Items*)
  - A. A1.0 New Academic Programs: Approval Process
  - B. A1.1 Academic Program Modifications
  - C. A1.5 Academic Actions Notification
- V. Division of Postsecondary State Authorization: Rulemaking Hearing Rules (*Action Item*)
- VI. Election of 2022-23 Commission Officers (*Action Item*)
- VII. Selection of THEC/TSAC Joint Audit Committee Member (*Action Item*)
- VIII. Historically Black Colleges and Universities Success 2022-25 Strategic Plan (*Information Item*)
- IX. New Academic Programs: Post-Approval Monitoring Report (*Information Item*)

**TENNESSEE HIGHER EDUCATION COMMISSION**

Minutes of the Spring Quarterly Meeting

Room 282, Roaden University Center

Tennessee Technological University

Cookeville, TN

May 19, 2022

Link to recording: [THEC Spring 2022 Commission Meeting 5/19/2022 \(tn.gov\)](https://www.tn.gov/newsroom/2022/05/19/2022-05-19-thec-spring-2022-commission-meeting-5-19-2022-tn.gov)

Chairman Evan Cope called the meeting to order at 10:04 a.m.

<b>Member</b>	<b>PRESENT</b>	<b>ABSENT</b>
Chairman Evan Cope	X	
Commissioner Nancy Dishner	X	
Secretary Tre Hargett	X	
Commissioner Tara Scarlett	X	
Commissioner Pam Koban	X	
Treasurer David Lillard	X	
Commissioner Sara Morrison		X
Commissioner Jay Moser		X
Commissioner Vernon Stafford	X	
Commissioner AC Wharton	X	
Comptroller Jason Mumpower	X	
Commissioner Dakasha Winton	X	
Commissioner Ethan Galloway	X	
Commissioner Whitney Allmon	X	

At the start of the meeting there were eleven (11) voting members physically present constituting a quorum. Commissioner Winton arrived at 10:41 a.m. and Comptroller Mumpower left the meeting at 11:40 a.m., still leaving a quorum present.

**ADOPTION OF AGENDA**

Commissioner Wharton made a motion to adopt the agenda. Commissioner Scarlett seconded the motion. A voice vote was taken, and the motion passed unanimously.

**APPROVAL OF JANUARY 28, 2022, MINUTES**

Commissioner Koban made a motion to approve the minutes. Commissioner Stafford seconded the motion. A voice vote was taken, and the motion passed unanimously.

## **CHAIRMAN'S REPORT:**

Chairman Cope provided his report. Chairman Cope ceded his remaining time to Dr. Phil Oldham, President of Tennessee Technological University, to welcome the Commission to the campus for its spring meeting and speak about current events at the campus.

## **EXECUTIVE DIRECTOR REPORT:**

Executive Director Dr. Emily House provided her report. Director House then introduced Lou Hanemann, Chief of Staff, to give a legislative report on the 112<sup>th</sup> General Assembly. Mr. Hanemann presented information about the legislative session that just ended.

## **AGENDA ITEMS**

Chairman Cope stated that there were two (2) items on the consent calendar. Commissioner Scarlett made a motion to move the second agenda item on the consent calendar to the first item on the regular calendar. This motion was seconded by Secretary Hargett. A voice vote was taken, the motion passed unanimously.

With one (1) remaining item on the consent calendar, Chairman Cope stated he would entertain a motion and second to approve the consent calendar. Commissioner Wharton made a motion, and Commissioner Scarlett seconded the motion. A voice vote was taken, and the motion passed unanimously.

### **I. Quality Assurance Funding – TN Job Market Placement Definition Change**

Dr. Julie Roberts, Associate Chief Academic Officer, presented the staff's recommendation to make a change to the TN Job Market Placement definition. The current methodology for calculation of the TN Job Market Placement rate utilizes the P20 Connect data system and its focus on non-University Parallel associate degree graduates focusing on initial employment. A review of the data using the continuously employed methodology indicates employment rates associated with years prior to and during the COVID-19 pandemic are more stable and insulated from dramatic shifts in graduates seeking government assistance. Under the recommended change, scoring of the TN Job Market Placement standard will mirror the Student Access and Success standard which focuses on continuous improvement. The scoring table remains the same as approved in May 2020, only the definition of success and rate calculation will be updated.

Commission members asked questions and a discussion was held. Treasurer Lillard made a motion to approve the definitional change. Commissioner Koban seconded the motion. A roll call vote was taken, the motion passed with eight (8) ayes, and three (3) nays from Commissioners Scarlett, Wharton, and Secretary Hargett.



## **II. Tennessee Technological University Campus Master Plan**

Dr. Oldham introduced Gary Askew who presented information on Tennessee Technological University's updated Master Plan. The 2022 Master Plan update is a comprehensive 10-year plan with analysis of space needs, building development and placements, infrastructure, parking, and student housing.

Commissioner Scarlett made a motion to approve the updated Master Plan. Secretary Hargett seconded the motion. A voice vote was taken, the motion passed unanimously.

## **III. 2020-2025 Outcomes-Based Funding Formula Recommendations**

Crystal L. Collins, THEC Senior Director of Fiscal Policy, presented information in accordance with § 49-7-202(g), which states that the Commission is statutorily required to establish and annually convene a review committee to aid in the development or revision of the Outcomes-Based Funding formula. After consulting the Formula Review Committee, staff then make a formal recommendation to amend or revise the formula to the Commission. Recommended changes to the 2020-2025 outcome formula metrics include a definitional change to the workforce training/contact hours metric included in the community college model. This definitional change would remove secondary activities from the contact hours report and better align it with state workforce needs. Staff also recommended changes to the focus populations portion of the 2020-2025 formula, including the implementation of a new workforce investment premium for students completing an undergraduate award in a high-need academic program and a data source refinement to include out-of-state low-income students. These changes will apply to both the university and community college models. Finally, staff recommended streamlining the fixed costs component in the 2020-2025 formula by focusing on square footage and equipment replacement values and reducing the overall influence of fixed costs on the formula from 22% to 15%.

Commission members asked questions and a discussion was held. Secretary Hargett made a motion to approve the recommended changes to the formula. Commissioner Stafford seconded the motion. A voice vote was taken, the motion passed unanimously.

## **IV. 2022-23 Binding Tuition and Fees Range**

Russell VanZomeran, THEC Director of Fiscal Policy, presented information on the 2022-23 binding tuition and tuition and fees ranges. On April 21, 2022, both chambers of the 112<sup>th</sup> General Assembly passed the 2022-23 General Appropriations Act, which included new recurring funding to academic formula units of \$137.3 million for operating and salary increases. Based on these state appropriation increases, THEC staff recommended a tuition binding range of zero percent (0%) to zero percent (0%) at universities, community colleges and TCATS, and a combined total tuition and

mandatory fees binding range of zero percent (0%) to zero percent (0%) at universities, community colleges, and TCATS.

Commission members held a discussion. Secretary Hargett made a motion to approve the recommendation. Comptroller Mumpower seconded the motion. A voice vote was taken, the motion passed unanimously.

## **V. New Academic Programs**

### **A. East Tennessee State University, Applied Data Science, Master of Science**

President Brian Noland introduced Dr. Kimberly McCorkle. Dr. McCorkle presented information on the Master of Science program which will promote data literacy across many of the campus's disciplines, while providing students in the major with comprehensive, in-depth training in data science. The program will include both in-person and online options and will be delivered in two (2) tracks, a practicum track with a six (6) credit applied practicum where students engage in detailed industry projects, and a thesis track, pairing a three-credit (3) internship with a six (6) credit thesis. Graduates will have developed expertise in applying state-of-the-art mathematical, statistical, and computational science-based approaches to large scale and complicated industry datasets.

Treasurer Lillard made a motion to approve the program. Secretary Hargett seconded the motion. A voice vote was taken, the motion passed unanimously.

### **B. Middle Tennessee State University, Public Writing and Rhetoric, Bachelor of Science**

Dr. Amy Aldridge Sanford presented information on the Bachelor of Science program. The program will be an interdisciplinary degree designed to strengthen written communication skills and was developed in response to feedback from industry partners indicating a desire for graduates to have more developed writing and rhetorical skills. The program will be housed in the Department of English in the College of Liberal Arts and comprised of public writing and rhetoric courses and complemented by courses offered in several disciplines including English, communication studies, and journalism departments. The proposed program is designed to be a viable second major for students in other fields that require strong communication skills.

Commission members held a discussion. Comptroller Mumpower made the motion to approve the program. Commissioner Galloway seconded the motion. A voice vote was taken, the motion passed unanimously.

**C. University of Tennessee, Knoxville, Marketing, Master of Science**

Dr. John Zomchick presented information on the Master of Science program. This program is designed to meet a rapidly increasing industry need for graduates with advanced training in marketing. This program will be housed in the Haslam College of Business and will complement existing graduate programs in accounting, management and human resources, business administration, business analytics, and supply chain management. The program will initially be offered in-person, but another parallel online program will be developed utilizing simulcasted courses in year three (3) after the residential portion of the program is fully established.

Commission members asked questions and a discussion was held.

Commissioner Scarlett made a motion to approve the program. Commissioner Stafford seconded the motion. A voice vote was taken, the motion passed unanimously.

**VI. Division of Postsecondary State Authorization – Emergency Rules**

Julie Woodruff, DPSA Assistant Executive Director, presented information on House Bill 2606 and Senate Bill 2843, which passed the House and Senate and is awaiting Governor Lee’s signature. The bill refines how Tennessee regulates postsecondary education institutions as defined in Title 49, Chapter 7, Part 20. The legislation streamlines the state authorization process, reduces the regulatory burden on institutions, and codifies current practices, while maintaining important consumer protections and institution accountability. The Emergency Rules to amend the March 2017 version of Rule Chapter 1540-01-02 and 1540-01-10 were written with the intention to make only those changes necessary to effectuate the purposes of HB2606/SB2843, 2018 Public Chapter 790, 2019 Public Chapter 82, and rule waivers issued by the Executive Director in May 2018 and October 2020. The Secretary of State’s Emergency Rule Filing Forms require that a roll call vote of the Commission be taken. The form also requires that the Attorney General and Reporter of the State of Tennessee examine and approve the rules prior to filing the form.

Commissioner Koban made a motion to adopt the proposed emergency rules with an effective date of July 1, 2022, for filing with the Secretary of the State’s office and authorize the Executive Director to make any revisions recommended by the Office of the Attorney General that are technical or necessary to ensure the legality of the rules. Commissioner Wharton seconded the motion. A roll call vote was taken, and the motion passed with twelve (12) ayes.

## **VII. Navigate Reconnect Overview** *(Informational Only)*

Jessica Gibson, Senior Director for Adult Learner Initiatives, presented information on the Navigate Reconnect Model. This model is supported and organized around four (4) pillars: Impact Services, Partnerships, Messaging, and Sustainability. Information presented included how Reconnect Navigators work with adult learners through the college processes, how Re-Entry Reconnect Navigators work with those incarcerated in Tennessee prisons to have the opportunity to complete a high school credential all the way through the completion of a postsecondary credential. The presentation also presented the various ways in which Tennesseans are matched with the Reconnect program through Reconnect Ambassadors, Tennessee Reconnect Success Collaborative, partnerships with other state agencies, and the TN Quick Screener tool to provide adults with the ability to see all services for which they may have eligibility, so they are supported while obtaining their postsecondary credential.

Commission members asked questions and a discussion was held.

## **VII. Committees**

Scott Sloan, General Counsel, presented information on the Commission's existing statutory and standing committees as well as their ability to form committees by appointment of the Chair. Mr. Sloan also presented statutory requirements that would apply to the meetings. Commission members held a discussion. The Chair requested that General Counsel Scott Sloan and Chief of Staff Lou Hanemann, have individual discussions with Commission members regarding their desire and ability to serve on committees for the Commission, the results of which will inform a discussion to be held at the next Commission meeting.

Chairman Cope adjourned the meeting at 12:23 p.m.

### **NEXT THEC COMMISSION MEETING:**

Thursday, July 28, 2022 in Nashville

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**THEC Chairman Evan Cope**

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**THEC Secretary AC Wharton, Jr.**



## TENNESSEE HIGHER EDUCATION COMMISSION

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### CONSENT CALENDAR ITEM: I.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Off-Campus Location Center  
Construction Career Center, TCAT Chattanooga

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

Pursuant to Tenn. Code Ann. §49-7-202(q)(3) the Tennessee Higher Education Commission is to review for approval all proposals for off-campus centers at public institutions. Furthermore, THEC Policy A1.4A: *Off-Campus Instruction – Community Colleges and Universities* defines an off-campus center as “a location that is geographically apart from the main campus where students can enroll and complete academic programs.” The A1.4A policy also applies in cases where a Tennessee College of Applied Technology (TCAT) is considered a part of a community college, as is the case with TCAT Chattanooga and Chattanooga State Community College.

TCAT Chattanooga is proposing an off-campus center to be named the Construction Career Center. The proposed center will be located at 225 Roanoke Avenue in Chattanooga. The facility is owned by the Hamilton County School District and will be provided at no cost to TCAT Chattanooga.

The center will offer the diploma program in Building Construction Technology with two embedded certificates (Construction Helper I and II). The technical diploma program will train students in carpentry, electricity, masonry, and plumbing. The proposed center will provide TCAT Chattanooga the opportunity to support the state of Tennessee’s higher education attainment goals by supplying the Chattanooga community a center in which skills in building construction can be earned. TCAT Chattanooga is projecting 60 dual enrollment students and adult learners will be enrolled in year one.

Chattanooga State Community College and TCAT Chattanooga will provide a full-time faculty member to instruct and support adult students while Hamilton County School District will provide a dual enrollment instructor who will work with the full-time faculty member. There will also be a part-time supportive staff person hired by TCAT Chattanooga to coordinate the program and assist faculty and students.

On June 16, 2022, the Tennessee Board of Regents (TBR) approved the proposed off-campus center for the Construction Career Center with an effective date of Fall 2022. Appendix A provides a summary of the proposed off-campus center that was presented at the TBR meeting.

**APPENDIX A**

**PROGRAM IMPLEMENTATION PROPOSAL  
Tennessee Board of Regents June 16, 2022 Meeting**

**INSTITUTION:** Tennessee College of Applied Technology Chattanooga

**PROPOSED PROGRAM TITLE:** Building Construction Technology

**PROPOSAL:** Tennessee College of Applied Technology Chattanooga is proposing to replicate the Building Construction Technology program at the Building Construction Center (pending THEC site approval). TCAT Chattanooga plans to offer both Secondary and Post-Secondary courses of Building Construction Center at this location.

**PROGRAM ACCREDITOR:** N/A

**EFFECTIVE DATE:** Fall 2022

**NEED:** For every five people retiring from the trades, only one replacement is being trained. AGC/ AutoDesk survey shows that 89% of Tennessee construction companies can't find the workers they need. By 2028, there will be a need for more than 3 million construction workers across the country. This effort is supported by Hamilton County Schools, the City of Chattanooga, AGC East Tennessee, Chattanooga Chamber, and Chattanooga State Community College.

According to the Jobs4tn.gov website there are 1,686 jobs that use the keyword construction posting in Chattanooga, TN. Construction can mean different things depending on the occupation, but there are 123 production occupations, 98 construction and extraction occupations, 88 installation, maintenance, and repair occupations, etc.

**PROJECTED ENROLLMENT:**

YEAR	ENROLLMENT	COMPLETERS
1	60	11
2	85	20
3	95	29

**PROJECTED COSTS:**

YEAR	COST
1st Year:	\$20,000
2nd Year:	\$64,000
3rd Year:	\$64,000

**NEW FACULTY NEEDED:**

YEAR	NUMBER	COST
1st Year:	1	\$77,000
2nd Year:	0	\$77,000
3rd Year:	0	\$77,000

FISCAL RESOURCES:

The tuition and fees obtained from the program should cover the faculty's salary and program related costs.

FACILITIES:

The facilities are owned by Hamilton County Schools, and they are providing the use of the building at no cost to the institution. After the first year, Chattanooga State will begin to pay for maintenance of the building. We believe that the cost of maintenance will be covered by tuition and fees from the student enrolled in the program.

ACTION REQUIRED:

Tennessee Board of Regents staff recommends approval.



## TENNESSEE HIGHER EDUCATION COMMISSION

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### CONSENT CALENDAR ITEM: II.

**MEETING DATE:** July 28, 2022  
**SUBJECT:** Transmission of 2022-23 Proposed Operating Budgets  
**ITEM TYPE:** Action  
**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

The General Appropriations Act requires that operating budgets of all higher education units be submitted to the Tennessee Higher Education Commission once approved by the respective governing boards. Upon the Commission's review and comment, budgets are to be transmitted to the Department of Finance and Administration. The FY2022-23 Proposed Operating Budgets have been reviewed and approved by each Locally Governed Institution's Board of Trustees, the University of Tennessee Board of Trustees, and the Tennessee Board of Regents. All higher education budget entities have submitted the required financial data to the Commission and are in compliance with all the budget guidelines and legislative directives.

### SUMMARY

The FY2022-23 proposed operating budgets for higher education are balanced. Campuses propose to direct most of their resources to academic functions, and expenditures for auxiliary enterprises are not projected to exceed revenues plus unallocated auxiliary fund balances. Revenue generated from tuition and fees is expected to account for 46.6 percent of overall revenue, while state appropriations will account for 43.8 percent. Ten years ago, tuition and fees accounted for 53.7 percent of overall revenue, and state appropriations accounted for 35.7 percent. Approximately 9.6 percent of total FY2022-23 revenues will come from sales, services, and other sources, in alignment with previous years.

Tuition and fee revenue is expected to grow by 3.4 percent for universities, community colleges, and TCATs in 2022-23. Revenues generated from auxiliary enterprises are expected to increase by 14.1 percent, while athletic fees revenues are projected to remain flat relative to 2021-22.

Institutions will continue to devote most of their expenditures to instructional activities. The teaching functions on campus—instruction, research, public service, and academic support—are planned to account for 60.9 percent of overall expenditures in FY2022-23, compared to 62.6 percent five years ago and 64.0 percent ten years ago.

The budgets provided today will be revised in October and presented to the Commission for transmission to the Department of Finance and Administration in January. The October 31 budgets will better reflect the status of several financial uncertainties (e.g., enrollment's effect on tuition revenue).

### RECOMMENDATION

The FY2022-23 July 1 Proposed Operating Budgets have been thoroughly analyzed by Commission staff and are presented with the recommendation that the Executive Director transmit the analysis of the budgets, along with the appropriate commentary, to the Commissioner of Finance and Administration.



**Table 1  
HIGHER EDUCATION  
STATE APPROPRIATIONS  
2022-23**

<b>Academic Formula Units</b>	<b>THEC FY 2022-23 Formula Calculation</b>	<b>2021-22 Final Recurring State Appr</b>	<b>2022-23 Preliminary Recurring State Appr <sup>1</sup></b>	<b>2022-23 Preliminary NR State Appr <sup>2</sup></b>	<b>2022-23 Preliminary Total</b>
<b>Locally Governed Institutions</b>					
Austin Peay	\$92,275,200	\$58,069,700	\$66,618,000	\$750,000	\$67,368,000
East Tennessee	119,353,700	78,255,200	88,634,300	1,000,000	89,634,300
Middle Tennessee	173,307,000	112,926,200	126,218,900	7,000,000	133,218,900
Tennessee State	64,754,000	43,192,500	47,557,400	-	47,557,400
Tennessee Tech	93,862,400	64,329,000	74,524,500	5,040,000	79,564,500
University of Memphis	207,352,600	133,589,000	150,934,200	50,000,000	200,934,200
<b>Subtotal</b>	<b>\$750,904,900</b>	<b>\$490,361,600</b>	<b>\$554,487,300</b>	<b>\$63,790,000</b>	<b>\$618,277,300</b>
<b>Community Colleges <sup>3</sup></b>					
Chattanooga	\$53,184,400	\$35,357,600			
Cleveland	20,220,000	12,983,800			
Columbia	30,510,100	19,529,800			
Dyersburg	17,802,400	11,574,200			
Jackson	24,615,400	16,234,400			
Motlow	35,675,300	22,731,900			
Nashville	37,061,200	23,863,600			
Northeast	37,332,500	24,770,700			
Pellissippi	59,275,100	38,335,600			
Roane	39,261,000	26,138,700			
Southwest	47,440,800	31,503,300			
Volunteer	48,145,100	30,892,500			
Walters	42,916,500	27,113,400			
<b>Subtotal</b>	<b>\$493,439,800</b>	<b>\$321,029,500</b>	<b>\$356,285,800</b>	<b>\$0</b>	<b>\$356,285,800</b>
<b>UT Universities</b>					
UT Chattanooga	\$98,653,100	\$63,908,400	\$71,931,900	\$500,000	\$72,431,900
UT Knoxville	406,992,500	265,574,900	298,764,400	500,000	299,264,400
UT Martin	55,937,300	36,668,900	41,327,800	-	41,327,800
<b>Subtotal</b>	<b>\$561,582,900</b>	<b>\$366,152,200</b>	<b>\$412,024,100</b>	<b>\$1,000,000</b>	<b>\$413,024,100</b>
<b>Total Colleges and Universities</b>	<b>\$1,805,927,600</b>	<b>\$1,177,543,300</b>	<b>\$1,322,797,200</b>	<b>\$64,790,000</b>	<b>\$1,387,587,200</b>
TN Colleges of Applied Technology	\$122,577,000	\$88,471,700	\$104,506,900	\$11,424,000	\$115,930,900
<b>Total Academic Formula Units</b>	<b>\$1,928,504,600</b>	<b>\$1,266,015,000</b>	<b>\$1,427,304,100</b>	<b>\$76,214,000</b>	<b>\$1,503,518,100</b>

1 - Recurring: includes \$47.3M to partially fund a 4% salary increase for July 2022 through June 2023; \$11.4M to fund an insurance premium increase; \$383,900 to the ETSU nursing program; \$3.5M to TTU for the operation of a wind tunnel and supercomputer; and \$8M to the TCATs to address staffing needs related to the second year of the Waitlist Initiative.

2 - Non-recurring: includes \$750K to APSU to fund year 2 of 3 of the Institute for National Security and Military Studies; \$1M to ETSU to fund the BlueSky TN Institute; \$2M to MTSU to fund student financial aid for a medical education program jointly administered by MTSU and Meharry Medical College and \$5M to MTSU to relocate MTSU flight operations to the Shelbyville airport; \$2.8M to TTU to fund the Evins Appalachian Center for Craft, \$1.2M to TTU to fund the Cybersecurity Education, Research and Outreach Center, and \$1M to TTU to fund the Rural Reimagined program; \$500,000 to UTC to provide minority engineering scholarships; \$500,000 to UTK to provide minority engineering scholarships; and \$11.4M for the TCAT Waitlist Initiative.

3 - Beginning in 2013-14, appropriations to community colleges are allocated by the state in the aggregate only. Breakdown of appropriations presented in table above provided by the Tennessee Board of Regents.

**Table 1 (continued)  
HIGHER EDUCATION  
STATE APPROPRIATIONS  
2022-23**

<b>Specialized Units</b>	<b>THEC FY 2022-23 Formula Calculation</b>	<b>2021-22 Final Recurring State Appr</b>	<b>2022-23 Preliminary Recurring State Appr <sup>1</sup></b>	<b>2022-23 Preliminary NR State Appr <sup>2</sup></b>	<b>2022-23 Preliminary Total</b>
<b>Medical Education</b>					
ETSU College of Medicine	\$85,760,000	\$40,577,400	\$43,892,300	\$0	\$43,892,300
ETSU Family Practice	7,190,200	8,577,200	9,264,500	-	9,264,500
UT College of Veterinary Medicine	29,050,000	24,129,000	29,087,200	-	29,087,200
UT Health Science Center <sup>3</sup>	405,454,000	177,089,400	191,170,600	-	191,170,600
<b>Subtotal</b>	<b>\$527,454,200</b>	<b>\$250,373,000</b>	<b>\$273,414,600</b>	<b>\$0</b>	<b>\$273,414,600</b>
<b>Research and Public Service</b>					
UT Agricultural Experiment Station	\$96,241,000	\$32,488,900	\$33,914,300	\$0	\$33,914,300
UT Agricultural Extension Service	50,004,000	42,280,600	44,418,500	-	44,418,500
TSU McMinnville Center	350,200	1,466,200	1,504,200	-	1,504,200
TSU Institute of Agricultural and Environmental Research	5,515,400	4,858,100	4,946,100	-	4,946,100
TSU Cooperative Extension	3,307,500	5,865,100	6,051,900	-	6,051,900
TSU McIntire-Stennis Forestry Research	266,000	207,800	213,800	-	213,800
UT Space Institute	29,704,000	9,668,700	10,062,800	-	10,062,800
UT Institute for Public Service	15,569,000	7,120,500	7,427,300	500,000	7,927,300
Tennessee Language Center	1,039,000	802,400	877,900	-	877,900
Institute for Public Service: Other Agencies	14,530,000	6,318,100	6,549,400	500,000	7,049,400
UT County Technical Assistance Service	2,816,000	3,396,000	3,596,900	-	3,596,900
UT Municipal Technical Advisory Service	3,805,000	3,970,600	4,220,400	-	4,220,400
<b>Subtotal</b>	<b>\$207,578,100</b>	<b>\$111,322,500</b>	<b>\$116,356,200</b>	<b>\$500,000</b>	<b>\$116,856,200</b>
<b>Other Specialized Units</b>					
UT Southern	\$5,606,600	\$5,230,000	\$5,469,100	\$0	\$5,469,100
UT University-Wide Administration	6,195,000	6,270,600	9,846,100	2,900,000	12,746,100
TN Board of Regents Administration	7,607,000	14,177,100	29,650,100	9,642,000	39,292,100
TN Student Assistance Corporation	115,688,700	116,386,300	116,445,900	-	116,445,900
Tennessee Student Assistance Awards	113,262,500	113,262,500	113,262,500	-	113,262,500
Tennessee Students Assistance Corporation	1,235,200	2,345,600	2,405,200	-	2,405,200
Loan/Scholarships Program	1,191,000	778,200	778,200	-	778,200
Contract Education	4,042,500	2,577,000	2,577,000	-	2,577,000
TN Higher Education Commission	5,588,500	5,888,100	6,282,400	-	6,282,400
<b>Subtotal</b>	<b>\$144,728,300</b>	<b>\$150,529,100</b>	<b>\$170,270,600</b>	<b>\$12,542,000</b>	<b>\$182,812,600</b>
<b>Total Specialized Units</b>	<b>\$879,760,600</b>	<b>\$512,224,600</b>	<b>\$560,041,400</b>	<b>\$13,042,000</b>	<b>\$573,083,400</b>
<b>Total Formula and Specialized Units</b>	<b>\$2,808,265,200</b>	<b>\$1,778,239,600</b>	<b>\$1,987,345,500</b>	<b>\$89,256,000</b>	<b>\$2,076,601,500</b>
<b>Program Initiatives</b>					
Campus Centers of Excellence	\$47,399,700	\$19,045,000	\$19,695,400	\$0	\$19,695,400
Campus Centers of Emphasis	3,401,500	1,381,700	1,425,700	-	1,425,700
McWherter Academic Scholars Program	1,211,800	1,211,800	1,211,800	-	1,211,800
UT Access and Diversity Initiative	6,181,900	5,806,700	5,806,700	-	5,806,700
TBR Access and Diversity Initiative	10,919,100	10,256,900	10,256,900	-	10,256,900
Research Initiatives - UT	10,000,000	5,852,900	5,852,900	-	5,852,900
THEC Grants	11,244,200	15,417,200	8,661,200	64,500,000	73,161,200
<b>Subtotal</b>	<b>\$90,358,200</b>	<b>\$58,972,200</b>	<b>\$52,910,600</b>	<b>\$64,500,000</b>	<b>\$117,410,600</b>
<b>Total Operating</b>	<b>\$2,898,623,400</b>	<b>\$1,837,211,800</b>	<b>\$2,040,256,100</b>	<b>\$153,756,000</b>	<b>\$2,194,012,100</b>

<sup>1</sup> - Recurring: includes \$18.3M to partially fund a 4.0% salary increase for July 2022 through June 2023, \$3.2M to fund an insurance premium increase; \$4M to UT Admin to fund the American Civics Institute; \$5.0M to TBR Admin to fund the expansion of Correctional Officer training programs, \$2.4M to TBR Admin to fund campus TCAT safety and security officers, \$1.7M to TBR Admin to fund the statewide expansion of CDL courses, \$225,000 to TBR Admin to fund the TCAT Morristown Truck Driving School, \$200,000 to TBR Admin to fund the Mechantronics Consortium, and \$170,000 to TBR Admin to fund one position to manage capital projects; and \$344,000 to THEC to fund four re-entry navigators.

<sup>2</sup> - Nonrecurring: includes \$500K to UT Institute of Public Service to fund the Law Enforcement Innovation Center; \$2.9M to UT College of Veterinary Medicine to fund recruitment and retention initiative; \$200M to TBR to fund equipment and facilities upgrades to support Career and Technical Education programs; \$8M to TBR to fund the expansion of CDL courses across the state; \$375,000 to fund the TCAT Morristown Truck Driving School; \$1.2M to fund TCAT campus safety and security officers; \$40M to fund the Governor's Investment in Vocational Education (GIVE) 3.0; \$10M to fund the Supporting Postsecondary Access in Rural Communities (SPARC) 4.0; and \$14.5M to fund a five-year pilot program to expand proactive college coaching and completion in the Knox Promise Initiative of trnAchieves.

<sup>3</sup> - Beginning in 2016-17 allocations to the UT College of Medicine, UT Family Practice, and UT Memphis Other Specialized Units are allocated in the aggregate only.

## Table 2 Capital Projects Final Legislative Action - FY 2022-23

<b>General Priorities</b>		
<b>Institution</b>	<b>Project Name</b>	<b>Total Project Cost</b>
MTSU	Aerospace Campus	\$57,224,000
Columbia	Southern Regional Technology Center (SRTC)	49,181,800
ETSU	Integrated Health Services Building	40,844,600
U of M	Mynders Hall Renovation	20,000,000
Nashville	Clarksville Campus Expansion	34,080,000
UTK	College of Business	83,000,000
TSU	New Engineering Classroom Building	56,880,000
UTC	Health Sciences Building	55,936,000
TTU	Advanced Construction & Manufacturing Engr. Bldg.	57,408,000
Roane	Campus Expansion and Simulation Hospital	67,500,000
ETSU	ETSU Academic Building	55,330,000

<b>Renovations and Demolitions</b>		
<b>Institution</b>	<b>Project Name</b>	<b>Total Project Cost</b>
ETSU	Brown Hall Renovation North	\$45,792,000
MTSU	Renovations to KOM and Rutledge Hall	51,904,000
U of M	College of Business & Economics Renovation	25,000,000
UTC	540 McCallie Renovation	38,400,000
TTU	Johnson Hall Renovation & Foster Demo	36,105,600
UTHSC	Nash Vivarium Basement Renovation	22,236,200
Pellissippi	Hardin Valley Campus Renovation	24,500,000
Volunteer	Mattox Renovation	7,448,000
APSU	Kimbrough Classroom & Office Renovations	8,458,000
UTHSC	Cancer Research Bldg 4th Floor	18,982,600

<b>Other Funded Projects</b>		
<b>Institution</b>	<b>Project Name</b>	<b>Total Project Cost</b>
TCATs	TCAT Campus Expansion - Maynardville/Union County	\$9,000,000
TCATs	TCAT Morristown - Greeneville Campus	25,000,000
TCATs	TCAT Pulaski - Main Campus	25,000,000
TCATs	TCAT Dickson - Clarksville Campus	15,000,000
TCATs	TCAT Harriman - New Roane County Campus	40,250,000
TCATs	TCAT Oneida - Fentress County Higher Education Center	4,000,000
TCATs	TCAT Crump - Parsons Campus	3,650,000
TCATs	TCAT Livingston - Main Campus	14,300,000
TCATs	TCAT Nashville - Main Campus	18,000,000
TCATs	TCAT Elizabethton - Boones Creek Campus	10,000,000
TCATs	TCAT Oneida/Huntsville - Main Campus	7,300,000
TCATs	TCAT Staewide Equipment Funding	20,500,000
UTM	Tennessee Entrepreneurial Science and Technology (TEST) Hub	18,004,000

<b>Capital Outlay - Total</b>	<b>\$1,066,214,800</b>
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**Table 2 (continued)**  
**Capital Maintenance Projects**  
**Final Legislative Action - FY 2022-23**

<b>LGI Capital Maintenance Projects</b>		<b>Total Project Cost</b>
APSU	Campus-wide Elevator Modernization	\$1,000,000
APSU	Dunn Center HVAC & Electrical Modernization, Ph. 2	1,000,000
APSU	Dunn Center HVAC & Electrical Modernization, Ph. 3	1,000,000
ETSU	HVAC and Steam Line Repairs	3,800,000
ETSU	Multiple Buildings Roof Replacements	2,800,000
ETSU	Radio Tower Repair and Replace	950,000
MTSU	Multiple Buildings Elevator Modernization Phase 3	1,407,800
MTSU	Campus Wide Lighting and Lighting Control Updates	952,200
MTSU	Multiple Buildings Mechanical & Controls Updates	2,000,000
MTSU	Campus Wide Access Control and Security Updates	800,000
MTSU	Multiple Buildings Exterior Envelope Updates	2,000,000
TSU	Electrical Upgrades - Phase 3 (THEC Special Initiative)	5,000,000
TSU	HM Love Center Renovation - Phase I	3,000,000
TTU	Craft Center HVAC Upgrades	1,140,000
TTU	Craft Center Generator and Fire Pump Upgrades	550,000
U of M	HVAC Component Replacements Multiple Buildings	4,293,000
U of M	Multiple Building Repairs	4,000,000
U of M	Roof Replacement Brister, Chemistry, Wilder	3,000,000
U of M	Wilder Tower Repairs	2,674,000
<b>Capital Maintenance Subtotal - LGIs (19 Projects)</b>		<b>\$41,367,000</b>

<b>TBR Capital Maintenance Projects</b>		<b>Total Project Cost</b>
Pellissippi	HVAC and Electrical Upgrades and Repairs	\$1,100,000
Walters	Campbell College Center Fire and Safety Remediation	1,700,000
Dyersburg	Campus Roof Drain Replacements	270,000
Columbia	Several Buildings Roof Replacements	1,280,000
Chattanooga	Elevator Installation	1,220,000
Nashville	HVAC and Cooling Tower Repairs	800,000
Jackson	Administration Building HVAC & Fire Alarm Updates	820,000
Cleveland	Campus HVAC Updates	1,000,000
Roane	Multiple Building HVAC Corrections	1,800,000
Volunteer	HVAC Upgrades	3,200,000
Southwest	Mechanical Systems and Infrastructure Updates	4,000,000
Motlow	Parking and Roadway Repairs	1,220,000
Northeast	Powers Math and Science Building Updates	1,550,000
TCAT	TCAT Harriman Building D Foundation Repairs	280,000
TCAT	TCAT Murfreesboro Fire Alarm System Installation	380,000
TCAT	TCAT Nashville Fire Alarm System Installation and/or Upgrades	670,000
Cleveland	Student Center Roof Replacement	600,000
<b>Capital Maintenance Subtotal - TBR (17 Projects)</b>		<b>\$21,890,000</b>

**Table 2 (continued)**  
**Capital Maintenance Projects**  
**Final Legislative Action - FY 2022-23**

<b>UT Capital Maintenance Projects</b>		<b>Total Project Cost</b>
UTK	Steam Plant Boiler Replacement	\$3,000,000
UTIA	West TN-REC Building Envelope Repairs	3,630,000
UTHSC	Emergency Generator Replacements	2,500,000
UTM	Clement Bldg Systems Upgrade	4,160,000
UTS	Life Safety Upgrades	1,000,000
UTK	Steam Distribution Upgrades	3,000,000
UTHSC	General Education Bldg (GEB) HVAC Improvements	1,750,000
UTM	South Plant Chiller Replacement	1,760,000
UTIA	Lone Oaks 4-H Center Improvements	3,000,000
UTK	Steam Distribution Upgrades - Southeast Campus	3,000,000
UTHSC	Roof Replacements	2,640,000
UTC	Brock Hall Upgrades	10,820,000
UTM	University Center Sewer Line Replacement	890,000
UTIA	Clyde Austin 4-H Cntr Sewer Improvements	1,260,000
UTM	ADA Campus Upgrades	2,510,000
<b>Capital Maintenance Subtotal - UT (15 Projects)</b>		<b>\$44,920,000</b>
<b>Capital Maintenance Total (51 Projects)</b>		<b>\$108,177,000</b>
<b>Original THEC Recommendations</b>		
Capital Outlay	21 projects	\$918,707,000
Capital Maintenance	91 projects	\$194,613,260

**Table 3**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	APSU	ETSU	ETSU College of Medicine	ETSU Family Practice	ETSU College of Pharmacy	ETSU Subtotal	MTSU	TSU
<b>Tuition &amp; Fees</b>								
<b>Dollar</b>	\$84,127,800	\$144,098,500	\$12,371,100	\$0	\$8,117,900	<b>\$164,587,500</b>	\$207,084,800	\$83,931,700
<b>Percent</b>	50.76%	57.48%	16.92%	0.00%	97.97%	<b>46.94%</b>	58.12%	59.42%
<b>State Appropriation</b>								
<b>Dollar</b>	\$67,368,000	\$89,250,400	\$43,892,300	\$9,264,500	\$0	<b>\$142,407,200</b>	\$127,729,400	\$46,531,100
<b>Percent</b>	40.65%	35.60%	60.03%	50.01%	0.00%	<b>40.62%</b>	35.85%	32.94%
<b>Sales &amp; Service</b>								
<b>Dollar</b>	\$399,800	\$300,800	\$14,483,100	\$8,952,400	\$92,300	<b>\$23,828,600</b>	\$667,800	\$64,300
<b>Percent</b>	0.24%	0.12%	19.81%	48.32%	1.11%	<b>6.80%</b>	0.19%	0.05%
<b>Other Sources</b>								
<b>Dollar</b>	\$13,830,100	\$17,043,600	\$2,371,000	\$309,800	\$76,300	<b>\$19,800,700</b>	\$20,818,100	\$10,722,600
<b>Percent</b>	8.35%	6.80%	3.24%	1.67%	0.92%	<b>5.65%</b>	5.84%	7.59%
<b>Total Educational &amp; General</b>								
<b>Dollar</b>	<b>\$165,725,700</b>	<b>\$250,693,300</b>	<b>\$73,117,500</b>	<b>\$18,526,700</b>	<b>\$8,286,500</b>	<b>\$350,624,000</b>	<b>\$356,300,100</b>	<b>\$141,249,700</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 3 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	<b>TSU McMinnville Center</b>	<b>TSU McIntire- Stennis Forestry Research</b>	<b>TSU Institute of Ag. &amp; Env. Research</b>	<b>TSU Cooperative Education</b>	<b>TSU Subtotal</b>	<b>TTU</b>	<b>UM</b>	<b>TOTAL LGIs</b>
<b>Tuition &amp; Fees</b>								
<b>Dollar</b>	\$0	\$0	\$0	\$0	<b>\$83,931,700</b>	\$100,785,900	\$207,275,900	<b>\$847,793,600</b>
<b>Percent</b>	0.00%	0.00%	0.00%	0.00%	<b>54.51%</b>	52.37%	48.65%	<b>51.53%</b>
<b>State Appropriation</b>								
<b>Dollar</b>	\$1,504,200	\$213,800	\$4,946,100	\$6,051,900	<b>\$59,247,100</b>	\$78,863,600	\$150,869,200	<b>\$626,484,500</b>
<b>Percent</b>	100.00%	100.00%	100.00%	100.00%	<b>38.48%</b>	40.98%	35.41%	<b>38.08%</b>
<b>Sales &amp; Service</b>								
<b>Dollar</b>	\$0	\$0	\$0	\$0	<b>\$64,300</b>	\$933,700	\$2,707,000	<b>\$28,601,200</b>
<b>Percent</b>	0.00%	0.00%	0.00%	0.00%	<b>0.04%</b>	0.49%	0.64%	<b>1.74%</b>
<b>Other Sources</b>								
<b>Dollar</b>	\$0	\$0	\$0	\$0	<b>\$10,722,600</b>	\$11,864,700	\$65,169,500	<b>\$142,205,700</b>
<b>Percent</b>	0.00%	0.00%	0.00%	0.00%	<b>6.96%</b>	6.17%	15.30%	<b>8.64%</b>
<b>Total Educational &amp; General</b>								
<b>Dollar</b>	<b>\$1,504,200</b>	<b>\$213,800</b>	<b>\$4,946,100</b>	<b>\$6,051,900</b>	<b>\$153,965,700</b>	<b>\$192,447,900</b>	<b>\$426,021,600</b>	<b>\$1,645,085,000</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 3 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	<b>Chattanooga</b>	<b>Cleveland</b>	<b>Columbia</b>	<b>Dyersburg</b>	<b>Jackson</b>	<b>Motlow</b>	<b>Nashville</b>	<b>Northeast</b>
<b>Tuition &amp; Fees</b>								
<b>Dollar</b>	\$26,655,400	\$11,378,700	\$19,205,900	\$10,022,100	\$12,637,700	\$20,080,900	\$21,336,300	\$17,545,500
<b>Percent</b>	40.56%	42.26%	45.31%	42.43%	39.32%	43.71%	42.00%	36.97%
<b>State Appropriation</b>								
<b>Dollar</b>	\$38,396,700	\$14,587,800	\$21,885,600	\$12,850,300	\$17,769,400	\$25,703,400	\$26,905,000	\$26,865,000
<b>Percent</b>	58.43%	54.18%	51.63%	54.40%	55.28%	55.94%	52.97%	56.61%
<b>Sales &amp; Service</b>								
<b>Dollar</b>	\$241,000	\$15,500	\$11,000	\$2,900	\$78,400	\$70,200	\$4,600	\$13,000
<b>Percent</b>	0.37%	0.06%	0.03%	0.01%	0.24%	0.15%	0.01%	0.03%
<b>Other Sources</b>								
<b>Dollar</b>	\$424,600	\$940,700	\$1,286,600	\$744,700	\$1,657,900	\$89,900	\$2,549,100	\$3,030,600
<b>Percent</b>	0.65%	3.49%	3.04%	3.15%	5.16%	0.20%	5.02%	6.39%
<b>Total Educational &amp; General</b>								
<b>Dollar</b>	<b>\$65,717,700</b>	<b>\$26,922,700</b>	<b>\$42,389,100</b>	<b>\$23,620,000</b>	<b>\$32,143,400</b>	<b>\$45,944,400</b>	<b>\$50,795,000</b>	<b>\$47,454,100</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>



**Table 3 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	Pellissippi	Roane	Southwest	Volunteer	Walters	Comm. Colleges Subtotal	TN Colleges of Applied Technology	TBR Admin.
<b>Tuition &amp; Fees</b>								
<b>Dollar</b>	\$32,610,400	\$17,771,300	\$23,983,700	\$24,328,000	\$19,586,000	<b>\$257,141,900</b>	\$45,909,900	\$0
<b>Percent</b>	41.73%	35.20%	36.06%	40.92%	38.46%	<b>40.15%</b>	32.76%	0.00%
<b>State Appropriation</b>								
<b>Dollar</b>	\$42,934,600	\$28,174,700	\$34,363,000	\$34,740,100	\$30,887,500	<b>\$356,063,100</b>	\$87,910,000	\$63,644,200
<b>Percent</b>	54.95%	55.81%	51.67%	58.43%	60.65%	<b>55.59%</b>	62.72%	78.23%
<b>Sales &amp; Service</b>								
<b>Dollar</b>	\$45,000	\$33,600	\$69,400	\$35,300	\$52,200	<b>\$672,100</b>	\$1,315,600	\$0
<b>Percent</b>	0.06%	0.07%	0.10%	0.06%	0.10%	<b>0.10%</b>	0.94%	0.00%
<b>Other Sources</b>								
<b>Dollar</b>	\$2,548,000	\$4,499,900	\$8,085,800	\$354,700	\$398,300	<b>\$26,610,800</b>	\$5,025,700	\$17,706,300
<b>Percent</b>	3.26%	8.91%	12.16%	0.60%	0.78%	<b>4.15%</b>	3.59%	21.77%
<b>Total Educational &amp; General</b>								
<b>Dollar</b>	<b>\$78,138,000</b>	<b>\$50,479,500</b>	<b>\$66,501,900</b>	<b>\$59,458,100</b>	<b>\$50,924,000</b>	<b>\$640,487,900</b>	<b>\$140,161,200</b>	<b>\$81,350,500</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 3 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	<b>TOTAL TBR SYSTEM</b>	<b>UTC</b>	<b>UTK</b>	<b>UTM</b>	<b>UTS</b>	<b>UT UT Univ. Subtotal</b>	<b>UT Space Institute</b>	<b>UT Health Science Center</b>
<b>Tuition &amp; Fees</b>								
<b>Dollar</b>	<b>\$303,051,800</b>	\$127,968,300	\$564,747,900	\$60,706,000	\$8,427,400	<b>\$761,849,600</b>	\$1,200,900	\$90,879,900
<b>Percent</b>	<b>35.16%</b>	61.10%	61.53%	55.90%	57.46%	<b>60.92%</b>	10.12%	27.34%
<b>State Appropriation</b>								
<b>Dollar</b>	<b>\$507,617,300</b>	\$73,252,800	\$302,120,100	\$42,031,800	\$5,469,100	<b>\$422,873,800</b>	\$10,152,500	\$191,625,100
<b>Percent</b>	<b>58.89%</b>	34.98%	32.92%	38.70%	37.29%	<b>33.82%</b>	85.57%	57.65%
<b>Sales &amp; Service</b>								
<b>Dollar</b>	<b>\$1,987,700</b>	\$4,841,700	\$5,565,200	\$3,727,100	\$79,000	<b>\$14,213,000</b>	\$0	\$21,055,800
<b>Percent</b>	<b>0.23%</b>	2.31%	0.61%	3.43%	0.54%	<b>1.14%</b>	0.00%	6.33%
<b>Other Sources</b>								
<b>Dollar</b>	<b>\$49,342,800</b>	\$3,364,200	\$45,374,700	\$2,131,000	\$690,000	<b>\$51,559,900</b>	\$511,200	\$28,844,800
<b>Percent</b>	<b>5.72%</b>	1.61%	4.94%	1.96%	4.70%	<b>4.12%</b>	4.31%	8.68%
<b>Total Educational &amp; General</b>								
<b>Dollar</b>	<b>\$861,999,600</b>	<b>\$209,427,000</b>	<b>\$917,807,900</b>	<b>\$108,595,900</b>	<b>\$14,665,500</b>	<b>\$1,250,496,300</b>	<b>\$11,864,600</b>	<b>\$332,405,600</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 3 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	UT Agri. Exp. Station	UT Ext. Service	UT College of Vet. Medicine	Institute for Public Service: TN Language Ctr	Institute for Public Service: Other Agencies	Institute for Public Service Subtotal	MTAS	CTAS
<b>Tuition &amp; Fees</b>								
<b>Dollar</b>	\$0	\$0	\$12,892,500	\$0	\$0	<b>\$0</b>	\$0	\$0
<b>Percent</b>	0.00%	0.00%	18.79%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>State Appropriation</b>								
<b>Dollar</b>	\$34,027,800	\$44,529,400	\$29,412,800	\$885,500	\$7,063,600	<b>\$7,949,100</b>	\$4,222,300	\$3,598,800
<b>Percent</b>	72.97%	68.77%	42.88%	24.99%	74.27%	<b>60.89%</b>	45.05%	51.20%
<b>Sales &amp; Service</b>								
<b>Dollar</b>	\$2,507,000	\$8,082,600	\$23,833,100	\$0	\$0	<b>\$0</b>	\$0	\$0
<b>Percent</b>	5.38%	12.48%	34.74%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Other Sources</b>								
<b>Dollar</b>	\$10,099,700	\$12,136,100	\$2,461,100	\$2,657,800	\$2,446,900	<b>\$5,104,700</b>	\$5,150,700	\$3,429,800
<b>Percent</b>	21.66%	18.74%	3.59%	75.01%	25.73%	<b>39.11%</b>	54.95%	48.80%
<b>Total Educational &amp; General</b>								
<b>Dollar</b>	<b>\$46,634,500</b>	<b>\$64,748,100</b>	<b>\$68,599,500</b>	<b>\$3,543,300</b>	<b>\$9,510,500</b>	<b>\$13,053,800</b>	<b>\$9,373,000</b>	<b>\$7,028,600</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 3 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL REVENUE BY SOURCE**  
**FOR THE LGIs, TBR, & UT**  
**JULY 1 BUDGET 2022-23**

	UT Univ.-Wide Admin.	TOTAL UT SYSTEM	July 1 GRAND TOTAL
<b>Tuition &amp; Fees</b>			
Dollar	\$0	\$866,822,900	\$2,017,668,300
Percent	0.00%	47.59%	46.62%
<b>State Appropriation</b>			
Dollar	\$11,955,400	\$760,347,000	\$1,894,448,800
Percent	70.01%	41.75%	43.77%
<b>Sales &amp; Service</b>			
Dollar	\$0	\$69,691,500	\$100,280,400
Percent	0.00%	3.83%	2.32%
<b>Other Sources</b>			
Dollar	\$5,121,500	\$124,419,500	\$315,968,000
Percent	29.99%	6.83%	7.30%
<b>Total Educational &amp; General</b>			
Dollar	\$17,076,900	\$1,821,280,900	\$4,328,365,500
Percent	100.00%	100.00%	100.00%

**Table 4**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	APSU	ETSU	ETSU College of Medicine	ETSU Family Practice	ETSU College of Pharmacy	ETSU Subtotal	MTSU	TSU
<b>Instruction</b>								
Dollar	\$79,273,300	\$113,653,400	\$47,647,400	\$12,651,200	\$5,782,400	<b>\$179,734,400</b>	\$169,386,100	\$63,947,600
Percent	48.83%	46.99%	60.99%	66.90%	65.09%	<b>51.68%</b>	49.09%	46.08%
<b>Research</b>								
Dollar	\$1,259,300	\$5,290,900	\$7,350,900	\$287,500	\$99,800	<b>\$13,029,100</b>	\$6,690,400	\$2,477,100
Percent	0.78%	2.19%	9.41%	1.52%	1.12%	<b>3.75%</b>	1.94%	1.79%
<b>Public Service</b>								
Dollar	\$419,600	\$3,190,600	\$0	\$0	\$0	<b>\$3,190,600</b>	\$4,849,200	\$2,091,700
Percent	0.26%	1.32%	0.00%	0.00%	0.00%	<b>0.92%</b>	1.41%	1.51%
<b>Academic Support</b>								
Dollar	\$11,194,900	\$24,881,500	\$9,277,700	\$3,902,400	\$1,466,100	<b>\$39,527,700</b>	\$36,037,900	\$11,552,600
Percent	6.90%	10.29%	11.88%	20.64%	16.50%	<b>11.37%</b>	10.44%	8.33%
<b>Subtotal</b>								
Dollar	<b>\$92,147,100</b>	<b>\$147,016,400</b>	<b>\$64,276,000</b>	<b>\$16,841,100</b>	<b>\$7,348,300</b>	<b>\$235,481,800</b>	<b>\$216,963,600</b>	<b>\$80,069,000</b>
Percent	<b>56.76%</b>	<b>60.79%</b>	<b>82.27%</b>	<b>89.06%</b>	<b>82.72%</b>	<b>67.71%</b>	<b>62.87%</b>	<b>57.70%</b>
<b>Student Services</b>								
Dollar	\$26,699,400	\$26,210,900	\$2,488,700	\$0	\$663,300	<b>\$29,362,900</b>	\$38,445,500	\$21,795,800
Percent	16.45%	10.84%	3.19%	0.00%	7.47%	<b>8.44%</b>	11.14%	15.71%
<b>Institutional Support</b>								
Dollar	\$15,233,900	\$19,267,000	\$3,935,700	\$1,663,400	\$515,400	<b>\$25,381,500</b>	\$27,305,800	\$14,683,900
Percent	9.38%	7.97%	5.04%	8.80%	5.80%	<b>7.30%</b>	7.91%	10.58%
<b>Operation &amp; Maintenance</b>								
Dollar	\$15,843,800	\$19,354,000	\$7,164,600	\$405,000	\$343,400	<b>\$27,267,000</b>	\$29,946,100	\$15,831,000
Percent	9.76%	8.00%	9.17%	2.14%	3.87%	<b>7.84%</b>	8.68%	11.41%
<b>Scholarships &amp; Fellowships</b>								
Dollar	\$12,426,300	\$29,994,400	\$260,000	\$0	\$13,000	<b>\$30,267,400</b>	\$32,414,100	\$6,387,500
Percent	7.65%	12.40%	0.33%	0.00%	0.15%	<b>8.70%</b>	9.39%	4.60%
<b>Total Educational &amp; General Expenditures</b>								
Dollar	<b>\$162,350,500</b>	<b>\$241,842,700</b>	<b>\$78,125,000</b>	<b>\$18,909,500</b>	<b>\$8,883,400</b>	<b>\$347,760,600</b>	<b>\$345,075,100</b>	<b>\$138,767,200</b>
Percent	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 4 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	TSU McMinnville Center	TSU McIntire- Stennis Forestry Research	TSU Institute of Ag. and Env. Research	TSU Cooperative Education	TSU Subtotal	TTU	UM	TOTAL LGIs
<b>Instruction</b>								
Dollar	\$0	\$0	\$0	\$0	<b>\$63,947,600</b>	\$86,981,400	\$178,373,200	<b>\$757,696,000</b>
Percent	0.00%	0.00%	0.00%	0.00%	<b>42.26%</b>	47.61%	43.09%	<b>47.26%</b>
<b>Research</b>								
Dollar	\$1,496,800	\$213,500	\$4,835,400	\$0	<b>\$9,022,800</b>	\$2,750,800	\$24,118,600	<b>\$56,871,000</b>
Percent	100.00%	100.00%	100.00%	0.00%	<b>5.96%</b>	1.51%	5.83%	<b>3.55%</b>
<b>Public Service</b>								
Dollar	\$0	\$0	\$0	\$6,002,600	<b>\$8,094,300</b>	\$2,056,600	\$4,668,500	<b>\$23,278,800</b>
Percent	0.00%	0.00%	0.00%	100.00%	<b>5.35%</b>	1.13%	1.13%	<b>1.45%</b>
<b>Academic Support</b>								
Dollar	\$0	\$0	\$0	\$0	<b>\$11,552,600</b>	\$14,308,000	\$41,195,600	<b>\$153,816,700</b>
Percent	0.00%	0.00%	0.00%	0.00%	<b>7.63%</b>	7.83%	9.95%	<b>9.59%</b>
<b>Subtotal</b>								
Dollar	<b>\$1,496,800</b>	<b>\$213,500</b>	<b>\$4,835,400</b>	<b>\$6,002,600</b>	<b>\$92,617,300</b>	<b>\$106,096,800</b>	<b>\$248,355,900</b>	<b>\$991,662,500</b>
Percent	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>61.21%</b>	<b>58.07%</b>	<b>60.00%</b>	<b>61.86%</b>
<b>Student Services</b>								
Dollar	\$0	\$0	\$0	\$0	<b>\$21,795,800</b>	\$22,823,600	\$57,095,100	<b>\$196,222,300</b>
Percent	0.00%	0.00%	0.00%	0.00%	<b>14.40%</b>	12.49%	13.79%	<b>12.24%</b>
<b>Institutional Support</b>								
Dollar	\$0	\$0	\$0	\$0	<b>\$14,683,900</b>	\$19,915,000	\$33,295,800	<b>\$135,815,900</b>
Percent	0.00%	0.00%	0.00%	0.00%	<b>9.70%</b>	10.90%	8.04%	<b>8.47%</b>
<b>Operation &amp; Maintenance</b>								
Dollar	\$0	\$0	\$0	\$0	<b>\$15,831,000</b>	\$16,319,900	\$42,208,000	<b>\$147,415,800</b>
Percent	0.00%	0.00%	0.00%	0.00%	<b>10.46%</b>	8.93%	10.20%	<b>9.20%</b>
<b>Scholarships &amp; Fellowships</b>								
Dollar	\$0	\$0	\$0	\$0	<b>\$6,387,500</b>	\$17,536,300	\$32,964,200	<b>\$131,995,800</b>
Percent	0.00%	0.00%	0.00%	0.00%	<b>4.22%</b>	9.60%	7.96%	<b>8.23%</b>
<b>Total Educational &amp; General Expenditures</b>								
Dollar	<b>\$1,496,800</b>	<b>\$213,500</b>	<b>\$4,835,400</b>	<b>\$6,002,600</b>	<b>\$151,315,500</b>	<b>\$182,691,600</b>	<b>\$413,919,000</b>	<b>\$1,603,112,300</b>
Percent	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 4 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	Chattanooga	Cleveland	Columbia	Dyersburg	Jackson	Motlow	Nashville	Northeast
<b>Instruction</b>								
<b>Dollar</b>	\$35,105,700	\$13,011,700	\$18,168,900	\$11,687,000	\$13,134,700	\$21,702,100	\$22,546,800	\$21,357,000
<b>Percent</b>	53.64%	48.24%	49.99%	49.80%	44.40%	47.58%	43.05%	47.42%
<b>Research</b>								
<b>Dollar</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Percent</b>	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Public Service</b>								
<b>Dollar</b>	\$50,000	\$93,800	\$156,200	\$24,000	\$60,100	\$813,100	\$0	\$218,100
<b>Percent</b>	0.08%	0.35%	0.43%	0.10%	0.20%	1.78%	0.00%	0.48%
<b>Academic Support</b>								
<b>Dollar</b>	\$6,251,700	\$1,544,700	\$2,203,200	\$802,600	\$3,695,000	\$4,443,800	\$7,641,000	\$4,877,200
<b>Percent</b>	9.55%	5.73%	6.06%	3.42%	12.49%	9.74%	14.59%	10.83%
<b>Subtotal</b>								
<b>Dollar</b>	<b>\$41,407,400</b>	<b>\$14,650,200</b>	<b>\$20,528,300</b>	<b>\$12,513,600</b>	<b>\$16,889,800</b>	<b>\$26,959,000</b>	<b>\$30,187,800</b>	<b>\$26,452,300</b>
<b>Percent</b>	<b>63.27%</b>	<b>54.32%</b>	<b>56.49%</b>	<b>53.32%</b>	<b>57.09%</b>	<b>59.10%</b>	<b>57.64%</b>	<b>58.73%</b>
<b>Student Services</b>								
<b>Dollar</b>	\$7,024,500	\$3,517,700	\$4,774,200	\$3,615,400	\$2,636,900	\$4,933,200	\$6,887,500	\$5,776,200
<b>Percent</b>	10.73%	13.04%	13.14%	15.41%	8.91%	10.81%	13.15%	12.83%
<b>Institutional Support</b>								
<b>Dollar</b>	\$8,409,700	\$4,555,300	\$5,749,000	\$3,709,100	\$6,054,000	\$6,941,300	\$7,168,800	\$6,158,900
<b>Percent</b>	12.85%	16.89%	15.82%	15.80%	20.46%	15.22%	13.69%	13.67%
<b>Operation &amp; Maintenance</b>								
<b>Dollar</b>	\$6,601,300	\$3,570,500	\$4,260,000	\$2,888,400	\$3,459,700	\$5,514,600	\$7,228,800	\$6,500,700
<b>Percent</b>	10.09%	13.24%	11.72%	12.31%	11.69%	12.09%	13.80%	14.43%
<b>Scholarships &amp; Fellowships</b>								
<b>Dollar</b>	\$2,002,000	\$678,900	\$1,030,600	\$742,200	\$543,600	\$1,266,500	\$900,100	\$150,000
<b>Percent</b>	3.06%	2.52%	2.84%	3.16%	1.84%	2.78%	1.72%	0.33%
<b>Total Educational &amp; General Expenditures</b>								
<b>Dollar</b>	<b>\$65,444,900</b>	<b>\$26,972,600</b>	<b>\$36,342,100</b>	<b>\$23,468,700</b>	<b>\$29,584,000</b>	<b>\$45,614,600</b>	<b>\$52,373,000</b>	<b>\$45,038,100</b>
<b>Percent</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 4 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	Pellissippi	Roane	Southwest	Volunteer	Walters	Community Colleges Subtotal	TN Colleges of Applied Technology	TBR Administration
<b>Instruction</b>								
Dollar	\$43,016,600	\$25,697,100	\$27,235,500	\$31,636,600	\$26,702,700	<b>\$311,002,400</b>	\$79,831,600	\$0
Percent	52.49%	50.76%	41.38%	55.44%	52.61%	<b>49.28%</b>	57.11%	0.00%
<b>Research</b>								
Dollar	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>	\$0	\$0
Percent	0.00%	0.00%	0.00%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Public Service</b>								
Dollar	\$834,400	\$933,900	\$198,000	\$789,100	\$546,100	<b>\$4,716,800</b>	\$15,300	\$0
Percent	1.02%	1.84%	0.30%	1.38%	1.08%	<b>0.75%</b>	0.01%	0.00%
<b>Academic Support</b>								
Dollar	\$8,327,800	\$2,833,800	\$7,769,800	\$3,067,100	\$2,772,800	<b>\$56,230,500</b>	\$1,368,600	\$0
Percent	10.16%	5.60%	11.80%	5.38%	5.46%	<b>8.91%</b>	0.98%	0.00%
<b>Subtotal</b>								
Dollar	<b>\$52,178,800</b>	<b>\$29,464,800</b>	<b>\$35,203,300</b>	<b>\$35,492,800</b>	<b>\$30,021,600</b>	<b>\$371,949,700</b>	<b>\$81,215,500</b>	<b>\$0</b>
Percent	<b>63.67%</b>	<b>58.21%</b>	<b>53.48%</b>	<b>62.20%</b>	<b>59.15%</b>	<b>58.94%</b>	<b>58.10%</b>	<b>0.00%</b>
<b>Student Services</b>								
Dollar	\$9,720,100	\$7,384,100	\$8,160,700	\$5,709,200	\$7,347,600	<b>\$77,487,300</b>	\$14,953,900	\$0
Percent	11.86%	14.59%	12.40%	10.01%	14.48%	<b>12.28%</b>	10.70%	0.00%
<b>Institutional Support</b>								
Dollar	\$9,798,500	\$6,523,500	\$11,140,900	\$8,255,400	\$5,556,600	<b>\$90,021,000</b>	\$24,472,300	\$79,742,500
Percent	11.96%	12.89%	16.93%	14.47%	10.95%	<b>14.27%</b>	17.51%	99.99%
<b>Operation &amp; Maintenance</b>								
Dollar	\$8,620,700	\$6,226,000	\$8,942,400	\$6,163,500	\$6,653,100	<b>\$76,629,700</b>	\$15,957,000	\$0
Percent	10.52%	12.30%	13.59%	10.80%	13.11%	<b>12.14%</b>	11.42%	0.00%
<b>Scholarships &amp; Fellowships</b>								
Dollar	\$1,634,000	\$1,023,200	\$2,377,300	\$1,441,200	\$1,180,300	<b>\$14,969,900</b>	\$3,188,200	\$5,000
Percent	1.99%	2.02%	3.61%	2.53%	2.33%	<b>2.37%</b>	2.28%	0.01%
<b>Total Educational &amp; General Expenditures</b>								
Dollar	<b>\$81,952,100</b>	<b>\$50,621,600</b>	<b>\$65,824,600</b>	<b>\$57,062,100</b>	<b>\$50,759,200</b>	<b>\$631,057,600</b>	<b>\$139,786,900</b>	<b>\$79,747,500</b>
Percent	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>



**Table 4 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	TOTAL TBR SYSTEM	UTC	UTK	UTM	UTS	UT University Subtotal	UT Space Institute	UT Health Science Center
<b>Instruction</b>								
Dollar	\$390,834,000	\$92,599,500	\$322,331,200	\$45,746,500	\$4,428,600	\$465,105,800	\$5,373,500	\$148,097,000
Percent	45.95%	43.37%	35.75%	42.13%	25.24%	37.47%	44.14%	45.36%
<b>Research</b>								
Dollar	\$0	\$5,817,500	\$80,880,900	\$86,500	\$0	\$86,784,900	\$1,594,300	\$12,619,300
Percent	0.00%	2.72%	8.97%	0.08%	0.00%	6.99%	13.10%	3.86%
<b>Public Service</b>								
Dollar	\$4,732,100	\$2,822,100	\$8,769,500	\$841,900	\$95,000	\$12,528,500	\$0	\$600,100
Percent	0.56%	1.32%	0.97%	0.78%	0.54%	1.01%	0.00%	0.18%
<b>Academic Support</b>								
Dollar	\$57,599,100	\$21,358,300	\$131,513,700	\$10,119,300	\$2,089,600	\$165,080,900	\$453,300	\$60,815,300
Percent	6.77%	10.00%	14.59%	9.32%	11.91%	13.30%	3.72%	18.63%
<b>Subtotal</b>								
Dollar	\$453,165,200	\$122,597,400	\$543,495,300	\$56,794,200	\$6,613,200	\$729,500,100	\$7,421,100	\$222,131,700
Percent	53.28%	57.42%	60.28%	52.30%	37.69%	58.77%	60.96%	68.03%
<b>Student Services</b>								
Dollar	\$92,441,200	\$30,083,000	\$64,392,200	\$14,581,900	\$4,344,900	\$113,402,000	\$71,200	\$7,437,000
Percent	10.87%	14.09%	7.14%	13.43%	24.76%	9.14%	0.58%	2.28%
<b>Institutional Support</b>								
Dollar	\$194,235,800	\$20,076,200	\$90,962,600	\$11,502,500	\$2,345,100	\$124,886,400	\$2,312,900	\$52,305,500
Percent	22.84%	9.40%	10.09%	10.59%	13.36%	10.06%	19.00%	16.02%
<b>Operation &amp; Maintenance</b>								
Dollar	\$92,586,700	\$20,523,400	\$96,456,500	\$11,284,800	\$1,716,800	\$129,981,500	\$2,266,500	\$37,468,000
Percent	10.88%	9.61%	10.70%	10.39%	9.78%	10.47%	18.62%	11.48%
<b>Scholarships &amp; Fellowships</b>								
Dollar	\$18,163,100	\$20,236,600	\$106,316,700	\$14,429,600	\$2,528,000	\$143,510,900	\$101,300	\$7,160,800
Percent	2.14%	9.48%	11.79%	13.29%	14.41%	11.56%	0.83%	2.19%
<b>Total Educational &amp; General Expenditures</b>								
Dollar	\$850,592,000	\$213,516,600	\$901,623,300	\$108,593,000	\$17,548,000	\$1,241,280,900	\$12,173,000	\$326,503,000
Percent	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

**Table 4 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	UT Ag. Experiment Station	UT Extension Service	UT College of Veterinary Medicine	Institute for Public Service: TN Language Ctr	Institute for Public Service: Other Agencies	Institute for Public Service Subtotal	MTAS	CTAS
<b>Instruction</b>								
Dollar	\$0	\$25,300	\$52,154,400	\$0	\$0	<b>\$0</b>	\$0	\$0
Percent	0.00%	0.04%	76.12%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Research</b>								
Dollar	\$41,966,700	\$0	\$3,611,500	\$0	\$0	<b>\$0</b>	\$0	\$0
Percent	89.99%	0.00%	5.27%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Public Service</b>								
Dollar	\$0	\$60,659,300	\$50,800	\$3,456,300	\$8,067,600	<b>\$11,523,900</b>	\$7,877,000	\$6,862,900
Percent	0.00%	94.77%	0.07%	98.48%	89.05%	<b>91.68%</b>	95.36%	98.50%
<b>Academic Support</b>								
Dollar	\$2,002,600	\$1,096,000	\$7,468,600	\$0	\$0	<b>\$0</b>	\$261,400	\$0
Percent	4.29%	1.71%	10.90%	0.00%	0.00%	<b>0.00%</b>	3.16%	0.00%
<b>Subtotal</b>								
Dollar	<b>\$43,969,300</b>	<b>\$61,780,600</b>	<b>\$63,285,300</b>	<b>\$3,456,300</b>	<b>\$8,067,600</b>	<b>\$11,523,900</b>	<b>\$8,138,400</b>	<b>\$6,862,900</b>
Percent	<b>94.29%</b>	<b>96.52%</b>	<b>92.37%</b>	<b>98.48%</b>	<b>89.05%</b>	<b>91.68%</b>	<b>98.53%</b>	<b>98.50%</b>
<b>Student Services</b>								
Dollar	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>	\$0	\$0
Percent	0.00%	0.00%	0.00%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Institutional Support</b>								
Dollar	\$2,246,700	\$2,228,900	\$1,575,900	\$53,300	\$992,400	<b>\$1,045,700</b>	\$121,700	\$104,400
Percent	4.82%	3.48%	2.30%	1.52%	10.95%	<b>8.32%</b>	1.47%	1.50%
<b>Operation &amp; Maintenance</b>								
Dollar	\$418,400	\$0	\$3,471,000	\$0	\$0	<b>\$0</b>	\$0	\$0
Percent	0.90%	0.00%	5.07%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Scholarships &amp; Fellowships</b>								
Dollar	\$0	\$0	\$180,000	\$0	\$0	<b>\$0</b>	\$0	\$0
Percent	0.00%	0.00%	0.26%	0.00%	0.00%	<b>0.00%</b>	0.00%	0.00%
<b>Total Educational &amp; General Expenditures</b>								
Dollar	<b>\$46,634,400</b>	<b>\$64,009,500</b>	<b>\$68,512,200</b>	<b>\$3,509,600</b>	<b>\$9,060,000</b>	<b>\$12,569,600</b>	<b>\$8,260,100</b>	<b>\$6,967,300</b>
Percent	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 4 (continued)**  
**SUMMARY OF UNRESTRICTED EDUCATIONAL & GENERAL EXPENDITURES**  
**BY FUNCTIONAL AREA BY INSTITUTION FOR THE LGIs, TBR, & UT**  
**July 1 BUDGET 2022-23**

	UT Univ.-Wide Admin.	TOTAL UT System	July 1 GRAND TOTAL
<b>Instruction</b>			
Dollar	\$0	\$670,756,000	\$1,819,286,000
Percent	0.00%	36.92%	42.60%
<b>Research</b>			
Dollar	\$0	\$146,576,700	\$203,447,700
Percent	0.00%	8.07%	4.76%
<b>Public Service</b>			
Dollar	\$0	\$100,102,500	\$128,113,400
Percent	0.00%	5.51%	3.00%
<b>Academic Support</b>			
Dollar	\$0	\$237,178,100	\$448,593,900
Percent	0.00%	13.06%	10.50%
<b>Subtotal</b>			
Dollar	<b>\$0</b>	<b>\$1,154,613,300</b>	<b>\$2,599,441,000</b>
Percent	<b>0.00%</b>	<b>63.56%</b>	<b>60.87%</b>
<b>Student Services</b>			
Dollar	\$0	\$120,910,200	\$409,573,700
Percent	0.00%	6.66%	9.59%
<b>Institutional Support</b>			
Dollar	\$29,170,900	\$215,999,000	\$546,050,700
Percent	97.98%	11.89%	12.79%
<b>Operation &amp; Maintenance</b>			
Dollar	\$600,000	\$174,205,400	\$414,207,900
Percent	2.02%	9.59%	9.70%
<b>Scholarships &amp; Fellowships</b>			
Dollar	\$0	\$150,953,000	\$301,111,900
Percent	0.00%	8.31%	7.05%
<b>Total Educational &amp; General Expenditures</b>			
Dollar	<b>\$29,770,900</b>	<b>\$1,816,680,900</b>	<b>\$4,270,385,200</b>
Percent	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**Table 5**  
**MANDATORY STUDENT FEE CHARGES**  
**2021-22 & 2022-23**

	2021-22			2022-23			Percent Increase		
	Total Mandatory Fees	Undergraduate Maintenance Fees	Total Undergraduate Resident	Total Mandatory Fees	Undergraduate Maintenance Fees	Total Undergraduate Resident	Total Mandatory Fees	Undergraduate Maintenance Fees	Total Undergraduate Resident
Austin Peay	\$1,615	\$7,146	\$8,761	\$1,615	\$7,146	\$8,761	0.00%	0.00%	0.00%
East Tennessee	1,952	7,722	\$9,674	1,952	7,722	9,674	0.00%	0.00%	0.00%
Middle Tennessee	1,888	7,704	\$9,592	1,888	7,704	9,592	0.00%	0.00%	0.00%
Tennessee State	1,207	7,128	\$8,335	1,207	7,128	8,335	0.00%	0.00%	0.00%
Tennessee Tech (Admitted prior to Fall 2020)	1,282	8,196	\$9,478	1,282	8,196	9,478	0.00%	0.00%	0.00%
Tennessee Tech (Flat Rate Model) <sup>1</sup>	1,282	9,240	\$10,522	1,282	9,240	10,522	0.00%	0.00%	0.00%
University of Memphis	1,704	8,352	\$10,056	1,704	8,352	10,056	0.00%	0.00%	0.00%
UT Chattanooga (UG - Soar in Four) <sup>2</sup>	1,856	7,992	\$9,848	1,856	7,992	9,848	0.00%	0.00%	0.00%
UT Chattanooga (UG - Returning)	1,856	7,200	\$9,056	1,856	7,200	9,056	0.00%	0.00%	0.00%
UT Knoxville	1,912	11,332	\$13,244	1,912	11,332	13,244	0.00%	0.00%	0.00%
UT Martin	1,534	8,378	\$9,912	1,534	8,378	9,912	0.00%	0.00%	0.00%
UT Southern	1,200	9,000	\$10,200	1,200	9,000	10,200	0.00%	0.00%	0.00%
Chattanooga	\$326	\$4,326	\$4,652	\$326	\$4,326	\$4,652	0.00%	0.00%	0.00%
Cleveland	306	4,326	\$4,632	306	4,326	4,632	0.00%	0.00%	0.00%
Columbia	340	4,326	\$4,666	340	4,326	4,666	0.00%	0.00%	0.00%
Dyersburg	306	4,326	\$4,632	306	4,326	4,632	0.00%	0.00%	0.00%
Jackson	292	4,326	\$4,618	292	4,326	4,618	0.00%	0.00%	0.00%
Motlow	312	4,326	\$4,638	312	4,326	4,638	0.00%	0.00%	0.00%
Nashville	268	4,326	\$4,594	268	4,326	4,594	0.00%	0.00%	0.00%
Northeast	318	4,326	\$4,644	318	4,326	4,644	0.00%	0.00%	0.00%
Pellissippi	352	4,326	\$4,678	352	4,326	4,678	0.00%	0.00%	0.00%
Roane	310	4,326	\$4,636	310	4,326	4,636	0.00%	0.00%	0.00%
Southwest	326	4,326	\$4,652	326	4,326	4,652	0.00%	0.00%	0.00%
Volunteer	300	4,326	\$4,626	300	4,326	4,626	0.00%	0.00%	0.00%
Walters	295	4,326	\$4,621	295	4,326	4,621	0.00%	0.00%	0.00%
TN Colleges of Applied Technology	\$249	\$3,759	\$4,008	\$249	\$3,759	\$4,008	0.00%	0.00%	0.00%

1 - Full-time students admitted in Fall 2020 or after at Tennessee Technological University pay a flat rate for 15 credit hours per semester, regardless of the number of hours taken. Full-time students admitted prior to Fall 2020 and part-time students are charged a per credit hour rate for the first 12 credit hours and a discounted per credit hour rate for additional hours.

2 - Beginning in 2019-20, first-time, full-time students enrolled at UT Chattanooga pay a flat rate for 15 credit hours per semester, regardless of the number of hours taken. Returning and part-time students are charged a flat rate for 12 credit hours per semester, regardless of the number of hours taken.

**Table 6**

**COMPARISON OF AUXILIARY ENTERPRISE REVENUES, EXPENDITURES, AND TRANSFERS FOR LGIs, TBR, & UT**

	Proposed 2021-22			Proposed 2022-23		
	Revenue	Expenditures/ Transfers	Difference	Revenue	Expenditures/ Transfers	Difference
<b>Austin Peay</b>	\$13,792,200	\$13,792,200	\$0	\$13,250,100	\$13,250,100	\$0
<b>East Tennessee</b>	23,390,700	23,178,800	211,900	25,957,000	25,926,100	30,900
<b>Middle Tennessee</b>	34,287,600	34,287,600	-	33,313,800	33,291,200	22,600
<b>Tennessee State</b>	26,534,900	26,534,900	-	35,302,000	35,302,000	-
<b>Tennessee Tech</b>	18,429,100	18,429,100	-	18,577,600	18,570,400	7,200
<b>University of Memphis</b>	33,273,200	33,273,200	-	33,063,100	33,063,100	-
<b>Subtotal</b>	<b>\$149,707,700</b>	<b>\$149,495,800</b>	<b>\$211,900</b>	<b>\$159,463,600</b>	<b>\$159,402,900</b>	<b>\$60,700</b>
<b>Chattanooga</b>	\$765,000	\$765,000	\$0 *	\$700,000	\$700,000	\$0 *
<b>Cleveland</b>	132,300	40,500	91,800	130,000	40,500	89,500
<b>Columbia</b>	125,600	125,600	-	113,000	113,000	-
<b>Dyersburg</b>	40,000	40,000	-	40,000	40,000	-
<b>Jackson</b>	145,000	145,000	-	118,800	118,800	-
<b>Motlow</b>	100,000	10,200	89,800	150,000	15,200	134,800
<b>Nashville</b>	259,200	19,800	239,400	204,200	17,000	187,200
<b>Northeast</b>	122,500	10,400	112,100	106,000	10,400	95,600
<b>Pellissippi</b>	400,000	400,000	- *	400,000	400,000	- *
<b>Roane</b>	212,000	189,900	22,100	192,000	189,900	2,100
<b>Southwest</b>	249,000	249,000	- *	350,000	350,000	- *
<b>Volunteer</b>	257,000	225,400	31,600	200,000	150,000	50,000
<b>Walters</b>	125,400	125,400	-	104,000	18,600	85,400
<b>Subtotal</b>	<b>\$2,933,000</b>	<b>\$2,346,200</b>	<b>\$586,800</b>	<b>\$2,808,000</b>	<b>\$2,163,400</b>	<b>\$644,600</b>
<b>UT Chattanooga</b>	\$21,635,200	\$21,635,200	\$0	\$23,152,200	\$23,152,200	\$0
<b>UT Knoxville</b>	225,921,500	225,921,500	-	273,956,300	273,956,300	-
<b>UT Martin</b>	10,375,200	10,375,200	-	10,567,900	10,567,900	-
<b>UT Southern</b>	3,564,000	3,445,600	118,400	3,046,100	3,046,100	- *
<b>Subtotal</b>	<b>\$257,931,900</b>	<b>\$257,931,900</b>	<b>\$0</b>	<b>\$307,676,400</b>	<b>\$307,676,400</b>	<b>\$0</b>
<b>UT Space Institute</b>	\$215,000	\$215,000	\$0	\$215,000	\$215,000	\$0
<b>UT Health Science Center</b>	4,333,700	4,283,700	50,000	4,003,300	4,003,300	-
<b>TN Colleges of Applied Tech</b>	4,077,500	3,504,200	573,300	4,212,900	3,657,000	555,900
<b>Subtotal</b>	<b>\$8,626,200</b>	<b>\$8,002,900</b>	<b>\$623,300</b>	<b>\$8,431,200</b>	<b>\$7,875,300</b>	<b>\$555,900</b>
<b>TOTAL</b>	<b>\$419,198,800</b>	<b>\$417,776,800</b>	<b>\$1,422,000</b>	<b>\$478,379,200</b>	<b>\$477,118,000</b>	<b>\$1,261,200</b>

\*Revenues include transfers from Fund Balance in order to balance Auxiliary Enterprises.

**Table 7  
Athletics Data  
2021-22 & 2022-23**

	2021-22 General Fund Support	Athletics General Fund as Percent of E&G <sup>1</sup>	2021-22 Student Athletics Fee	2021-22 Athletics Fee Revenue	2021-22 Athletics Budget
APSU	\$5,140,600	3.5%	\$472	\$3,878,200	\$11,337,600
ETSU	5,025,090	2.1%	450	5,902,800	14,232,800
MTSU	9,587,400	2.9%	480	9,091,600	26,235,200
TSU	5,589,100	4.5%	458	2,672,200	11,339,900
TTU	6,811,200	4.1%	496	4,860,000	13,557,300
UM	1,303,600	0.3%	445	6,992,000	41,542,800
UTC	8,821,200	4.4%	514	5,334,700	18,970,900
UTM	6,965,800	6.5%	408	2,212,000	11,666,500
UTS	4,295,500	28.7%	-	-	3,557,600
UTK <sup>2</sup>	-	0.0%	-	1,000,000	129,777,000
<b>Subtotal</b>	<b>\$53,539,490</b>			<b>\$41,943,500</b>	<b>\$282,217,600</b>
<b>Chattanooga</b>	<b>\$974,500</b>	<b>1.5%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,482,100</b>
Cleveland	657,500	2.6%	-	-	1,188,500
Columbia	672,200	1.9%	-	-	1,085,200
Dyersburg	806,200	3.7%	-	-	1,299,900
Jackson	576,200	1.8%	-	-	715,900
Motlow	722,300	1.6%	-	-	1,083,500
Roane	878,500	1.9%	-	-	1,191,700
Southwest	892,700	1.4%	-	-	1,159,600
Volunteer	599,900	1.0%	-	-	616,400
Walters	813,100	1.7%	-	-	1,436,400
<b>Subtotal</b>	<b>\$7,593,100</b>			<b>\$0</b>	<b>\$11,259,200</b>
<b>Total</b>	<b>\$61,132,590</b>			<b>\$41,943,500</b>	<b>\$293,476,800</b>
	2022-23 General Fund Support	Athletics General Fund as Percent of E&G <sup>1</sup>	2022-23 Student Athletics Fee	2022-23 Athletics Fee Revenue	2022-23 Athletics Budget
APSU	\$6,981,800	4.3%	\$472	\$3,500,000	\$14,160,800
ETSU	5,178,110	2.1%	450	5,902,800	14,650,400
MTSU	9,587,400	2.8%	480	9,091,600	27,568,250
TSU	5,483,941	4.0%	458	2,672,200	12,681,141
TTU	7,498,983	4.1%	496	5,302,700	14,899,442
UM	1,409,600	0.3%	439	6,992,000	41,648,800
UTC	9,145,240	4.3%	514	5,334,700	19,294,926
UTM	7,038,419	6.5%	408	2,060,000	11,759,105
UTS	4,544,574	25.9%	-	-	3,839,336
UTK <sup>2</sup>	-	0.0%	-	1,000,000	165,029,892
<b>Subtotal</b>	<b>\$56,868,067</b>			<b>\$41,856,000</b>	<b>\$325,532,092</b>
<b>Chattanooga</b>	<b>\$1,007,400</b>	<b>1.5%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,429,000</b>
Cleveland	654,372	2.4%	-	-	1,193,400
Columbia	698,840	1.9%	-	-	1,221,900
Dyersburg	930,600	4.0%	-	-	1,436,400
Jackson	552,501	1.9%	-	-	692,200
Motlow	782,640	1.7%	-	-	1,133,800
Roane	1,089,970	2.2%	-	-	1,374,600
Southwest	897,657	1.4%	-	-	1,161,200
Volunteer	610,457	1.1%	-	-	627,000
Walters	864,946	1.7%	-	-	1,457,400
<b>Subtotal</b>	<b>\$8,089,383</b>			<b>\$0</b>	<b>\$11,726,900</b>
<b>Total</b>	<b>\$64,957,450</b>			<b>\$41,856,000</b>	<b>\$337,258,992</b>

1 - Total E&G expenditure base excludes specialized units at UT, TBR, and the LGIs.

2 - Athletics at UTK are self-supporting.

**Table 8**  
**2022-23 Formula Needs Analysis**

Institution	Preliminary FY 2022-23					Formula Estimated Total Need	Difference (Short)	Percent Funded
	Legislative Appropriation <sup>1</sup>	Maintenance Fees	Technology Access Fee	Out-of-State Tuition	Total Revenue			
<b>Locally Governed Institutions</b>								
Austin Peay	\$66,618,000	\$65,728,000	\$2,087,700	\$2,358,200	\$136,791,900	\$170,669,600	\$ (33,877,700)	80.2%
East Tennessee	88,634,300	94,576,650	3,882,680	15,491,350	202,584,980	234,209,000	(31,624,020)	86.5%
Middle Tennessee	126,218,900	157,098,466	4,268,100	18,279,600	305,865,066	321,794,600	(15,929,534)	95.0%
Tennessee State	47,557,400	49,575,400	1,449,700	29,353,500	127,936,000	131,976,300	(4,040,300)	96.9%
Tennessee Tech	74,524,500	81,181,250	2,779,212	3,743,750	162,228,712	176,324,500	(14,095,788)	92.0%
University of Memphis	150,934,200	166,027,100	3,067,100	10,762,400	330,790,800	396,639,000	(65,848,200)	83.4%
<b>Subtotal</b>	<b>\$554,487,300</b>	<b>\$614,186,866</b>	<b>\$17,534,492</b>	<b>\$79,988,800</b>	<b>\$1,266,197,458</b>	<b>\$1,431,613,000</b>	<b>\$ (165,415,542)</b>	<b>88.4%</b>
Community Colleges	\$356,285,800	\$221,442,800	\$12,708,500	\$8,599,700	\$599,036,800	\$744,161,600	\$ (145,124,800)	80.5%
<b>UT Universities</b>								
UT Chattanooga	\$71,931,900	\$90,940,600	\$2,923,200	\$6,916,500	\$172,712,200	\$184,189,600	\$ (11,477,400)	93.8%
UT Knoxville	298,764,400	372,312,800	7,320,000	83,972,000	762,369,200	767,260,800	(4,891,600)	99.4%
UT Martin	41,327,800	50,169,200	1,244,200	2,051,700	94,792,900	104,664,200	(9,871,300)	90.6%
<b>Subtotal</b>	<b>\$412,024,100</b>	<b>\$513,422,600</b>	<b>\$11,487,400</b>	<b>\$92,940,200</b>	<b>\$1,029,874,300</b>	<b>\$1,056,114,600</b>	<b>\$ (26,240,300)</b>	<b>97.5%</b>
TN Colleges of Applied Technology	\$104,506,900	\$42,338,800	\$2,174,600	\$0	\$149,020,300	\$151,578,000	\$ (2,557,700)	98.3%
<b>Total Academic Formula Units</b>	<b>\$1,427,304,100</b>	<b>\$1,391,391,066</b>	<b>\$43,904,992</b>	<b>\$181,528,700</b>	<b>\$3,044,128,858</b>	<b>\$3,383,467,200</b>	<b>\$ (339,338,342)</b>	<b>90.0%</b>

1 - Recurring funds only.



# TENNESSEE HIGHER EDUCATION COMMISSION

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## REGULAR CALENDAR ITEM: I.

**MEETING DATE:** July 28, 2022  
**SUBJECT:** 2023-24 Agency Strategic Initiatives  
**ITEM TYPE:** Action  
**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

In August, the Department of Finance and Administration initiates its annual budget process by soliciting budget improvement requests from each state agency for the upcoming fiscal year. To be considered for funding priority, these requests should be supported by evidence, with justified, clear linkages to departmental goals, or be deemed mandatory by state or federal law, court order, or other contractual obligations.

The Commission has traditionally considered and recommended agency strategic initiative investment requests in November, along with appropriation recommendations for all higher education institutions. This year, for the FY2023-24 cycle, agency requests are due to the Department of Finance and Administration by Friday, September 9. To meet the requirements of this deadline, THEC staff will present for consideration and recommendation the agency strategic initiatives earlier than in prior years. All other appropriation recommendations will continue to be presented to the Commission for recommendation at the November meeting.

### RECOMMENDED AGENCY STRATEGIC INITIATIVES

This year's recommendations encompass six strategic initiatives from across the agency, totaling \$3,270,000 in recurring requests and \$6,000,000 in nonrecurring. Attachment A shows summary statements on each request. Below are in-depth backgrounds on each initiative as well as how each aligns with THEC strategy as defined by statute or the agency's *2015-2025 Master Plan*, *Master Plan Update 2020*, or *Strategic Financial Plan*.

\* \* \*

*Initiative: Advise TN*  
*Bureau: Access and Outreach*  
*Division: College Access and Success*  
*Request: \$925,000 (recurring)*

Advise TN is a college advising and capacity building program administered by THEC. Driven by the belief that every student has the potential to attend and thrive in postsecondary education and training, Advise TN aims to increase the number of Tennesseans accessing higher education by partnering with high schools and currently providing advising services to over 12,000 junior and senior students across Tennessee. The 28 Advise TN partner high schools were selected through a competitive application. To be eligible, all high schools were required to have a college-going rate below the state average.



This budget request will allow the Advise TN program to increase the number of advisors available to serve students from 30 advisors to 34 advisors. By doing so, Advise TN will achieve a more appropriate student-to-advisor ratio of 250 students to one advisor (recommended ratio for high school counseling by the American School Counseling Association). Currently, there are schools that have as many as 500 students assigned to one advisor. This change will allow for higher quality and individualized college and career student advising. Additionally, the proposed budget improvement allows THEC to adjust advisor salaries to an increased market competitive level, allowing THEC to continue to identify and retain high-quality staff focused on providing high-quality, high-impact student services.

Alignment to THEC Strategy: The *Master Plan Update 2020* highlights Advise TN as a strategy to expand access to higher education and clearly articulates the state’s aim to increase college-going across distressed portions of the state and FAFSA filing statewide. Prior to the pandemic, the overall college-going rate at Advise TN schools increased while the state average decreased. Sixteen Advise TN high schools have performed better than the rest of Tennessee when comparing Class of 2021 college-going to pre-program data. Two examples include Lake County (a distressed county) and Van Buren County (an at-risk county). Both counties saw increases in college-going over the last five years, 27 and 13 percentage points, respectively. The state experienced a decrease of 11 percentage points over the same period.

\* \* \*

*Initiative: HBCU Success and Tennessee Promise Summer Bridge Programs*

*Bureau: Access and Outreach*

*Division: HBCU Success & College Access and Success Division*

*Request: \$1,125,000 (recurring)*

In 2019, THEC provided one-time funding to Tennessee’s five residential undergraduate Historically Black Colleges and Universities (HBCUs) to establish or expand an existing summer bridge program. The programs offered college-level coursework and instruction to academically prepare incoming first-year students, resulting in an accumulated 945 credit hours towards graduation by all participants. A portion of this FY24 request (\$625,000) would build on the success of that pilot program by offering the opportunity for the five institutions to submit proposals for funding of similar student success-based programs on an ongoing basis.

The second portion of this request (\$500,000) will provide recurring funding to the Summer Bridge Program and the Summer Institute, two summer bridge programs currently operated by tnAchieves on a nonrecurring state grant. The Summer Bridge Program is a three-week academic program open to any Tennessee Promise student seeking to begin college more academically and socially prepared. Free to students, the program is effective in familiarizing students with college by exposing them to professors and building a peer cohort. The Summer Institute, a targeted six-week, credit-bearing program that amplifies Southwest Tennessee Community College’s Summer Bridge Program, helps TN Promise students eliminate need and earn nine credit hours upon program completion. The grant provides a last-dollar scholarship to offset summer tuition and mandatory fees. Both TN Promise Summer Bridge and the Summer Institute increase the likelihood of seamless student enrollment from high school to postsecondary education.

Alignment to THEC Strategy: The components and goals of the HBCU Success Summer Bridge program are explicitly mentioned in the *2015-2025 Master Plan* (reducing the gap in racial postsecondary attainment; cross-sector [public and private HBCU] contribution to the Drive to 55); the *Master Plan Update 2020* (emphasizing

specific student success best practices); and the *Strategic Financial Plan* (participation leads to earlier financial aid intervention to ensure TSAA access to the most-likely eligible populations; reducing time-to-degree through summer coursework; and the capability of development of innovations such as partnership with Department of Human Services to provide access/awareness of federal benefits).

The Tennessee Promise Summer Bridge Programs align with the *Readiness and Access* priorities outlined in the *Master Plan Update 2020*. The *Master Plan Update 2020* states that improving the number of students who graduate from high school prepared for postsecondary education should be a priority of the agency's work. The document goes on to state that THEC/TSAC staff will work to increase college-going, especially in Tennessee's most economically distressed communities. Nearly all (99%) students who attend the Tennessee Promise Summer Bridge program enroll in higher education. Of those that enroll, 67 percent persist from fall to fall (compared to a 50 percent benchmark), and 21 percent graduate within three years (compared to a 26 percent benchmark). Among the students who participated in Summer Institute in 2021, 100% eliminated the need for remedial education and 100% earned nine credit hours upon program completion. All Summer Institute students enrolled in college. Sustaining these two programs support THEC's strategic vision for ensuring more students are successful in attaining a degree or credential.

\* \* \*

*Initiative: Navigate Reconnect*  
*Bureau: Access and Outreach*  
*Division: Adult Learner Initiatives*  
*Request: \$760,000 (recurring)*

Navigate Reconnect is the regionally-based outreach and student support arm of the Tennessee Reconnect initiative and grant program, providing institution-neutral college navigation services to adult Tennesseans who want to return to or enroll in postsecondary education for the first time. Navigators support with enrollment processes, answer questions as trusted advisors, and serve as the hub of navigating on-campus resources and off-campus local resources including childcare options and affordable transportation for adult learners. Navigate Reconnect Regional Directors and Navigators are supported by state-level staff at the Tennessee Higher Education Commission to meet Reconnectors' needs, while also maximizing the capacity of local Tennessee Reconnect Navigators to provide tailored one-on-one support to Reconnectors. The request includes: adding five Reconnect Navigators to improve Navigator capacity and decreasing the average Navigator-to-student ratio from 600 to one to 425 to one (recommended ratio by the national Graduate Network); increasing Navigators salaries to improved market competitive levels; and implementing a mass texting platform to effectively and efficiently communicate with interested students.

*Alignment to THEC Strategy:* The *Master Plan Update 2020* identifies outreach to adults through the Navigate Reconnect and Reconnect Ambassador efforts as a best practice and sets a goal to collaborate with the Department of Labor and Workforce Development (DLWFD), Department of Human Services (DHS) and the Department of Correction (TDOC) to ensure adults have access to resources needed to pursue their college goals. In response to that goal, Navigate Reconnect has reached out to 738,000 Unemployment Insurance applicants in partnership with DLWFD, 3,186 of whom have applied for the Reconnect Grant as a result. Navigate Reconnect has also served nearly 1,800 incarcerated learners, with numbers growing monthly. Increasing our capacity to serve more adult Tennesseans, to reach out to and communicate with them more effectively and efficiently aligns with THEC's vision for its Future of Work, as detailed in the *Master Plan Update 2020*. While adult college enrollment has declined as a result of the pandemic, Navigate Reconnect receives

200-300 new inquiries from prospective adult learners monthly, indicating a sustained interest in pursuing a postsecondary credential when “the time is right.”

\* \* \*

*Initiative: Director of Data Strategy*  
*Bureau: Policy, Planning and Research*  
*Division: Research and Strategy*  
*Request: \$150,000 (recurring)*

This new position, the Director of Data Strategy, would oversee data strategy, improving understanding and usability of the data collected on a semi-annual basis from systems. The position would convene institutional research (IR) and registrar staff, participate in system-level IR meetings, and review data dictionaries for accuracy and clarity through a policy lens. This role will elevate Research and Strategy reporting practices by streamlining and automating queries and incorporating validation checks to improve efficiencies and maximize staff time for new analyses and research needs. In addition, this role will facilitate the design and guidance of large-scale data projects and support the agency’s efforts to measure key performance indicators. Finally, this new position would serve as a translator and connector between policy and data systems, synthesizing and streamlining existing practices in consistent and efficient ways.

Alignment to THEC Strategy: This position will formalize an important but often unrealized part of the work connecting our agency priorities and initiatives to the data we collect. The position would reinforce THEC’s efforts to manage a premier student information system (per Tenn. Code Annotated §49-4-903(c)), serving as a bridge between THEC data end-users and the well-established Information Systems team, allowing policymaking end-users to push new policy initiatives informed by data. Most specifically, the creation of this role will enhance THEC’s ability to craft goals and measure success in Master Plan (MP) metrics (as required by Tenn. Code Annotated §49-7-202(d)(1)), especially new metrics, by identifying gaps in the data system and where data may need to improve or change. This new position will foster conversations between THEC and data originators, increasing awareness of our MP measures and facilitating institution buy-in on MP goals. Finally, this role will help foster data maturity across THEC/TSAC, maximizing familiarity with the data we have available and empowering staff to use it.

\* \* \*

*Initiative: Reverse Transfer Program*  
*Bureau: Academic Affairs and Student Success*  
*Division: Academic Affairs*  
*Request: \$310,000 (recurring)*

In FY 2014, the State of Tennessee provided one-time funding to develop a statewide Reverse Transfer system. Reverse transfer is defined as a process that allows a student who completed a minimum of 15 hours at a community college and transferred to a participating Tennessee four-year public or private institution to combine college credits from both institutions and apply them toward an associate degree. Reverse Transfer is uniquely aligned with Tennessee’s statewide goal of increasing the educational attainment level of its citizens. The development of the Reverse Transfer System has been very successful with the awarding of over 5,500 associate degrees since 2015. To ensure the continued success of the program, this request for Reverse Transfer would permanently fund contracted services, dedicated server space and one staff position.

Alignment to THEC Strategy: The Complete College Tennessee Act set the stage for legislation, passed by the General Assembly in 2012, to authorize reverse articulation and transfer agreements between community colleges and four-year institutions. Reverse transfer is referenced in Tenn. Code Annotated § 49-7-150:

The community colleges of the board of regents system are authorized and encouraged to enter into reverse articulation or reverse transfer agreements with the universities of the board of regents and the University of Tennessee systems and with private institutions of higher education that are accredited by the Southern Association of Colleges and Schools. The universities of the board of regents and the University of Tennessee systems are authorized and encouraged to enter into reverse articulation or reverse transfer agreements with the community colleges of the board of regents system.

Since that time, Reverse Transfer has been a critical component in the Master Plan and is a prominent feature in the *2015-2025 Master Plan* as it, “enables eligible students to receive a first associate’s degree that accurately reflects their educational attainment and allows them to compete more successfully in higher education and the workforce” (p. 29). Additionally, the *Strategic Financial Plan* highlights the importance of reverse transfer: “The formula currently incentivizes institutions by rewarding successful transfer outcomes and reverse articulated associate degrees” (p.20).

\* \* \*

*Initiative: Statewide Building Condition Survey*  
*Bureau: Finance and Administration*  
*Division: Capital Policy*  
*Request: \$6,000,000 (nonrecurring)*

This proposal would secure funding and retain a consultant team to conduct a statewide building condition survey of core Higher Education “Education and General” (E&G) buildings. It has been over a decade since the last state-wide survey was conducted by the TBR system. There have been recent surveys conducted by various institutions, such as the current UT survey of selected UT system facilities now in progress, and the TSU campus wide survey completed in 2020. Currently, standardized surveys are required by THEC to be conducted on a regular basis by physical plant staff, and also by consultants on a per building basis if the building is part of a capital outlay or maintenance request. The scope of work includes an evaluation of the conditions of major E&G buildings on a building system basis, consistent with standardized building evaluation practices. The building systems will be scored and prioritized for planned maintenance. System deficiencies will be documented with recommendations as to a timeline for upgrades, with broadly defined scope and estimated cost range for repairs. The scope of work will include an update of existing data in the THEC Physical Facility Inventory and Survey (PFIS) database for consistency of available data for building conditions across the state.

Alignment to THEC Strategy: A statewide building condition survey will aid THEC in meeting its statutory requirement (Tenn. Code Annotated §49-7-202(o)) of identifying capital investment needs ahead of its annual appropriation maintenance request. Further, in alignment with the *Strategic Financial Plan*, the building condition survey builds on the plan’s *foundation* of “fund[ing] and distribut[ing] capital maintenance to campuses based on aggregate age, size, and use of facilities” (p. 25) by ensuring the state has updated PFIS data for determining maintenance needs per facility.

**Attachment A: FY 2023-24 Proposed THEC Strategic Initiatives**

<b>Initiative</b>	<b>Bureau</b>	<b>Division</b>	<b>Recurring</b>	<b>Nonrecurring</b>	<b>Initiative Description</b>
<b>Advise TN</b>	Access and Outreach	College Access and Success	<b>\$925,000</b>	<b>\$0</b>	Advise TN is a college advising and capacity building program administered by THEC. This budget request will allow the Advise TN program to increase the number of advisors available to serve students, allow for higher quality and individualized student advising, and allow THEC to increase advisor salaries to market competitive levels to better identify and retain high quality staff focused on providing high-quality, high-impact student services.
<b>HBCU Success and Tennessee Promise Summer Bridge Programs</b>	Access and Outreach	HBCU Success & College Access and Success Division	<b>\$1,125,000</b>	<b>\$0</b>	A portion of this request (\$625,000) would build on the success of the 2019 Historically Black Colleges and Universities pilot Summer Bridge program by offering the opportunity for the state's five undergraduate HBCU institutions to continue similar student success-based programs on an ongoing basis. The second portion of this request (\$500,000) will provide recurring funding to the Summer Bridge Program and the Summer Institute, two summer bridge programs targeting TN Promise students, currently operated by tnAchieves on a nonrecurring, state-funded grant.
<b>Navigate Reconnect</b>	Access and Outreach	Adult Learner Initiatives	<b>\$760,000</b>	<b>\$0</b>	This request will add five Reconnect Navigators to improve Navigator capacity; increase Navigators salaries to market competitive levels; and implement a mass texting platform to effectively and efficiently communicate with students.
<b>Director of Data Strategy</b>	Policy, Planning and Research	Research and Strategy	<b>\$150,000</b>	<b>\$0</b>	This new position would oversee data strategy, improving understanding and usability of the data collected on a semi-annual basis from systems; would facilitate the design and guidance of large-scale data projects and support the agency's efforts to measure key performance indicators; and would serve as a translator and connector between policy and data systems, synthesizing and streamlining existing practices in consistent and efficient ways.
<b>Reverse Transfer Program</b>	Academic Affairs and Student Success	Academic Affairs	<b>\$310,000</b>	<b>\$0</b>	In FY 2014, the State of Tennessee provided one-time funding to develop a statewide Reverse Transfer system. The Reverse Transfer System has been very successful with the awarding of over 5,500 associate degrees since 2015. In order to ensure the continued success of the program, this request for Reverse Transfer would permanently fund contracted services, dedicated server space and one staff position.
<b>Statewide Building Condition Survey</b>	Finance and Administration	Capital Policy	<b>\$0</b>	<b>\$6,000,000</b>	This request seeks to secure funding and retain a consultant team to conduct a statewide facilities condition survey of core Higher Education "Education and General" (E&G) buildings. The scope of work includes an evaluation of the conditions of major E&G buildings on a building system basis, consistent with standardized building evaluation practices. The building systems will be scored and prioritized for planned maintenance. System deficiencies will be documented with recommendations as to a timeline for upgrades, with broadly defined scope and estimated cost range for repairs.
<b>Total</b>			<b>\$3,270,000</b>	<b>\$6,000,000</b>	



## TENNESSEE HIGHER EDUCATION COMMISSION

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### REGULAR CALENDAR ITEM: II.

**MEETING DATE:** July 28, 2022

**SUBJECT:** University of Tennessee, Martin Campus Master Plan

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

Campus master plans are an essential element of higher education public policy. Master plans provide an opportunity for long-range planning that incorporates the institution's needs and ambitions, while also providing the public and state government a sense for how the institution might evolve over time. Whether the acquisition of strategic property, the need for and efficient use of facilities, or an analysis of how the campus footprint meshes with the surrounding community, master plans provide a method of anticipating and preparing for the future needs of the campus and the students it serves.

THEC requires institutions to produce a master plan every ten years that addresses short-, mid-, and long-term needs of the campus with respect to building and land use, open space, vehicular circulation and parking, and land acquisition opportunities.

### CAMPUS MASTER PLAN GOALS

The 2022 Master Plan is based on listening to the needs of campus stakeholders and an analysis of campus space needs and physical site conditions, while focusing on UTM's core values and goals. A major driver of the plan is the further development of a campus where students and staff feel supported and inspired to be their best.

Following the University of Tennessee, Martin's (UTM) Five-Year Strategic Plan for 2018-2023, the Master Plan focused on their core values:

- Academic Program Excellence
- Student Experience and Success
- Inclusion
- Advocacy and Service

The overarching goals of the 2022 Master Plan include the following:

- Define current and future facility needs, including renovations, expansions, and new buildings that enhance the quality of academic programs and support campus community life issues.
- Develop facilities to support UTM's mission of enhancing the educational, cultural, and economic life in the region and serving as a focal point for a range of programs and services.
- Provide an overall impression of quality in all aspects of the campus, allowing UTM to recruit and retain the highest quality students and faculty.

- Provide a variety of options for housing to attract and maintain students while supporting and promoting a sense of community interaction on campus.

## CAMPUS MASTER PLAN

UTM has a regional impact with enrollment that exceeds 5,100 students on its main campus in Martin, Tennessee, and centers located in Jackson, Parsons, Ripley, Selmer, and Somerville. Enrollment growth over the ten-year life of the Master Plan is based primarily on strategic enrollment plan initiatives in the College of Agriculture and Applied Sciences and the College of Engineering and Natural Sciences such as veterinary technology, cybersecurity, cell and molecular biology, and mechanical engineering. Since the centers are leased properties, the primary focus of the Master Plan is on the main campus.

Short-term priority projects for the campus include the following:

- Fine Arts Building Addition - This project will provide a Concert Hall for music and other performing arts and events programming. It also includes a Recital Hall that can be used as a classroom or lecture hall and a lobby that can be used prior to functions, a gallery, and a lounge. This type of space is not currently available on-campus and will provide the opportunity for music students to perform in a professional setting while supporting performances for the community.
- Business Administration Building – The existing building is near the end of its useful life and needs to be replaced. It will be demolished and replaced with a new facility that includes learning labs, classrooms, offices, student services and a student success center.
- Beef Cattle Teaching and Demonstration Facility – This new facility will include 5,000 square feet of classroom/lab space and 10,000 square feet of cattle sheds located on 40 acres currently part of the UTM campus.

The campus is organized around a traditional quad area with collegiate character. The Campus Master Plan proposes improvements and additional outdoor spaces of varied scale, character, and function to expand an open space framework for enhanced connectivity and activity. New plazas and courtyard spaces between buildings facilitate activity in the outdoor environment, while the new green space corridor connects the North and South of the campus.

Planning and assessment of Student Life identified several needs including the following:

- dining expansion and additions;
- phased student housing demolitions, replacements, and renovations;
- recreation improvements including a pool addition, outdoor basketball courts, intramural and club sports fields, and indoor turf fields;
- new Student Health and Counseling Center; and
- outdoor amphitheater with seating at the current Grove Apartment site.

The Master Plan also includes athletic program upgrades including an indoor baseball batting facility and a renovation, an addition to the Bob Carroll Football Building, and a future indoor practice facility for a variety of athletic and recreational sports.

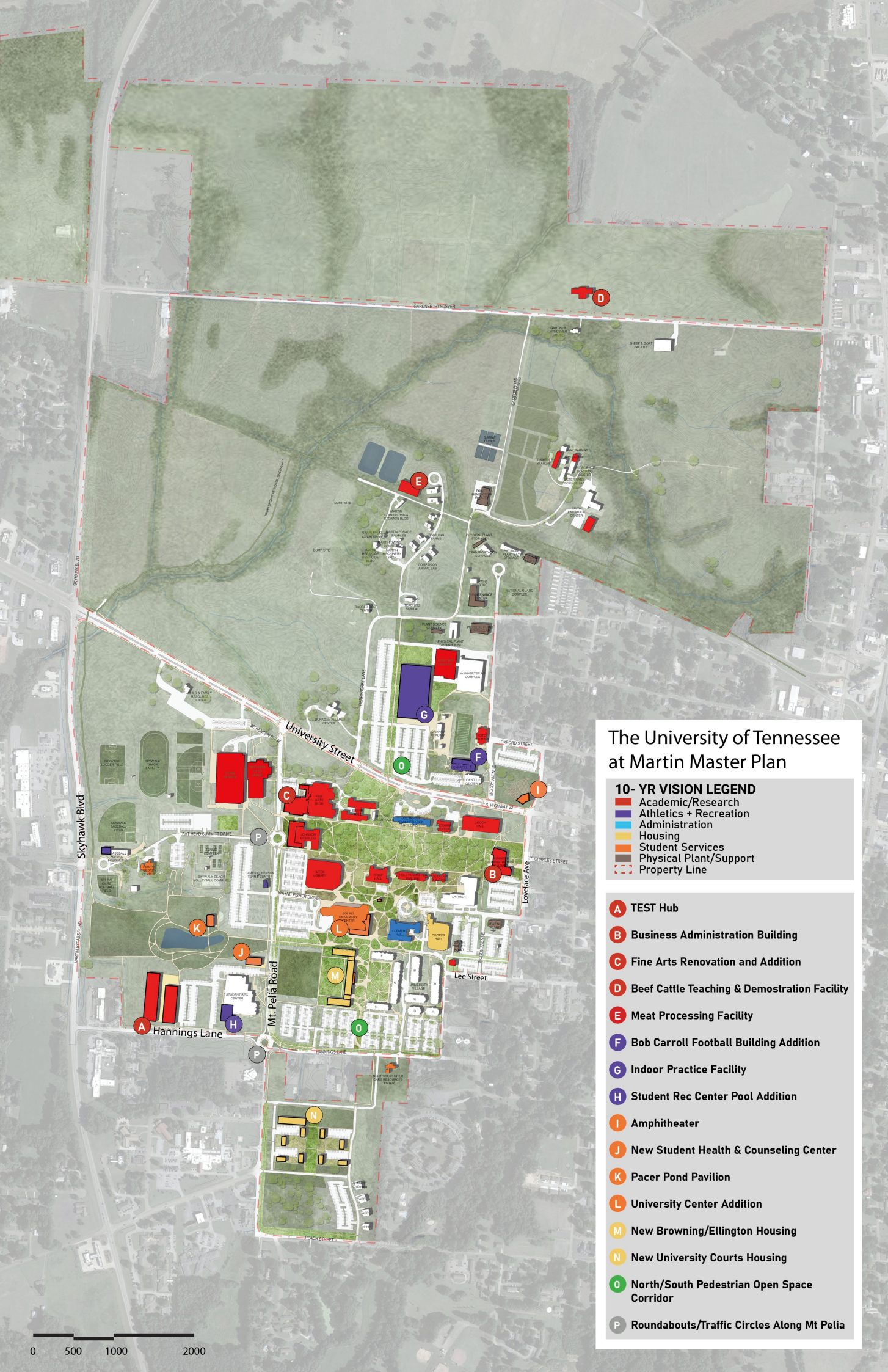
Unlike some urban college campuses, UTM is not land constrained, and there are several strategic land areas that are added to the acquisition plan. Large parcels to the north of campus would support the UTM's

agriculture programs for years to come. Smaller parcels to the south and east would support future building footprints, enhanced campus edges, and strategic locations for new and displaced parking.

### **RECOMMENDATION**

The 2022 Master Plan is a comprehensive 10-year plan, with analysis of space needs, enrollment, site considerations, facility conditions and renewal plans, land acquisition, infrastructure, student life/services, and implementation and capital plan. THEC staff recommends it for approval.





## The University of Tennessee at Martin Master Plan

- 10- YR VISION LEGEND**
- Academic/Research
  - Athletics + Recreation
  - Administration
  - Housing
  - Student Services
  - Physical Plant/Support
  - Property Line

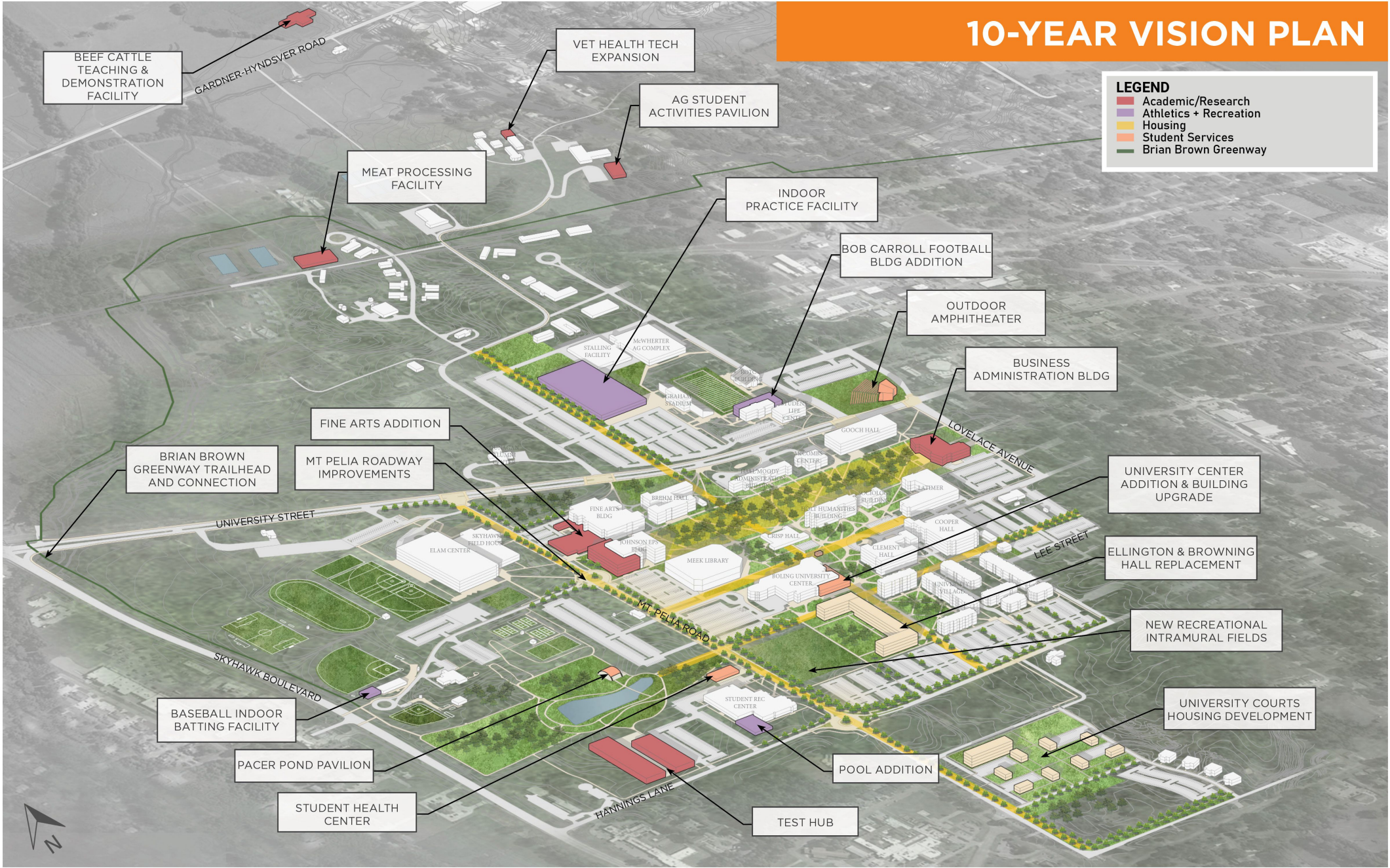
- A TEST Hub
- B Business Administration Building
- C Fine Arts Renovation and Addition
- D Beef Cattle Teaching & Demonstration Facility
- E Meat Processing Facility
- F Bob Carroll Football Building Addition
- G Indoor Practice Facility
- H Student Rec Center Pool Addition
- I Amphitheater
- J New Student Health & Counseling Center
- K Pacer Pond Pavilion
- L University Center Addition
- M New Browning/Ellington Housing
- N New University Courts Housing
- O North/South Pedestrian Open Space Corridor
- P Roundabouts/Traffic Circles Along Mt Pelia



# 10-YEAR VISION PLAN

**LEGEND**

- Academic/Research
- Athletics + Recreation
- Housing
- Student Services
- Brian Brown Greenway



BEEF CATTLE  
TEACHING &  
DEMONSTRATION  
FACILITY

GARDNER-HYNDSEVER ROAD

VET HEALTH TECH  
EXPANSION

AG STUDENT  
ACTIVITIES PAVILION

MEAT PROCESSING  
FACILITY

INDOOR  
PRACTICE FACILITY

BOB CARROLL FOOTBALL  
BLDG ADDITION

OUTDOOR  
AMPHITHEATER

BUSINESS  
ADMINISTRATION BLDG

FINE ARTS ADDITION

BRIAN BROWN  
GREENWAY TRAILHEAD  
AND CONNECTION

MT PELIA ROADWAY  
IMPROVEMENTS

UNIVERSITY CENTER  
ADDITION & BUILDING  
UPGRADE

ELLINGTON & BROWNING  
HALL REPLACEMENT

NEW RECREATIONAL  
INTRAMURAL FIELDS

UNIVERSITY COURTS  
HOUSING DEVELOPMENT

POOL ADDITION

TEST HUB

STUDENT HEALTH  
CENTER

PACER POND PAVILION

BASEBALL INDOOR  
BATTING FACILITY

SKYHAWK BOULEVARD

HANNINGS LANE

MT PELIA ROAD

LEE STREET

LOVELACE AVENUE

UNIVERSITY STREET







## TENNESSEE HIGHER EDUCATION COMMISSION

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REGULAR CALENDAR ITEM: III. A.

**MEETING DATE:** July 28, 2022

**SUBJECT:** New Academic Program  
Tennessee Technological University  
Studio Arts, Bachelor of Science  
CIP Code: 50.0702 (Fine/Studio Arts, General)

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### PROGRAM DESCRIPTION

Tennessee Technological University (TTU) proposes a Bachelor of Science (BS) in Studio Arts which will capitalize on the inherent strengths of the university, including the nationally recognized Appalachian Center for Craft. The proposed program has been designed to prepare students for meaningful careers in visual art, craft design, and other artistic fields, while providing an alternative to the more restrictive curriculum required for the Bachelor of Fine Arts (BFA) degree. The program has been intentionally designed to create a nimble and flexible degree program that provides an open path for transfer students including those with many dual enrollment credits. Further, the proposed program provides a mechanism for forging meaningful and innovative collaborations with TTU's strong STEM programs due to the availability of elective credits in the proposed program.

### INSTITUTIONAL GOVERNING BOARD APPROVAL

The proposed Studio Arts, BS program was approved by the Tennessee Technological University Board of Trustees on June 23, 2022.

### PROPOSED IMPLEMENTATION DATE

Fall 2022 – TTU is confident they will be able to meet initial enrollment projections because they will be using existing curriculum, faculty, facilities, and have a pipeline of current undergraduate students interested in changing their major to the Studio Arts, BS if approved.

### ALIGNMENT WITH STATE MASTER PLAN AND INSTITUTIONAL MISSION/STRATEGIC PLAN

The proposed Studio Arts, BS program aligns with the State's Master Plan by supporting increased and timely degree completion. The program also provides broad workforce applicability because of its intentionally designed curriculum. In addition, the flexible curricular design will create accessible degree pathways for students, accommodating transfer students and students interested in cross-disciplinary inquiry.

The proposed program also aligns with each of the four strategic goals articulated in Tennessee Tech's new strategic plan, *Tech Tomorrow*. Specifically, the program provides "education for life" by creating a flexible degree that will meet the needs and interests of students at various phases of their undergraduate career,

while providing meaningful and rigorous education. Further, it provides a foundation for “innovation in all we do,” by allowing students to expand and apply their studio arts practice with other disciplines, and thereby to build cross-disciplinary inquiry, dialogue, and innovative learning. It is built with “exceptional stewardship” in mind, creating a new academic program while utilizing existing faculty and facilities, and without requiring any significant cost. Finally, the program provides “education for impact,” by creating opportunities for students to tailor their education to their needs and interests, strengthening their employability.

**CURRICULUM**

The proposed Studio Arts, BS program is structured to adhere to National Association of Schools of Art and Design (NASAD) accreditation standards while providing a flexible degree program. The 120-credit hour program consists of 39 credits of studio arts, 12 credits of art or design history, 41 credits of general studies, and 28 elective credits. The program culminates in a capstone course which will include a group exhibition of student artwork.

At the completion of the program, graduates will have accomplished several learning outcomes, including:

- developed visual sensitivity;
- gained technical skills, perceptual development, and understanding of principles of visual organization sufficient to achieve basic visual communication and expression in one or more media;
- have some familiarity with the works and intentions of major artists/designers and movements of the past and present;
- understand the nature of contemporary thinking on art and design, and have gained at least a rudimentary discernment of quality in design projects and works of art;
- explored additional areas of study to broaden their skills and experiences in other disciplines; and
- developed a set of skills and competencies relevant to their career interest, thus creating increased workplace viability.

**PROGRAM PRODUCTIVITY**

Projections by TTU’s School of Art, Craft, and Design estimate that seven students will enroll in the Studio Arts, BS program in its first year, with enrollment growing to 20 students by year five. The program will graduate its first students in year two.

	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
<b>Enrollment</b>	7	9	12	15	20
<b>Graduates</b>	--	4	7	9	12

**PROGRAM DUPLICATION**

Middle Tennessee State University and Tennessee State University offer similar concentrations in their Art, BS programs. In addition, Austin Peay State University, East Tennessee State University, Middle Tennessee State University, University of Memphis, University of Tennessee, Chattanooga, and University of Tennessee, Knoxville all offer a BFA in Studio Arts.

**EXTERNAL JUDGEMENT**

An external review of the proposed program was conducted during a virtual site visit on February 16, 2022 by Professor Valerie Zimany, Chair of the Art Department at Clemson University. The site visit included meetings with campus administrators, faculty, prospective students, and industry partners. Prof. Zimany recommended

approval of the proposed program, commenting “the program is needed, and the institution is ready.” She also pointed out that “the proposed BS in Studio Arts degree provides students the natural ease to combine the in-demand qualities of creativity and adaptability/resilience in art studies, along with complementary studies in a variety of applied second majors and minors. This will benefit students’ post-graduation marketability to employers.” Prof. Zimany also pointed out that student expertise in creativity and resilience – skills central to the proposed curriculum – are uniquely valuable skills in the job market, pointing out that LinkedIn listed creativity as the top soft skill needed for employment in 2020 and 2021.

## **STUDENT DEMAND**

TTU students majoring in Art were surveyed in spring 2019. Sixty-one students responded, 55 percent of whom indicated moderate or high interest in the establishment of the proposed program. Twenty-six percent of these respondents noted the desire to enroll in the proposed program immediately. Additionally, 47 percent of students suggested that the proposed BS in Studio Arts was better aligned with their future endeavors than their current degree program.

## **OPPORTUNITIES FOR PROGRAM GRADUATES**

Regional Economic Models Incorporated (REMI) predicts an increased job demand for employees in art fields of nearly 7 percent from 2018 to 2025 in the Upper Cumberland region. Further, REMI data show that students trained for Art and Design are finding jobs in several industries including: motion picture and sound recording; professional, scientific, and technical services; education services; performing arts; museums; and historical sites, suggesting that training in Art and Design provides students flexible career options. The national employment outlook is similar, with the US Bureau of Labor Statistics projecting increases from four to seven percent across multiple types of art positions from 2016-2026. Letters of support are provided by Arrowmont, WDStone, The Biz Foundry, and Foxtrot Branding.

## **INSTITUTIONAL CAPACITY TO DELIVER THE PROGRAM**

The Studio Arts, BS program will be housed in the School of Art, Craft, and Design in the College of Fine Arts. Current faculty include two professors, three associate professors, seven assistant professors, and seven adjunct faculty members. The proposed program will also leverage existing courses and only the capstone course will need to be developed.

Students enrolled in the proposed program will be supported by a program director, an administrative associate, a full-time academic advisor, two IT Specialists who are employed in the College of Fine Arts, and six artists in residence. Existing facilities, including TTU’s Appalachian Center for Craft, are sufficient to support the proposed program.

## **ASSESSMENT AND POST-APPROVAL MONITORING**

An annual performance review of the proposed program will be conducted for the first five years following program approval. The review will be based on benchmarks established in the approved proposal. At the end of this period, the campus, institutional governing board, and THEC staff will perform a summative evaluation. The benchmarks include, but are not limited to, enrollment and graduation, program cost, progress toward accreditation, and other metrics set by the institution and staff. If benchmarks are not met during the monitoring period, the Commission may recommend that the institutional governing board terminate the program. If additional time is needed and requested by the institutional governing board, the Commission may choose to extend the monitoring period.

# FINANCIAL PROJECTIONS

**Tennessee Higher Education Commission**  
**Appendix A: THEC Financial Projections Form**  
**Tennessee Tech University**  
**Bachelor of Science in Studio Arts**

*Five-year projections are required for baccalaureate and Master's degree programs*

*Three-year projections are required for associate degrees and undergraduate certificates.*

*Projections should include cost of living increases per year.*

*Planning year projections are not required but should be included when appropriate.*

	Planning Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>I. Expenditures</b>						
<b>A. One-time Expenditures</b>						
New/Renovated Space <sup>1</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	\$ 1,000	\$ -	\$ 2,000	\$ 2,000	\$ -	\$ -
Library	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Consultants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250
Other	\$ 3,000	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total One-time</b>	\$ 4,000	\$ 250	\$ 2,250	\$ 2,250	\$ 250	\$ 250
<b>B. Recurring Expenditures</b>						
<b>Personnel</b>						
<b>Administration</b>						
Salary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total Administration</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Faculty</b>						
Salary	\$ -	\$ -	\$ 2,100	\$ 2,100	\$ 4,200	\$ 4,200
Benefits	\$ -	\$ -	\$ 210	\$ 210	\$ 440	\$ 440
<b>Sub-Total Faculty</b>	\$ -	\$ -	\$ 2,310	\$ 2,310	\$ 4,640	\$ 4,640
<b>Support Staff</b>						
Salary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total Support Staff</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Graduate Assistants</b>						
Salary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tuition and Fees* (See Below)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total Graduate Assistants</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Operating</b>						
Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Printing	\$ 1,000	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ 100	\$ 100	\$ 150	\$ 150
<b>Sub-Total Operating</b>	\$ 1,000	\$ 500	\$ 600	\$ 600	\$ 650	\$ 650
<b>Total Recurring</b>	\$ 1,000	\$ 500	\$ 2,910	\$ 2,910	\$ 5,290	\$ 5,290
<b>TOTAL EXPENDITURES (A + B)</b>	\$ 5,000	\$ 750	\$ 5,160	\$ 5,160	\$ 5,540	\$ 5,540

**\*If tuition and fees for Graduate Assistants are included, please provide the following information.**

Base Tuition and Fees Rate	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Number of Graduate Assistants	-	-	-	-	-	-

	Planning Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>II. Revenue</b>						
Tuition and Fees <sup>2</sup>	\$ -	\$ 73,654	\$ 94,698	\$ 126,264	\$ 157,830	\$ 210,440
Institutional Reallocations <sup>3</sup>	\$ 5,000	\$ (72,904)	\$ (89,538)	\$ (121,104)	\$ (152,290)	\$ (204,900)
Federal Grants <sup>4</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Private Grants or Gifts <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other <sup>6</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>BALANCED BUDGET LINE</b>	<b>\$ 5,000</b>	<b>\$ 750</b>	<b>\$ 5,160</b>	<b>\$ 5,160</b>	<b>\$ 5,540</b>	<b>\$ 5,540</b>

**Notes:**

**(1) Provide the funding source(s) for the new or renovated space.**

The proposed degree does not require new nor renovated space.  
 Program related expenses will be supported via departmental operating funds.

**(2) In what year is tuition and fee revenue expected to be generated? Tuition and fees include maintenance fees, out-of-state tuition, and any applicable earmarked fees for the program. Explain any differential fees.**

Year 1

**(3) Identify the source(s) of the institutional reallocations, and grant matching requirements if applicable.**

None.

**(4) Provide the source(s) of the Federal Grant including the granting department and CFDA(Catalog of Federal Domestic Assistance) number.**

N/A

**(5) Provide the name of the organization(s) or individual(s) providing grant(s) or gift(s).**

N/A

**(6) Provide information regarding other sources of the funding.**

No other sources exist.



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** III. B.

**MEETING DATE:** July 28, 2022

**SUBJECT:** New Academic Program  
University of Tennessee Health Science Center  
Pathologists' Assistant, Master of Health Science (MHS)  
CIP Code: 51.0811 (Pathology/Pathologists' Assistant)

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### **PROGRAM DESCRIPTION**

The University of Tennessee Health Science Center (UTHSC) proposes a Pathologists' Assistant, Master of Health Science (MHS), which will require 76 credit hours and will be offered on-ground. The proposed program is designed to educate individuals to become Pathologists' Assistants that provide surgical, autopsy, and forensic pathology professional services under the guidance of a board-certified pathologist. The program will prepare students to complete the American Society for Clinical Pathology Board of Certification examination for Pathologists' Assistant.

The proposed program will seek accreditation by the National Accrediting Agency for Clinical Laboratory Sciences (NAACLS). Students will learn to examine, process, and prepare tissue specimens for a variety of clinical tests and procedures. Graduates of the proposed program will encounter hands-on learning experiences that will provide the knowledge and skills to competently identify diseases, assist in post-mortem examinations, and compile accurate clinical histories.

### **INSTITUTIONAL GOVERNING BOARD APPROVAL**

The proposed Pathologists' Assistant, MHS program was approved by the University of Tennessee System Board of Trustees on June 23, 2022.

### **PROPOSED IMPLEMENTATION DATE**

Spring 2023

### **ALIGNMENT WITH STATE MASTER PLAN AND INSTITUTIONAL MISSION/STRATEGIC PLAN**

The proposed Pathologists' Assistant, MHS program aligns with the Tennessee Higher Education Master Plan by adding an attractive graduate program in a high-demand health discipline. Additionally, the proposed program will increase education attainment levels in Tennessee by creating a graduate degree that leads to immediate entry in jobs at hospitals, clinical laboratories, and research and medical facilities.



The proposed program aligns with UTHSC’s institutional mission by preparing students to “Improve the health and well-being of Tennesseans and the global community by fostering integrated, collaborative, and inclusive education, research, scientific discovery, clinical care, and public service.”

**CURRICULUM**

The proposed program will be delivered on campus and follow a trimester calendar beginning in January of each year. The proposed program consists of 76 semester credit hours. The curriculum in the first year of the program includes a series of primarily didactic courses with supporting laboratories. The curriculum in the second year of the program primarily consists of clinal rotations. The curriculum reflects the breadth, depth, theory, and practice for an entry-level Pathologists’ Assistant and is based on NAACLS accreditation standards. Seventeen courses are being developed and are specific to the proposed Pathologists’ Assistant program.

Student learning objectives for the proposed Pathologists’ Assistant program intends for students to:

- perform anatomic pathology techniques for the preparation, gross description, and dissection of human surgical tissue specimens;
- demonstrate and perform the appropriate non-forensic and forensic autopsy techniques for the recovery, preparation, evisceration, gross description, and dissection of human organs and tissue specimens;
- demonstrate the ability to effectively communicate verbally and in writing;
- demonstrate the ability to manage a pathology laboratory and autopsy service; and
- display an understanding of teaching pedagogy and an ability to clinically train other health professionals.

**PROGRAM PRODUCTIVITY**

The proposed Pathologists’ Assistant, MHS program anticipates an initial enrollment of five students with an annual enrollment of 19 students by year five. Attrition rates are calculated at five percent. The proposed program projects five graduates by year two.

	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
<b>Enrollment</b>	5	10	14	18	19
<b>Graduates</b>	--	5	6	8	9

**PROGRAM DUPLICATION**

The proposed program will be the first graduate program of its kind in Tennessee and one of 13 Pathologists’ Assistant programs in the US. The program would be of interest to many pre-health science students in this region of the United States.

**EXTERNAL JUDGEMENT**

An external review of the proposed program was conducted during a virtual institutional site visit on February 9, 2022. VeraLucia Mendes-Kramer, MA, PA(ASCP), Assistant Professor and Program Director of Pathologists’ Assistant Program at Wayne State University served as the external reviewer for the proposed program. The site visit included meetings with campus administrators, faculty, prospective students, and community partners. Director Mendes-Kramer recommended approval for the program and stated, “The faculty and leadership of the UTHSC should be commended for producing a thorough programmatic proposal that

reflects an understanding of an evolving profession impacting health care. The site visit revealed a program with strong administrative support, excellent educational facilities, robust resources for student success and faculty professional development, and unparalleled community stakeholder support.”

## **STUDENT DEMAND**

Student interest in the proposed Pathologists’ Assistant program was determined in two ways – a web-based national survey of adults and a focused student survey at the University of Tennessee, Martin. The adult survey of 500 respondents revealed that 45 percent indicated a possible interest of a career as a pathologists’ assistant. From that group, 17 percent were more definitive of interest in this career field.

With the minimal number of undergraduate students available to survey at UTHSC, 58 students from the University of Tennessee, Martin who are majoring in Biological Sciences were surveyed. Thirteen students representing 42 percent of the sample surveyed expressed an interest in the proposed program, which is an approximate estimation of the cohort size beginning in year three.

## **OPPORTUNITIES FOR PROGRAM GRADUATES**

Pathologists’ Assistants interact with pathologists, much like physician’s assistants do in surgical and medical practice, carrying out their duties under the direction of physicians. Data from the Bureau of Labor Statistics’ Occupational Outlook Handbook classifies pathologists’ assistants within the physicians’ assistant category and projects job growth for the entire field to be 31 percent from 2018 to 2028. Additionally, in 2019 the American Association of Pathologists’ Assistants reported a 100 percent job placement rate for all accredited Pathologists’ Assistant programs.

Letters of support for the proposed program were included from a variety of business and industry leaders including the Jackson Pathology Group, P.C.; Regional One Health; Saint Thomas Midtown Hospital; PathGroup; West Tennessee Regional Forensic Center; and Methodist LeBonheur Healthcare.

## **INSTITUTIONAL CAPACITY TO DELIVER THE PROGRAM**

The UTHSC College of Health Professions has capacity to support and deliver the proposed program. The current laboratory science programs have agreed to collaborate with the proposed program and will share faculty, courses, educational resources, laboratory equipment, clinical placements, and integrated research opportunities. Facilities at UTHSC are currently sufficient for the addition of the proposed program. The program will have designated lab space in the UTHSC General Education Building and access to the human anatomy cadaver laboratory.

The proposed program will require one-time expenditures during the planning year for equipment, consulting, and accreditation costs. Recurring expenditures will be needed for four positions (Program Director, Clinical Coordinator, Education Coordinator, and Medical Director) and operating and accreditation expenses.

## **ASSESSMENT AND POST-APPROVAL MONITORING**

An annual performance review of the proposed program will be conducted for the first five years following program approval. The review will be based on benchmarks established in the approved proposal. At the end of this period, the campus, institutional governing board, and THEC staff will perform a summative evaluation. The benchmarks include, but are not limited to, enrollment and graduation, program cost, progress toward

accreditation, and other metrics set by the institution and staff. If benchmarks are not met during the monitoring period, the Commission may recommend that the institutional governing board terminate the program. If additional time is needed and requested by the institutional governing board, the Commission may choose to extend the monitoring period.

## FINANCIAL PROJECTIONS

Tennessee Higher Education Commission						
Appendix A: THEC Financial Projections						
University of Tennessee Health Science Center						
Master of Health Science in Pathology Assistant						
Seven-year projections are required for doctoral programs.						
Five-year projections are required for baccalaureate and Master's degree programs						
Three-year projections are required for associate degrees and undergraduate certificates.						
Projections should include cost of living increases per year.						
Planning year projections are not required but should be included when appropriate.						
	2022	2023	2024	2025	2026	2027
	Planning Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>I. Expenditures</b>						
<b>A. One-time Expenditures</b>						
New/Renovated Space <sup>1</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	141,700	-	-	-	-	-
Library	-	-	-	-	-	-
Consultants	15,000	10,000	10,000	-	-	-
Travel	-	-	-	-	-	-
Other	200	-	-	6,500	-	-
<b>Sub-Total One-time</b>	\$ 156,900	\$ 10,000	\$ 10,000	\$ 6,500	\$ -	\$ -
<b>B. Recurring Expenditures</b>						
<b>Personnel</b>						
<b>Administration</b>						
Salary	\$ 120,000	\$ 122,400	\$ 124,848	\$ 127,345	\$ 129,892	\$ 132,490
Benefits	40,560	41,371	42,199	43,043	43,903	44,782
<b>Sub-Total Administration</b>	\$ 160,560	\$ 163,771	\$ 167,047	\$ 170,388	\$ 173,795	\$ 177,271
<b>Faculty</b>						
Salary	\$ 50,000	\$ 102,000	\$ 204,040	\$ 208,121	\$ 212,283	\$ 216,529
Benefits	16,900	34,476	68,966	70,345	71,752	73,187
<b>Sub-Total Faculty</b>	\$ 66,900	\$ 136,476	\$ 273,006	\$ 278,466	\$ 284,035	\$ 289,716
<b>Support Staff</b>						
Salary (Medical Director stipend)	\$ 6,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000
Benefits	2,028	8,112	8,112	8,112	8,112	8,112
<b>Sub-Total Support Staff</b>	\$ 8,028	\$ 32,112	\$ 32,112	\$ 32,112	\$ 32,112	\$ 32,112
<b>Graduate Assistants</b>						
Salary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Benefits	-	-	-	-	-	-
Tuition and Fees* (See Below)	-	-	-	-	-	-
<b>Sub-Total Graduate Assistants</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Operating</b>						
Travel	\$ 2,700	\$ 6,500	\$ 6,500	\$ 6,500	\$ 9,250	\$ 9,250
Printing	1,750	500	500	500	500	500
Equipment	-	1,500	1,500	1,500	1,500	1,500
Other	10,000	10,000	10,000	13,115	13,271	13,431
<b>Sub-Total Operating</b>	\$ 14,450	\$ 18,500	\$ 18,500	\$ 21,615	\$ 24,521	\$ 24,681
<b>Total Recurring</b>	\$ 249,938	\$ 350,859	\$ 490,664	\$ 502,580	\$ 514,463	\$ 523,780
<b>TOTAL EXPENDITURES (A + B)</b>	\$ 406,838	\$ 360,859	\$ 500,664	\$ 509,080	\$ 514,463	\$ 523,780

<b>*If tuition and fees for Graduate Assistants are included, please provide the following information.</b>						
Base Tuition and Fees Rate	\$ -		\$ -	\$ -	\$ -	\$ -
Number of Graduate Assistants	-		-	-	-	-
	<b>Planning Year</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>II. Revenue</b>						
Tuition and Fees <sup>2</sup>	-	140,145	330,448	436,202	578,632	627,538
Institutional Reallocations <sup>3</sup>	406,838	220,714	170,216	72,878	(64,168)	(103,758)
Federal Grants <sup>4</sup>	-	-	-	-	-	-
Private Grants or Gifts <sup>5</sup>	-	-	-	-	-	-
Other <sup>6</sup>	-	-	-	-	-	-
<b>BALANCED BUDGET LINE</b>	<b>\$ 406,838</b>	<b>\$ 360,859</b>	<b>\$ 500,664</b>	<b>\$ 509,080</b>	<b>\$ 514,463</b>	<b>\$ 523,780</b>
<b>Notes:</b>						
<b>(1) Provide the funding source(s) for the new or renovated space.</b>						
Not Applicable						
<b>(2) In what year is tuition and fee revenue expected to be generated? Tuition and fees include maintenance fees, out-of-state tuition, and any applicable earmarked fees for the program. Explain any differential fees.</b>						
Tuition and fee revenue will begin Year 1.						
<b>(3) Identify the source(s) of the institutional reallocations, and grant matching requirements if applicable.</b>						
UTHSC designated start-up funding for planning, Year 1 and Year 2. In Years 3-5, excess revenues will be reinvested in PathA program and other College of Health Professions' strategic initiatives.						
<b>(4) Provide the source(s) of the Federal Grant including the granting department and CFDA(Catalog of Federal Domestic Assistance) number.</b>						
Not applicable.						
<b>(5) Provide the name of the organization(s) or individual(s) providing grant(s) or gift(s).</b>						
Not applicable.						
<b>(6) Provide information regarding other sources of the funding.</b>						
Not applicable.						



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** III. C.

**MEETING DATE:** July 28, 2022

**SUBJECT:** New Academic Program  
University of Tennessee, Knoxville  
Public Health, Bachelor of Science (BSPH)  
CIP Code: 51.2201 (Public Health, General)

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### **PROGRAM DESCRIPTION**

The University of Tennessee, Knoxville (UTK) proposes a Public Health, Bachelor of Science (BSPH) with a concentration in Population Health Sciences. The program would complement UTK's existing Doctorate in Public Health, Master of Public Health, and undergraduate minor in public health. The 120-credit hour undergraduate program will include an interdisciplinary curriculum of science, math, and social sciences, grounded in a public health core and will be delivered primarily on-ground. Students in the proposed program will develop the knowledge and skills needed to apply an evidence-based approach to address complex public health problems and will prepare students for both graduate training in public health and jobs in health professions, allied health, and other related fields. The proposed program will require graduates to complete a culminating experience that integrates, synthesizes, and applies knowledge from program courses and learning opportunities that demonstrate mastery of foundational and concentration skills.

### **INSTITUTIONAL GOVERNING BOARD APPROVAL**

The proposed Public Health, BSPH program was approved by the University of Tennessee Board of Trustees on June 23, 2022.

### **PROPOSED IMPLEMENTATION DATE**

August 2022 – UTK is confident they will be able to fulfill year one enrollment projections of 20 students due to a healthy pipeline of potential students including almost 300 current students with declared minors in public health.

### **ALIGNMENT WITH STATE MASTER PLAN AND INSTITUTIONAL MISSION/STRATEGIC PLAN**

The proposed Public Health, BSPH program aligns with the State's Master Plan for Higher Education by increasing educational attainment levels of Tennesseans through the development of a degree program that is attractive to students including adult learners. Additionally, the proposed program will aid in addressing Tennessee's economic development, workforce development, and research needs by preparing graduates that will be able to work in both public and private sector jobs that focus on prevention, health promotion, and development of systems that increase health for Tennesseans.

Furthermore, the proposed Public Health, BSPH furthers the mission of the University of Tennessee System to serve the people of Tennessee “through the discovery, communication, and application of knowledge” by preparing students for various types of public health careers that emphasize an interdisciplinary understanding of social justice, health equity, and engaged citizenship across the globe to promote health, safety, and welfare of society. UT Knoxville’s public health students and graduates will become leaders in discovering, disseminating, and translating evidence-based public health programs and policies.

**CURRICULUM**

The curriculum for the proposed Public Health, BSPH will require 120 total credit hours and will consist of 49 credit hours of general education, 18 credit hours of public health core courses, 12 credit hours of population health courses, 10 credit hours of interdisciplinary core courses, and 31 credits of elective courses.

The program learning objectives are structured so that students will be able to communicate public health information through various media and to diverse audiences; and locate, use, evaluate, and synthesize public health information. The specific program learning outcomes will ensure students are able to:

- Identify health issues and describe the impact on specific populations;
- Explain factors that contribute to community health and health equity;
- Compare population health indicators across subpopulations, time, and data sources;
- Identify evidence-based solutions that engage diverse stakeholders to address population health issues; and
- Explain systems thinking and its application to population health approaches.

The proposed Public Health, BSPH will require the creation of six new courses and the hiring of one non-tenure track faculty member.

**PROGRAM PRODUCTIVITY**

The UTK Public Health Department estimates that twenty students will enroll in the BSPH in the first year, with enrollment growing to 266 students by year five. Enrollment projections assume a 28 percent attrition rate. Students who move from the Public Health minor to the BSPH could graduate in the third year of program implementation.

	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
<b>Enrollment</b>	20	55	115	195	266
<b>Graduates</b>	--	--	5	14	25

**PROGRAM DUPLICATION**

Currently, there are six other undergraduate programs in public health in Tennessee offered at four public universities (East Tennessee State University, Middle Tennessee State University, Tennessee State University, and University of Memphis) and two private universities (Belmont University and Johnson University).

**EXTERNAL JUDGEMENT**

An external review of the proposed program was conducted during a virtual site visit on January 31, 2022, by Dr. Kerry J. Redican, Professor and Director of the Undergraduate Public Health Program at Virginia Tech. The site visit included meetings with campus administrators, faculty, prospective students, and industry partners.

Dr. Redican recommended approval of UTK's proposed Public Health, BSPH and stated "The proposed BSPH program (1) is well developed, (2) is in compliance with the THEC Master Plan, (3) meets the requirements for CEPH accreditation, (4) has strong UTK administrative support at all levels, (5) will be administered by a Department of Public Health with a talented, dedicated, and effective faculty, (6) will improve the health of Tennesseans, (7) will work effectively with community partners and continue to increase the reach of the Academic Health Center, and (8) will be a model, land grant degree program meeting the health needs of State, regional, national, and international populations." He further commented "This group of faculty [in the Department of Public Health at UTK] would be the envy of many, if not most, public health departments in other colleges and universities."

## **STUDENT DEMAND**

A survey was distributed to 1,480 students enrolled in UTK's Introduction to Public Health course. Twenty-four percent (n=350) of students indicated they would have been interested in a major in Public Health if offered when they were freshmen and 36 percent (n=533) indicated they maybe would have been interested. Additionally, the number of students declaring a minor in public health has been increasing from 49 students in spring 2019 to 148 students in spring 2021.

## **OPPORTUNITIES FOR PROGRAM GRADUATES**

Students who graduate from the Public Health, BSPH program will be qualified for a variety of job opportunities as Health Educators, Community Health Workers, Medical and Health Services Managers, and Social and Community Service Managers. Demand for expertise in these areas is strong both nationally, and in Tennessee.

The Bureau of Labor and Statistics estimates an 18 percent growth rate for jobs in these categories through 2026. In Tennessee, the Department of Labor and Workforce development projects a steady increase in demand for jobs in Health Care and Social Assistance of 17 percent from 2018-2028. Further, healthcare occupations are designated as having high employer demand in several Tennessee regions. Employment trends for students who graduate with a Public Health, Bachelor of Science degree have encouraging employment results. According to a 2017 report by the Association of Schools and Programs of Public Health, 75 percent of the BSPH graduates were employed and an additional 12 percent were pursuing further education.

Letters of support for the proposed BSPH were provided from Tennessee Department of Health, Metro Drug Coalition, Tennessee Public Health Association, and UT Medical Center.

## **INSTITUTIONAL CAPACITY TO DELIVER THE PROGRAM**

The Public Health, BSPH will be housed in the Department of Public Health which is part of the College of Education, Health, and Human Sciences. Two new positions will be required to deliver the proposed program: one new non-tenure track faculty position and one staff position. The new faculty position will be recruited in year two of implementation and will initially be part-time and move to full-time in year three. The full-time staff position will be created in year two in order to oversee undergraduate internships, advise upper-division public health majors, and offer other program support.

## **ASSESSMENT AND POST-APPROVAL MONITORING**

An annual performance review of the proposed program will be conducted for the first five years following program approval. The review will be based on benchmarks established in the approved proposal. At the end of this period, the campus, institutional governing board, and THEC staff will perform a summative evaluation. The benchmarks include, but are not limited to, enrollment and graduation, program cost, progress toward accreditation, and other metrics set by the institution and staff. If benchmarks are not met during the monitoring period, the Commission may recommend that the institutional governing board terminate the program. If additional time is needed and requested by the institutional governing board, the Commission may choose to extend the monitoring period.



# FINANCIAL PROJECTIONS

Tennessee Higher Education Commission						
Appendix A: THEC Financial Projections Form						
University of Tennessee						
Public Health, BSPH						
Five-year projections are required for baccalaureate and Master's degree programs						
Three-year projections are required for associate degrees and undergraduate certificates.						
Projections should include cost of living increases per year.						
Planning year projections are not required but should be included when appropriate.						
	Planning Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>I. Expenditures</b>						
<b>A. One-time Expenditures</b>						
New/Renovated Space <sup>1</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Library	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Consultants	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total One-time</b>	<b>\$ 2,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>B. Recurring Expenditures</b>						
<b>Personnel</b>						
<b>Administration</b>						
Salary	\$ -	\$ -	\$ 41,101	\$ 42,745	\$ 44,455	\$ 46,233
Benefits	\$ -	\$ -	\$ 14,385	\$ 14,961	\$ 15,559	\$ 16,181
<b>Sub-Total Administration</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 55,486</b>	<b>\$ 57,706</b>	<b>\$ 60,014</b>	<b>\$ 62,414</b>
<b>Faculty</b>						
Salary	\$ -	\$ -	\$ 31,200	\$ 64,896	\$ 67,492	\$ 70,192
Benefits	\$ -	\$ -	\$ 10,920	\$ 22,714	\$ 23,622	\$ 24,567
<b>Sub-Total Faculty</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 42,120</b>	<b>\$ 87,610</b>	<b>\$ 91,114</b>	<b>\$ 94,759</b>
<b>Support Staff</b>						
Salary	\$ -	\$ -	\$ -	\$ 61,868	\$ 64,342	\$ 66,916
Benefits	\$ -	\$ -	\$ -	\$ 21,654	\$ 22,520	\$ 23,421
<b>Sub-Total Support Staff</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 83,521</b>	<b>\$ 86,862</b>	<b>\$ 90,336</b>
<b>Graduate Assistants</b>						
Salary	\$ -	\$ 22,950	\$ 30,600	\$ 45,900	\$ 45,900	\$ 45,900
Benefits	\$ -	\$ 3,078	\$ 4,104	\$ 6,156	\$ 6,156	\$ 6,156
Tuition and Fees* (See Below)	\$ -	\$ 25,803	\$ 34,404	\$ 51,606	\$ 51,606	\$ 51,606
<b>Sub-Total Graduate Assistants</b>	<b>\$ -</b>	<b>\$ 51,831</b>	<b>\$ 69,108</b>	<b>\$ 103,662</b>	<b>\$ 103,662</b>	<b>\$ 103,662</b>
<b>Operating</b>						
Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Printing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ 552	\$ 552	\$ 552	\$ 552	\$ 552
<b>Sub-Total Operating</b>	<b>\$ -</b>	<b>\$ 552</b>	<b>\$ 552</b>	<b>\$ 552</b>	<b>\$ 552</b>	<b>\$ 552</b>
<b>Total Recurring</b>	<b>\$ -</b>	<b>\$ 52,383</b>	<b>\$ 167,266</b>	<b>\$ 333,050</b>	<b>\$ 342,204</b>	<b>\$ 351,723</b>
<b>TOTAL EXPENDITURES (A + B)</b>	<b>\$ 2,000</b>	<b>\$ 52,383</b>	<b>\$ 167,266</b>	<b>\$ 333,050</b>	<b>\$ 342,204</b>	<b>\$ 351,723</b>

<b>*If tuition and fees for Graduate Assistants are included, please provide the following information.</b>						
Base Tuition and Fees Rate	\$ -	\$ 17,202	\$ 17,202	\$ 17,202	\$ 17,202	\$ 17,202
Number of Graduate Assistants	0	1.5	2	3	3	3

	Planning Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>II. Revenue</b>						
Tuition and Fees <sup>2</sup>	\$ -	\$ 68,040	\$ 209,790	\$ 362,850	\$ 402,570	\$ 481,950
Institutional Reallocations <sup>3</sup>	\$ 2,000	\$ (15,657)	\$ (42,524)	\$ (29,800)	\$ (60,366)	\$ (130,227)
Federal Grants <sup>4</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Private Grants or Gifts <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other <sup>6</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>BALANCED BUDGET LINE</b>	<b>\$ 2,000</b>	<b>\$ 52,383</b>	<b>\$ 167,266</b>	<b>\$ 333,050</b>	<b>\$ 342,204</b>	<b>\$ 351,723</b>

**Notes:**

**(1) Provide the funding source(s) for the new or renovated space.**

**(2) In what year is tuition and fee revenue expected to be generated? Tuition and fees include maintenance fees, out-of-state tuition, and any applicable earmarked fees for the program. Explain any differential fees.**

**(3) Identify the source(s) of the institutional reallocations, and grant matching requirements if applicable.**

**(4) Provide the source(s) of the Federal Grant including the granting department and CFDA(Catalog of Federal Domestic Assistance) number.**

**(5) Provide the name of the organization(s) or individual(s) providing grant(s) or gift(s).**

**(6) Provide information regarding other sources of the funding.**



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** III. D.

**MEETING DATE:** July 28, 2022

**SUBJECT:** New Academic Program  
University of Tennessee, Martin  
Construction Management, Bachelor of Science (BSCM)  
CIP Code: 15.1001 (Construction Management)

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### **PROGRAM DESCRIPTION**

The University of Tennessee, Martin (UTM) proposes a Construction Management, Bachelor of Science (BSCM). The proposed program requires 120 credit hours and will be offered primarily on-ground. The program is designed to provide a high-quality STEM pathway for students who are interested in engineering and construction related fields without the requirements of a math-intensive curriculum. It will also provide educational opportunities for professionals employed in the construction industry and meet market demand for trained construction managers.

The proposed program includes opportunities for experiential learning by requiring students to complete 10 weeks of full-time internship placements with construction and engineering firms in addition to their classroom learning. The program will seek accreditation by the American Council for Construction Education (ACCE). If approved, it would be the only ACCE accredited Construction Management program in the state of Tennessee.

### **INSTITUTIONAL GOVERNING BOARD APPROVAL**

The proposed Construction Management, BSCM program was approved by the University of Tennessee System Board of Trustees on June 23, 2022.

### **PROPOSED IMPLEMENTATION DATE**

Fall 2022 – UTM is confident that interest from current undergraduate students will enable them to meet year one enrollment projections. Additionally, the first-year curriculum of the Engineering, Bachelor of Science is similar to the proposed program, providing a clear pathway for students to enroll in the proposed Construction Engineering BSCM program.

### **ALIGNMENT WITH STATE MASTER PLAN AND INSTITUTIONAL MISSION/STRATEGIC PLAN**

The proposed program aligns with the Tennessee Higher Education Master Plan by adding a new undergraduate degree program in a STEM field. The proposed program will increase education attainment levels in Tennessee and will address Tennessee's economic and workforce development needs in a growing field.

Graduates of the proposed Construction Management program will enter the workforce as leaders in the construction industry, aligning with UTM’s institutional mission by enabling the university to meet educational needs in their community, and thereby enhancing educational excellence, building vital collaboration with industry partners, and meeting the region’s current and future educational needs. In addition, this program provides students with career opportunities in a technical/STEM field.

**CURRICULUM**

The proposed curriculum consists of 120 credit hours comprised of 39 credit hours of general education, 55 credit hours of construction core courses, 12 credit hours of business management courses, 9 credit hours of electives, and 5 credit hours of internship and capstone courses. The proposed curriculum requires the development of 14 new courses. One full-time, tenure-track faculty member will be hired to support the new program. Adjunct faculty will be hired to teach courses that require specialized, industry knowledge.

Upon completion of the proposed program, students will be able to:

- demonstrate the ability to effectively communicate orally and in writing;
- describe effective management practices of personnel, materials, equipment, costs, and time;
- facilitate advancement within the management of construction processes by demonstrating the ability to define problems and recognize solutions;
- demonstrate an ability to apply creativity, teamwork, and evaluation in their work; and
- demonstrate an understanding of professional ethics.

**PROGRAM PRODUCTIVITY**

The proposed Construction Management, BSCM program anticipates an initial enrollment of 14 students with an enrollment of 59 students by year five. The proposed program projects its first graduates in year three and 15 graduates by year five.

	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
<b>Enrollment</b>	14	26	38	49	59
<b>Graduates</b>	--	--	5	10	15

**PROGRAM DUPLICATION**

Currently, the only similar program at a public institution in Tennessee is the Construction Science and Management, BSCSM at University of Tennessee, Knoxville. Additionally, Middle Tennessee State University offers a Certification in Road Construction Technology and Austin Peay State University, East Tennessee State University, University of Tennessee, Chattanooga, and University of Memphis each offer undergraduate concentrations in related areas. The proposed program will work to obtain the American Council for Construction Education (ACCE) accreditation and, if approved, will be the first in Tennessee to obtain this accreditation.

**EXTERNAL JUDGEMENT**

An external review of the proposed program was conducted during a virtual site visit on March 31, 2022. Dr. Long D. Nguyen, Program Director of Construction Management and Professor of Civil Engineering and Construction Management at Florida Gulf Coast University, served as the external reviewer. The site visit included meetings with campus administrators, faculty, prospective students, and community partners.

Dr. Nguyen recommended approval of the proposed Construction Management, BSCM program, pointing out that “the BSCM degree program would: (i) address the need of construction management employment from the industry; (ii) increase STEM degrees awarded; (iii) improve graduation metrics (e.g., 4-year graduation rate) though supporting transfer students and students switching major (e.g., from engineering to construction management); (iv) generate more credit hours per faculty by increasing the manageable class sizes of the required interdisciplinary classes (engineering and construction management); and (v) possibly improve the use of the available resources.”

## **STUDENT DEMAND**

The University of Tennessee, Martin surveyed students in both the Department of Engineering and in the School of Agriculture and Engineering. Of the 66 students who responded to a spring 2021 interest survey, 44 percent indicated that they would have selected the construction management program if it was available when they made their major choice. Additionally, 24 percent of respondents indicated strong interest in changing their major to the proposed Construction Management, BSCM.

## **OPPORTUNITIES FOR PROGRAM GRADUATES**

Graduates from the proposed program will be highly competent professionals who are ready for employment as construction managers. Construction management is an in-demand job in Tennessee, as evidenced by Career Explorer’s data which ranks Tennessee as 17<sup>th</sup> in the nation in demand for construction managers. Additionally, US News ranked construction managers as number one for best construction jobs in 2021.

UTM also surveyed construction industry representatives from the Associated Builders and Contractors, Greater Tennessee; Associated Builders and Contractors, West Tennessee; Associated General Contractors of East Tennessee; and local general contractors in West Tennessee. All nineteen respondents agreed that a Construction Management, BSCM offered by the University of Tennessee, Martin would benefit their company, and that they had a positive opinion of UTM offering the proposed program. About 90 percent of these industry representatives also suggested that students who graduated from the proposed program would be better equipped to enter the construction industry than students with non-construction degrees.

Letters of support for the proposed program were included from a variety of business and industry leaders including Turner Construction; Barger Construction; Searcy Construction; Principal A2H Inc. Engineers, Architects Planners; and the Associated Builders and Contractors of Greater Tennessee.

## **INSTITUTIONAL CAPACITY TO DELIVER THE PROGRAM**

The Construction Management, BSCM will be housed in the Department of Engineering in the College of Engineering and Natural Sciences. Four current faculty in the Department of Engineering will contribute to the proposed program. Several courses currently offered by the Department of Engineering are required in the proposed program and class capacity will expand to accommodate increased student enrollment.

Construction management classes will be offered in the 125,000 square-foot Latimer Engineering and Science Building, which contains all necessary classroom, lab, and faculty office space. Additionally, UTM’s library holdings are sufficient to support the proposed program.

The proposed program will require one full-time, tenure-track faculty member be hired in year two. Adjunct faculty will supplement course loads and teach courses that require specialized knowledge. These adjuncts will be recruited from local construction companies in the west Tennessee region.

## **ASSESSMENT AND POST-APPROVAL MONITORING**

An annual performance review of the proposed program will be conducted for the first five years following program approval. The review will be based on benchmarks established in the approved proposal. At the end of this period, the campus, institutional governing board, and THEC staff will perform a summative evaluation. The benchmarks include, but are not limited to, enrollment and graduation, program cost, progress toward accreditation, and other metrics set by the institution and staff. If benchmarks are not met during the monitoring period, the Commission may recommend that the institutional governing board terminate the program. If additional time is needed and requested by the institutional governing board, the Commission may choose to extend the monitoring period.

# FINANCIAL PROJECTIONS

Tennessee Higher Education Commission						
Appendix A: THEC Financial Projections Form						
University of Tennessee Martin						
Bachelor of Science in Construction Management						
<i>Seven-year projections are required for doctoral programs.</i>						
<i>Five-year projections are required for baccalaureate and Master's degree programs</i>						
<i>Three-year projections are required for associate degrees and undergraduate certificates.</i>						
<i>Projections should include cost of living increases per year.</i>						
<i>Planning year projections are not required but should be included when appropriate.</i>						
	Planning Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>I. Expenditures</b>						
<b>A. One-time Expenditures</b>						
New/Renovated Space <sup>1</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Library	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Consultants	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000
<b>Sub-Total One-time</b>	<b>\$ 2,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,000</b>
<b>B. Recurring Expenditures</b>						
<b>Personnel</b>						
<b>Administration</b>						
Salary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total Administration</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Faculty</b>						
Salary	\$ -	\$ -	\$ 85,000	\$ 86,700	\$ 88,434	\$ 90,202
Benefits	\$ -	\$ -	\$ 25,500	\$ 26,010	\$ 26,530	\$ 27,060
<b>Sub-Total Faculty</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 110,500</b>	<b>\$ 112,710</b>	<b>\$ 114,964</b>	<b>\$ 117,262</b>
<b>Support Staff</b>						
Salary	\$ -	\$ -	\$ -	\$ 7,000	\$ 7,500	\$ 7,500
Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total Support Staff</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,000</b>	<b>\$ 7,500</b>	<b>\$ 7,500</b>
<b>Graduate Assistants</b>						
Salary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tuition and Fees* (See Below)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Sub-Total Graduate Assistants</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Operating</b>						
Travel	\$ -	\$ 2,000	\$ 2,000	\$ 2,200	\$ 2,200	\$ 2,200
Printing	\$ -	\$ 250	\$ 260	\$ 270	\$ 280	\$ 280
Equipment	\$ -	\$ 10,000	\$ 10,300	\$ 10,500	\$ 10,500	\$ 10,500
Other	\$ -	\$ 18,000	\$ 18,300	\$ 18,500	\$ 18,500	\$ 18,500
<b>Sub-Total Operating</b>	<b>\$ -</b>	<b>\$ 30,250</b>	<b>\$ 30,860</b>	<b>\$ 31,470</b>	<b>\$ 31,480</b>	<b>\$ 31,480</b>
<b>Total Recurring</b>	<b>\$ -</b>	<b>\$ 30,250</b>	<b>\$ 141,360</b>	<b>\$ 151,180</b>	<b>\$ 153,944</b>	<b>\$ 156,242</b>
<b>TOTAL EXPENDITURES (A + B)</b>	<b>\$ 2,000</b>	<b>\$ 30,250</b>	<b>\$ 141,360</b>	<b>\$ 151,180</b>	<b>\$ 153,944</b>	<b>\$ 160,242</b>

<b>*If tuition and fees for Graduate Assistants are included, please provide the following information.</b>						
Base Tuition and Fees Rate	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Number of Graduate Assistants	-	-	-	-	-	-
	<b>Planning Year</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>II. Revenue</b>						
Tuition and Fees <sup>2</sup>	\$ -	\$ 108,000	\$ 210,000	\$ 300,000	\$ 390,000	\$ 474,000
Institutional Reallocations <sup>3</sup>	\$ 2,000	\$ (77,750)	\$ (68,640)	\$ (148,820)	\$ (236,056)	\$ (313,758)
Federal Grants <sup>4</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Private Grants or Gifts <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other <sup>6</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>BALANCED BUDGET LINE</b>	<b>\$ 2,000</b>	<b>\$ 30,250</b>	<b>\$ 141,360</b>	<b>\$ 151,180</b>	<b>\$ 153,944</b>	<b>\$ 160,242</b>
<b>Notes:</b>						
<b>(1) Provide the funding source(s) for the new or renovated space.</b>						
NA						
<b>(2) In what year is tuition and fee revenue expected to be generated? Tuition and fees include maintenance fees, out-of-state tuition, and any applicable earmarked fees for the program. Explain any differential fees.</b>						
Year 1						
<b>(3) Identify the source(s) of the institutional reallocations, and grant matching requirements if applicable.</b>						
<b>(4) Provide the source(s) of the Federal Grant including the granting department and CFDA(Catalog of Federal Domestic Assistance) number.</b>						
<b>(5) Provide the name of the organization(s) or individual(s) providing grant(s) or gift(s).</b>						
<b>(6) Provide information regarding other sources of the funding.</b>						





# TENNESSEE HIGHER EDUCATION COMMISSION

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REGULAR CALENDAR ITEM: IV. A.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Academic Policy A1.0 – New Academic Programs: Approval Process

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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## BACKGROUND

THEC staff have reviewed Academic Policy A1.0 – New Academic Programs: Approval Process and recommend the following changes as represented in attachments A and B. The proposed changes were created with input from Chief Academic Officers from the University of Tennessee System, Tennessee Board of Regents, and locally governed Tennessee public universities. The policy was also reviewed by members of the Tennessee Accreditation Network to incorporate changes to support alignment with SACSCOC policies and procedures where possible. Below is a summary of major changes listed by section number and heading.

### Section 1.0.1A – Purpose

- Update reference from Public Chapter to Tennessee Code Annotated language.
- Removal of statutory language of other THEC responsibilities to focus exclusively on new academic program approval.

### Section 1.0.2A&B – New Academic Programs Subject to Approval

- Inclusion of new academic programs scope to define the academic programs that are subject to the policy.
- Addition of definition and process for joint degree academic programs.

### Section 1.0.3A1 – Criteria for Review

- Inclusion of the feasibility study in the Criteria for Review section. This language was originally in the Letter of Notification (LON) section.
- Update of the program costs/revenues section to focus on new costs and revenues.

### Section 1.0.4A – Steps to Establish a New Academic Program

- Reference to approval of certificates was removed based on THEC's statutory duties related to new program approval.
- Changes to the multi-step process to require institutional governing board approval at the beginning of the process and not require a second approval before inclusion on Commission agenda to provide a more flexible process for approval.
- Consolidation of the overall multi-step new academic program approval process from seven (7) steps to five (5) steps by consolidating the LON with the evaluation of the LON and merging the external judgment and post-external judgment to external review.

### Section 1.0.6A – Letter of Notification (LON)

- Requirements for specific sections of the LON were removed from the policy but will be included in the LON checklist.

**Section 1.0.6C** – Letter of Notification (LON) Expiration

- Adds a provision for campuses to request an exception in extenuating circumstances.
- Establishes an expiration for LONs that have been submitted but not approved.

**Section 1.0.7A** – New Academic Program Proposal (NAPP)

- Similar to Section 1.0.6A, removal of specific requirements for the NAPP in this policy which will be delineated in the associated checklist.

**Section 1.0.8B** – Post-External Review

- Removal of language that allows THEC staff to decide to support, not support, or defer support of an academic program, because these are actions taken by the Commission not staff. Instead, the revised language states that THEC staff will determine if all of the requirements of the process have been met prior to inclusion on the Commission agenda.

**Section 1.0.9B** – Advertisement of New Academic Program

- This language was moved out of Section 1.0.9A and given its own section.

**Section 1.0.9C** – Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Action

- Language was added regarding SACSCOC approval or denial of new academic programs.

**Section 1.0.10A** – Approval of New Tennessee Board of Regents (TBR) Community College Programs

- Language related to delegation of approval for new degree programs was removed from the policy and replaced with an updated process for the Commission's review and approval of new degree programs at TBR.

**Section 1.0.11A** – Post-Approval Monitoring

- This section was moved and revised to incorporate the new TBR process as defined in Section 1.0.10A.

Provided below are Attachment A (Redlined Version of Proposed Changes) and Attachment B (Clean Version of Proposed Changes) for the A1.0 – New Academic Programs: Approval Process policy.

## Attachment A: Redlined Version of Proposed Changes

**Section Title:** Academic Policies  
**Policy Title:** New Academic Programs: Approval Process  
**Policy Number:** A 1.0

### 1.0.1A

**~~SCOPE AND PURPOSE.~~** Pursuant to Tennessee Code Annotated §49-7-202(q)(2)(A) ~~In accordance with Chapter 179 of the Legislative Act creating the Higher Education Commission in 1967,~~ the Tennessee Higher Education Commission has the statutory responsibility to review and approve new academic programs, ~~off-campus extensions of existing academic programs, new academic units (divisions, colleges, schools, and departments) and new instructional locations~~ for public institutions of higher education in the State of Tennessee. These responsibilities shall be exercised so as to:

- promote academic quality;
- maximize cost effectiveness and efficiency to ensure ~~that~~ the benefits to the state outweigh the costs and that existing programs are adequately supported;
- fulfill student demand, employer need, ~~and societal,~~ and economic requirements;
- avoid unnecessary duplication and ensure that proposed academic programs cannot be delivered more efficiently through collaboration or alternative arrangements; and
- encourage cooperation among all institutions, both public and private.

These expectations for program quality and viability are underscored by Tennessee Code Annotated §49-7-202(d)(4)(A)-(C) ~~as amended.~~ This statute directs public higher education to:

- address the state's economic development, workforce development and research needs;
- ensure increased degree production within the state's capacity to support higher education; and
- use institutional mission differentiation to realize statewide efficiencies through institutional collaboration and minimized redundancy in degree offerings, instructional locations, and competitive research.

### 1.0.2A

**NEW ACADEMIC PROGRAMS SUBJECT TO APPROVAL.** Programs subject to approval, per this policy, are associate degree programs, baccalaureate degree programs, master's degree programs, and doctoral degree programs.

**1.0.2B**

**Joint Degree Academic Programs.** For purposes of this policy, a joint degree academic program is whereby two (2) or more institutions grant a single academic award for completion of an academic program.

For new joint programs that involve the development of a new academic program, a Memorandum of Understanding that clearly outlines program responsibilities and fiscal arrangements among participating institutions must be developed and approved concurrently with the program proposal at each institution.

If any partner institution does not currently offer the academic program for the joint degree, the joint degree program must undergo the new academic program approval process as outlined in this policy.

If two (2) or more institutions create a joint degree program with academic programs that have already been approved at each institution, then the new joint degree program does not need to undergo the new academic program process and would be subject to the Academic Policy A 1.1 – Academic Program Modifications.

**1.0.32A1**

**Criteria for Review.** ~~THEC staff~~ ~~he Commission strenuously~~ considers the following criteria in order to maximize state resources in evaluating academic programs:

- ~~Alignment with the state master plan for higher education and institutional mission~~ ~~– Evidence~~ An institution must provide evidence that the proposed academic program aligns with the state’s master plan for higher education and economic development, workforce development and research needs using institutional mission, with a focus on leveraging differentiation to realize statewide efficiency of degree offerings, instructional locations, and competitive research.  
  
~~– Need~~ Supporting documentation of program need that justifies institutional allocation/reallocation of state resources.
- Feasibility – An institution must provide documentation that demonstrates the need for the new academic program including student interest, local and regional demand, industry support, and workforce need.
- Institutional capacity to deliver the proposed academic program. –

~~Supporting documentation must be included that confirms that the institution can deliver the proposed program within existing and projected resources.~~

- ~~▪ Program costs/revenues -- Supporting documentation that program costs will be met from internal reallocation or from other sources such as grants and gifts. Institutional commitment should be consistent with the centrality and level of priority as described in the academic program proposal and estimated on THEC Financial Projection Form. An institution must provide documentation of all new anticipated costs and revenues associated with the academic program.~~

~~Institutional capacity to deliver the proposed academic program -- Supporting documentation that the institution can deliver the proposed program within existing and projected resources.~~

**1.0.32A2**

**No Unnecessary Duplication.** The THEC Academic Program Inventory provides the initial indication of apparent duplication or undue proliferation of programs in the state. When other similarly titled existing programs may serve the same potential student population, an institutions seeking to develop potentially duplicative programs should consult THEC with evidence to demonstrate that a newly proposed academic program is:

- in accord with the institution’s distinct mission as approved by the Commission;
- sufficiently different from all related existing programs in the geographical region—in quality and/or rigor, costs of degree completion, student success and completion rates, etc.; and
- more cost effective or otherwise in the best interests of the State to initiate a new academic program rather than meet the demand through other arrangements (e.g., collaborative means with other institutions, distance education technologies, and consortia).

~~**1.0.3A** **Schedule.** The Commission will normally consider proposals for new academic programs at each regularly scheduled Commission meeting.~~

~~**1.0.4A** **Action.** Commission action on a given academic program must follow approval by the institutional governing board and may take one of four actions:~~

- ~~\* approval~~
- ~~\* disapproval~~
- ~~\* conditional approval~~
- ~~\* deferral~~

~~Conditional approval may be granted in special cases. This type of approval is reserved for academic programs for which the need is temporary. Conditional approvals will identify a date that the academic program must be terminated.~~

**1.0.45A**

**Steps to Establish ~~a~~ New Academic Program ~~With a Minimum of 24 Semester Credit Hours (SCH)~~.** The process in developing a new academic program ~~is with a minimum of 24 SCH is~~ multi-staged and includes the following essential steps:

- ~~(1) Institutional Governing Board Approval~~
- ~~(1)~~
- ~~(1)(2) Letter of Notification (LON)~~
- ~~(2) Evaluation of LON~~
- (3) New Academic Program Proposal (NAPP)
- ~~(4) External Judgment Review~~
- ~~(4)~~
- ~~(5) Post-External Judgment~~
- ~~(6) Institutional Governing Board Action~~
- ~~(7)(5) Commission Action~~

**1.0.56A**

**Institutional Governing Board Approval.** Prior to submitting a letter of notification to THEC, an institution must have received institutional governing board approval of the proposed program. At the time of LON submission, the institution must provide documentation of governing board approval of the proposed program.

**1.0.6.A**

**Letter of Notification (LON).** Upon consideration by an institution to develop a new academic program ~~with a minimum of 24 SCH and institutional governing board approval and notification to the institutional governing board, the~~ an institution may submit a LON to THEC.

The LON must address the criteria for review as outlined previously in Sections 1.0.32A1 and 1.0.32A2. The LON should provide clear, supporting documentation that the proposed academic program contributes to meeting the priorities and /goals of the institution’s academic or master plan; ; why the institution needs the academic program; ; and why the state needs graduates from that particular academic program. ~~–~~ The submission of the LON must also include a letter ~~of support~~ from the President or /Chancellor signifying ~~institutional governing board or system office~~

support for development; ~~timeline for development and implementation of the proposed academic program; and THEC Financial Projection Form. Evidence of internal funding reallocation and other sources such as grants and gifts should be provided. Grants and gifts that are pending are not considered as evidence of funding. THEC will approve no special start up funding.~~

The LON submission must include a feasibility study that addresses the following criteria:

- ~~Student Interest – Normally, student interest is addressed in the following ways: a survey of potentially interested students, a report of informational meetings held to gauge interest, and/or enrollment data for related academic programs at the institution.~~
- ~~Local and Regional Need/Demand – Postsecondary institutions bear a responsibility for preparing students to meet the State’s workforce needs. Workforce demand projections serve as one indication of the need for a proposed academic program. The need for the number of persons trained in any given field and the number of job openings in that field must remain in reasonable balance.~~
- ~~Employer Need/Demand – Normally, employer need/demand is addressed in the form of anticipated openings in an appropriate service area (may be local, regional or national), in relation to existing production of graduates for that area. Evidence may include the results of a needs assessment, employer surveys, current labor market analyses, future workforce projections, and letters from regional employers claiming need for larger applicant pool. Where appropriate, evidence should also demonstrate societal need and employers’ preference for graduates of a proposed academic program over persons having alternative existing credentials and employers’ valuing of the proposed credential.~~
- ~~Future Sustainable Need/Demand – Supporting documentation of sufficient employer demand/need for the proposed academic program should cover a reasonable period into the future beyond the anticipated date of graduation of the first program graduates.~~

### **1.0.6B**

**1.0.7A Evaluation of Letter of Notification (LON).** ~~The LON will be posted on the THEC website for a fifteen (15 calendar15)-calendar day period for comment by interested parties. Evaluation of the LON will be conducted by interested parties and THEC staff and will include consideration of any public comments. The LON will be posted on the THEC website for a 15-calendar day period for comment by interested parties. At the close of the 15-calendar~~

~~day comment period, THEC will review all comments and documents in order to identify issues relative to criteria identified in Sections 1.0.2A1 and 1.0.2A2. The 15-calendarfifteen (15)-calendar day public comment period may be extended to a maximum of thirty (30)-calendar days per-at the discretion of THEC staff.~~

THEC staff has the authority to request additional information for the proposed program including, but not limited to, an external, independent feasibility study.

Based on the assessment of the LON both internally, and in relation to external comments, THEC staff will make one of the following determinations and notify the institution within ~~thirty (30)-calendar days~~ after the close of the public comment period:

- to support;
- not to support; or
- to defer a decision based on revision of the LON.

Furthermore, the THEC Executive Director has the authority to refer action on the LON to the Commission for determination if deemed appropriate and/or at the request of the Chairman of the Commission.

#### **1.0.6C**

**Letter of Notification (LON) Expiration.** All approved ~~Letters of Notification~~LONs are valid for two (2) years from the date a determination of support is made ~~and will be posted on the THEC website.~~ If the Commission has not approved the academic program for implementation within two (2) years from the date a determination of support is made, the LON is no longer valid. ~~An institution can request an extension in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.~~

~~LONs that have been submitted, but not approved, are valid for up to two (2) years based on the original submission date. An institution can request an exception in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.~~

#### **1.0.7&A**

**New Academic Program Proposal (NAPP).** Institutions are responsible for quality academic program development and THEC encourages the use of external consultants in development ~~of new programs.~~ The NAPP is to be submitted in entirety to THEC at the time the campus seeks to request an external review and should complement the LON by addressing ~~criteria such as curriculum, academic standards, assessment, and needed resources. Evidence of internal funding reallocation and other sources such as grants and gifts should be provided. Grants and gifts that are pending~~



~~are not considered as evidence of funding. THEC will approve no special start-up funding. the following criteria explained further in the NAPP checklist located on the THEC website:~~

- ~~▪—Curriculum~~
- ~~▪—Academic Standards~~
- ~~▪—Program Enrollment and Graduates~~
- ~~▪—Equity~~
- ~~▪—Administrative Structure~~
- ~~▪—Faculty Resources~~
- ~~▪—Library and Information Technology Resources~~
- ~~▪—Support Resources~~
- ~~▪—Facilities and Equipment~~
- ~~▪—Marketing and Recruitment~~
- ~~▪—Assessment/Evaluation~~
- ~~▪—Accreditation~~
- ~~▪—Funding~~

#### 1.0.98A

**External Judgment Review.**—External reviewers will be required to serve as expert evaluators for all proposed new academic programs.—~~External reviewers will not normally be required for certificate programs, but there may be exceptions in cases of large cost or marked departure from existing programs.~~—For doctoral programs, two (2) external reviewers will be required to evaluate the proposed academic program.

THEC will select reviewers from the proposed institutional external reviewer list.—Individuals used in the development stage as external consultants may not serve as external reviewers.—In keeping with the SACSCOC's Ethical Obligations of Evaluators policy statement for the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), external reviewers should ideally:

- be a subject matter expert in the proposed field;
- be a tenured faculty member with associate or higher academic rank, teaching and a record of research experience;
- have no prior relationship with either the institution or close personal or familial relationship with the potential faculty involved in the proposed academic program;
- not be employed within the state of Tennessee;
- not have been a consultant or a board member at the institution within the last ten (10) years;
- not have been a candidate for employment at the institution within the last seven (7) years;
- not be a graduate of the institution; and

- not have any other relationship that could serve as an impediment to rendering an impartial, objective professional judgment regarding the merits of the proposed academic program.

In the event no external reviewers proposed by the institution are available or acceptable, THEC staff reserves the right to approve an exception or propose alternative external reviewers and may opt, when appropriate, to authorize a paper review of the proposed academic program rather than a visit to the campus by the external reviewer.

The institution or governing board/system office will be notified of the selected reviewers, the review modality, dates of availability of THEC ~~(if relevant)~~staff, and provided a list of questions for the external reviewer to address during the course of the review. ~~–~~ Institutions may add additional questions to the THEC review questions.

The external reviewer must provide a written report in response to the questions concurrently to the institution/governing board/system office and THEC staff within thirty (30) ~~–~~calendar days of the conclusion of the external reviewer's site visit.

The institution will be responsible for inviting the external reviewer(s), all scheduling, expenses and contracting with the external reviewers. THEC will provide a summary of the required agenda sessions for the external reviewer's site visit.

### **1.0.8B**

**1.0.10A** ~~——~~ **Post-External Judgment Review**. ~~–~~ Within thirty (30) ~~–~~calendar days of receipt of the external reviewer's report, ~~the an~~ institution must propose to THEC solutions in keeping with best practices for all issues identified by the reviewer and submit an updated NAPP. THEC staff will review the updated NAPP to determine if the institution has satisfied all of the requirements of the multi-step approval process. Once all requirements have been satisfied, THEC staff will put the proposed academic program on the next Commission agenda and notify the institution. Based upon the proposed revisions, THEC may opt to take one of three determinations:

Support - ~~The institution may seek approval from its institutional governing board and subsequently request to be placed on the Commission quarterly meeting for approval.~~

Not Support - ~~The rationale not to support will be provided in writing to the institution within 15 calendar days. The institution may appeal the determination by responding to all identified issues within 15~~

~~calendar days of receiving notification of THEC's determination for denying support. THEC will make a final determination within 15 calendar days of the receipt of any institutional appeal and notify the institution whether the proposed changes are sufficient for a support determination. If the institution does not respond within 15 calendar days, the determination not to support the proposed academic program for implementation is final.~~

~~Defer Support - The rationale to defer support will be provided in writing to the institution within 15 calendar days of receipt of the institution's response to the external report. The institution may choose to submit a revision of the proposed academic program within 60 calendar days and seek further external review or rescind the proposed academic program.~~

~~**1.0.11A** — **Institutional Governing Board Action.** Upon determination by THEC that a proposed academic program~~

~~The institution must provide documentation of board approval to THEC and submit a request to the Executive Director that the proposed academic program be placed on the Commission agenda at the earliest possible scheduled meeting. will be supported for approval by the Commission, the institutional governing board must act to determine if it will support the approval of the proposed academic program. The institution must provide documentation of board approval to THEC and submit a request to the Executive Director that the proposed academic program be placed on the Commission agenda at the earliest possible scheduled meeting.~~

~~**1.0.912A** **Commission Action.** Proposed academic programs supported by THEC staff and approved by the institutional governing board will be presented to the Commission for action at the earliest possible scheduled meeting.~~

~~Programs may not be advertised by any public institution prior to approval by the Commission unless exceptional circumstances require special consideration. Requests for special consideration shall be submitted in writing and will only be accepted after a determination of support has been made following post-external judgment as described in paragraph 1.0.10A above. Requests for special consideration must be approved by the Executive Director. Students may not be admitted to any program prior to final approval by the Commission.~~

~~**1.0.3A** — **Schedule.** The Commission will normally consider proposals for new academic programs at each regularly scheduled Commission meeting.~~

~~**1.0.4A Action.** Commission action on a given academic program must follow approval by the institutional governing board and may take one of four actions:~~

- ~~▪ approval~~
- ~~▪ disapproval~~
- ~~▪ conditional approval~~
- ~~▪ deferral~~

~~Conditional approval may be granted in special cases. This type of approval is reserved for academic programs for which the need is temporary. Conditional approvals will identify a date that the academic program must be terminated.~~

**1.0.9B** ~~**Advertisement of New Academic Program.** New academic programs may not be advertised by any public institution prior to approval by the Commission unless exceptional circumstances require special consideration. Requests for special consideration shall be submitted in writing after a determination of support has been made following post-external review. Requests for special consideration must be approved by the THEC Executive Director. Students may not apply or be admitted to any program prior to final approval by the Commission.~~

**1.0.9C** ~~**Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Action.** If a new program requires SACSCOC approval, the institution must notify the THEC Chief Academic Officer in writing within ninety (90) days of receipt of the approval or denial from SACSCOC.~~

~~If SACSCOC denies approval for the new academic program, the institution must notify the THEC Chief Academic Officer that it will appeal the SACSCOC decision or withdraw the program within ninety (90) days from SACSCOC's denial.~~

~~**1.0.13A** **Post-Approval Monitoring.** Performance of new academic programs, based on goals established in documentation submitted at the time of approval, will be evaluated by THEC annually. Post-approval monitoring is initiated when a new program receives approval by the Commission or the Tennessee Board of Regents. The monitoring period will be three years for pre-baccalaureate programs, five years for baccalaureate and Master's programs, and seven years for doctoral programs. Upon completion of post-approval monitoring, academic programs will be evaluated via Quality Assurance Funding – a statewide supplemental funding incentive to encourage continuous improvement of programs. THEC staff may choose to extend the monitoring period if additional time is needed for the program to demonstrate success on program benchmarks. Annually, the~~

Commission will review post-approval reports on academic programs that are currently being monitored. If an academic program is deemed deficient, the Commission may recommend to the President/Chancellor that the program be terminated. Copies of such recommendations will be forwarded to the Education Committees of the General Assembly.

#### 1.0.104A

**Delegated Authority for Final Approval of New Tennessee Board of Regents (TBR) Community College Programs (Associate Degrees and Certificates) to the Tennessee Board of Regents.**— New TBR community college associate degree programs are subject to Tennessee Code Annotated §49-8-101 as amended directs that “the board of regents, in consultation with the Tennessee Higher Education Commission, shall establish a comprehensive statewide community college system of coordinated programs and services to be known as the Tennessee community college system.” Notwithstanding anything in this policy to the contrary, THEC in accord with this statute and toward the establishment of the unified and comprehensive community college system, delegates authority to the Tennessee Board of Regents (TBR) for final approval of new community college associate degrees and certificates. THEC delegates final approval authority to TBR for the replication of a certificate or associate program approved for one community college (after August 1, 2011) at other TBR community colleges. TBR final approval is subject to the following conditions:—

~~The criteria for review and accountability (especially justification of need and documented sufficiency of resources and faculty to support the program) set forth in Section 1.0.32A1 and Sections 1.0.8A of this policy. These guidelines which must be the basis thefor TBR staff review and governing board approval and must be the basis for the TBR TBR review and approval andand approval of new and replicated certificates and associate programs. TBR will conduct the initial review of all new academic degree programs subject to this policy, which shall be followed by approval of their governing board.~~

~~associate degreeat TBR community colleges thatTBR~~

~~After final approval by TBR of a new associate degree program, TBR must submit a written request for the program to be included on the next Commission agenda for approval. The request must include documentation of governing board approval a formal request from the TBR Chancellor to the THEC Executive Director must be submitted requesting inclusion on the agenda for the next Commission meetingand all new academic program approval materials. Prior to inclusion on the Commission agenda, THEC staff will review new program approval materials to ensure completeness and~~

alignment with Section 1.0.3A1 of this policy. Those new degree programs that are submitted with complete documentation and are confirmed to be in alignment with Section 1.0.3A1 will be included on the next Commission meeting agenda.

While nNew certificates and replicated associate degree programs at TBR community colleges are not subject to the new academic approval process, this policy, theybut are subject to academic program inventory notification as outlined in Section 1.0.10B and post-approval monitoring requirements as outlined in Section 1.0.11A.

Academic program replication is defined as the addition of an associate degree program at a TBR community college that has already been approved and is active at one (1) or more TBR community colleges.

**1.0.10B** **TBR Academic Program Inventory Notification.** TBR will provide a monthly summary report to THEC of all community college program actions approved by the TBR, including those programs not subject to this policy, including community college Letters of nNotification for proposed academic programs.

TBR will provide academic program proposals and financial projection forms for all TBR approved associate and certificate programs as baseline data for THEC Post-Approval Monitoring.

THEC will list all TBR-approved community college **associate** and certificate programs and reported changes on the THEC Academic Program Inventory.

**1.0.11A** **Post-Approval Monitoring.** Post-approval monitoring is an annual process by which academic programs are evaluated and is initiated when a new program receives approval by the Commission or is reported through TBR academic program inventory notification. Performance of academic programs, based on goals established in program approval documentation, will be evaluated by THEC annually. The monitoring period will be three (3) years for pre-baccalaureate programs, five (5) years for baccalaureate and master's programs, and seven (7) years for doctoral programs. While the program is in post-approval monitoring, any changes that would affect the academic program inventory related to the approved program will need to be submitted in writing to THEC staff for consideration.

THEC staff may choose to extend the monitoring period if additional time is needed for the program to demonstrate success on program benchmarks. Annually, the Commission will review post-approval monitoring reports on academic programs that are currently being monitored, including information on those programs not meeting program benchmarks.

Additionally, pursuant to Tennessee Code Annotated ~~Tenn. Code Ann. § 49-7-202(q)(1)(B)~~, if the Commission may recommend to the President/Chancellor that a program be terminated ~~an academic program~~ if it is deemed unnecessarily duplicative, ~~the Commission may recommend to the President/Chancellor that the program be terminated~~. Copies of such recommendations will be forwarded to the Education Committees of the General Assembly.

Upon completion of post-approval monitoring, academic programs will be evaluated via Quality Assurance Funding, ~~–~~ which is a statewide supplemental funding incentive to encourage continuous improvement of academic programs.

**~~1.0.115A~~** **~~THEC Authority for Post-Approval Monitoring of All Community College Programs.~~** ~~THEC expressly does not delegate to the TBR the authority for the post-approval review of community college associate and certificate programs set forth in Section 1.0.12 of this policy. All TBR community college programs listed on the THEC Academic Program Inventory will be subject to the following THEC monitoring and evaluation:~~

- ~~▪ Community college associate degree programs and certificates are subject to THEC annual reporting through post-approval monitoring of programs for the first three years after implementation and annual productivity evaluations of programs in operation more than three years.~~
- ~~▪ Community colleges will participate in all components of the THEC Quality Assurance Funding program (QAF), and associate and certificate programs will be evaluated according to QAF program review standards.~~

**~~1.0.116A~~** ~~Policy will be reviewed every five years unless changes in the evaluation process are warranted.~~

**Sources:** ~~–~~ THEC Meetings: April 22, 1988; January 29, 1997; November 14, 2002; January 27, 2011; July 28, 2011; January 29, 2015; January 26, 2017; ~~and~~ January 25, 2019; and July 28, 2022.

## Attachment B: Clean Version of Proposed Changes

**Section Title:** Academic Policies  
**Policy Title:** New Academic Programs: Approval Process  
**Policy Number:** A 1.0

**1.0.1A** **PURPOSE.** Pursuant to Tennessee Code Annotated §49-7-202(q)(2)(A), the Tennessee Higher Education Commission has the statutory responsibility to review and approve new academic programs for public institutions of higher education in the State of Tennessee. These responsibilities shall be exercised so as to:

- promote academic quality;
- maximize cost effectiveness and efficiency to ensure the benefits to the state outweigh the costs and that existing programs are adequately supported;
- fulfill student demand, employer need, societal, and economic requirements;
- avoid unnecessary duplication and ensure that proposed academic programs cannot be delivered more efficiently through collaboration or alternative arrangements; and
- encourage cooperation among all institutions, both public and private.

These expectations for program quality and viability are underscored by Tennessee Code Annotated §49-7-202(d)(4)(A)-(C). This statute directs public higher education to:

- address the state's economic development, workforce development and research needs;
- ensure increased degree production within the state's capacity to support higher education; and
- use institutional mission differentiation to realize statewide efficiencies through institutional collaboration and minimized redundancy in degree offerings, instructional locations, and competitive research.

**1.0.2A** **NEW ACADEMIC PROGRAMS SUBJECT TO APPROVAL.** Programs subject to approval, per this policy, are associate degree programs, baccalaureate degree programs, master's degree programs, and doctoral degree programs.

**1.0.2B** **Joint Degree Academic Programs.** For purposes of this policy, a joint degree academic program is whereby two (2) or more institutions grant a single academic award for completion of an academic program.



For new joint programs that involve the development of a new academic program, a Memorandum of Understanding that clearly outlines program responsibilities and fiscal arrangements among participating institutions must be developed and approved concurrently with the program proposal at each institution.

If any partner institution does not currently offer the academic program for the joint degree, the joint degree program must undergo the new academic program approval process as outlined in this policy.

If two (2) or more institutions create a joint degree program with academic programs that have already been approved at each institution, then the new joint degree program does not need to undergo the new academic program process and would be subject to the Academic Policy A 1.1 – Academic Program Modifications.

#### 1.0.3A1

**Criteria for Review.** THEC staff consider the following criteria in order to maximize state resources in evaluating academic programs:

- Alignment with the state master plan for higher education and institutional mission – An institution must provide evidence that the proposed academic program aligns with the state’s master plan for higher education and institutional mission, with a focus on leveraging differentiation to realize statewide efficiency of degree offerings, instructional locations, and competitive research.
- Feasibility – An institution must provide documentation that demonstrates the need for the new academic program including student interest, local and regional demand, industry support, and workforce need.
- Institutional capacity to deliver the proposed academic program – Supporting documentation must be included that confirms an institution can deliver the proposed program within existing and projected resources.
- Program costs/revenues – An institution must provide documentation of all new anticipated costs and revenues associated with the academic program.

#### 1.0.3A2

**No Unnecessary Duplication.** The THEC Academic Program Inventory provides the initial indication of apparent duplication or undue proliferation

of programs in the state. When other similarly titled existing programs may serve the same potential student population, an institution seeking to develop potentially duplicative programs should consult THEC with evidence to demonstrate that a newly proposed academic program is:

- in accord with the institution's distinct mission as approved by the Commission;
- sufficiently different from all related existing programs in the geographical region in quality and/or rigor, costs of degree completion, student success and completion rates, etc.; and
- more cost effective or otherwise in the best interests of the State to initiate a new academic program rather than meet the demand through other arrangements (e.g., collaborative means with other institutions, distance education technologies, and consortia).

**1.0.4A**                    **Steps to Establish a New Academic Program.** The process in developing a new academic program is multi-staged and includes the following essential steps:

- (1) Institutional Governing Board Approval
- (2) Letter of Notification (LON)
- (3) New Academic Program Proposal (NAPP)
- (4) External Review
- (5) Commission Action

**1.0.5A**                    **Institutional Governing Board Approval.** Prior to submitting a letter of notification to THEC, an institution must have received institutional governing board approval of the proposed program. At the time of LON submission, the institution must provide documentation of governing board approval of the proposed program.

**1.0.6.A**                    **Letter of Notification (LON).** Upon consideration by an institution to develop a new academic program and institutional governing board approval, an institution may submit a LON to THEC.

The LON must address the criteria for review as outlined previously in Sections 1.0.3A1 and 1.0.3A2. The LON should provide clear, supporting documentation that the proposed academic program contributes to meeting the priorities and goals of the institution's academic or master plan; why the institution needs the academic program; and why the state needs graduates from that particular academic program. The submission of the LON must also include a letter from the President or Chancellor signifying support for development of the proposed academic program.

### 1.0.6B

**Evaluation of Letter of Notification (LON).** The LON will be posted on the THEC website for a fifteen (15)-calendar day period for comment by interested parties. Evaluation of the LON will be conducted by THEC staff and will include consideration of any public comments. The fifteen (15)-calendar day public comment period may be extended to a maximum of thirty (30)-calendar days at the discretion of THEC staff.

THEC staff has the authority to request additional information for the proposed program including, but not limited to, an external, independent feasibility study.

Based on the assessment of the LON both internally, and in relation to external comments, THEC staff will make one of the following determinations and notify the institution within thirty (30)-calendar days after the close of the public comment period:

- to support;
- not to support; or,
- to defer a decision based on revision of the LON.

Furthermore, the THEC Executive Director has the authority to refer action on the LON to the Commission for determination if deemed appropriate and/or at the request of the Chairman of the Commission.

### 1.0.6C

**Letter of Notification (LON) Expiration.** All approved LONs are valid for two (2) years from the date a determination of support is made. If the Commission has not approved the academic program for implementation within two (2) years from the date a determination of support is made, the LON is no longer valid. An institution can request an extension in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.

LONs that have been submitted, but not approved, are valid for up to two (2) years based on the original submission date. An institution can request an exception in writing to the THEC Executive Director if extenuating circumstances have delayed the proposed academic program.

### 1.0.7A

**New Academic Program Proposal (NAPP).** Institutions are responsible for quality academic program development and THEC encourages the use of external consultants in development of new programs. The NAPP is to be submitted in entirety to THEC at the time the campus seeks to request an external review and should complement the LON by addressing criteria such as curriculum, academic standards, assessment, and needed resources.

### 1.0.8A

**External Review.** External reviewers will be required to serve as expert evaluators for all proposed new academic programs. For doctoral programs, two (2) external reviewers will be required to evaluate the proposed academic program.

THEC will select reviewers from the proposed institutional external reviewer list. Individuals used in the development stage as external consultants may not serve as external reviewers. In keeping with the *Ethical Obligations of Evaluators* policy statement for the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), external reviewers should ideally:

- be a subject matter expert in the proposed field;
- be a tenured faculty member with associate or higher academic rank, teaching and a record of research experience;
- have no prior relationship with either the institution or close personal or familial relationship with the potential faculty involved in the proposed academic program;
- not be employed within the state of Tennessee;
- not have been a consultant or a board member at the institution within the last ten (10) years;
- not have been a candidate for employment at the institution within the last seven (7) years;
- not be a graduate of the institution; and
- not have any other relationship that could serve as an impediment to rendering an impartial, objective professional judgment regarding the merits of the proposed academic program.

In the event no external reviewers proposed by the institution are available or acceptable, THEC staff reserve the right to approve an exception or propose alternative external reviewers and may opt, when appropriate, to authorize a paper review of the proposed academic program rather than a visit to the campus by the external reviewer.

The institution or system office will be notified of the selected reviewers, the review modality, dates of availability of THEC staff, and provide a list of questions for the external reviewer to address during the course of the review. Institutions may add additional questions to the THEC review questions.

The external reviewer must provide a written report in response to the questions concurrently to the institution/system office and THEC staff within thirty (30)-calendar days of the conclusion of the site visit.

The institution will be responsible for inviting the external reviewer, all scheduling, expenses and contracting with the external reviewer. THEC will provide a summary of the required agenda sessions for the site visit.

**1.0.8B**                    **Post-External Review.** Within thirty (30)-calendar days of receipt of the external reviewer’s report, an institution must propose to THEC solutions in keeping with best practices for all issues identified by the reviewer and submit an updated NAPP. THEC staff will review the updated NAPP to determine if the institution has satisfied all of the requirements of the multi-step approval process. Once all requirements have been satisfied, THEC staff will put the proposed academic program on the next Commission agenda and notify the institution.

**1.0.9A**                    **Commission Action.** Proposed academic programs supported by THEC staff and approved by the institutional governing board will be presented to the Commission for action at the earliest possible scheduled meeting.

Commission action on a given academic program may take one of four actions:

- approval
- disapproval
- conditional approval
- deferral

Conditional approval may be granted in special cases. This type of approval is reserved for academic programs for which the need is temporary. Conditional approvals will identify a date that the academic program must be terminated.

**1.0.9B**                    **Advertisement of New Academic Program.** New academic programs may not be advertised by any public institution prior to approval by the Commission unless exceptional circumstances require special consideration. Requests for special consideration shall be submitted in writing after a determination of support has been made following post-external review. Requests for special consideration must be approved by the THEC Executive Director. Students may not apply or be admitted to any program prior to final approval by the Commission.

**1.0.9C**                    **Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Action.** If a new program requires SACSCOC approval, the institution must notify the THEC Chief Academic Officer in writing within ninety (90) days of receipt of the approval or denial from SACSCOC.

If SACSCOC denies approval for the new academic program, the institution must notify the THEC Chief Academic Officer that it will appeal the SACSCOC decision or withdraw the program within ninety (90) days from SACSCOC's denial.

#### **1.0.10A**

**Approval of New Tennessee Board of Regents (TBR) Community College Programs.** New TBR community college associate degree programs are subject to the criteria for review and accountability set forth in Section 1.0.3A1 of this policy. These guidelines must be the basis for TBR staff review and governing board approval.

After final approval by TBR of a new associate degree program, TBR must submit a written request for the program to be included on the next Commission agenda for approval. The request must include documentation of governing board approval and all new academic program approval materials. Prior to inclusion on the Commission agenda, THEC staff will review new program approval materials to ensure completeness and alignment with Section 1.0.3A1 of this policy. Those new degree programs that are submitted with complete documentation and are confirmed to be in alignment with Section 1.0.3A1 will be included on the next Commission meeting agenda.

While new certificates and replicated associate degree programs at TBR community colleges are not subject to this policy, they are subject to academic program inventory notification as outlined in Section 1.0.10B and post-approval monitoring requirements as outlined in Section 1.0.11A.

Academic program replication is defined as the addition of an associate degree program at a TBR community college that has already been approved and is active at one (1) or more TBR community colleges.

#### **1.0.10B**

**TBR Academic Program Inventory Notification.** TBR will provide a monthly summary report to THEC of all community college program actions approved by TBR, including those programs not subject to this policy. THEC will list all approved community college and certificate programs and reported changes on the THEC Academic Program Inventory.

#### **1.0.11A**

**Post-Approval Monitoring.** Post-approval monitoring is an annual process by which academic programs are evaluated and is initiated when a new program receives approval by the Commission or is reported through TBR academic program inventory notification. Performance of academic programs, based on goals established in program approval documentation,

will be evaluated by THEC annually. The monitoring period will be three (3) years for pre-baccalaureate programs, five (5) years for baccalaureate and master's programs, and seven (7) years for doctoral programs. While the program is in post-approval monitoring, any changes that would affect the academic program inventory related to the approved program will need to be submitted in writing to THEC staff for consideration.

THEC staff may choose to extend the monitoring period if additional time is needed for the program to demonstrate success on program benchmarks. Annually, the Commission will review post-approval monitoring reports on academic programs that are currently being monitored, including information on those programs not meeting program benchmarks. Additionally, pursuant to Tennessee Code Annotated §49-7-202(q)(1)(B), the Commission may recommend to the President/Chancellor that a program be terminated if it is deemed unnecessarily duplicative. Copies of such recommendations will be forwarded to the Education Committees of the General Assembly.

Upon completion of post-approval monitoring, academic programs will be evaluated via Quality Assurance Funding, which is a statewide supplemental funding incentive to encourage continuous improvement of academic programs.

**Sources:** THEC Meetings: April 22, 1988; January 29, 1997; November 14, 2002; January 27, 2011; July 28, 2011; January 29, 2015; January 26, 2017; January 25, 2019; and July 28, 2022.



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** IV. B.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Academic Policy A1.1 – Academic Program Modifications

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

THEC Policy A1.1 – Academic Program Modifications establishes a process for modifying previously approved academic programs through the THEC Executive Director. Additionally, the proposed changes expand the types of programs subject to this policy beyond the elevation of a concentration to a free-standing academic program and a change in degree designation for an academic program.

These proposed changes were developed in consultation with the Chief Academic Officers at each university as well as representatives from the University of Tennessee System and the Tennessee Board of Regents. Additionally, the Tennessee Accreditation Network provided feedback on the policy in an attempt to align with SACSCOC language and policies where possible.

Below is a summary of the proposed revisions to THEC Policy A1.1 – Academic Program Modifications.

#### **Section 1.1.1A** – Program Modifications Subject to Approval

- Specific language was added to clarify the approval authority of the THEC Executive Director, including the determination whether a proposed Academic Program Modification proposal should be evaluated for consideration as a new program under the THEC Policy A1.1 - New Academic Programs: Approval Process.

#### **Section 1.1.2A** – Modifications to Currently Approved Programs

- The types of programs that can be considered under this policy was expanded to include:
  - Adding a degree designation to an existing academic program.
  - Changing the 6-digit Classification of Instructional Program (CIP) code of an approved academic program.
  - Consolidating two (2) or more existing academic programs into a single academic program.
  - Creating a joint degree program consisting of academic programs that are already approved at each participating institution.

#### **Section 1.1.5A** – Quality Assurance Funding

- Language was changed to identify that approved Academic Program Modifications will be evaluated under Quality Assurance Funding instead of Post-Approval Monitoring.

#### **Section 1.1.7A**

- The five (5) year policy review schedule was removed as the policy may be reviewed at any time.

Provided below are Attachment A (Redlined Version of Proposed Changes) and Attachment B (Clean Version of Proposed Changes) for the A1.1 – Academic Program Modifications policy.



## Attachment A: Redlined Version of Proposed Changes

**Section Title:** Academic Policies  
**Policy Title:** Academic Program Modifications  
**Policy Number:** A 1.1

**1.1.1A Programs ~~Modifications~~ Subject to Approval.** The Tennessee Higher Education Commission (THEC) Executive Director will have approval authority for modifications to currently approved academic programs as reflected in THEC's Academic Program Inventory (API). ~~At the will of the Commission. Should the Executive Director determine a proposed Academic Program Modification would be more appropriately evaluated as a new academic program under Academic Policy A1.0 – New Academic Programs: Approval Process, which would be then considered for approval by the Commission., the Executive Director has the right to elevate an academic program modification to a new academic program as referenced in Academic Policy A1.0 which may be considered for approval by the Commission.~~

**1.1.2A Program Modifications to Currently Approved Programs.** Modifications requiring approval from THEC are limited to the following changes and may require an external review if deemed necessary by THEC staff:

- Adding an academic program degree designation to an existing program (e.g., adding a B.A. to an existing B.S.).
- Change ~~or add~~ an academic program degree designation when this change does involve a significant curriculum shift in redefining the program's purpose (e.g., B.A. to B.F.A; M.A. to M.F.A.; Ed.D. to Ph.D.).
- Changing the six-digit Classification of Instructional Program (CIP) code for an approved academic program.
- Establishing a free-standing academic program from an existing concentration that has demonstrated ~~With a steady enrollment and degrees graduation numbers awarded within both the degree designation and all concentrations under that degree~~ for

a period of the last three (3) years. This program modification may be considered only if the establishment of the concentration as a free-standing academic program does not compromise the remaining academic program and requires and does not require limited new faculty resources.

- Consolidating two (2) or more existing academic programs into a single academic program.
- Creating a joint degree program consisting of academic programs that are already approved at each participating institution.

**1.1.3A Criteria for Review of Proposed Program Modifications.** The Academic Program Modification (APM) Checklist located on the THEC website represents specify the criteria for a each type of academic program modification. degree designation change or addition or to establish a free-standing academic program. However, the stringency of individual criteria will depend on the specific academic program, and, in particular circumstances, other criteria may be added based on THEC staff evaluation.

**1.1.4A Duplication as a Result of Proposed Modification of Currently Approved Programs.** Institutions should must examine the potential impact of any academic program modification on current academic programs offered within their institution and existing academic programs offered in public and private institutions across Tennessee to ensure the program modification would not be unnecessarily duplicative. No modification may be submitted for academic programs where annual THEC statewide and institutional degree production analyses indicate there is great potential for unnecessary program duplication. Need for any modifications must be demonstrated to and approved by the institutional governing board and THEC before development of any modifications in these academic program areas.

**1.1.5A Quality Assurance Funding.** Newly approved academic program modifications will be subject to Quality Assurance Funding, which is a statewide supplemental funding incentive to encourage continuous improvement of academic programs.

~~**Post-Approval Monitoring.** Performance of any newly established free-standing academic program will be evaluated annually by THEC and reported to the Commission. The monitoring period will be three years for pre-baccalaureate programs, five years for baccalaureate and Master's programs, and seven years for doctoral programs following approval.~~

**1.1.6A Program Modifications to Currently Approved Programs at Tennessee Community Colleges.** -Modifications of academic programs offered at the community colleges are not required to seek approval from THEC for program modifications but must be reported monthly by the Tennessee Board of Regents (TBR) to THEC staff.

~~**1.1.7A** — Policy will be reviewed every five years unless changes in eligible academic program modifications are warranted.~~

**Sources:** THEC Meetings: April 22, 1988; April 19, 1996; January 29, 1997; November 14, 2002; April 26, 2007; January 27, 2011; January 29, 2015; ~~and~~ January 26, 2017; and July 28, 2022.

## Attachment B: Clean Version of Proposed Changes

**Section Title:** Academic Policies  
**Policy Title:** Academic Program Modifications  
**Policy Number:** A 1.1

**1.1.1A Program Modifications Subject to Approval.** The Tennessee Higher Education Commission (THEC) Executive Director will have approval authority for modifications to currently approved academic programs as reflected in THEC’s Academic Program Inventory (API). Should the Executive Director determine a proposed Academic Program Modification would be more appropriately evaluated as a new academic program under Academic Policy A1.0 – New Academic Programs: Approval Process, which would be then considered for approval by the Commission.

**1.1.2A Modifications to Currently Approved Programs.** Modifications requiring approval from THEC are limited to the following changes and may require an external review if deemed necessary by THEC staff:

- Adding an academic program degree designation to an existing program (e.g., adding a B.A. to an existing B.S.).
- Changing an academic program degree designation (e.g., B.A. to B.F.A; M.A. to M.F.A.; Ed.D. to Ph.D.).
- Changing the six-digit Classification of Instructional Program (CIP) code for an approved academic program.
- Establishing a free-standing academic program from an existing concentration that has demonstrated steady enrollment and graduation numbers for a period of the last three (3) years. This program modification may be considered only if the establishment of the concentration as a free-standing academic program does not compromise the remaining academic program and requires limited new resources.
- Consolidating two (2) or more existing academic programs into a single academic program.

- Creating a joint degree program consisting of academic programs that are already approved at each participating institution.

**1.1.3A**      **Criteria for Review of Proposed Program Modifications.** The Academic Program Modification (APM) checklists located on the THEC website specify the criteria for each type of academic program modification. However, the stringency of individual criteria will depend on the specific academic program, and, in particular circumstances, other criteria may be added based on THEC staff evaluation

**1.1.4A**      **Duplication as a Result of Proposed Modification of Currently Approved Programs.** Institutions must examine the potential impact of any academic program modification on current academic programs offered within their institution and existing academic programs offered in public and private institutions across Tennessee to ensure the program modification would not be unnecessarily duplicative.

**1.1.5A**      **Quality Assurance Funding.** Newly approved academic program modifications will be subject to Quality Assurance Funding, which is a statewide supplemental funding incentive to encourage continuous improvement of academic programs.

**1.1.6A**      **Program Modifications to Currently Approved Programs at Tennessee Community Colleges.** Modifications of academic programs offered at the community colleges are not required to seek approval from THEC for program modifications but must be reported monthly by the Tennessee Board of Regents (TBR) to THEC staff.

**Sources:** THEC Meetings: April 22, 1988; April 19, 1996; January 29, 1997; November 14, 2002; April 26, 2007; January 27, 2011; January 29, 2015; January 26, 2017; and July 28, 2022.



## TENNESSEE HIGHER EDUCATION COMMISSION

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### REGULAR CALENDAR ITEM: IV. C.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Academic Policy A1.5 – Academic Actions Notification

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

THEC Policy A1.5 – Academic Actions Notification establishes a process for identifying the academic actions that must be submitted by public institutions to maintain the accuracy of the state's Academic Program Inventory (API). The API is a listing of all academic programs by degree designation, Classification of Instructional Program (CIP) code, concentrations, credit hours, off-campus locations, delivery mode, access to Academic Common Market, and other fields.

These proposed revisions for the Academic Actions Notification policy were developed in consultation with the Chief Academic Officers at each university as well as representatives from the University of Tennessee System and Tennessee Board of Regents. Additionally, the Tennessee Accreditation Network provided feedback on the existing policy.

Below is a summary of the proposed revisions to THEC Policy A1.5 – Academic Actions Notification.

#### **Section A1.5.2A** – Academic Actions Subject to Notification

- Inclusion of colleges of applied technology in the notification process to ensure accuracy of the state's Academic Program Inventory.
- Elimination of credit hour requirement for notification of certificate programs.
- Clarification of name change notification to require retaining the approved Classification of Instructional Program (CIP) code.
- Removal of the consolidation of two (2) or more existing programs into a single academic program from an academic action notification to an academic program modification.

#### **Section 1.5.3A** – Programs Exempt from Inactive Status

- This section was removed to allow campuses to inactivate programs per their discretion.

#### **Section 1.5.4A** – Notification Schedule

- Language was added to provide flexibility for Chief Academic Officers to submit academic actions outside the scheduled reporting timeframe.

#### **Section 1.5.5A**

- The three (3) year policy review schedule was removed as the policy may be reviewed at any time.

Provided below are Attachment A (Redlined Version of Proposed Changes) and Attachment B (Clean Version of Proposed Changes) for the A1.5 – Academic Actions Notification policy.

## Attachment A: Redlined Version of Proposed Changes

**Section Title:** Academic Policies  
**Policy Title:** Academic Actions Notification  
**Policy Number:** A1.5

**1.5.1A** **Purpose.** ~~The Academic Actions Notification Policy~~This policy establishes a process for identifying academic actions that must be submitted by public institutions to maintain the accuracy of the state's Academic Program Inventory (API). In alignment with the statutory responsibility of the Tennessee Higher Education Commission (THEC) ~~'s statutory responsibility of~~to reviewing and approving new academic programs, THEC staff maintains ~~s~~ the API. ~~The API includes a listing of all academic programs by degree designations, associated concentrations, credit hours, off-campus locations,~~ delivery modes, ~~and~~ access to Academic Common Market, and other fields. ~~In order to~~To maintain the accuracy of the API, institutions must notify THEC of academic program actions as specified in this policy.

**1.5.2A** **Academic Actions Subject to Notification.** This policy applies to academic actions at all public universities, ~~and~~ community colleges, and colleges of applied technology for authorized academic programs regardless of program level ~~(with the exception of all certificates more than 24 hours)~~. ~~After initial academic program approval by THEC (or in the case of community colleges approval by the Tennessee Board of Regents),~~ subsequent revisions must be reported to, and reviewed by, THEC staff for inclusion in the API. Academic program actions eligible for reporting after campus approval processes are met include:

- Establishment of a certificate program ~~less than 24 semester credit hours regardless of degree level.~~
- ~~Name change of~~ existing academic program. Name changes must retain the current National Center for Education Statistics (NCES) Classification of Instructional Programs (CIP) code and be aligned with the corresponding definition.

- ~~Name change~~Name change for of an existing concentration within an academic program.
- Establishment of a new concentration within an existing academic program.
- Change (increase or decrease) in the number of hours of an existing academic program.
- ~~Consolidation of two or more existing academic programs into a single academic program without an essential change in the original approved curriculum and without a net gain in the number of programs.~~
- Extension of an existing academic program to an approved off-campus center.
- Change to of the primary delivery mode for an existing academic program. The extension to 100 percent off-campus delivery requires additional action if the location of delivery is to be converted from an off-campus site to a center.
- Inactivation of an existing academic program or concentration. If the inactivated academic program or concentration is not reactivated within a period of three (3) years, the academic program or concentration will automatically be terminated and removed from the institution's inventoryAPI.
- Reactivation of an academic program or concentration that was placed on inactivation within the past three (3) years.- The date of inactivation and the date of the proposed reactivation must be provided.
- Termination of an academic program or concentration. A~~A~~ teach-out plan ~~per SACSCOC Closing a Program, Site, Branch or Institution Good Practices Statement and the policy, Substantive Change for Accredited Institutions of the Commission of Colleges, Procedure Three,~~ should accompany the notification of termination. As the immediate interests of currently enrolled students and faculty are impacted by the termination of an academic program or concentration, timely communication of this decision to students and faculty is important.

**~~1.5.3A~~ ~~Programs Exempt from Inactive Status.~~ The following**



~~categories of academic program are not eligible for inactive status:~~

- ~~▪ Academic programs that have not been implemented~~
- ~~▪ Academic programs that are currently in post-approval monitoring status~~
- ~~▪ Academic programs currently listed as low-producing status by THEC~~

### 1.5.34A

**Notification Schedule.** All public universities will be responsible for notifying THEC staff of all institutionally approved academic program actions as outlined ~~above in section 1.5.2A- no later than on the following dates:~~

- May 15 for all actions approved between January 1 and April 30
- August 15 for all actions approved between May 1 and July 31
- January 15 for all actions approved between August 1 and December 31

The ~~C~~chief ~~A~~academic ~~O~~fficer at each university will submit all academic program actions designating that each action has been approved through appropriate institutional and/or governing board processes. Chief Academic Officers may also submit academic actions as outlined in section 1.5.2A outside these reporting dates. Institutions will use ~~the~~ THEC's notification reporting protocol as provided on ~~the~~ THEC's website.

The Tennessee Board of Regents (TBR) is charged with notification to THEC staff for all community college and colleges of applied technology academic program actions ~~as outlined in the Academic Policy A1.0.~~ -TBR ~~will-will~~ provide a monthly summary report to THEC staff of all community college and colleges of applied technology program actions approved by ~~the~~ TBR.

**1.5.5A** ~~Policy will be reviewed every three years unless changes in eligible academic program actions are warranted.~~

**Source:-** THEC Meeting: January 26, 2017, and July 28, 2022.

## Attachment B: Clean Version of Proposed Changes

**Section Title:** Academic Policies  
**Policy Title:** Academic Actions Notification  
**Policy Number:** A1.5

**1.5.1A** **Purpose.** This policy establishes a process for identifying academic actions that must be submitted by public institutions to maintain the accuracy of the state’s Academic Program Inventory (API). In alignment with the statutory responsibility of the Tennessee Higher Education Commission (THEC) to review and approve new academic programs, THEC staff maintain the API. The API includes a listing of all academic programs by degree designations, associated concentrations, credit hours, off-campus locations, delivery modes, access to Academic Common Market, and other fields. To maintain the accuracy of the API, institutions must notify THEC of academic program actions as specified in this policy.

**1.5.2A** **Academic Actions Subject to Notification.** This policy applies to academic actions at all public universities, community colleges, and colleges of applied technology for authorized academic programs regardless of program level. After initial academic program approval, subsequent revisions must be reported to, and reviewed by, THEC staff for inclusion in the API. Academic program actions eligible for reporting after campus approval processes are met include:

- Establishment of a certificate program.
- Name change of an existing academic program. Name changes must retain the current National Center for Education Statistics (NCES) Classification of Instructional Programs (CIP) code and be aligned with the corresponding definition.
- Name change of an existing concentration within an academic program.
- Establishment of a new concentration within an existing academic program.
- Change (increase or decrease) in the number of hours of an existing academic program.

- Extension of an existing academic program to an approved off-campus center.
- Change to the primary delivery mode for an existing academic program. The extension to 100 percent off-campus delivery requires additional action if the location of delivery is to be converted from an off-campus site to a center.
- Inactivation of an existing academic program or concentration. If the inactivated academic program or concentration is not reactivated within a period of three (3) years, the academic program or concentration will automatically be terminated and removed from the API.
- Reactivation of an academic program or concentration that was placed on inactivation within the past three (3) years. The date of inactivation and the date of the proposed reactivation must be provided.
- Termination of an academic program or concentration. A teach-out plan should accompany the notification of termination. As the immediate interests of currently enrolled students and faculty are impacted by the termination of an academic program or concentration, timely communication of this decision to students and faculty is important.

**1.5.3A**

**Notification Schedule.** All public universities will be responsible for notifying THEC staff of all institutionally approved academic program actions as outlined in section 1.5.2A no later than:

- May 15 for all actions approved between January 1 and April 30
- August 15 for all actions approved between May 1 and July 31
- January 15 for all actions approved between August 1 and December 31

The Chief Academic Officer at each university will submit all academic program actions designating that each action has been approved through appropriate institutional and/or governing board processes. Chief Academic Officers may also submit

academic actions as outlined in section 1.5.2A outside these reporting dates. Institutions will use THEC's notification reporting protocol as provided on THEC's website.

The Tennessee Board of Regents (TBR) is charged with notification to THEC staff for all community college and colleges of applied technology academic program actions. TBR will provide a monthly summary report to THEC staff of all community college and colleges of applied technology program actions approved by TBR.

**Source:** THEC Meeting: January 26, 2017, and July 28, 2022



## TENNESSEE HIGHER EDUCATION COMMISSION

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REGULAR CALENDAR ITEM: V.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Division of Postsecondary State Authorization  
Rulemaking Hearing Rules

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

The Tennessee General Assembly amended the Tennessee Higher Education Authorization Act of 2016 (THEAA) earlier this year through the passage of 2022 Pub. Ch. No. 1044. Governor Lee signed 2022 Pub. Ch. No. 1044 on May 11, 2022. Thereafter, the Commission adopted Emergency Rules to implement the THEAA, as amended. The Emergency Rules were effective July 1, 2022.

In the interim and in anticipation of the expiration of Emergency Rules on December 28, 2022, THEC filed a Notice of Rulemaking Hearing with the Secretary of State. Per the notice, the rulemaking hearing would be held July 14, 2022, with a written comment deadline of July 11, 2022. Written comments were received from three (3) institutions and four (4) institutions attended the rulemaking hearing. During the hearing two (2) institutions asked questions about the proposed rules, but did not offer particular comments or suggest revisions after hearing the responses of Commission staff.

To ensure notice of the effective and proposed statutory and regulatory revisions, the THEC website was updated to explain the changes and provide additional notice of the rulemaking hearing. See [Legislation and Rules \(tn.gov\)](#). Additionally, on June 17, 2022, THEC notified institutions of the rulemaking hearing and website updates via email. Institutions received an invitation to attend an informational session on the emergency and proposed Rulemaking Hearing Rules, which included an opportunity for attendees to ask questions. Lastly, the slides used during the informational session and a recording of the session were emailed to all attendees and those who requested such and posted on THEC's website.

### RULEMAKING HEARING

After hearing comments and further review of the proposed rules, Commission Staff propose four (4) substantive changes to the text of the proposed Rulemaking Hearing Rules published in the Notice of Rulemaking Hearing. These revisions are included in the Rulemaking Hearing Rules text following the Action Recommendation.

1. 1540-01-02-.02(2)(f) – Commission Staff recommends changing “authorization subject to review and ratification by the Commission at its next regularly scheduled meeting” to “authorization subject to review and ratification by the Commission at a regularly scheduled meeting.” The reason for this recommendation is to allow an institution to receive provisional authorization as soon as possible without consideration of whether granting provisional authorization will allow time for the institution to appear on the agenda for the next regularly scheduled meeting.

2. 1540-01-02-.19(8) – Commission Staff recommends adding the phrase “on behalf of whom a complaint is filed” as follows:

Any student who files a complaint or on behalf of whom a complaint is filed must first exhaust the grievance process at the institution. Parties to the complaint shall be the complainant and any named institution or agent thereof.

This addition implements the statutory revision requiring a student to exhaust the institution grievance process in an instance where the student does not file the complaint. An example of this is when a parent files a complaint on behalf of the student.

3. 1540-01-02-.8(2) - Two institutions, Nashville Software School, Inc. and Bill Rice Bible College filed comments on this rule revision. One comment addresses the addition of “other fees” to the prohibition of collections more than ten (10) business days prior to the scheduled start date. The institution noted that this would impact their operation and require them to obtain a bond. The second comment pertains to the methodology proposed in the rule for calculating the amount of the bond. THEC appreciates these thoughtful comments and opines that this issue requires further study. Therefore, the best approach is to remove the proposed revision and raise this issue for discussion in the near future with a broader group of institutions and, if necessary, propose a rule revision in the future. Both commenters agree with the recommended approach of Commission Staff.
4. 1540-01-02-.17 – Stonepile LLC filed a comment noting that the revision deletes former (3)(b) thereby removing the option for an institution to use a refund policy that is more favorable to a student than the THEC default policy. THEC agrees with this comment. However, THEC notes that the intent of the revision was in part to ensure that Commission Staff could make a proper determination as to whether the policy of an institution was in fact more favorable in all instances. Such a determination has proven to be a difficult, time-consuming task. Thus, in order to both allow students to benefit from a more favorable policy and enable Commission Staff to better conduct a review of a proposed policy, THEC recommends that an institution be able to use a refund policy that mirrors the stated policy in the rule except the institution may elect to increase the pro rata percentage. By increasing the pro rata percentage, students benefit, and by limiting the variable to only the percentage, Commission Staff have only one factor to consider. The commenter agrees with the recommended approach of Commission Staff.

## **PROPOSED RULEMAKING HEARING RULES**

Highlights of the Rulemaking Hearing Rules before you today are as follows:

- Removing references to the Committee on Postsecondary Educational Institutions and revising the roles of the Commission, Executive Director, and Commission Staff accordingly.
- Adding and revising definitions.
- Allowing for submission of certain applications on a rolling basis.
- Providing notice as to the Commission’s application review process.
- Allowing for authorization for up to four (4) years with the requirement that the institution submit a Certification of Compliance in years one (1), two (2), and three (3), as applicable.
- Creating minimum requirements for new forms, such as the Certification of Compliance, and revising forms affected by 2022 Pub. Ch. No. 1044, such as the Program Registration Request.

- Deleting references to agent permits and agent bonds, including the fees associated with applications for permits.
- Stating that student level statistical data is due by October 15 each year.
- Providing that a student who asserts a complaint against regularly authorized institutions must first exhaust the grievance process at the institution and detailing the complaint review process for all complaints.
- Deleting the degree-granting limitation to eligibility for Optional Expedited Authorization (OEA).
- Allowing institutions that have had OEA revoked to reapply when the grounds for revocation have been resolved.
- Providing guidance related to requirements for cleaning or similar tasks as part of a program of instruction.
- Revising contents of the pre-enrollment checklist and enrollment agreement.
- Allowing for an institution to submit annual financial statements for the fiscal year that ended prior to one hundred-twenty (120) calendar days of the application or certification due date.
- Changing the cancellation and refund policy.
- Clarifying the distinction between a refund and unearned tuition owed by a closing institution.
- Amending the refund of regulatory fees language.
- Specifying when a transcript is required versus a certificate and the required contents of both credentials.
- Elaborating on the safeguards that may be required along with an awarded of provisional authorization status.

## **ACTION RECOMMENDATION**

The Secretary of State's Rulemaking Hearing Rule(s) Filing Form (SS-7039) (October 2021) requires that a roll call vote of the Commission be taken. Additionally, the form requires that the Attorney General and Reporter of the State of Tennessee examine and approve the rules prior to filing the form.

Based on the foregoing, Commission staff recommends that the Commission vote to adopt the proposed Rulemaking Hearing Rules as written herein following this section and direct Commission Staff to complete SS-7039, submit the signed form to the Office of the Attorney General and thereafter the Secretary of State, and authorize the Executive Director to make any revisions to the rules proposed by the Office of the Attorney General that are technical or necessary to ensure the legality of the rules.

# PROPOSED RULEMAKING RULES – VERSION WITH AMENDMENTS INCORPORATED

## Amendment

### CHAPTER 1540-01-02

### AUTHORIZATION AND REGULATION OF POSTSECONDARY EDUCATION INSTITUTIONS AND THEIR AGENTS

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#### 1540-01-02-.01 Preface.

- (1) The Commission invites continuous, constructive cooperation with institutions, civic organizations, governmental agencies, Better Business Bureaus, students and others to ensure the enforcement and improvement of these standards for better service to all consumers and will work to implement these rules as staffing allows. The observance of these rules is the responsibility of each institution for the inherent advantage to each institution and for the common good of all institutions.



- (2) These rules are complementary to the Tennessee Higher Education Authorization Act of 2016, as amended, at Title 49, Chapter 7, Part 20 (the Act). Institutions and agents must comply with the current language of the Act and these rules.

Authority: T.C.A. §§ 49-7-2002 and 49-7-2005.

1540-01-02-.02 Role of the Commission, Executive Director, and Commission Staff.

- (1) Role of the Tennessee Higher Education Commission (THEC or Commission):
  - (a) The Commission at each quarterly meeting shall consider recommendations from the Executive Director and Commission staff regarding authorizations and any other matter at the request of the Commission's Executive Director.
- (2) Role of the Tennessee Higher Education Commission Executive Director:
  - (a) The Executive Director is empowered to take any urgent action in furtherance of the Act during the periods between Commission meetings, provided that:
    - 1. the Executive Director gives written notice of such action to the affected party;
    - 2. the Executive Director notifies the affected party that they may notify the Commission within ten (10) business days if the aggrieved party desires a hearing and review by the Commission, and that otherwise the action shall be deemed final; and
    - 3. at the same time the Executive Director gives written notice of the action to members of the Commission.
  - (b) The Executive Director is empowered to review decisions and recommendations of Commission staff as provided for in these rules.
  - (c) On the advice of Commission staff, the Executive Director, in consultation with the Commission Chair, is authorized to waive these rules upon well documented extraordinary cause, where necessary to protect the public interest, and when consistent with the Act. A waiver shall not be effective for more than one (1) year from its effective date.
  - (d) The Executive Director may exempt an institution, program, or activity from authorization or from compliance with a specific rule if such an exemption can be demonstrated to be in the public interest. Such exemptions should be temporary and narrow in scope.
  - (e) The Executive Director is empowered to act in the following matters, subject to a hearing and review by the Commission upon the request of the aggrieved party in the manner provided by T.C.A. § 49-7-2012:

1. assess fines under the Act and these rules; and
  2. intervene to alter, place conditions on, or revoke, in full or in part, an institution's authorization or program registrations.
- (f) The Executive Director is empowered to grant provisional initial authorization to an institution seeking initial regular or optional expedited authorization subject to review and ratification by the Commission at a regularly scheduled meeting.
- (g) The Executive Director is empowered to extend authorization time periods of institutions authorized as of July 1, 2022, in order to effectuate the purposes of the Act and these rules. At the Executive Director's direction, Commission staff shall post on the Commission's website notice of authorization extensions and future filing requirements and provide notification of the posting to institutions via email.
- (3) Role of the Commission staff:
- (a) The office and Commission staff responsible for oversight of the Act and Rule Chapters 1540-01-02 and 1540-01-10 shall be officially referred to as the Tennessee Higher Education Commission, Division of Postsecondary State Authorization (DPSA).
  - (b) Commission staff and, as needed, other industry representatives or subject matter experts appointed by the Executive Director, shall perform authorization site visits and/or audits to review, inspect, and investigate locations as necessary to ensure compliance with the Act and these rules. Authorization site visits or audits may be conducted at the discretion of Commission staff for reasons including, but not limited to, authorization determinations, program registrations, complaints, investigations, compliance checks, or any situation that may adversely affect students or people at the institution.
  - (c) Commission staff shall investigate as necessary any activity believed to create a physical presence in Tennessee to verify adherence to the Act and these rules or to determine whether an exemption is appropriate.
  - (d) Commission staff shall establish due dates, as necessary, for submission of all fees, applications, registrations, certifications, or other materials.
  - (e) Commission staff may share with state or federal agencies information on institutions seeking, holding, or required to be authorized by the Commission as well as any unauthorized educational operations. Commission staff may share with appropriate accrediting bodies any adverse action recommended or taken by Commission staff, the Executive Director, or Commission.
  - (f) Commission staff may recommend that the Executive Director take adverse action as described in of the Act or these rules.

Authority: T.C.A. §§ 49-7-2004, 49-7-2014, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-02-.03 Definitions.

- (1) "Ability-to-benefit" or "ATB" as an adjective describes:
  - (a) a student who has not provided proof of receiving a high school diploma or equivalency, but who has demonstrated by successfully passing an ability-to-benefit test that the student possesses the cognitive skills needed to benefit from a course or certificate or diploma program; or
  - (b) a test given by an authorized institution to determine whether a student possesses the cognitive skills to benefit from a certificate or diploma program.
- (2) "Academic" as an adjective describing a degree means a degree that is organized primarily for academic or professional training or transfer. Academic degrees include: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Business Administration, Bachelor of Science, Bachelor of Fine Arts, Master of Arts, Master of Divinity, Master of Science, Master of Fine Arts, Master of Business Administration, Doctor of Philosophy, Doctor of Psychology, and Doctor of Education.
- (3) "Accreditation" is a non-governmental, peer evaluation of postsecondary educational institutions and programs by private educational associations that have adopted criteria for educational programs and have developed procedures for evaluating institutions or programs. The date of accreditation is the date applicable to a location and includes approval, recognition, or similar designation of a branch, satellite, instructional or other location descriptor used by an accreditor. These criteria determine whether or not institutions or programs are operating at basic levels of quality. The Commission only recognizes accrediting agencies that are recognized by the U.S. Department of Education.
- (4) "Activities and operations" mean to operate, to grant, to offer, and the prohibited actions described in 49-7-2007.
- (5) "Act" means the Tennessee Higher Education Authorization Act of 2016, T.C.A. §§ 49-7-2001, et seq., as amended.
- (6) "Adverse action" means action taken by the Executive Director or Commission to fine, limit, change, suspend, or cause to cease activity that is not compliant with the Act and these rules. Such adverse action includes fines of five hundred dollars (\$500) per violation per day, suspension of activity, conditional authorization or program registration, or revocation of authorization or program registration.
- (7) "Agent" means any person representing a postsecondary educational institution for payment, who solicits in any form and enrolls, or seeks to enroll, a student for education offered by an authorized institution, or offers to award educational credentials, for remuneration, on behalf of any such institution. Persons owning an interest in an institution and the institution's full-time employees and directors shall not be considered agents under

the Act.

- (8) "Articulation and transfer of credit agreement" means an arrangement between two (2) higher education institutions that is approved and signed by authorized institutional representatives and constructed by faculty in the discipline that (1) equates for transfer of a defined set or block of academic credits that will meet requirements of a specified program at a degree-awarding institution or (2) provides that a specific credential from one (1) institution will meet the admission education requirement for a program leading to a higher credential at a second institution.
- (9) "Associate degree" means a credential issued to students who complete a vocational or academic program or curriculum consisting of at least sixty (60) semester credit hours, ninety (90) quarter credit hours, or the equivalent.
- (10) "Authorization" means approval of a postsecondary educational institution by the Commission for the institution to engage in activities or operations otherwise prohibited by T.C.A. § 49-7-2007. Authorization is for a specified time at a specified location. Institutions shall not use authorization to connote greater approval than simple permission to engage in allowed activities or operations. Terms which may not be used include, but are not limited to, "accredited by," "supervised by," "endorsed by," and "recommended."
- (11) "Authorization site visit" means visit to a location by Commission staff or other industry representatives or subject matter experts to verify, review, inspect, or investigate as necessary to ensure a location or program is compliant with the Act and these rules.
- (12) "Bachelor's degree" means a credential issued to students who complete a vocational or academic program or curriculum consisting of at least one hundred and twenty (120) semester credit hours, one hundred and eighty (180) quarter hours, or the equivalent.
- (13) "Certificate program" generally means one (1) or more technical courses usually completed in one (1) to twenty-six (26) weeks, or up to and including five hundred (500) contact hours normally with a single skill objective. A program name or certificate credential should not include terms such as "certified," "registered," or "licensed" unless the postsecondary educational institution is recognized by a subject matter expert state or federal agency, board, or commission to award such a credential or recognized by a private company where the curriculum or product of the company is being taught, for example, Microsoft certifications.
- (14) "Clock Hour" has the same meaning as contact hour.
- (15) "Closed enrollment" means instruction provided to a group or business by a postsecondary educational institution, whereby public solicitation does not occur and the institution is given a list of enrollees to train at no cost to the students.
- (16) "College" means (1) a unit of a university offering specialized degrees or (2) a postsecondary educational institution offering courses of study leading to a degree.

- (17) "Commission" means the Tennessee Higher Education Commission.
- (18) "Completion rate" shall have the same meaning as "graduation rate," and shall mean the number of completions as a percentage of the number of students not currently enrolled minus the number of withdrawals due to special circumstances, that is,  $\text{Completion Rate} = \frac{\text{Number of Completions}}{\text{Number Not Currently Enrolled} - \text{Special Circumstance Withdrawals}} \times 100$ .
- (19) "Contact hour" means a sixty (60) minute period of time that contains at least fifty (50) minutes of actual directed or supervised instructional time.
- (20) "Degree" means an educational credential from a postsecondary educational institution with the term associate, bachelor's, master's, specialist, or doctor in the credential designation.
- (21) "Diploma program" means a program of instruction offering technical and some basic course work. General education courses may be included. Program requirements generally range from more than five hundred (500) contact hours to less than the requirements for an Associate degree.
- (22) "Distance learning" means a system and process that connects learners with distributed learning resources through delivery systems at a distance such as correspondence, video tape, audio tape, telecommunications, computer resources, computer network system or an electronic delivery system, where there is physical separation of the instructor and student.
- (23) "Division of Postsecondary State Authorization" or "DPSA" means the office and Commission staff responsible for oversight of the Act and Rule Chapters 1540-01-02 and 1540-01-10.
- (24) "Doctoral degree" means a credential issued to students who complete a program consisting of a bachelor's degree plus at least ninety (90) semester hours of graduate credit, one hundred and thirty-five (135) quarter hours of graduate credit, or the equivalent.
- (25) "Enrollment" or "Enrolled" refers to those students who have attended one (1) session of class, turned in one (1) assignment, or received one (1) distance learning lesson.
- (26) "Educational credentials" means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers or words which signify, purport or are generally taken to signify enrollment, attendance, progress or satisfactory completion of the requirements or prerequisites for education at a postsecondary educational institution.
- (27) "Educational service" means any class, course or program of training, instruction or study.
- (28) "Federal student financial aid programs" means any of the various loans or grants offered to students, parents, or institutions through Title IV of the Higher Education Opportunity Act, as amended.
- (29) "Field Trip" means a congregation of students and instructors at a location in Tennessee for

instruction in the subject of enrollment for not more than three (3) calendar days. Such field trips may not occur more than three (3) times a year in the same program.

- (30) "General education courses" means a category of academic subjects that students are required to take prior to graduation outside of their major area of study or vocational concentration. These subjects are intended to broaden students' intellectual growth and cover topics including humanities, communication/language skills, social science, science, and quantitative and ethical reasoning.
- (31) "Independent certified public accountant" means a certified public accountant not associated with the institution, its owners, or its affiliated businesses.
- (32) "In-field placement rate" means the Number Placed In-Field as a percentage of number placeable, that is,  $\text{In-Field Placement Rate} = \frac{\text{Number Placed In-Field}}{\text{Number Placeable}} \times 100$ .
- (33) "Institutional director" means the individual designated by the institution to assume responsibility for ensuring that the conduct of the institution and its agents are within the Act and these rules.
- (34) "License" or "Licensure" includes similar terms, such as registration and certification, and means a designation from a subject matter expert state agency, board, or commission indicating that the recipient has met certain requirements for obtaining the designation, for example, a licensed massage therapist or educator.
- (35) "Location" means an address that may be used for purposes of a postsecondary educational institution in compliance with all pertinent ordinances and laws, including any rules and regulations adopted pursuant to the ordinances and laws, relative to zoning and the safety and health of persons at the address. When physical presence activities or operations are not the result of instruction at a postsecondary educational institution location as determined by the Commission staff, such as supervised field experiences or similar activities or operations, then the postsecondary educational institution location from which the educational credential is awarded must be the authorized location.
- (36) "Master's degree" means a credential issued to students who complete a program consisting of a bachelor's degree plus at least thirty (30) semester credit hours, forty-five (45) quarter credit hours, or the equivalent.
- (37) "Other fees" means fees, other than tuition, paid to the institution for housing, meals, or transportation or fees paid to the institution or third parties for products or services, including, but not limited to, fees paid for tangible goods, laboratory fees, technology fees, student activity fees, or graduation fees. Other fees may include, at the institution's discretion, optional fees, including post-program completion testing fees, if collected by the institution on behalf of a student.
- (38) "Out-of-state institution" means an authorized postsecondary educational institution that maintains its primary campus in another state, but has a physical presence in Tennessee.

- (39) "Ownership" and "Owner" mean:
- (a) the individual, if the postsecondary educational institution is a sole proprietorship;
  - (b) all partners, whether full, silent, or limited, if the postsecondary educational institution is a partnership;
  - (c) all individuals and entities with an interest in the for-profit corporation or other for-profit legal entity, if the postsecondary educational institution is a for-profit corporation or other for-profit legal entity; or
  - (d) the executive committee of the governing board, if the postsecondary educational institution is a not-for-profit or nonprofit entity.
- (40) "Physical presence" means presence within the state of Tennessee for the purpose of conducting activity related to a postsecondary educational institution as given in T.C.A. § 49-7-2007. Physical presence as further outlined for purposes of authorization shall include but not be limited to:
- (a) operating a location within the state;
  - (b) offering instruction within or originating from Tennessee designed to impart knowledge with response utilizing teachers, trainers, counselors or computer resources, computer linking, or any form of electronic means;
  - (c) granting an educational credential from a location within the state;
  - (d) using an agent, recruiter, institution, or business that solicits for enrollment or credits or for the award of an educational credential; or
  - (e) advertising, disseminating promotional material or conducting public solicitation in any form that targets Tennessee residents or uses local advertising markets in the state for institutions seeking, holding, or required to be authorized by the Commission.
- Physical presence does not include field trips, sanctioned sports recruiting activities, or college fairs or other assemblies of institutions in Tennessee. As to college fairs or assemblies and institution may not enroll an individual, allow an individual to sign any agreement obligating the person to the institution, accept any moneys from the individual, or follow-up with an individual by means of an in-person meeting in Tennessee.
- (41) "Placement rate" means the number placed as a percentage of the number placeable, that is,  $\text{Placement Rate} = \text{Number Placed} / \text{Number Placeable} \times 100$ .
- (42) "Postsecondary educational institution" includes, but is not limited to, a school, college, university, or other type of entity offering educational credentials, instruction, educational services, or other activities as described in T.C.A. § 49-7-2007, primarily to persons who have

completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for the attainment of educational, professional, or vocational objectives. The terms "campus," "location," "postsecondary educational institution," and "institution" may be used interchangeably such that determinations made pursuant to the Act and these rules are made in regard to the specific location.

- (43) "Primarily located" means:
- (a) if accredited, the state recognized by the accreditor as the state in which the main campus or similarly designated campus is located;
  - (b) If unaccredited, the state where the main administrative or corporate office is located.
- (44) "Principal party" means an owner, executive board member, or institutional director.
- (45) "Prospective student" means a student who has been accepted for attendance at an institution but who is not enrolled as defined in subparagraph (25) of this rule.
- (46) "Quarter" is a period of instruction into which the academic year is divided. A quarter must consist of at least ten (10) weeks.
- (47) "Quarter credit hour" means a measurement of scholastic attainment earned by receipt of instruction for one (1) quarter of one (1) classroom lecture hour per week, two (2) hours of laboratory experience per week, or three (3) hours of intern/externship experience per week, or the equivalent number of hours.
- (48) "Refundable fees" means any fees charged by an institution to the student for a period of enrollment but excluding fees paid for (1) tangible goods retained by the student or (2) services provided in full to the student.
- (49) "Residential course" means a course in which the student comes to an authorized location as opposed to a course where the student and the instructor are in different locations.
- (50) "Semester" is a period of instruction into which the academic year is divided. A semester must consist of at least fifteen (15) weeks.
- (51) "Semester credit hour" means a measurement of scholastic attainment earned by receipt of instruction during one (1) semester of one (1) classroom lecture hour per week, two (2) hours of laboratory experience per week, or three (3) hours of intern/externship experience per week or the equivalent number of hours.
- (52) "Solicitation" means contact, written or verbal, on behalf of an institution for the purpose of supplying information in an attempt to enroll Tennessee residents.
- (53) "Specialist Degree" means an advanced master's degree or post-master's degree with requirements less than those required for a doctoral degree.



- (54) "Supervised field experiences" means a student learning experience comprised primarily of the practical application of previously studied theories and skills, under the oversight of a supervisor, mentor, faculty member or other qualified professional who has a direct or indirect reporting responsibility to the institution where the student is enrolled, whether or not credit is granted. The supervised field experience is part of a program of study offered by the enrolling institution. Examples include, but are not limited to, practica, student teaching, clinical placements, or internships.
- (55) "These rules" means all rules contained in Rule Chapter 1540-01-02.
- (56) "Time to completion" means the total number of days from a student's start date until the completion date.
- (57) "Tuition" means any fee involving the student, actually charged or tracked as a bookkeeping item for instruction provided. Pursuant to Rule .15(4) of these rules, all tuition charges must clearly indicate the period of enrollment for which the student is being charged, for example, if the program is a four (4) month program but the tuition charged is for one (1) month, the account statement might read "Tuition Charged for Month 1."
- (58) "Tuition guaranty fund" means the tuition guaranty fund created by T.C.A. § 49-7-2018 and the related rules in Rule Chapter 1710-01-02.
- (59) "Unearned tuition" means the dollar amount calculated pursuant to T.C.A. § 49-7-2018 and the related rules in Rule Chapter 1710-01-02.
- (60) "University" means a postsecondary educational institution that provides facilities for teaching and research, offers academic undergraduate and graduate degrees at the baccalaureate and higher level, and is organized into largely independent colleges or schools offering undergraduate, graduate, and/or professional programs.
- (61) "Vocational" in the description of a program or institution means that which is organized primarily for job entry or upgrading of job skills that would result in a new job title or position and is not intended for academic transfer.
- (62) "Withdrawal rate" means the number of withdrawals minus the number of withdrawals due to special circumstances as a percentage of program enrollment, that is,  $\text{Withdrawal Rate} = \frac{(\text{Number of Withdrawals} - \text{Special Circumstance Withdrawals})}{\text{Program Enrollment}} \times 100$ .

Authority: T.C.A. §§ 49-7-2003 and 49-7-2005.

#### 1540-01-02-.04 Determination for Required Authorization.

- (1) No postsecondary educational institution may create a physical presence unless the location is authorized by an affirmative vote of the Commission during a public meeting, is awarded provisional initial authorization, or is exempt. Authorization includes regular, provisional, and conditional authorization referred to in this Rule Chapter as well as optional expedited authorization referred to in Rule Chapter 1540-01-10.

- (2) Commission staff may recommend that the Executive Director take adverse action against any unauthorized school, college, university, or other type entity requiring authorization as a postsecondary educational institution. Such entities must make an immediate good faith effort toward compliance by submitting an Initial Authorization Application or Optional Expedited Authorization Application, as provided in Rule Chapter 1540-01-10, and the applicable fee by the due date provided by Commission staff.

Authority: T.C.A. §§ 49-7-2002, 49-7-2003, 49-7-2005, 49-7-2006, 49-7-2011, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

#### 1540-01-02-.05 Exemptions.

- (1) T.C.A. § 49-7-2004 of the Act includes general descriptions of institutions and programs that are exempt from the provisions of the Act and these rules. Institutions and programs meeting the specific provisions below shall be considered exempt pursuant to the general exemption descriptions of T.C.A. § 49-7-2004.
  - (a) Subject to subparagraph (b) of this rule, education that is:
    1. maintained or given by or on behalf of an employer or group of employers on a no-fee basis to employees or to persons they anticipate employing;
    2. maintained or given by a labor organization recognized by either the U.S. Department of Labor or the state (1) to its membership or apprentices or (2) on a no-fee basis to the individual;
    3. financed and/or subsidized by public funds, at no cost to the individual, and having a closed enrollment;
    4. given under a contract agreement, having a closed enrollment, on a no-fee basis to the individual, and not offering educational credentials that in the opinion of Commission staff are specifically directed toward new or additional vocational, professional, or academic goals; or
    5. given to a closed network of franchise owners and their employees on a no-fee basis to employees through a franchisor that does not advertise or provide its training to the general public and wherein such training is not the primary business of the franchisor.
  - (b) For purposes of subparagraph (a) of this rule, and T.C.A. § 49-7-2004(a)(2), any tuition charges, other fee charges, payroll deductions, minimum employment periods as a result of a company's investment in the employee, fees levied if an individual leaves that employment, or similar practices shall constitute a fee to the individual, except that the employer may accept funds provided through a state or federal program that provides adequate institutional and/or programmatic review as determined by Commission staff.

- (c) Programs, seminars, or workshops that are recreational or avocational, including, but not limited to, motivational or enrichment programs, as determined by Commission staff shall be considered exempt from registration requirements. Upon review by Commission staff, a provider that presents the instruction in such a way as to suggest a vocational end may be required to become authorized or clarify through public advertising that the program, seminar, or workshop is in fact recreational or avocational.
  - (d) Short-term programs, seminars, or workshops that are solely for professional enhancement as determined by Commission staff shall be considered exempt from registration requirements. Education resulting in specialized certifications clearly used to denote technical, professional, or vocational proficiency toward an additional vocational goal or new job title must be authorized for operation.
  - (e) Intensive review courses of instruction previously received by students that are designed solely to prepare students for graduate or professional school entrance exams and professional licensure exams shall be considered exempt from registration requirements. This exemption applies only when the review course is not designed to provide the initial training in the subject area.
  - (f) Training designed to prepare students for credit-by-examination tests may be considered exempt from registration requirements. The exemption is contingent on the entity's agreement to indicate in all promotional materials that the training is for test preparation for credit-by-examination tests and refrain from any misleading representations. Such misleading representations include:
    - 1. suggesting in any way that the training results in receipt of an educational credential, such as a degree;
    - 2. listing anticipated salary amounts; and
    - 3. suggesting that the entity is accredited.
  - (g) Businesses offering limited computer training in hardware, software, delivery systems or any related technology for clients or customers directly related to a sale of equipment or services are exempt from the provisions of authorization.
  - (h) Businesses offering short-term computer courses in common software or basic computer hardware that is intended for enrichment or professional enhancement are exempt from the provisions of authorization unless in the opinion of Commission staff the courses are offered concurrently toward a vocational goal.
- (2) Any institution or program that qualifies as exempt under the Act and these rules is exempt from authorization or registration without a determination of the Commission. However, institutions can request that Commission staff issue a written determination of exemption as provided for in Rule .07 of these rules for the institution as a whole or for any program. Commission staff can revoke or amend an exemption determination if the basis for the

exemption changes or no longer exists.

Authority: T.C.A. §§ 49-7-2002, 49-7-2003, 49-7-2004, 49-7-2005, 49-7-2006 and 49-7-2008.

1540-01-02-.06 Minimum Standards for Authorization.

- (1) Institutions authorized to operate or seeking authorization in Tennessee must meet the minimum standards for authorization stated in the Act and these rules. Commission staff shall verify that an institution meets minimum standards for authorization through review of applications, registration requests, and certifications.
- (2) No out-of-state institution will be considered for authorization if it is not authorized or exempt from authorization in the state where it is primarily located.
- (3) In relation to the size and scope of the institution, it shall furnish adequate student services and resources to fulfill the mission and claims of the institution. Such services must have staff available to students with the knowledge and skills in areas such as: academic standing and satisfactory progress, admissions, employment opportunities or placement, intern/externships, library, and financial aid.
- (4) Administrative capability must be demonstrated in the daily operational standards at the institution. Administrative capability is the ongoing effective operation of the institution such that the institution is able to comply with and, as applicable, coordinate federal, state and accreditation requirements in a positive and educationally enriching environment to the benefit of students. Indicators of a lack of administrative capability include: reoccurring violations in the same area, numerous student complaints during the year, failure to correct compliance issues, frequent or sudden turnover in faculty or staff, instances where a principal party has been or is involved with a postsecondary educational institution that ceased or ceases operation resulting in a loss of time or money for enrollees or prospective students or that had or has its institutional authorization to operate in a state revoked, or multiple findings in several different areas.
- (5) Institution Name:
  - (a) An institution's name may not duplicate another institution name or mislead potential students in violation of fair consumer practices or suggest guaranteed employment, completion, or other outcomes.
  - (b) An institution may not use the word "university" in its name unless the institution meets the definition of university in these rules and is accredited.
  - (c) An institution may use the word "college" in its name without a qualifier if the institution:
    1. meets the definition of college as set forth in the Act and these rules;
    2. has been approved by an accrediting body recognized by the U.S.

Department of Education to offer degree level programs; and

3. offers or is seeking approval to offer at least one (1) degree program.
- (d) An unaccredited or non-degree granting postsecondary educational institution may use the word "college" in its name as long as the institution meets the definition of college as provided for in the Act and these rules and the name contains an appropriate qualifier, such as career, vocational, or Bible. For institutions authorized after October 1, 2016, the qualifier shall precede the word college.
- (6) In the event that an institution seeks authorization and Commission staff is aware of an outstanding complaint against the institution, the institution must resolve the complaint to the satisfaction of Commission staff before an Initial Authorization Application will be reviewed.

Authority: T.C.A. §§ 49-7-2002, 49-7-2004, 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008.

1540-01-02-.07 Institutional Applications, Requests, and Certifications of Compliance.

- (1) Due dates, denials, withdrawals, and review:
  - (a) For purposes of these rules, application refers to any application, request, or certification.
  - (b) When a due date is provided by Commission staff, a complete application in the prescribed format shall be received at the Commission by the close of business on the due date. Applications received after the due date will be deemed late, will be reviewed after all timely filed applications are reviewed, and may be subject to a late fee.
  - (c) Initial Authorization Applications and Program Registration Requests shall be filed in the prescribed format and may be filed at any time. All other applications shall be filed as provided for in these rules. Applications will be reviewed when complete.
  - (d) When received, Commission staff shall determine whether an application is complete and notify the applicant if the application is incomplete. An applicant will have thirty (30) calendar days to complete an incomplete application. Incomplete applications include applications submitted without all applicable fees or in a format other than the prescribed format and applications missing a required attachment. An application that is not completed by the prescribed due date will be deemed withdrawn.
  - (e) Denial or withdrawal of an application does not prevent the applicant from submitting a new application.
  - (f) When an application is before Commission staff for consideration, Commission staff will provide the applicant written notice of its final determination. If, upon written

notification of any action taken by Commission Staff, an aggrieved applicant desires a review by the Executive Director, the applicant shall notify the Executive Director within ten (10) business days of the date of the action of the Commission staff, otherwise the action of Commission staff shall be deemed final and no further review available. Any request for review by the Executive Director shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.

- (g) If, upon written notification of any action taken by the Executive Director, an aggrieved applicant desires a hearing and review by the Commission, pursuant to T.C.A. § 49-7-2012, the applicant shall notify the Commission within ten (10) business days of the date of the action of the Executive Director, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review by the Commission shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
- (h) Any person, agent, group or entity aggrieved or adversely affected by any final Commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.

(2) Initial Authorization Application:

- (a) Institutions must demonstrate through the Initial Authorization Application that the institution meets minimum standards for authorization as provided for in the Act and these rules. The application shall require at a minimum:
  1. a name of the institution that complies with the Act and Rule .06(5) of these rules;
  2. evidence of a business account with a financial institution that is federally insured in said institution's name;
  3. a description of the ownership of the institution, including names and contact information for owners or board of director members, percentage of ownership, and, when applicable, a corporate flowchart or tree showing the institution's position in relationship to all affiliated legal entities;
  4. the address and general description of facilities such that a determination can be made that the institution has adequate space, equipment, and instructional material to provide education consistent with the objectives of the course or program of study;
  5. evidence demonstrating that the location meets the definition of location as provided for in these rules and that possession of the location is stable such

that the institution will be able to use the location for a minimum of one (1) year from the date of application. Month-to-month leases are not acceptable;

6. qualifications for instructional staff and administrative personnel;
7. designation of and contact information for an institutional director for each location and an affirmation from the director that the director will conduct the institution in accordance with the Act and these rules;
8. a description of any administrative structure above the institutional director with the signature of the official that will notify the Commission if the director is replaced;
9. a continuous institutional surety bond;
10. a copy of the enrollment agreement the institution will use following receipt of authorization;
11. a copy of the pre-enrollment checklist the institution will use following receipt of authorization;
12. a copy of the institutional catalog the institution will use following receipt of authorization;
13. a copy of the student transfer of credit disclosure statement required by T.C.A. § 49-7-144 the institution will use following receipt of authorization;
14. any specific requirements as outlined under Rule .08 of these rules;
15. affirmation that the institution is maintained and operated in compliance with all pertinent ordinances and laws, including, but not limited to, rules and regulations adopted pursuant to ordinances and laws relative to the safety and health of all persons upon the premises;
16. if participating in Title IV federal student financial aid programs, , the institution must meet financial standards and institutional stability deemed acceptable for eligibility in Title IV federal student financial aid programs and provide the following:
  - (i) the institution's Office of Postsecondary Education Identification (OPEID) number;
  - (ii) documentation from Federal Student Aid Office of the U.S. Department of Education listing the institution's federal financial composite score as described in 34 C.F.R. § 668.172; and

- (iii) any correspondence issued in the past twenty-four (24) months from the Federal Student Aid Office of the U.S. Department of Education concerning eligibility for financial aid, including, but not limited to, a letter of credit alternative or a provisional certification alternative as well as any related correspondence from the institution;
17. provide financial statements as follows:
- (i) as to institutions that are not currently operating a location,
    - (I) a year-to-date balance sheet prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers that demonstrates resources adequate to fund facilities maintenance and overhead, staff and faculty payroll, books, supplies or equipment utilized by students, and general operating costs for a minimum of ninety (90) calendar days and
    - (II) pro forma income statements prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers demonstrating that the location for which authorization is being sought will within the first three (3) years following receipt of initial authorization meet the ratios described in Rule .14(5)(e) of these rules; or
  - (ii) as to institutions that are operating a location,
    - (I) current financial statement prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers with a balance sheet that demonstrates resources adequate to fund facilities maintenance and overhead, staff and faculty payroll, books, supplies or equipment utilized by students, and general operating costs for a minimum of ninety (90) calendar days and
    - (II) pro forma income statements prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers demonstrating that the location for which authorization is being sought will within the first three (3) years following receipt of initial authorization meet the ratios described in Rule .14(5)(e) of these rules and financial statements of all owners; and



18. such other information, clarification, or training deemed necessary by Commission staff.
- (b) A separate application for authorization must be made for each location located outside of reasonable walking distance from a previously authorized location. Commission staff may make reasonable exceptions for narrow purpose, highly structured programs at multiple locations where administrative requirements are limited and precise.
  - (c) Initial Authorization may be granted for up to four (4) years, unless otherwise determined by the Executive Director or the Commission. Institutions with a four (4) year initial authorization term shall submit Certifications of Compliance as provided for in these rules in years one (1), two (2), and three (3) and a Reauthorization Application as provided for in these rules in year four (4).
  - (d) Commission staff will review an Initial Authorization Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, recommend that the Executive Director grant the institution provisional initial authorization as further explained at Rule .21 of these rules.
  - (e) The Commission is not required to authorize an institution, if, in its judgment:
    1. the institution is noncompliant with the Act or these rules;
    2. adequate provisions for the institution or its programs exist within the proposed service area;
    3. if there is insufficient evidence that adequate employment opportunities exist in the related occupations for persons successfully completing the institution's programs; or
    4. if the costs of a program are unreasonable in relation to the reasonably expected earnings in occupations for which the program is designed.
  - (f) In the event that the Initial Authorization Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied.
- (3) Reauthorization Application:
    - (a) Institutions with regular, or conditional authorization shall file a reauthorization application by a due date to be established by Commission staff and posted on the Commission's website.
    - (b) The Reauthorization Application constitutes a self-study through which institutions

must demonstrate that the institution continues to meet the minimum standards for authorization as provided for in the Act and these rules. The application may require at a minimum:

1. updates to information previously submitted as part of other applications;
2. information related to required student enrollment documentation, such as enrollment agreements and disclosures;
3. financial statements as described at Rule .14(4) of these rules; s;
4. a list of institutional personnel;
5. funding data for students enrolled during the reporting year, including, but not limited to, the amount of self-pay and state or federal aid program funds;
6. student data related to licensure examination passage rates as further explained in Rule .08(4) of these rules;
7. affirmation of the requirement to submit statistical data as described in Rule .18 of these rules; and
8. such other information or clarification deemed necessary by Commission staff.

- (c) Commission staff will review a Reauthorization Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, grant reauthorization for four (4) years, unless a shorter term is determined to be appropriate by the Executive Director or Commission. In the event that the Reauthorization Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff will recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.

(4) Change of Ownership Application:

- (a) Authorization must be issued to the owner or governing body of the applicant institution and is nontransferable.
- (b) A change of ownership occurs when a transaction results in the controlling interest in the postsecondary educational institution changing from an authorized owner to an unauthorized owner. In the event of a change of ownership, the new owner must

submit to Commission staff within five (5) business days after the change in ownership is finalized:

1. a Change of Ownership Application and
  2. a request that the Executive Director grant the new owner conditional authorization until the new owner obtains provisional initial authorization.
- (c) No later than thirty (30) calendar days after the grant of conditional authorization, the new owner shall submit an Initial Authorization Application and related applications or an Optional Expedited Authorization Application as provided for in Rule Chapter 1540-01-10.
- (d) The Change of Ownership Application shall require that the new owner provide the sales contract, bill of sale, deed, or other documents necessary to transfer ownership of the institution.
- (e) Commission staff will review a Change of Ownership Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, grant the change of ownership and recommend that the Executive Director grant conditional authorization. In the event that the Change of Ownership Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied and the closure process described in Rule .23(b) of these rules will commence.
- (5) Program Registration Request:
- (a) In order to offer a program, an institution must submit a Program Registration Request either along with an Initial Authorization Application or, for previously authorized institutions, as a stand-alone application. Program registration is required prior to offering the program, which includes enrolling, advertising, recruiting or soliciting. Program Registration Requests shall be filed in the prescribed format and may be filed at any time.
  - (b) The Program Registration Requests may include at a minimum:
    1. general program information, such as the program name, proposed start date, anticipated initial enrollment, itemized tuition and other fees, delivery mode, length, number of credits or contact hours, and accreditation status;
    2. designation of a credential that is defined in Rule .03, such as certificate, diploma or bachelor's degree that conforms to the requirement that no institution may offer an academic degree program unless the institution is accredited;

3. if applicable, evidence of approval from any subject matter expert state agency, board, or commission;
  4. a program overview;
  5. a job title and the associated Classification of Institutional Programs (CIP) code applicable to the job title;
  6. the most currently available entry level salary or wage data and job outlook projections for those CIP codes from a Tennessee or federal website;
  7. admission criteria confirmation and, if necessary, an explanation;
  8. instructor qualifications;
  9. a list of training equipment, indicating whether the equipment is owned or leased;
  10. if applicable, a list of all clinical or externships sites with which the institution has an executed agreement;
  11. if applicable, the maximum pupil to teacher ratio for each course that does not exceed the below acceptable ratios:
    - (i) allied health labs or clinicals with no subject matter agency oversight: 20-1;
    - (ii) class A truck cab: 4:1; and
    - (iii) class B truck cab: 2:1;
  12. if applicable, distance learning specific information, such as:
    - (i) a mock password so that Commission staff can navigate through the online system used for instruction and
    - (ii) an explanation as to how educational goals and overall program goals are achievable through distance learning; and
  13. such other information or clarification deemed necessary by Commission staff.
- (c) An institution revises a program when it changes any element of a program that has been registered with the Commission, for example, the name of the program, tuition, credit or contact hours, mandatory other fees, length, or delivery mode, or when it changes the status of the program, for example, inactivates or discontinues the program. Institutions may revise programs as follows:

1. When an institution revises a registered program, by more than twenty-five percent (25%) in the last twelve (12) months or by changing the program delivery mode, name, or credential, then the institution must reregister the program by submitting a Program Registration Request at least thirty (30) calendar days prior to implementing the revision. When calculating twenty-five percent (25%) in the last twelve (12) months, all revisions made to quantifiable program elements in the last twelve (12) months should be totaled. For example, if in the last twelve (12) months, the institution raises tuition by five percent (5%) and adds ten percent (10%) to the program length, then the institution has revised the program by a total of fifteen percent (15%). If within twelve (12) months of these revisions, the institution raises other fees by fifteen percent (15%), then the total of the revisions in the last twelve (12) months is now thirty percent (30%) and the institution must reregister the program by submitting a Program Registration Request.
  2. In all other instances, an institution may revise a program at its discretion and report the revisions to Commission staff when completing the annual Reauthorization Application or Certification of Compliance.
- (d) Institutions shall not arbitrarily add a course, contact hours, or credit hours to an existing program in which a student would incur additional time or expense beyond the catalog requirements at the time of enrollment, unless the addition is in response to:
1. state approval agency requirements;
  2. U.S. Department of Education recognized accreditor requirements; or
  3. professional licensure requirements.

In any event, the institution shall give adequate notice to all students affected prior to any change.

- (e) Commission staff will review a Program Registration Request and, upon finding that the registration demonstrates that the institution complies with all requisite standards, register the program by including it or revising it in the postsecondary program inventory. In the event that the Program Registration Request fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the registration by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the program registration will be denied.

(6) Change of Location Application:

- (a) Absent extraordinary circumstances, an authorized institution shall submit a Change of Location Application thirty (30) calendar days prior to moving and receive Commission Staff approval prior to operation. An example of an extraordinary circumstance is the unexpected loss of a lease. In the event of extraordinary circumstances, the institution shall submit a Change of Location Application and receive Commission Staff approval prior to providing instruction to students.
  - (b) The Change of Location Application shall include at a minimum:
    - 1. the address and general description of facilities such that a determination can be made that the institution has adequate space, equipment, and instructional material;
    - 2. evidence demonstrating that the location meets the definition of location as provided for in these rules and that possession of the location is stable such that the institution will be able to use the location for a minimum of one (1) year from the date of application. Month-to-month leases are not acceptable;
    - 3. affirmation that the institution is maintained and operated in compliance with all pertinent ordinances and laws including, but not limited to, rules and regulations adopted pursuant to ordinances and laws, relative to zoning and the safety and health of all persons upon the premises; and
    - 4. such other information or clarification deemed necessary by Commission staff.
  - (c) Commission staff will review a Change of Location Application and conduct an authorization site visit, if Commission staff determines an authorization site visit is necessary. Upon finding that the application and an authorization site visit, if necessary, demonstrate that the institution complies with all requisite standards, Commission staff will grant the change of location. In the event that the Change of Location Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff will recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.
  - (d) If a move is beyond ten (10) miles and a student is prevented from completing the training at the new location, a full refund of all moneys paid and a release from all obligations will be given to the student or loan holder.
- (7) School Personnel Application:
- (a) Authorized Institutions must maintain qualified faculty and staff in order to fulfill the mission of the institution and all obligations to the students. Following initial

authorization, an institution must notify Commission staff when there is a change of institutional director, including the appointment of an interim institutional director, by submitting a School Personnel Application no later than five (5) business days after the hire or appointment date.

- (b) Administrative personnel are individuals that oversee areas as outlined in operational and administrative standards. This includes by function, but is not limited to titles of an institutional director; financial aid administrator; director of admissions; director of education; business officer or manager; director of student services (including counseling and placement) and the registrar. Support and clerical staff is not included as administrative personnel.
  - (c) Commission staff will review a School Personnel Application and, upon finding that the qualifications of the institutional director meet all requisite standards, approve the application. In the event that the School Personnel Application fails to demonstrate that the qualifications of institutional director meet all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied.
- (8) Institution Name Change Application:
- (a) An authorized institution shall submit an Institution Name Change Application thirty (30) calendar days prior to changing the institution's name unless the name change is the result of a change of ownership. In the case of a change of ownership, the authorized institution shall submit a Change of Ownership Application.
  - (b) The Institution Name Change Application shall include at a minimum:
    1. updated contact information;
    2. a proposed new name of the institution that is compliant with these rules;
    3. updated surety bond information;
    4. affirmation that the institution following approval and prior to using the new name will update the pre-enrollment checklist, enrollment agreement, transfer of credit disclosure statement, and catalog; and
    5. such other information or clarification deemed necessary by Commission staff.
  - (c) Commission staff will review Institution Name Change Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, Commission staff will grant the change of name. In the event that the Institution Name Change Application fails to demonstrate that the institution

complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied.

(9) Certification of Compliance

- (a) Annually during the authorization term, institutions with regular or conditional authorization shall file a Certification of Compliance by a due date to be established by Commission staff and posted on the Commission's website.
- (b) The Certification of Compliance shall require at a minimum that the institution self-certify that it is engaged in activities and operations in compliance with the Act and these rules, the institution provide an updated comprehensive program list, and the certification must be signed by the institutional director and, if other than the institutional director, the owner, or a representative thereof. For institutions that do not receive Title IV funds, the Certification of Compliance may require financial statements as described at Rule .14(4) of these rules.
- (c) Commission staff will review a Certification of Compliance and, upon finding that the certification demonstrates that the institution complies with all requisite standards, notify the institution of such. In the event that the Certification of Compliance fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the Certification of Compliance by providing written notice of the deficiencies to the institution and providing the institution two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff will recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.

(10) Exemption Determination Request

- (a) The Exemption Determination Request may include at a minimum:
  - (1) full contact information for the requestor;
  - (2) the statutory or rule citation justifying exemption;
  - (3) an argument applying the statutory or rule citation to operations of the requestor;
  - (4) documentation supporting the requested exemption such as: copies of all institutional materials; brochures; advertising; state charter or business license; or organizational ties and/or contracts with other educational providers; and



- (5) such other information or clarification deemed necessary by Commission staff.
- (b) Commission staff will review an Exemption Determination Request and, upon finding that the exemption as requested is justified by statute or rule, notify the institution of such. In the event that Commission staff requires additional information, Commission staff shall defer the Exemption Determination Request by requesting such information and providing the institution two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the Exemption Determination Request will be denied.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008, 49-7-2013, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-02-.08 Regulations for Specific Institutions and Programs.

- (1) Degree Granting Institutions:
  - (a) Authorization to offer any degree in the state will require either institutional accreditation by a U.S. Department of Education recognized accreditor or authority to grant degrees by affirmative vote of the Commission.
  - (b) Unaccredited institutions seeking authority to grant degrees must meet, in addition to the requirements in the Act and these rules for initial authorization, at a minimum:
    1. the institution shall incorporate instructional procedures, texts, and materials appropriate to the purpose, curriculum and standards of other degree granting postsecondary educational institutions offering similar programs in the state;
    2. for undergraduate and degree granting programs and except as noted further in subparagraph (c) of this rule, twenty-five percent (25%) of the total program must be in general education courses and should be indicated separately in the curriculum presented;
    3. library resources and holdings shall contain up-to-date titles, be available and accessible to all enrolled students and commensurate with the proposed degree level;
    4. demonstration that the degree and the program have merit and value academically, professionally, or vocationally in Tennessee; and
    5. master's and doctorate level degrees must demonstrate in the curriculum and outcomes increasing levels of critical, analytical, and interpretive thinking, use of primary documents or resources, and independent research skills.

- (c) Undergraduate degree programs must include at least twenty-five percent (25%) of the program in general education courses unless the institution can demonstrate program accreditation requirements which are lesser or for a unaccredited institution offering or proposing an associate degree level, demonstrate to the Commission that because of the occupational/technical nature of the program that a student would not benefit in the job from general education courses and demonstrate the need to use that twenty-five percent (25%) of the program for job skills courses.
  - (d) Graduate degree programs, in addition to staffing and study time requirements in these rules, must provide experienced research staff to direct graduate research papers, provide a program of sufficient length and arrangement to facilitate student-to-student and student-to-staff exchange of ideas, provide appropriately credentialed staff in collateral areas, and provide access to a wide range of current reference materials in the subject field.
- (2) Unaccredited institutions shall not accept funds for tuition prior to ten (10) business days of the scheduled start date of the course or program.
- (3) Bartending institutions:
- (a) Pursuant to T.C.A. § 49-7-115, all schools involved in training in the areas of management, operation, procedures, or practice of dispensing alcoholic beverages or bartending shall include instruction in the problems of alcohol abuse and the effect of alcohol consumption on highway safety.
- (4) Programs leading to licensure, certification, registration or similar recognition:
- (a) Students shall not be required to take an examination given by a private or public third-party as part of an institution's program. For example, a truck driving program cannot include successful completion of the Commercial Driver's License examination.
  - (b) Institutions offering programs in fields that require a student to take an examination in order to be licensed or similarly recognized before the student can be employed in the field shall provide as part of the Reauthorization Application student-level data as to:
    1. whether the student sat for the examination; and
    2. whether the student passed the examination.
  - (c) Institutions may request a waiver from Commission staff of subparagraph (4)(b) of this rule. Commission staff shall grant the waiver upon receipt of documentation from the institution demonstrating that the examination provider or related state agency will not provide testing data to the institution.

- (5) For programs of interest to other state agencies, such as dental programs, Commission staff will endeavor to streamline processes when a subject matter expert state agency has a law that is contrary or duplicitous of the Act or these rules.
- (6) Computer Training:
  - (a) Businesses offering specialized certifications clearly used to denote technical, professional or vocational proficiency toward an additional vocational goal or new job title must be authorized for operation of that training in the state.
- (7) Institutions that require students to complete cleaning or similar tasks as part of any course or program shall limit such tasks to those that are reasonably related to the field for which the student is being prepared and that are consistent with the types of tasks that the student would be expected to complete as part of the student's primary duties or functions when working in the field that the education is preparing the student to enter.

Authority: T.C.A. §§ 49-7-2003, 49-7-2005, and 49-7-2008.

#### 1540-01-02-.09 Bonds.

- (1) Institutions, other than public institutions, must, on forms provided by the Commission, secure, from a surety company qualified and authorized to do business in Tennessee, a continuous surety bond in the amount of ten thousand dollars (\$10,000).
- (2) Institutions must provide a bond for each authorized location.
- (3) Subject to Commission staff approval, an irrevocable letter of credit secured by a certificate of deposit or a cash deposit with a bank may be accepted in lieu of the bond. Such deposits are subject to the same terms and conditions provided for in the surety bond form.
- (4) Commission staff shall provide the institution at least thirty (30) calendar days written notice that authorization shall be made conditional, subject to revocation, by operation of law when the institution is no longer covered by a surety bond. Absent exceptional circumstances, a postsecondary educational institution shall not continue to engage in activities or operations without a surety bond for more than ninety (90) calendar days.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2013.

#### 1540-01-02-.10 Audits.

- (1) Commission staff may conduct audits to ensure compliance with the Act and these rules. Audits may be performed at the authorized location or by requesting that the institution forward copies of student records to Commission staff. In the case of the latter, the provided records will be retained by Commission staff as working papers but will be destroyed when the audit is closed.

- (2) Commission staff may audit an authorized institution at any time without notice to the institution. However, unless the circumstances mandate that no notice can or should be given, Commission staff should provide at least seventy-two (72) hours' notice. Notice shall be given by email to the institutional director.
- (3) Failure to comply with any audit request may be an audit finding, and Commission staff may recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.
- (4) Commission staff will provide the institution with an audit report that lists any findings and the frequency. The report shall require the institution to propose corrective action for all findings or to show cause why the Executive Director or Commission should not take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.
- (5) Tuition increases that in the opinion of the Commission are excessive, unreasonable or exceed initial disclosure to students may result in an in-depth audit of the institution's financial stability.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, and 49-7-2014.

1540-01-02-.11 Institution Catalog.

- (1) Each institution must publish a catalog that includes at a minimum:
  - (a) the full and correct name and address of the institution;
  - (b) identifying data, such as catalog number and publication date;
  - (c) table of contents;
  - (d) names of owners and officers and credential requirements for faculty;
  - (e) the institutional calendar, including holidays, application and registration periods and the beginning and ending dates of terms, courses, or programs;
  - (f) the institutional admission procedures and entrance requirements, including late admission, if permitted;
  - (g) the institutional attendance policy, including minimum attendance requirements, how attendance will be determined, the withdrawal policy, the circumstances under which a student will be interrupted for unsatisfactory attendance, and the conditions under which a student may be readmitted;

- (h) the institutional policy covering satisfactory progress, including an explanation of any grading system used, a description of any probation policy, and a description of the institutional system for making progress reports to students;
- (i) the institutional policy regarding student conduct, including causes for dismissal and conditions for readmission;
- (j) a description of each program offered including objectives, costs, length, program components, and course requirements, including, if applicable, cleaning or similar tasks as described in Rule .08(7). , Institutions that require students to complete cleaning or similar tasks as part of any program curriculum shall describe such tasks and explain how the tasks are reasonably related to the field for which the student is being prepared and are consistent with the types of tasks that the student would be expected to complete as part of the student's primary duties or functions when working in the field that the education is preparing the student to enter;
- (k) a description of student services provided, including whether placement assistance is available and, if none, so state;
- (l) a description of the facilities and equipment used for educational programs;
- (m) the policy concerning credit granted for previous education, training, and experience and, if none, so state;
- (n) the refund and cancellation policy, including the procedure for determining the last date of attendance and the time within which a refund will be provided;
- (o) a statement provided within the first four pages of the catalog which reads as follows: "The (name of institution) is authorized by the Tennessee Higher Education Commission. This authorization is based on an evaluation of minimum standards concerning the provision of education, ethical business practices, and fiscal responsibility";
- (p) a description of the student grievance procedure, including:
  1. the title, address, and telephone number of the institutional employee designated to receive student complaints;
  2. the timeframe for the institution's investigation of the complaint, the steps of the investigation and the timeframe and method for communicating the written decision to the student;
  3. if the institution allows for nonbinding mediation or voluntary arbitration, the catalog must describe the process in its entirety; and
  4. the address and telephone number of Commission staff along with a statement that reads: "Any person claiming damage or loss as a result of any

act or practice by this institution that may be a violation of the Title 49, Chapter 7, Part 20 or Rule Chapter 1540-01-02 may file a complaint with the Tennessee Higher Education Commission, Division of Postsecondary State Authorization after exhausting the grievance process at the institution."

- (q) a disclosure regarding the ability to transfer credit earned to another institution, with language sufficient to describe limitations on the transfer of credit. Institutions have a responsibility to advise potential enrollees that transfer of credit is controlled by the receiving institution and that accreditation does not guarantee transferability. Suggested language is as follows:

"Students should be aware that transfer of credit is always the responsibility of the receiving institution. Whether or not credits transfer is solely up to the receiving institution. Any student interested in transferring credit hours should check with the receiving institution directly to determine to what extent, if any, credit hours can be transferred.";

- (r) the cash discount policy, if offered to students;
  - (s) the ATB testing policies, if any, in accordance with Rule .12(3) of these rules; and
- (2) Institutions may provide electronic catalogs to students as long as the institution provides the student a hard-copy upon the student's request.
  - (3) Use of supplemental pages must be done in a way as to ascertain that supplemental pages become an effective part of the catalog and must show an effective date and be presented to students prior to enrollment or payment of fees;
  - (4) Catalogs should be written at a level that allows prospective students and enrollees to comprehend the information and make informed decisions.

Authority: T.C.A. §§ 49-7-2002, 49-7-2005, 49-7-2006 and 49-7-2008.

1540-01-02-.12 Admissions Standards.

- (1) The admissions policy for students must be based on the institution's objectives and must be publicly stated and administered as written.
- (2) An institution should not enroll a student in a program leading to licensure when the institution knows or, by the exercise of reasonable care, should know the student is or will be ineligible to obtain licensure in the occupation for which the student is being trained. For example, an institution should not admit a student if the institution knows the student has a prior legal conviction that will prevent the student from obtaining licensure. If a student who is ineligible or likely to be ineligible for licensure desires to enroll in such a program, regardless of license eligibility, the institution may admit the student after the student submits a signed, written statement acknowledging the student is or is likely to be ineligible for licensure. The institution shall provide the student a copy of the statement and

maintain the original in the student's file.

(3) Basis of admission shall be at a minimum:

- (a) Students enrolling in a certificate or diploma program must possess a high school diploma, a high school diploma equivalency, a current Tennessee license in the field for which the training is intended, postsecondary credit in a degree program, or, subject to subparagraph (3)(d) of this rule, a passing score on an ATB test.
- (b) Students enrolling in an associate or bachelor's degree program must possess, at a minimum, a high school diploma, a high school diploma equivalency, or postsecondary credit in a degree program.
- (c) Students enrolling in a post-baccalaureate program must possess, at a minimum, a baccalaureate degree from an institution judged to be appropriate by the Commission.
- (d) A student may be admitted as an ATB student if the student has terminated secondary enrollment and is beyond the age of compulsory attendance. An institution may use a standardized test formerly or currently recognized by the U.S. Department of Education or an ATB approved by Commission staff prior to January 1, 2023. The institution shall request approval from Commission staff before using the test and shall state the minimally acceptable scores and the maximum number of attempts allowable in a given period of time, for example, three(3) times in a six (6) month period. The following applies to all ability-to-benefit tests:
  - 1. Tests shall be administered in a secure environment, for example, monitors present.
  - 2. Tests shall not be administered in a manner that is inconsistent with the recommendations of the standardized test developers.
  - 3. An agent is not allowed to administer the test, nor is anyone allowed to assist the applicant in answering the questions.

(4) Proof of the basis of admission shall be maintained in the student file in accordance with Rule .15 of these rules.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2008.

1540-01-02-.13 Enrollment Checklists, Agreements, and Disclosures.

- (1) Pre-Enrollment Checklist: Prior to signing an enrollment agreement, institutions shall require an institution representative and the prospective student to sign and date a pre-enrollment checklist using a form provided in the Initial Authorization Application. The document must clearly indicate that it is the pre-enrollment checklist, include the full and correct name and address of the authorized location, and, if multiple pages, be paginated

using the format “\_\_ of \_\_ pages.” The checklist shall include, at a minimum, affirmations that the student:

- (a) toured the institution virtually or in-person (not applicable to institutions that deliver all instruction through distance learning);
- (b) received an institution catalog and all addendums and attachments referenced therein. If the catalog and addendums/attachments are provided electronically understands that the student may request a hard-copy of any of the documents at any time;
- (c) was given the time and opportunity to review the institutional policies in the catalog;
- (d) knows the length of the program for full-time and part-time students in academic terms and actual calendar time;
- (e) has been informed of the total tuition and other fees of the program;
- (f) has been informed of the estimated cost of books and any required equipment purchases such as a computer, specialized tools, or art supplies;
- (g) has been given a copy of the institution refund policy;
- (h) has executed a Transfer of Credit Disclosure Statement in compliance with T.C.A. § 49-7-144 and understands the specific limitations should the institution have articulation agreements;
- (i) has been given the address and telephone number of Commission staff along with a statement that reads: “Any person claiming damage or loss as a result of any act or practice by this institution that may be a violation of the Title 49, Chapter 7, Part 20 or Rule Chapter 1540-01-02 may file a complaint with the Tennessee Higher Education Commission, Division of Postsecondary State Authorization after exhausting the grievance process at the institution.”;
- (j) has received the most recent withdrawal, completion, and placement data as calculated by the Commission by including in the checklist:
  - 1. For institutions previously authorized by THEC and under new ownership:
    - (i) the following statement: “For the program entitled, (program name), I have been informed that, for the July (year)/June (year) period, the withdrawal rate is (percent)%, the completion rate is (percent)%, and the in-field placement rate is (percent)%. Detailed statistical data for this program may be viewed by going to <http://www.tn.gov/thec/bureaus/student-aid-and-compliance/postsecondary-state-authorization.html>.” or



- (ii) a copy of the institution's most recent Annual Performance Report created by Commission staff and posted on the Commission's website.
  - 2. For institutions that are currently authorized by THEC but zero students were enrolled in the program the previous fiscal year, the following statement: "Understands that withdrawal, completion, and placement information is not currently available because the program has had zero students enrolled in the previous fiscal year. This information will be provided by THEC approximately one year after the institution reports enrollment for this program."
  - 3. For institutions that are offering a new program or institutions that are not currently authorized by THEC, the following statement: "Understands that this is a new program and placement, completion and withdrawal information will be provided by THEC approximately one year after the institution begins offering the program."; and
  - (k) has received and understands the institution's cash discount policy (applicable only to those institutions that have a cash discount policy).
- (2) Enrollment Agreement: Institutions enrolling an individual in a course or program shall require an institution representative and the prospective student to sign and date an enrollment agreement prior to the student attending one (1) session of class, turning in one (1) assignment, or receiving one (1) distance learning lesson, whichever occurs first. The document must clearly indicate that it is the enrollment agreement (not an application for admissions), and, if multiple pages, the pages of the enrollment agreement shall be paginated using the format "\_\_ of \_\_ pages."
- (a) The enrollment agreement shall include, at a minimum:
    1. the full and correct name and address of the authorized location of the institution;
    2. the name, address, and social security number or unique student identification number of the student;
    3. the date training is to begin and program length;
    4. if students have the option to attend part-time, full-time or part-time status of the student;
    5. the projected date of completion;
    6. the program name as approved by the Commission;
    7. the total cost of the program, including itemized costs for tuition and other

fees, as defined in Rule .03(35) of these rules, along with an indication of which fees are optional and which fees are program related or post-completion related, for example, third-party testing fees;

8. cancellation and refund policy;
  9. verification that by signing the agreement the student understands the student's right to receive an exact signed copy of the agreement,
  10. verification that by signing the agreement the institution understands its obligation to immediately provide the student an exact signed copy of the agreement;
  11. a guarantee of tuition cost for twelve hundred (1200) contact hours or twelve (12) months from the time of enrollment; programs less than twelve hundred (1200) contact hours must have a set total tuition; and
  12. The following statement: "The (name of institution) is authorized by the Tennessee Higher Education Commission. This authorization must be renewed each year and is based on an evaluation of minimum standards concerning quality of education, ethical business practices, and fiscal responsibility."
- (b) Institutions that enroll students in individual courses may modify the pre-enrollment checklist or enrollment agreement as appropriate, but should strive to make as few modifications as necessary.
- (3) Transfer of Credit Disclosure Statement: Prior to signing an enrollment agreement and the pre-enrollment checklist, institutions shall require the student to complete a Transferability of Credit Disclosure Statement.
- (a) The written statement must be:
    1. a stand-alone document containing no other disclosures;
    2. contain a space for the prospective student to initial and date; and
    3. printed in type not less than sixteen (16) point font; and
    4. contain the exact language in T.C.A. § 49-7-144(b)(2), except those institutions offering contact hours only may substitute the word contact for credit.
  - (b) Institutions shall post the disclosure on its website, but the language does not have to be in at least sixteen (16) point font.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2008, 49-7-2019 and 49-7-144.

1540-01-02-.14 Financial Standards.

- (1) The Commission and its staff may share information with the Tennessee Student Assistance Corporation and other state and federal agencies as appropriate.
- (2) The institution shall maintain financial and business practices in-line with common business procedures utilizing standard accounting practices.
- (3) The institution shall maintain and be prepared to demonstrate at any time financial resources adequate to fund and maintain the following:
  - (a) facility maintenance and overhead;
  - (b) staff and faculty payroll;
  - (c) books, supplies or equipment utilized by students; and
  - (d) general operating costs.
- (4) When financial statements are required by the Reauthorization Application or the Certification of Compliance, such statements shall be completed for the fiscal year that ended prior to one hundred-twenty (120) calendar days of the application due date and shall be prepared in the following format and manner:
  - (a) Institutions with annual gross tuition revenue at the authorized location of one million dollars (\$1,000,000) or more shall submit audited financial statements, including an income statement, balance sheet, statement of cash flow, and notes, prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant.
  - (b) Institutions with annual gross tuition revenue at the authorized location of less than one million dollars (\$1,000,000) but more than one hundred thousand dollars (\$100,000) shall submit a reviewed balance sheet and income statement prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant.
  - (c) Institutions with annual gross tuition revenue at the authorized location of one hundred thousand dollars (\$100,000) or less shall submit a balance sheet and income statement using forms prepared by Commission staff as long as those forms are completed by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers.
  - (d) As an alternative to subparagraphs (5)(a) through (c) of this rule, institutions owned by the same parent company may submit an audited consolidated corporate financial statement. The audited consolidated statement shall be prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant. Commission staff or the Commission may request

additional campus or institution-specific information where needed to better understand the financial stability of a single authorized location or to protect the public interest.

- (5) The following is applicable to all financial statements:
  - (a) The balance sheet must reflect the owner's (proprietorship, partnership, corporation, or other) assets and liabilities.
  - (b) The institution shall report total revenue on the income statement; however, total tuition revenue must be delineated.
  - (c) Related parties must be disclosed, including, but not limited to, related party footnotes, debt agreements with owners, and supplemental footnotes on separate campuses or branches are expected.
  - (d) It should be noted whether or not tuition revenue is recognized up front or on a pro rata basis.
  - (e) Within three (3) years from initially receiving authorization, neither the ratio of total revenues to total expenditures nor the ratio of current assets to current liabilities of either the authorized location or the parent company, where applicable, shall be less than 1:1 without convincing explanation.
  - (f) An Institution shall elect during reauthorization whether it will rely on the financial statements of the authorized location or the parent company and must use the financial statements of the elected entity for at least three (3) consecutive years.
- (6) When there are questions about the institution's financial stability, the Commission staff may require the institution to file appropriate financial statements, which may include audited statements prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant, for the authorized location or the parent company.
- (7) All institutions must maintain a business account with a financial institution that is federally insured in said institution's name.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006 and 49-7-2015.

1540-01-02-.15 Institution and Student Records.

- (1) Institutional directors must maintain on-site a current copy file of materials filed with the Commission as part of their current authorization which includes the application, documentation of appropriate bonding, and financial reports.
- (2) Institutions shall retain for three (3) years a record of student complaints that follow the institution grievance process, including a copy of the complaint, any investigatory

documents, and a statement of the matter's disposition.

- (3) Student financial records must be maintained and open for inspection and copying by Commission staff in accordance with applicable confidentiality laws.
- (4) For each student, the institution must maintain an up-to-date reconciled account statement as a separate document. The statement must clearly reflect:
  - (a) the balance due the institution or student;
  - (b) all charges and payments;
  - (c) the reason for the debit or credit, for example, student cash payment, loan payment, tuition waiver, technology fee, or tuition charged; and
  - (d) all tuition charges must indicate the period of enrollment for which the student is being charged, for example, if the tuition charge is for five hundred (500) contact hours of instruction, the account statement might read "Tuition Charged for 500 Contact Hours" or if the tuition charge is for one (1) semester of instruction, the account statement might read "Tuition Charged for Spring 2022 Semester."
- (5) Institutions must maintain a file for each prospective student or student enrolled in a program or course for three (3) years after the student's withdrawal from or completion of the program or course of enrollment. The file shall contain at a minimum:
  - (a) the executed transferability of credit disclosure statement required by T.C.A. § 49-7-144 and Rule .13(3) of these rules;
  - (b) documentation evidencing the student's basis for admission as provided for in paragraph (6) of this rule;
  - (c) the executed pre-enrollment checklist;
  - (d) the executed enrollment agreement;
  - (e) an exhibit of the institution's enforcement of standards acceptable to the Commission related to attendance, academic satisfactory progress, and proper documentation of any leave of absence (LOA) that may affect progress;
  - (f) written records of the previous training and education of the applicant student which clearly indicates the appropriate credit which has been given by the institution for previous training and education; and
  - (g) an up-to-date reconciled account statement.
- (6) Sufficient basis of admission documentation for purposes of the student file is as follows:

- (a) If the basis of admission is successful completion of an ATB test, then the student file shall contain a copy of the scored test or a graded score sheet.
  - (b) If the basis of admission is a high school diploma or equivalency, then the student file shall contain:
    - 1. an official transcript from the high school or other government body, such as a county school board;
    - 2. an official high school equivalency transcript, HiSET, or GED score sheet from the appropriate issuing entity; or
    - 3. an official military document indicating that the student completed high school such as an Enlisted Record Brief.
  - (c) If the basis of admission is a Tennessee license in the field for which the training is intended, then the student file shall contain verification of current licensure from the issuing Tennessee subject matter expert agency, such as a current screenshot from the agency's website.
  - (d) If the basis of admission is postsecondary credit in a degree program, then the student file shall contain an official transcript from a postsecondary educational institution indicating that credit in a degree program was awarded to the student.
  - (e) If the basis of admission is a bachelor's degree or higher credential, the student file shall contain an official copy of the transcript from the postsecondary educational institution indicating that the student received the credential.
  - (f) If a transcript is from an institution outside the United States, documentation from a transcript translation service indicating that the education obtained is the equivalent of the applicable United States credential and, if necessary, a translated transcript.
- (7) Official documentation is a statement of the student's academic record received directly from the issuing institution or agency such as a transcript or score sheet. Paper transcripts printed on security sensitive paper that contains the issuing institution's seal or signature of an official from the institution is acceptable admission documentation. Electronic transcripts or scores sheets not printed on security sensitive paper must include indicia that the transcript or score sheet was received directly from the issuing institution or agency such as accompanying email correspondence or the envelope.
- (8) Institutions must offer a transcript for all programs other than programs registered as certificate programs. For a certificate program, an institution must provide a certificate to completers of the program and may offer a transcript to all enrolled students. In any event, all transcripts and certificates shall meet the requirements of this rule. Institutions offering programs where a subject matter expert agency requires that the institution maintain a transcript must do so.

- (a) Transcripts and certificates for each student enrolled in a program or course offered by the institution shall be maintained for the life of the institution and provided to DPSA upon closure as provided for in Rule .23 of these rules.
- (b) Transcripts shall be in a form that permits easy and accurate review by the student, transfer institutions, potential employers, and other state or federal agencies. The transcript shall include at a minimum the:
  - 1. full and correct name and address of the authorized location of the institution;
  - 2. first and last name of the student;
  - 3. last four digits of the student's social security number;
  - 4. program name as registered with the Commission;
  - 5. status of student, for example, active, withdrawn, probation, leave of absence, or graduate;
  - 6. official date recorded for all student withdrawals and graduations;
  - 7. beginning date or academic term with the year for each course attempted;
  - 8. as applicable to the type of institution, credit or contact hours attempted and earned;
  - 9. name of each course and, if any, the course number as listed in the institution catalog along with the corresponding grade received;
  - 10. indication of credits given by transfer from another institution or credit by exam;
  - 11. cumulative Grade Point Average (GPA);
  - 12. date the transcript was last updated and/or printed; and
  - 13. signature of an institution official.
- (b) Certificates shall be in a form that permits easy and accurate review by the student, transfer institutions, potential employers, and other state or federal agencies. The certificate shall include at a minimum the:
  - 1. complete name and address of the institution;
  - 2. first and last name of student;

3. program name as registered with the Commission;
  4. a certificate award date; and
  5. the signature of an institution official.
- (9) In lieu of hard copies of transcripts and certificates, an institution may maintain transcripts and certificates by electronic storage provided that the institution has a process for maintaining an up-to-date backup of the information in a separate system or at a different location. Commission staff must have complete and easy access to review student transcripts and certificates during authorization site visits and audits such that the institution can print any requested records upon request.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006 and 49-7-2016.

#### 1540-01-02-.16 Personnel and Instructor Qualifications.

- (1) Administrative personnel and instructors shall meet all qualifications listed in this rule. Evidence of education, experience, or training, such as official transcripts, for each personnel and instructors must be maintained on-site at the authorized location. Institutions must provide this evidence at any time upon receiving a request from Commission staff.
- (2) The method of administration and procedure for staff selection must be defined in a way that each employee has specific duties and responsibilities. The process for selection of administrative personnel and instructors shall ensure that administrative personnel and instructors meet the qualifications in this rule. Additionally, institutions shall take reasonable actions to ensure that a supervisor of any experiential learning, regardless of whether the learning is conducted at the location or in the field, is qualified to supervise the learning. For example, the supervisor must hold an appropriate license if the subject is a vocation requiring licensure.
- (3) Administrative personnel at an authorized institution must be graduates of an accredited college or university or have sufficient background and training in the administrator's area of responsibility. If the institution employs a director of education, that director shall possess a baccalaureate degree or the highest educational credential offered by the institution, whichever is higher. Administrative personnel are individuals that oversee areas as outlined in operational and administrative standards. This includes by function, but is not limited to, titles of an institutional director; financial aid administrator; director of admissions; director of education; business officer or manager; director of student services (including counseling and placement) and the registrar. Support and clerical staff are not included as administrative personnel.
- (4) Institutional Directors:
  - (a) Each institution must designate one (1) person as the institutional director. The institutional director is responsible for ensuring that the conduct of the institution and its agents is in compliance with the Act and these rules. The institutional director



shall serve as the official contact for all correspondence and business conducted between the institution and the Commission or Commission staff.

- (b) Institutional owners must ensure that each authorized location has an institutional director at the authorized location for at least fifty percent (50%) of the operational time each week the school has students present unless other provisions have been approved by Commission staff.
  - (c) The institutional director implicitly accepts knowledge of and responsibility for compliance with the Act and these rules including, but not limited to, advertising, records, contracts, required benchmarks, annual due dates, and fee payments.
  - (d) The institutional director at an authorized institution must:
    - 1. be a graduate of an accredited postsecondary educational institution with at least one (1) year experience in administration or institutional management; or
    - 2. the total years of administration or institutional management experience in postsecondary education shall equal at least five (5) years.
- (5) Instructors:
- (a) Instructional staff for all institutions must be selected at a minimum on the basis of these rules.
  - (b) Instructors in a trade related or specific skill area must have documented proficiency and practical applied experience in that trade or skill.
  - (c) An instructor must hold the appropriate license if the subject is a vocation requiring licensure.
  - (d) An instructor must be qualified by education and experience/background and must meet at a minimum the following qualifications:
    - 1. Doctorate level courses:
      - (i) Hold a doctorate degree from a college or university judged to be appropriate by the Commission and either:
        - (I) a doctorate degree with a major or concentration in the subject area to be taught; or
        - (II) a doctorate not in the subject area but with a minimum of one (1) year of practical experience within the last five (5) years in the subject area to be taught and completion of nine (9) semester hours or twelve (12) quarter hours of doctoral

level courses in the subject.

2. Master's level courses:

- (i) Hold a master's or higher degree from a college or university judged to be appropriate by the Commission and either:
  - (I) a master's or higher degree with a major or concentration in the subject area to be taught; or
  - (II) a master's or higher degree not in the subject area but with a minimum of one (1) year of demonstrated practical experience within the last five (5) years in the subject area to be taught and completion of nine (9) semester hours or twelve (12) quarter hours in graduate level courses in the subject.

3. Baccalaureate level courses:

- (i) Hold a baccalaureate or higher degree from a college or university judged to be appropriate by the Commission and either:
  - (I) a baccalaureate or higher degree with a major or concentration in the subject area to be taught; or
  - (II) a baccalaureate or higher degree not in the subject area but with a minimum of one (1) year of demonstrated practical experience within the last five (5) years in the subject area to be taught and completion of nine (9) semester hours or twelve (12) quarter hours in the subject. Additional years of documented experience in the subject area may be substituted for semester/quarter hour requirements.

4. Associate level courses:

- (i) Meet the minimum requirements for doctorate, master's or baccalaureate level; or
- (ii) Hold an associate degree from a postsecondary institution judged to be appropriate by the Commission and either:
  - (I) an associate degree with a concentration in the subject to be taught and one (1) year of practical experience; or
  - (II) an associate degree not in the subject area but with a minimum of two (2) years of practical experience within the last five (5) years in the subject area to be taught and

satisfactory completion in a postsecondary educational institution of nine (9) semester hours or twelve (12) quarter credit hours in the subject area to be taught. Additional years of documented experience in the subject area may be substituted for semester/quarter hour requirements.

5. Diploma and certificate level courses or programs:
  - (i) Meet the minimum requirements for doctorate, master's or baccalaureate or associate level; or
  - (ii) Hold a high school diploma or GED and a certificate of completion from a postsecondary institution judged to be appropriate by the Commission in a relevant subject area and a minimum of three (3) years of practical experience within the last seven (7) years in the subject area to be taught. Additional years of documented experience in the subject area or licensure in the field may be substituted for the postsecondary educational requirements.
6. General education courses: All general education courses must be taught by holders of baccalaureate degrees with at least twenty-five percent (25%) of the general education staff with, at minimum, earned master's degrees.
- (6) The Executive Director may approve a variance from the specific qualifications in paragraph (5) of this rule with sufficient justification and an assurance that the program quality will not be lessened. In such a situation, the institutional director must submit written justification and documentation using the School Personnel Application submission within five (5) business days of the personnel hire date. In addition, the instructor must be institutionally evaluated at the close of the first instructional period for effectiveness and quality. This evaluation shall be made available to Commission staff upon request.
- (7) Instructors shall be evaluated annually in writing by students and annually in writing by the institutional director or chief academic/instructional officer. The institution shall maintain such evaluations for six (6) years from the date of the evaluation.
- (8) Agents:
  - (a) An institution is responsible for any representations or misrepresentations, expressed or implied, made by the agent.
  - (b) Any student solicited or enrolled by an agent whose actions are in contravention with these rules is entitled to a refund from the institution of all moneys paid. Upon payment by the institution, the student shall release the institution from any further obligations to the student. Any contract signed by a prospective student as a result of solicitation or enrollment by an agent shall be null and void and unenforceable at the option of the student. In cases where the institution is willing to honor the contract and the student wishes the contract enforced, it can be. However, in cases

where the contract has been fully executed between the institution and the student, the student is not entitled to a refund solely because the student was improperly solicited or enrolled by an agent.

- (c) An agent is prohibited from inappropriate activities in procuring enrollees including, but not limited to, the following:
  - 1. administering the admission test;
  - 2. advising students about financial aid other than informing the student of the general availability of financial assistance;
  - 3. giving false, misleading, or deceptive information about any aspect of the institution's operation, job placement, or salary potential;
  - 4. representing that a program has sponsorship, approval, characteristics, uses, benefits, or qualities which it does not have;
  - 5. soliciting enrollments in a program which has not been approved by the Commission; or
  - 6. otherwise acting in contravention of these rules.

Authority: T.C.A. §§ 49-7-2002, 49-7-2005, 49-7-2006, 49-7-2009 and 49-7-2011.

#### 1540-01-02-.17 Cancellation and Refund Policy.

- (1) All authorized institutions must comply with the laws of the local, state, and federal government concerning cancellations and refunds and must revise all policies and practices if laws are revised.
- (2) An authorized institution may use the following refund policies:
  - (a) the refund policy contained in paragraph (3) of this rule
  - (b) an institution policy, as provided for in paragraph (3) of this rule except the institution may increase the percentage listed in paragraph (3)(c) to more than 20%; or (b) as applicable, a refund policy mandated by an accreditor or as a condition for students of the institution to participate in a governmental student assistance program, such as Veterans Benefits.
- (3) The refund policy is as follows:
  - (a) A student who at any time withdraws, is withdrawn (including expulsion) by the institution, or otherwise fails to attend class is entitled to a full refund of any fee, regardless of whether the fee is included in tuition, paid to the institution for tangible goods or services not delivered to or fully provided to the student.

- (b) In addition to subparagraph (4)(a) of this rule, if a student fails to begin class on the program start date as written in the enrollment agreement or as amended by the institution, the refund shall equal the sum of all refundable fees paid and, if the student has institutional loans, forgiveness of the amounts owed by the student, less an administrative fee of one hundred dollars (\$100.00).
  - (c) In addition to subparagraph (4)(a) of this rule, if after the program has commenced and before expiration of twenty percent (20%) or less of the period of enrollment for which the student was charged, a student withdraws, is withdrawn (including expulsion) by the institution, or otherwise fails to attend classes, the refund shall be a pro rata portion of refundable fees, less an administrative fee of one hundred dollars (\$100.00). If applicable, the refund shall include forgiveness of institutional loans. For example, if a student's last day of attendance equals ten percent (10%) of the period of enrollment for which the student was charged, the institution is entitled to retain only ten percent (10%) of the refundable fees charged for the period of enrollment as well as one hundred dollars (\$100.00). However, in no instance will the institution be responsible for any refund in excess of the amount paid by or on behalf of the student for the period of enrollment for which the student was charged.
  - (d) Except as provided for in subparagraph (4)(a) of this rule, if after expiration of twenty percent (20%) of the period of enrollment for which the student was charged, a student withdraws, is withdrawn (including expulsion) by the institution, or otherwise fails to attend classes, the student may be deemed obligated for one hundred percent (100%) of the refundable fees charged by the institution up to the last period of enrollment charged.
  - (e) For a student who cannot complete one (1) or more classes because the institution discontinued such a class during a period of enrollment for which the student was charged, the institution shall refund the sum of all refundable fees paid and, if the student has institutional loans, forgive the amounts owed by the student.
- (4) For purposes of calculating percentages of attendance in clock hour programs the number of scheduled hours up to the last date of attendance will be the numerator. For credit hour programs, percentages are calculated based on calendar days.
  - (5) When computing refunds pursuant to the refund policy, the last day of attendance for a student who meets the definition of enrolled shall be either:
    - (a) the date of the student's last recorded day of attendance or
    - (b) When applicable, the date the student failed to return from an approved leave of absence.
  - (6) Pursuant to Rule .15(4) of these rules, the reconciled account statement must indicate the period of enrollment for which the student is being charged for each tuition charge. If the institution does not maintain the requisite account statement or the reconciled account

statement does not clearly indicate the period of enrollment for which the student is being charged, the institution shall be liable for all refundable fees paid by or on behalf of the student.

- (7) In any event, the last date of attendance will be determined and any refund due disbursed within forty-five (45) calendar days of the last date of attendance.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008, and 49-7-2013.

1540-01-02-.18 Statistical Data Collections.

- (1) Annually by October 15 or the next business day if October 15 is a state holiday or weekend day, all authorized institutions shall provide student-level statistical data on a Commission data form that will allow Commission staff to calculate the following statistical information by institution and program:
  - (a) the enrollment count;
  - (b) demographic statistics;
  - (c) withdrawal rates;
  - (d) completion rates;
  - (e) number of credentials awarded;
  - (f) categories of credentials awarded;
  - (g) placement rates;
  - (h) in-field placement rates; and
  - (i) average time to completion.
- (2) THEC shall publish the results of its calculations on its website except that withdrawal, completion, placement, and in-field placement rates shall not be reported for programs with ten (10) or fewer students.
- (3) Data shall include all students enrolled at the institution between the twelve (12) months beginning July 1 and ending June 30 of the year prior to the report.
- (4) Data form:
  - (a) Commission staff will provide institutions either a blank data form or a spreadsheet that is prepopulated with continuing student data.
  - (b) At a minimum, the data form shall include:

1. student's first name, middle initial, and last name;
  2. student's social security number or unique student identification number;
  3. demographic information, such as race, gender, and date of birth;
  4. program name;
  5. program code;
  6. date started;
  7. date completed or date withdrawn; and
  8. placed or placed in-field along with employer contact information.
- (5) All authorized Institutions shall maintain in the student's file evidence of placement sufficient for Commission staff to verify placement. Depending on the field, sufficient evidence includes a written record of an employee of the institution, correspondence from the student, or evidence from a social media site or post indicating that the student is working independently.
- (6) If annual average institutional or individual program withdrawal rates exceed twenty-five percent (25%) or if annual average institutional or individual program in-field placement rates are less than seventy percent (70%), institutions shall explain the circumstances contributing to these rates, demonstrate how these rates are not an indicator of poor instructional value and administrative capability, and describe what actions the institution will take to lower the withdrawal rates and/or increase the in-field placement rates. Additionally, Commission staff may compare an institution's rates to the state average for that type of institution and/or program. Institution types are unaccredited, accredited non-degree granting, and accredited degree granting; program type is based on CIP codes and length. When an institution-level or program-level rate fails to meet the state average for two (2) consecutive years Commission staff may recommend to the Executive Director that adverse action be taken against the institution.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006 and 49-7-2022.

#### 1540-01-02-.19 Fair Consumer Practices and Complaints.

- (1) All institutions and their administrative personnel, instructors, agents, and other staff shall act in accordance with fair consumer practices. Fair consumer practices means honesty, fairness, and disclosure to students in areas including, but not limited to, class schedules, recruitment, admissions, contractual agreements, student financial assistance, obligations to repay student loans, placement assistance, job placement rates, advertising, refund policies, the meaning and recognition of different types of accreditation, the transferability of the institution's credits to other postsecondary institutions, and competitors.

- (a) Institutions shall ensure that nothing is hidden and all verbal and written representations by the institution are accurate.
  - (b) Fair consumer practices require an institution to apply its policies as written. The student shall be subject to the written policies in place at the time of the student's initial enrollment into the applicable program. Any changes to the written policies that occur during the student's period of enrollment shall only be applied to the student if the student signs and dates a document acknowledging the new policy and agreeing that said policy shall be applied to the student.
- (c) As applicable, verbal and written representations must reasonably allow enrolled or perspective students to make informed decisions concerning their investment of time or money and provide information needed to understand, evaluate, and comply with institution policies and program requirements.
- (2) Students have a reasonable expectation to complete programs as printed in the institutional catalog at the time of enrollment.
- (3) Institutions may not use mandatory arbitration provisions.
- (4) Findings by Commission staff and/or ongoing complaints by current or prospective students that show a pattern of misinformation, misrepresentation, lack of disclosure, or discrepancies between verbal and written information, intimidation, or coercion may require corrective public announcements in addition to adverse action as set forth in Rule .22 of these rules.
- (5) An institution must report to Commission staff in writing within thirty (30) calendar days any unresolved written complaint filed in a Tennessee court about the institution of which the institution is knowledgeable.
- (6) Institutions may provide a discount for cash payments provided:
- (a) the institution has a written policy in the catalog that includes the definition of cash and details the qualifications for receiving and the amount of a cash discount; and
  - (b) the student verifies receipt and understanding of the policy in the pre-enrollment checklist.
- (7) An institution may award a scholarship, tuition waiver, or other similar award provided:
- (a) the eligibility requirements for the offering, including terms, conditions, application procedures, due dates, basis for selection, and amount to be awarded, are clearly defined in writing;
  - (b) the institution has a form and procedure to verify eligibility; and
  - (c) the amount of the award is a flat dollar amount or subject to calculation using a



defined formula or scale.

- (8) Any person claiming damage or loss as a result of any act or practice by an authorized postsecondary educational institution or its agent that is a violation of the Act or these rules, may file a verified complaint on forms provided by the Commission. Any student who files a complaint or on behalf of whom a complaint is filed must first exhaust the grievance process at the institution. Parties to the complaint shall be the complainant and any named institution or agent thereof. The investigation and further review of written complaints will occur in accordance with the following provisions:
- (a) Complaints shall be signed and submitted through hand delivery, mail, or electronic mail as provided for in Rule .24 of these rules.
  - (b) Any complaint as described in (a) shall be commenced within three (3) years of the subject student's withdrawal from or completion of the program or course of enrollment.
  - (c) Any named institution or agent will receive a copy of the complaint and be provided an opportunity to respond to all allegations contained in the complaint.
  - (d) Any named institution or agent shall provide all information requested by Commission staff as part of the investigation.
  - (e) As part of the investigation process, Commission staff may work with the complainant and the named institution or agent to effectuate a resolution.
  - (f) When resolution is not reached and if, based on all the evidence obtained through the investigation, Commission staff finds that any person, agent, group, or entity is, is about to, or has been violating the Act or these rules:
    - 1. Commission staff may recommend that the Executive Director take action as provided for in T.C.A. § 49-7-2010 and § 49-7-2017 and these rules. Parties to the complaint shall be provided an opportunity to show cause why such recommendations should not be forwarded to the Executive Director. Such opportunity shall detail the basis for the findings and provide any party ten (10) business days to respond.
    - 2. The Executive Director shall act on a recommendation from Commission staff after the time for the show cause response has expired by providing a Notice of Decision to the parties to the complaint. Such notice shall explain the right to a hearing and review by the Commission as provided in T.C.A. § 49-7-2012. Any request for review shall be filed with the Commission within ten (10) business days of the date of the Notice of Decision, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review shall be in writing, signed, and provide a detailed explanation of each alleged error with references to specific statutes or rules. A request may be denied if it is not received in a timely manner.

- (g) When resolution of the complaint is not reached and if, based on all the evidence obtained through the investigation, Commission staff makes no findings or determines that an adverse action recommendation is not justified:
    1. Commission staff shall provide the parties to the complaint notice of the lack of findings or determination.
    2. If, upon written notification of any action taken by Commission Staff, an aggrieved party to a complaint desires a review by the Executive Director, the party shall notify the Executive Director within ten (10) business days of the date of the action of Commission staff, otherwise the action of Commission staff shall be deemed final and no further review available. Any request for review by the Executive Director shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
    3. If, upon written notification of any action taken by the Executive Director, an aggrieved party to the complaint desires a hearing and review by the Commission, pursuant to T.C.A. § 49-7-2012, the party shall notify the Commission within ten (10) business days of the date of the action of the Executive Director, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review by the Commission shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
  - (h) Any party to the complaint aggrieved or adversely affected by any final commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.
  - (i) A complaint investigation may be placed on hold or closed if litigation or investigation involving similar issues is on-going at any court or other government agency.
- (9) Notwithstanding the provisions of paragraph (8) of this rule, Commission staff may take appropriate action to investigate any complaint or suspected non-compliance in order to protect the public interest.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008, 49-7-2011, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-02-.20 Representations, Advertising, and Solicitations.

- (1) Institutions may reference having authorization in advertising, promotional material, and on letterhead stationery using the following language: "(name of institution) is authorized for operation by the Tennessee Higher Education Commission." The entire statement must appear with the same size and type of font used throughout the statement.

- (2) Entities or individuals that own an authorized institution as well as a related business, for example, truck driver training and trucking company, must maintain clear separation in function and advertising of the business and the institution.
- (3) The Commission logo may not be used by an institution.
- (4) Institutions authorized by the Commission that have a website on, advertise through, or offer instruction via the internet must state on the institution's home page or Tennessee specific webpage: "[name of institution] is authorized for operation as a postsecondary educational institution by the Tennessee Higher Education Commission." The entire statement must be used, have the same size font, and type of print. The reference to the "Tennessee Higher Education Commission" must be a hyperlink to [www.tn.gov/thec](http://www.tn.gov/thec).
- (5) No statement shall be made that the institution or its courses of instruction have been accredited unless the accreditation is identified and is an accreditor recognized by the U.S. Department of Education.
- (6) No statement shall be made that the institution or its courses of instruction have been approved by a state or the federal government unless the approval can be substantiated by an appropriate certificate or letter of approval issued by the approving agency of the state or federal government.
- (7) All advertisements seeking prospective students must include and clearly indicate the full and correct name of the institution, the authorized location city, and, if out-of-state, the authorized location state.
- (8) Any promotion of the institution must primarily be based on the institution's educational programs, not student aid promotion or the number of jobs available, must not guarantee employment, and must comply with fair consumer practices as described in Rule .19 of these rules.
- (9) Other than entry level salary data available on a Tennessee or federal government website, no dollar amount will be quoted in any advertisement as representative or indicative of the earning potential of graduates without prior approval by Commission staff.
- (10) Institutions shall not use images of any kind in such a manner as to convey a false impression as to the location's size, importance, equipment, or facilities.
- (11) Institutions or representatives shall not make deceptive statements concerning other institutions when attempting to enroll students.
- (12) Other than referencing the most recent rates calculated by Commission staff, no institution shall use job placement percentages or related statistics except by written permission of Commission staff.
- (13) If loans are available at the institution, the school may advertise them only with the language "student loans available" in type no larger than that used for the name of the institution.

This does not preclude disclosure of the institution's eligibility under the various state and federal loan programs.

- (14) Promotional materials or agent solicitation practices must not state or infer that programs are available on a free tuition basis unless the tuition and other fee amount reported to Commission staff is zero (0).
- (15) No statement shall be made by an institution that the programs or courses are transferable to another institution without a current articulation agreement or transfer of credit agreement.
- (16) Claims must not be vague. For example, "award winning" institution should include the full name of the award in advertisement; specify year of any such attainment, and the source of the award.
- (17) No institution may publicize, promote or imply an accreditation that is not recognized by the U.S. Department of Education.
- (18) If an institution represents that it has an educational certification from any entity, other than those given by other Tennessee agencies, the institution must produce at the request of Commission staff proof of such certification.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008 and 49-7-2013.

#### 1540-01-02-.21 Authorization Status.

- (1) Provisional Initial Authorization
  - (a) An award of provisional initial authorization shall be subject to review and ratification by the Commission.
  - (b) If an award of provisional initial authorization is ratified by the Commission, authorization becomes regular or conditional as determined by the Commission.
  - (c) If an award of provisional initial authorization is not ratified by the Commission, the institution shall cease all activities and operations as directed by Commission staff in accordance with the Act and these rules.
  - (d) An institution awarded provisional initial authorization may engage in activities and operations; however, limitations as to time, procedures, functions, or other conditions may be imposed as deemed necessary. Such limitations may include, but not be limited to, notifying prospective students in the enrollment agreement that the institution:
    1. is authorized provisionally subject to ratification by the Commission, and
    2. notwithstanding Rule .17 of these rules, must refund all moneys paid by or on behalf of prospective or enrolled students in the event that the Commission does not ratify the award of provisional authorization thereby

requiring the institution to cease activities or operations such that students are unable to begin or complete the program of enrollment.

(2) Regular Authorization:

- (a) Provisional authorization shall become regular authorization following review and ratification of the Commission.

(3) Conditional Authorization or Registration:

- (a) Conditional authorization or registration is authorization or program registration, but with conditions, such as reporting requirements, performance standard requirements, securing new or additional bonds, a limited period of time to operate such as during change of ownership, or for the purpose of teaching out existing students. Institutions with conditional authorization or registration may also be required to suspend or cease any part of institutional activity, such as enrolling students, advertising, or conducting specific classes or programs. Such suspension or cessation shall remain in effect until activities precipitating the condition are corrected and Commission staff has completed all related reviews and investigations. Conditional authorization or registration may be issued when deemed necessary to protect the public interest.
- (b) An institution may request conditional authorization, including, but not limited to, suspension of the operation, rather than expose the institution to adverse action, for situations such as unexpected loss of lease, extended inactivity, or reorganization.
- (c) Nothing in this section shall be construed to absolve institutions of their educational and financial obligations to currently enrolled students.

(4) Revocation of Authorization or Program Registration:

- (a) Revocation of authorization or program registration is the immediate and complete withdrawal of the institution's authorization or program registration to enroll, advertise, or operate a postsecondary educational institution in the state.
- (b) Possible grounds for immediate revocation of authorization or program registration include but are not limited to:
  - 1. loss of right to use the authorized location without immediate notification to the Commission;
  - 2. instances where a principal party has been or is involved with a postsecondary educational institution that ceased or ceases operation resulting in a loss of time or money for enrollees or prospective students, or that had or has its institutional authorization in a state revoked;

3. a pattern of deceptive practices;
  4. failure to correct any situation that resulted in conditional authorization or program registration within a reasonable time period to be determined by the Executive Director;
  5. disregard for any specific directive issued by the Commission, the Executive Director, or Commission staff;
  6. failure to pay assessed fines;
  7. closing an institution without proper notification to the Commission or failure to complete all required closure obligations; and
  8. failure to submit a Certification of Compliance by the required due date or a Reauthorization Application by the authorization term expiration.
- (c) Revocation of authorization or program registration shall not relieve an institution of complete compliance with the requirements in these rules applicable to an institution closing, including, but not limited to, refunds to students, arranging instructional teachouts, and securing the disposition of student records.

Authority: T.C.A. §§ 49-7-2004, 49-7-2005, 49-7-2008 and 49-7-2010.

1540-01-02-.22 Causes for Adverse Action.

- (1) The Commission or Executive Director in the interest of the public welfare, consumer protection and statutory responsibility may assess fines of five hundred dollars (\$500) per day per violation or revoke or make conditional the authorization of an institution or its program registrations under the process as given in subparagraph .02(2)(e) of these rules for reasons including, but not limited to:
  - (a) disregard of provisions of the Act and/or these rules;
  - (b) willful violation of any commitment made in an application for authorization or reauthorization;
  - (c) presenting to the general public or students or prospective students information that violates Fair Consumer Practices as outlined in these rules;
  - (d) advertising, recruiting, or operating a group of classes or a program that has not been approved by the Commission;
  - (e) failure to provide or maintain premises or equipment in a safe and sanitary condition as required by laws, regulations, or ordinances applicable at the authorized location of the institution;

- (f) failure to provide and maintain adequate faculty and/or staff;
  - (g) failure to maintain financial resources adequate for the satisfactory conduct of the courses of instruction offered;
  - (h) operating a postsecondary educational institution at a location that has not been authorized by the Commission;
  - (i) failure to correct findings or areas of non-compliance resulting from an authorization site visit, investigation, or audit;
  - (j) a pattern of coercion, threats, or intimidation by institutional personnel to students or other school personnel;
  - (k) failure to advise the Commission about significant factors, such as:
    1. financial difficulties affecting program consistent with the objectives of the course or program of study, including, but not limited to, when applicable, receipt of Title IV funds;
    2. significant staff changes in a short period of time;
    3. change of ownership;
    4. outcomes of audits by other government agencies;
    5. any factor or clearly developing factor that could alter the basis for authorization;
    6. loss or lowering of accreditation status; and
    7. legal action against the Tennessee authorized school;
  - (l) activities described in Rule .21 of these rules;
  - (m) failure to comply with the requirements of the tuition guaranty fund under § 49-7-2018 and the related rules;
  - (n) submitting false information in any application or correspondence related to an audit, investigation, or complaint; and
  - (o) retaliating against a complainant who exercise their right to complain.
- (2) Repeated and/or consistent violations of the Act or these rules, particularly in the same areas such as advertising, fair consumer practices or operational standards may be grounds for conditional or revocation of authorization in addition to fines.

- (3) Institutions that advertise in formats that will be in the public domain for long periods and where such advertising cannot be rewritten or retracted may be fined in accordance with the Act and these rules for each day, week, or month the advertisement is in active circulation.
- (4) Commission staff at any time may require that an institution furnish proof to the Commission of any of its advertising claims. If proof acceptable to Commission staff cannot be furnished, Commission staff may recommend to the Executive Director that the institution publish a retraction of such advertising claims in the same manner as the claims themselves. Continuation of such advertising shall constitute cause for further adverse action.
- (5) Any action by the Commission or Executive Director under this rule shall be subject to review as provided in T.C.A. § 49-7- 2012. All Commission actions are subject to due process provisions of the Uniform Administrative Procedures Act.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2010.

1540-01-02-.23 Institution Closure.

- (1) When an authorized postsecondary educational institution proposes to discontinue its activities or operation, including allowing authorization to expire, such institution shall notify Commission staff within seventy-two (72) hours of that decision.
- (2) Commission staff will provide the institution a list of items that must be provided to Commission staff to close the institution in good-standing and a due date by which to provide the items. The list may include, but is not limited to:
  - (a) anticipated date to terminate teaching activity;
  - (b) ending date of present term;
  - (c) a listing by name of all students in all programs. Such list shall include student's social security number, unique student identification number, address, phone number, program of enrollment, and estimated completion dates;
  - (d) the status of all current refunds due or the amount of unearned tuition paid by each student and for which the institution is obligated;
  - (e) a verified agreement with one or more local institutions able to provide sound education to all students in all programs;
  - (f) disposition and servicing of all academic records as required by T.C.A. §49-7-2016;
  - (g) a request for conditional authorization where required;
  - (h) updated statistical data;



- (i) official transcripts and certificates for all students enrolled at the institution since it was first authorized and any transcripts or certificates held by the institution that were awarded by another institution that had previously closed and deposited its records with the institution or that was purchased; and
  - (j) demonstration that current educational obligations by the institution will be met on behalf of the presently enrolled students.
- (3) An institution that ceases operations shall maintain sufficient and qualified faculty, staff, and equipment to teach all subjects to all currently enrolled students, regardless of the size of the class, until such time as the institution closes.
- (4) Should the institution fail to make arrangements satisfactory to the Commission staff for the completion of the programs in which the currently enrolled students are enrolled and/or for the reimbursement of unearned tuition and fees, the institution shall be subject to fines. Unearned tuition is not the same as a refund calculation or return to Title IV calculation. Unearned tuition shall be calculated as provided for in Rule Chapter 1710-01-02.
- (5) Institutions that close without proper notification to the Commission or that fail to comply with closure obligations given in this rule may be deemed retroactively by the Executive Director to have had the institutional authorization officially revoked. Such a revocation status shall be maintained as part of the Commission closure file on that institution and any individuals directly involved, including, but not limited to, the director, owners, and/or the board chair.
- (6) Student Completion of Education (“Teachouts”):
- (a) The Executive Director may approve other authorized or exempt institutions to teachout students who were currently enrolled in an institution which ceases operation. An approved teachout institution shall:
    1. offer the course of study or similar course of study as those offered at the closed institution;
    2. be in the same geographic area as that in which the closed institution existed or provide necessary transportation expenses;
    3. provide the student the opportunity to complete the program at no cost in excess of that for which the student originally contracted at the closed institution;
    4. accept any and all credits earned at the closed institution; and
    5. not reduce total course hours required for the student to complete.
  - (b) If the closed or closing institution fails to provide an acceptable plan to the Executive Director, Commission staff may work toward effecting teachout

arrangements or transfer agreements with other authorized institutions.

- (c) Teachout plans may involve other institutions or be carried out by the terminating institution as circumstances may dictate.
- (7) As an alternative to the deposit of records with the Commission, the institution may propose a plan for permanent retention of the records for consideration by Commission staff.

Authority: T.C.A. §§ 49-7-2002, 49-7-2005 and 49-7-2016.

1540-01-02-.24 Filing Methods and Requirements.

- (1) Applications shall be filed electronically as prescribed in the application or using DPSA's electronic forms portal.
- (2) As to any filing requiring the payment of a fee, the fee must be submitted along with the filing or else the filing will be considered incomplete pursuant to Rule .07(1) of these rules.

Authority: T.C.A. §§ 49-7-2005.

1540-01-02-.25 Fees.

- (1) All fees collected pursuant to the provisions of the Act shall be deposited in the state treasury as a special agency account to administer the provisions of the Act.
- (2) Annual fees shall be paid with the Reauthorization Application and Certification of Compliance as follows:
  - (a) Annual Fee:
    - 1. a fee of five hundred dollars (\$500) if enrollment is zero (0) to three hundred (300) students;
    - 2. a fee of one thousand five hundred dollars (\$1,500) if enrollment is three hundred and one (301) to six hundred (600) students; and
    - 3. a fee of three thousand five hundred dollars (\$3,500) if enrollment is six hundred and one (601) or more students.
  - (b) Application or Certification Deadline Extension Fee .....\$500
  - (c) Late Application or Certification Fee .....\$500
- (3) The following fees apply to the filing of applications and other services:
  - (a) Initial Authorization Application..... \$3,000

- (b) Program Registration Request .....\$500
- (c) Authority for Unaccredited Institutions to Grant Degrees .....\$1,000  
(paid in addition to the Program Registration Request fee)
- (d) Credential Level Elevation for Authorized Institutions ..... \$2,000  
.....(paid in addition to the Program Registration Request fee)
- (e) Institution Name Change Application .....\$500
- (f) Change of Location Application .....\$500
- (g) Fines (assesses at a maximum of per day, per violation) .....\$500
- (h) Exemption Determination Request .....\$100
- (i) Closed Institution Transcript Request .....\$10
- (j) Convenience Charge for Electronic Payments ..... amount charged by vendor

Authority: T.C.A. §§ 49-7-2005, 49-7-2014 and 49-7-2017.

1540-01-02-.26 Refund of Regulatory Fees.

- (1) At the request of an institution a refund will be made as follows:
  - (a) If an institution withdraws an application within three (3) business days from filing, then all fees assessed less the convenience charge for electronic payments shall be refunded. Thereafter all fees are nonrefundable.
  - (b) Institutions that fail to complete the application process described in Rule.07(1) of these rules shall forfeit all fees paid.
- (2) Fees for a Closed Institution Transcript Request and Convenience charges for electronic payments are nonrefundable.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2014.

## Amendment

### CHAPTER 1540-01-10 REGULATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS WITH OPTIONAL EXPEDITED AUTHORIZATION (OEA)

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#### 1540-01-10-.01 Incorporation of Rules.

- (1) Rules 1540-01-02-.01, .02, .04, .09, .18 and .23 shall be incorporated into this Rule Chapter as if fully written herein.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

#### 1540-01-10-.02 Definitions.

- (1) "Accreditation" is a non-governmental, peer evaluation of postsecondary educational institutions and programs by private educational associations that have adopted criteria for educational programs and have developed procedures for evaluating institutions or programs. The date of accreditation is the date applicable to a location and includes approval, recognition, or similar designation of a branch, satellite, instructional, or other location descriptor used by an accreditor. The Commission only recognizes accrediting agencies that are recognized by the U.S. Department of Education.
- (2) "Act" means the Tennessee Higher Education Authorization Act of 2016, T.C.A. §§ 49-7-2001, et seq., as amended.
- (3) "Articulation and transfer of credit agreement" means an arrangement between two (2) higher education institutions that is approved and signed by authorized institutional representatives and constructed by faculty in the discipline that (1) equates for transfer of a defined set or block of academic credits that will meet requirements of a specified program at a degree-awarding institution or (2) provides that a specific credential from one institution will meet the admission education requirement for a program leading to a higher credential at a second institution.

- (4) "Authorization" means approval of a postsecondary educational institution by the Commission for the institution to engage in activities or operations otherwise prohibited by T.C.A. § 49-7-2007. Authorization is for a specified time at a specified location. Institutions shall not use authorization to connote greater approval than simple permission to engage in allowed activities or operations. Terms which may not be used include, but are not limited to, "accredited by," "supervised by," "endorsed by," and "recommended by the Commission."
- (5) "Commission" means the Tennessee Higher Education Commission.
- (6) "Division of Postsecondary State Authorization" or "DPSA" means the division within the Tennessee Higher Education Commission tasked with overseeing the implementation and enforcement of the Act and these rules.
- (7) "Enrollment" or "Enrolled" refers to those students who have attended one (1) session of class, turned in one (1) assignment, or received one (1) distance learning lesson.
- (8) "Federal student financial aid programs" means any of the various loans or grants offered to students, parents, or institutions through Title IV of the Higher Education Opportunity Act, as amended.
- (9) "Institutional director" means the individual designated by the institution to assume responsibility for ensuring that the conduct of the institution and its agents are within the Act and these rules.
- (10) "License" or "Licensure" includes similar terms, such as registration and certification, and means a designation from a subject matter expert state agency, board, or commission indicating that the recipient has met certain requirements for obtaining the designation, for example, a licensed massage therapist or educator.
- (11) "Location" means an address that may be used for purposes of a postsecondary educational institution in compliance with all pertinent ordinances and laws, including any rules and regulations adopted pursuant to the ordinances and laws, relative to zoning and the safety and health of persons at the address. When physical presence activities or operations are not the result of instruction at a postsecondary educational institution location as determined by the Commission staff, such as supervised field experiences or similar activities or operations, then the postsecondary educational institution location from which the educational credential is awarded must be the authorized location.
- (12) "Optional expedited authorization" or "OEA" means the alternative optional authorization available pursuant to T.C.A. § 49-7-2022 and these rules to certain accredited postsecondary educational institutions.
- (13) "Other fees" means fees, other than tuition, paid to the institution or third parties for products or services, including, but not limited to, fees paid for tangible goods, laboratory fees, technology fees, student activity fees, graduation fees, or fees paid for housing, meals, or transportation.

- (14) "Ownership" and "Owner" mean:
- (a) the individual, if the postsecondary educational institution is a sole proprietorship;
  - (b) all partners, whether full, silent, or limited, if the postsecondary educational institution is a partnership;
  - (c) all individuals and entities with an interest in the for-profit corporation or other for-profit legal entity, if the postsecondary educational institution is a for-profit corporation or other for-profit legal entity; or
  - (d) the executive committee of the governing board, if the postsecondary educational institution is a not-for-profit or nonprofit entity.
- (15) "Postsecondary educational institution" includes, but is not limited to, a school, college, university, or other type of entity offering educational credentials, instruction, educational services, or other activities as described in T.C.A. § 49-7-2007, primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for the attainment of educational, professional, or vocational objectives. The terms "location," "postsecondary educational institution," and "institution" may be used interchangeably such that determinations made pursuant to the Act and these rules are made in regard to the specific location.
- (16) "Primarily located" means the state recognized by the accreditor as the state in which the main campus is located;
- (17) "Prospective student" means a student who has been accepted for attendance at an institution but who is not enrolled as defined in subparagraph (7) of this rule.
- (18) "These rules" means all rules contained in Rule Chapter 1540-01-10.
- (19) "Tuition" means any fee involving the student, actually charged or tracked as a bookkeeping item for instruction provided.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.03 Eligibility and Application Requirements.

- (1) In order to receive OEA, a postsecondary educational institution must submit a signed OEA Application demonstrating that the institution meets the following eligibility requirements:
- (a) Be accredited by an accrediting agency recognized by the U.S. Department of Education; and
  - (b) Provide the following information and documentation:

1. evidence of institutional accreditation from an institutional accrediting agency recognized by the U.S. Department of Education indicating that the location for which authorization is being sought is accredited or properly recognized by the accreditor;
2. documentation evidencing an established, clearly articulated, and comprehensive process for the resolution of student complaints. In order to be a comprehensive complaint process, the process must contain:
  - (i) a detailed explanation as to how a student escalates a grievance to the highest level at the authorized location, for example, to the institutional director;
  - (ii) an opportunity for all persons involved in the complaint to be heard at any final step at the authorized location level, including, but not limited to, an appeal;
  - (iii) an explanation as to how the institution will notify students that complaints not resolved at the authorized location level may be filed with the Commission; and
  - (iv) an explanation as to how students will be notified of the institution's comprehensive complaint process;
3. documentation evidencing that the institution is authorized or exempt from authorization in the state where it is primarily located, if the institution is not authorized in Tennessee;
4. documentation, if deemed necessary, evidencing that the institution meets and maintains financial standards and institutional stability acceptable by the accreditor for the purpose of maintaining accreditation or the United States department of education for the purpose of being a Title IV eligible institution;
5. a comprehensive list or verification of all programs offered at the institution along with, when applicable, documentation evidencing receipt of all requisite program approvals from subject matter expert state licensing agencies, boards, or commissions. Evidence shall be provided for any program designed to train a student for employment in a field where a license is required in order to be employed in that field. The evidence shall clearly demonstrate that the state agency, board, or commission has determined that the program meets the educational requirements necessary to receive a license or sit for a required exam. The comprehensive list or verification shall include, at a minimum, the following information:
  - (i) program name;

- (ii) DPSA assigned program code;
  - (iii) credential awarded;
  - (iv) credit hours or contact hours to be awarded;
  - (v) length of time expected to complete the program;
  - (vi) cost of program tuition;
  - (vii) cost of other fees;
  - (viii) program status;
  - (ix) a Classification of Instructional Programs (CIP) code;
  - (x) whether programmatic accreditation is required for the program and the name of the accreditor that has reviewed and accredited the program; and
6. the website addresses to the most current version of the following information. The address should provide a reasonable person easy access to this information;
- (i) Costs of attendance;
  - (ii) Information on whether academic credits attained are transferable to other institutions operating in Tennessee;
  - (iii) Executed articulation and transfer of credit agreements with other institutions operating in Tennessee, if applicable; and
  - (iv) Federal student cohort default rates.
7. a report of any illegal or unethical conduct by employees, agents, contractors, or third-party service providers related to the delivery of educational programs and services to students with any corrective action and remedies taken by the institution;
8. a description of the ownership of the institution and when applicable, a corporate flowchart or tree showing the institution's position in relationship to all affiliated legal entities;
9. the most recently calculated three-year (3) official cohort default rate from the Office of Federal Student Aid of the U.S. Department of Education;



10. affirmation of the requirement to submit statistical data as described in Rule 1540-01-02-.18; and
  11. other than public institutions, a continuous institutional surety bond on the prescribed form.
- (c) OEA will be granted for four (4) years, unless otherwise determined by the Executive Director or the Commission. Institutions with a four (4) year authorization term shall submit Certifications of Compliance as provided for in these rules in years one (1), two (2), and three (3) and an OEA Application as provided for in these rules in year four (4).
- (d) Commission staff will review an OEA Application to determine whether the application demonstrates that the institution complies with all requisite standards. Upon such a finding and in the case of an initial application, Commission staff will recommend that the Executive Director grant the institution provisional initial authorization. ~~Provisional initial authorization shall list any limitations as to time, procedures, functions, or other conditions as deemed necessary and be subject to review and ratification by the Commission. After ratification, the provisional designation will be removed.~~
1. An award of provisional initial authorization shall be subject to review and ratification by the Commission.
  2. If an award of provisional initial authorization is ratified by the Commission, authorization becomes OEA.
  3. If an award of provisional initial authorization is not ratified by the Commission, the institution shall cease all activities and operations as directed by Commission staff in accordance with the Act and these rules.
  4. An institution awarded provisional initial authorization may engage in activities and operations; however, limitations as to time, procedures, functions, or other conditions may be imposed as deemed necessary. Such limitations may include, but not be limited to, notifying prospective students in the enrollment agreement, or similar document, that the institution:
    - i. is authorized provisionally subject to ratification by the Commission, and
    - ii. must refund all moneys paid by or on behalf of prospective or enrolled students in the event that the Commission does not ratify the award of provisional authorization thereby requiring the institution to cease activities or operations such that students are unable to begin or complete the program of enrollment.

- (e) In the event that an OEA Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall provide written notice of the deficiencies to the applicant and provide applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application may be denied or Commission staff will recommend that the Executive Director take adverse action, including but not limited to placing the institution on conditional authorization status, or revoking authorization.

(2) Certification of Compliance

- (a) Annually during the authorization term, institutions with optional expedited authorization shall file a Certification of Compliance by a due date to be established by Commission staff and posted on the Commission's website.
- (b) The Certification of Compliance shall require at a minimum that the institution self-certify that it is engaged in activities and operations in compliance with the Act and these rules, the institution provide an updated comprehensive program list, and the certification be signed by the institutional director and, if other than the institutional director, the owner or a representative thereof.
- (c) Commission staff will review a Certification of Compliance and, upon finding that the certification demonstrates that the institution complies with all requisite standards, notify the institution of such. In the event that the Certification of Compliance fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the Certification of Compliance by providing written notice of the deficiencies to the institution and providing the institution two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff may recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.

(3) Change of Ownership Application:

- (a) Authorization must be issued to the owner or governing body of the applicant institution and is nontransferable.
- (b) A change of ownership occurs when a transaction results in the controlling interest in the postsecondary educational institution changing from an authorized owner to an unauthorized owner. In the event of a change of ownership, the new owner must submit to Commission staff within five (5) business days after the change in ownership is finalized:
  - 1. a Change of Ownership Application and
  - 2. a request that the Executive Director grant the new owner conditional authorization until the new owner obtains provisional initial authorization.

- (c) The new owner shall submit an Initial Authorization Application as provided for in Rule Chapter 1540-01-02 or an Optional Expedited Authorization Application thirty (30) calendar days after the notice of conditional authorization.
- (d) The Change of Ownership Application shall require that the new owner provide the sales contract, bill of sale, deed, or other documents necessary to transfer ownership of the institution.
- (e) Commission staff will review a Change of Ownership Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, grant the change of ownership and recommend that the Executive Director grant conditional authorization. In the event that the Change of Ownership Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied and the closure process described in Rule .23(b) of these rules will commence.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.04 Required Notifications to Commission Staff.

- (1) OEA institutions shall notify Commission staff, within five (5) business days, of the following:
  - (a) action by an accrediting agency in regard to the institution's accreditation status, such as revocation, suspension, probation, warning, or similar action;
  - (b) notice of legal action involving the institution, or its parent entity if applicable, and Tennessee students, related to the delivery of educational programming or student consumer practices, including, but not limited to, class action lawsuits;
  - (c) utilization by the institution of a letter of credit or a cash management agreement with the U.S. Department of Education;
  - (d) public announcement of investigation by any governmental agency. The institution shall notify Commission staff whether the investigation is related to the institution's academic quality, financial stability, or student or consumer practices;
  - (e) change of ownership; or
  - (f) change of institutional director.
- (2) Institutions shall submit a New Program Notification Form when the institution offers a new program. Once processed, Commission staff will issue the institution a program code for use when submitting statistical data.

- (3) At the request of Commission staff, the Executive Director, or the Commission, OEA institutions shall provide any information deemed necessary to monitor the institution's eligibility for OEA.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.05 Denial or Withdrawal of an Application or Certification of Compliance.

- (1) When an application or certification is before Commission staff for consideration, Commission staff will provide the applicant written notice of its final determination. If, upon written notification of any action taken by Commission Staff, an aggrieved applicant desires a review by the Executive Director, the applicant shall notify the Executive Director within ten (10) business days of the date of the action of the Executive Director, otherwise the action of Commission staff shall be deemed final and no further review available. Any request for review by the Executive Director shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
- (2) If, upon written notification of any action taken by the Executive Director, an aggrieved applicant desires a hearing and review by the Commission, pursuant to T.C.A. § 49-7-2012, the applicant shall notify the Commission within ten (10) business days of the date of the action of the Executive Director, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review by the Commission shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
- (3) Any person, agent, group or entity aggrieved or adversely affected by any final commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022 and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.06 Conditional Status of or Revocation of OEA Status.

- (1) OEA may be made conditional or revoked for just cause or as otherwise noted in T.C.A. § 49-7-2022. Revocation can occur as a result of:
  - (a) a vote of the Commission on its own motion or
  - (b) a determination of the Executive Director pursuant to Rule 1540-01-02-.02(e).
- (2) Just cause includes activities where the institution acted contrary to the public interest, exhibits questionable financial strength, or is not operating educational programs with

acceptable outcomes and includes, but is not limited to:

- (a) Loss or failure to meet any of the listed criteria for eligibility in Rule .03(1) of these rules;
  - (b) Failure to fulfill the requirements in Rule .03 of these rules;
  - (c) A finding resulting from a complaint.
  - (d) Having an institution-level or program-level withdrawal, completion, placement, or in-field placement rate that is less than the state average rate for other OEA institutions or a program type for more than two (2) consecutive years;
  - (e) Providing false or misleading statistical data;
  - (f) Failure to comply with the requirements of the tuition guaranty fund under § 49-7-2018 and the related rules;
  - (g) A three-year federal financial aid cohort default rate as calculated by the U.S. Department of Education of thirty percent (30%) or higher for three (3) consecutive years or over forty percent (40%) for any single year;
  - (h) Retaliating against a complainant who exercises their right to complain; or
  - (i) Allowing OEA to expire without timely filing an OEA Application, Certification of Compliance, or Initial Authorization Application.
- (3) Upon revocation of any institution's OEA, the following shall occur:
- (a) The institution shall immediately be subject to all provisions of the Act and Rule Chapter 1540-01-02.
  - (b) The institution shall apply for Commission authorization under T.C.A. § 49-7-2008 and Rule Chapter 1540-01-02 thirty (30) calendar days after the notice of revocation.
  - (c) The Executive Director may grant the institution conditional authorization to continue its operation as a non-OEA institution. Such conditional authorization shall not be for more than six (6) months. Failure to fulfill all conditions of authorization within six (6) months may lead to revocation of authorization.
  - (d) Any institution whose OEA is revoked by the Commission shall be ineligible to reapply until the Commission determines that all bases for revocation have been resolved.
- (4) Notwithstanding paragraphs (1) through (3) of this rule, no immediate action should be taken to revoke an institution's OEA when the institution's accreditor is removed from the U.S. Department of Education's list of recognized accreditors. The Executive Director shall set

a time period in which institutions may continue to operate under OEA, assuming all other OEA requirements are met. The time period should coincide with the provisional time period set by the U.S. Department of Education for affected institutions to seek a new accreditor.

- (5) Any action by the Commission or Executive Director under this rule shall be subject to review as provided in T.C.A. § 49-7-2012. All Commission actions are subject to due process provisions of the Uniform Administrative Procedures Act

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

#### 1540-01-10-.07 Complaints.

- (1) Commission staff shall investigate any signed student complaint involving an OEA institution after verifying that the student has exhausted the institution complaint process.
- (2) Commission staff's investigation shall determine as necessary:
  - (a) whether the institution followed its policies as represented to the student; and
  - (b) whether the institution failed to disclose a fact or made a verbal or written inaccurate representation to the student that affected the student's ability to make an appropriate decision concerning the student's investment of time and money.
- (3) When determining whether a finding is appropriate, Commission staff shall take into consideration any reasonable offers the institution made to resolve the student's complaint at the institutional level.
- (4) The investigation will proceed as follows:
  - (a) Complaints shall be signed and submitted through hand delivery, mail, or electronic mail as provided for in Rule .08 of these rules.
  - (b) Any named institution will receive a copy of the complaint and be provided an opportunity to respond to all allegations contained in the complaint.
  - (c) Any named institution shall provide all information requested by Commission staff as part of the investigation.
  - (d) As part of the investigation process, Commission staff may work with the complainant and the named institution to effectuate a settlement.
  - (e) If there are no findings, the complaint will be closed and the written determination shall include a date by which an aggrieved party may submit a request for further review by the Executive Director as provided for in Rule 1540-01-02-.19(9). Such date shall be ten (10) business days after the date of the written determinations. If no request for review is received, the complaint will be closed.

- (f) If there are findings and proposed recommendations, the following process will be used:
  - 1. Commission staff shall provide in the written determinations and proposed recommendations a date by which either party may respond to the findings or recommendations. Such date shall not be earlier than ten (10) business days after the date of the written determinations.
  - 2. Following review of the responses, if any, Commission staff may:
    - (i) determine that the complaint is closed by providing written notice to the parties. The written notice shall include a date by which an aggrieved party may submit a request for further review by the Executive Director as provided for in Rule 1540-01-02-.19(9);; or
    - (ii) recommend that the Executive Director take some action that is within the scope of the proposed recommendations. Any decision of the Executive Director to take action will be provided to the parties by letter and shall include a date by which an aggrieved party may submit a request for further review by the Commission as provided for in Rule 1540-01-02-.19(9).
    - (iii) Any party to the complaint aggrieved or adversely affected by any final commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.
- (g) Any request for review shall be in writing, signed, and provide a detailed explanation of each alleged error with references to specific statutes or rules. Requests for review shall be received through hand delivery, mail, electronic mail or facsimile. A request may be denied if it is not received in a timely manner.

Authority: T.C.A. §§ 49-7-2005 , 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.08 Filing Methods and Requirements.

- (1) Due dates, denials, deferrals, and withdrawals:
  - (a) For purposes of these rules, application refers to any application or certification.
  - (b) When a due date is provided by Commission staff, a complete application in the prescribed format shall be received at the Commission by the close of business on the due date. Applications received after the due date will be deemed late and will be reviewed after all timely filed applications or certifications are reviewed. For purposes of these rules, applications refer to any applications or certifications.
  - (c) Initial OEA Applications shall be filed in the prescribed format and may be filed at any time. All other OEA Applications shall be filed as provided for in these rules.

Applications and certifications will be reviewed when complete. When received, Commission staff shall determine whether an application is complete and notify the applicant if the application is incomplete. An applicant will have thirty (30) calendar days to complete an incomplete application. Incomplete applications or certifications include applications or certifications submitted without all applicable fees or an attachment. An application that is not completed by the prescribed due date will be withdrawn.

- (d) Denial or withdrawal of an application does not prevent the applicant from submitting a new application.
- (2) Applications shall be filed electronically as prescribed in the application or using DPSA's electronic forms portal.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.09 Fees.

- (1) An institution shall pay a fee of nine thousand dollars (\$9,000) to the Commission when filing an Optional Expedited Authorization Application or Certification of Compliance. Any convenience charge for electronic payments shall equal the amount charged by the vendor.
- (2) If an institution withdraws an application within three (3) business days from receipt, then all fees assessed less the convenience charge for electronic payments shall be refunded. After three (3) business days from filing of the application, all fees are nonrefundable.
- (3) Institutions that fail to complete the application process described in Rule .08 of these rules shall forfeit all fees paid.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, and 2022 Tenn. Pub. Ch. No. 1044.



# PROPOSED RULEMAKING RULES – REDLINED VERSION

## Amendment

### CHAPTER 1540-01-02

## AUTHORIZATION AND REGULATION OF POSTSECONDARY EDUCATION INSTITUTIONS AND THEIR AGENTS

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#### 1540-01-02-.01 Preface.

- (1) The Commission invites continuous, constructive cooperation with institutions, civic organizations, governmental agencies, Better Business Bureaus, students and others to ensure the enforcement and improvement of these standards for better service to all consumers and will work to implement these rules as staffing allows. The observance of these rules is the responsibility of each institution for the inherent advantage to each institution and for the common good of all institutions.

- (2) These rules are complementary to the Tennessee Higher Education Authorization Act of 2016, as amended, at Title 49, Chapter 7, Part 20 (the Act). Institutions and agents must comply with the current language of the Act and these rules.

Authority: T.C.A. §§ 49-7-2002 and 49-7-2005.

1540-01-02-.02 Role of the Commission, Executive Director, ~~Committee~~, and Commission Staff.

- (1) Role of the Tennessee Higher Education Commission (THEC or Commission):
- (a) The Commission at each quarterly meeting shall consider recommendations from the ~~Committee on Postsecondary Educational Institutions and the Division of Postsecondary State Authorization~~ Executive Director and Commission staff regarding authorizations, ~~program approvals~~, and any other matter at the request of the Commission's Executive Director.
- (2) Role of the Tennessee Higher Education Commission Executive Director:
- (a) The Executive Director is empowered to take any urgent action in furtherance of the Act during the periods between Commission meetings, provided that:
1. the Executive Director gives written notice of such action to the affected party;
  2. the Executive Director notifies the affected party that they may notify the Commission within ten (10) business days if the aggrieved party desires a hearing and review by the Commission, and that otherwise the action shall be deemed final; and
  3. at the same time the Executive Director gives written notice of the action to members of the Commission.
- (b) ~~The Executive Director is empowered to review decisions and recommendations of Commission staff as provided for in these rules. Whenever Commission staff cannot resolve a complaint or a dispute involving the Act or these rules, the Executive Director upon a written request from an aggrieved party that in the view of the Executive Director is justifiable will provide a review and/or hearing for parties involved prior to presentation of the unresolved complaint or dispute to the Commission.~~
- (c) On the advice of Commission staff, the Executive Director, in consultation with the Commission Chair, is authorized to waive these rules upon well documented extraordinary cause, where necessary to protect the public interest, and when consistent with the Act. A waiver shall not be effective for more than one (1) year from its effective date.

(d) The Executive Director may exempt ~~a~~an institution, program, or activity from authorization or from compliance with a specific rule if such an exemption can be demonstrated to be in the public interest. Such exemptions should be temporary and narrow in scope ~~and be subject to annual review.~~

(e) The Executive Director is empowered to act in the following matters, subject to a hearing and review by the Commission upon the request of the aggrieved party in the manner provided by T.C.A. § 49-7-~~2010~~2012(b):

1. assess fines under the Act and these rules; and
2. intervene to alter, place conditions on, ~~suspend,~~ or revoke, in full or in part, an institution's ~~or agent's~~ authorization or program registrations, ~~to operate; and~~
3. ~~issue temporary or conditional authorization.~~

~~(f) The Executive Director is empowered to grant provisional initial authorization to an institution seeking initial regular or optional expedited authorization subject to review and ratification by the Commission at a regularly scheduled meeting.~~

~~(g) The Executive Director is empowered to extend authorization time periods of institutions authorized as of July 1, 2022, in order to effectuate the purposes of the Act and these rules. At the Executive Director's direction, Commission staff shall post on the Commission's website notice of authorization extensions and future filing requirements and provide notification of the posting to institutions via email.~~

~~(3) Role of the Committee on Postsecondary Educational Institutions (Committee):~~

~~(a) The Committee shall meet quarterly or at the call of the Chairman of the Committee, at the call of a majority of the Committee members, or at the call of the Chairman of the Commission to serve as an advisory committee to the Commission.~~

~~(b) At meetings, the Committee may take any action delegated to it by the Commission pursuant to T.C.A. § 49-7-207, including, but not limited to, making recommendations on:~~

1. ~~applications for authorization;~~
2. ~~applications for program approvals;~~
3. ~~proposed rules; and~~
4. ~~consideration of such other matters relating to the Act at the request of the Executive Director.~~

~~(c) The Committee and, as needed, other experts appointed by the Executive Director, may participate in institution site visits for purposes of evaluating compliance with the Act and~~

~~these rules;~~

~~(d) The Committee shall exercise such other powers and undertake such other obligations as are delegated to it by the Commission under the provisions of the Act.~~

~~(e) The Chairman of the Committee may appoint subcommittees as needed.~~

(43) Role of the Commission staff:

(a) ~~Beginning October 1, 2016, t~~The office and Commission staff responsible for oversight of the Act and Rule Chapters 1540-01-02 and 1540-01-10 shall be officially referred to as the Tennessee Higher Education Commission, Division of Postsecondary State Authorization (DPSA).

(b) Commission staff ~~and, as needed, other industry representatives or subject matter experts appointed by the Executive Director,~~ shall perform authorization site visits and/or audits to review, inspect, and investigate locations as necessary to ensure compliance with the Act and these rules. ~~Site Authorization site~~ visits or audits may be conducted at the discretion of Commission staff for reasons including, but not limited to, authorization determinations, program ~~approvals,~~registrations, complaints, investigations, compliance checks, or any situation that may adversely affect students or people at the institution.

(c) Commission staff shall investigate as necessary any activity believed to create a physical presence in Tennessee to verify adherence to the Act and these rules or to determine whether an exemption is appropriate.

(d) Commission staff shall establish due dates, as necessary, for submission of all fees, applications, registrations, certifications, or other materials, ~~and other materials to be included on the agenda for meetings of the Committee.~~

(e) Commission staff may share with state or federal agencies information on institutions seeking, holding, or required to be authorized by the Commission as well as any unauthorized educational operations. Commission staff may share with appropriate accrediting bodies any adverse action recommended or taken by Commission staff, the Executive Director, ~~Committee,~~ or Commission.

(f) Commission staff may recommend that the Executive Director take adverse action as described in ~~Rule .22 of~~of the Act or these rules.

Authority: T.C.A. §§ 49-7-2004, ~~and~~ 49-7-2014, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-02-.03 Definitions.

(1) "Ability-to-benefit" or "ATB" as an adjective describes:

(a) a student who has not provided proof of receiving a high school diploma or

equivalency, but who has demonstrated by successfully passing an ability-to-benefit test that the student possesses the cognitive ~~or physical~~ skills needed to benefit from a course or certificate or diploma program; or

- (b) a test given by an authorized institution to determine whether a student possesses the cognitive ~~or physical~~ skills to benefit from a certificate or diploma program.
- (2) "Academic" as an adjective describing a degree means a degree that is organized primarily for academic or professional training or transfer. Academic degrees include: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Business Administration, Bachelor of Science, Bachelor of Fine Arts, Master of Arts, Master of Divinity, Master of Science, Master of Fine Arts, Master of Business Administration, Doctor of Philosophy, Doctor of Psychology, and Doctor of Education.
- (3) "Accreditation" is a non-governmental, peer evaluation of postsecondary educational institutions and programs by private educational associations ~~of regional and national scope~~ that have adopted criteria for educational programs and have developed procedures for evaluating institutions or programs. The date of accreditation is the date applicable to a location and includes approval, recognition, or similar designation of a branch, satellite, instructional or other location descriptor used by an accreditor. These criteria determine whether or not institutions or programs are operating at basic levels of quality. The Commission only recognizes accrediting agencies that are recognized by the U.S. Department of Education.
- ~~(4) "Activities and operations" mean to operate, to grant, to offer, and the prohibited actions described in 49-7-2007.~~
- (45) "Act" means the Tennessee Higher Education Authorization Act of 2016, T.C.A. §§ 49-7-2001, et seq., as amended.
- ~~(56)~~ "Adverse action" means action taken by the Executive Director or Commission to fine, limit, change, suspend, or cause to cease activity that is not compliant with the Act and these rules. Such adverse action includes fines of five hundred dollars (\$500) per violation per day, suspension of activity, conditional authorization or program registration, or revocation of authorization or ~~approval~~ program registration.
- ~~(67)~~ "Agent" means any person representing a postsecondary educational institution for payment, who solicits in any form and enrolls, or seeks to enroll, a student for education offered by an authorized institution, or offers to award educational credentials, for remuneration, on behalf of any such institution. Persons owning an interest in an institution and the institution's full-time employees and directors shall not be considered agents under this part the Act.
- ~~(7) "Agent's permit" means a nontransferable written authorization issued to a person by Commission staff that allows that person to solicit, recruit, or enroll students for education in an authorized postsecondary educational institution.~~

- (8) "Articulation and transfer of credit agreement" means an arrangement between two (2) higher education institutions that is approved and signed by authorized institutional representatives and constructed by faculty in the discipline that (1) equates for transfer of a defined set or block of academic credits that will meet requirements of a specified program at a degree-awarding institution or (2) provides that a specific credential from one (1) institution will meet the admission education requirement for a program leading to a higher credential at a second institution.
- (9) "Associate's degree" means a credential issued to students who complete a vocational or academic program or curriculum consisting of at least sixty (60) semester credit hours, ninety (90) quarter credit hours, or the equivalent.
- (10) "Authorization ~~to operate~~" means approval of ~~the Commission to operate or to contract to operate~~ a postsecondary educational institution by the Commission for the institution to engage in activities or operations otherwise prohibited by in this state as described in T.C.A. § 49-7-2007 ~~(1) – (3) or (5)~~. Authorization ~~to operate~~ is for a specified time at a specified location. Institutions shall not use ~~an~~ authorization ~~to operate~~ to connote greater approval than simple permission to ~~operate~~ engage in allowed activities or operations. Terms which may not be used include, but are not limited to, "accredited by," "supervised by," "endorsed by," and "recommended by the Commission."
- (11) "Authorization site visit" means visit to a location ~~an institutional site visit conducted~~ by Commission staff or ~~a Committee member other industry representatives or subject matter experts~~ to verify, review, inspect, or investigate as necessary to ensure a location or program is compliant with the Act and these rules.
- (12) "Bachelor's degree" means a credential issued to students who complete a vocational or academic program or curriculum consisting of at least one hundred and twenty (120) semester credit hours, one hundred and eighty (180) quarter hours, or the equivalent.
- (13) "Certificate program" generally means one (1) or more technical courses usually completed in one (1) to twenty-six (26) weeks, or up to and including five hundred (500) contact hours normally with a single skill objective. A program name or certificate credential should not include terms such as "certified," "registered," or "licensed" unless the postsecondary educational institution is recognized by a subject matter expert state or federal agency, board, or commission to award such a credential or recognized by a private company where the curriculum or product of the company is being taught, for example, Microsoft certifications.
- (14) "Clock Hour" has the same meaning as contact hour.
- (15) "Closed enrollment" means instruction provided to a group or business by a postsecondary educational institution, whereby public solicitation does not occur and the institution is given a list of enrollees to train at no cost to the students.
- (16) "College" means (1) a unit of a university offering specialized degrees or (2) a postsecondary educational institution offering courses of study leading to a degree.

(17) "Commission" means the Tennessee Higher Education Commission.

~~(18) "Committee" means the Committee on Postsecondary Educational Institutions.~~

~~(1918)~~ "Completion rate" shall have the same meaning as "graduation rate," and shall mean the number of completions as a percentage of the number of students not currently enrolled minus the number of withdrawals due to special circumstances, that is, Completion Rate = Number of Completions/(Number Not Currently Enrolled - Special Circumstance Withdrawals) × 100.

~~(2019)~~ "Contact hour" means a sixty (60) minute period of time that contains at least fifty (50) minutes of actual directed or supervised instructional time.

~~(2120)~~ "Degree" means an educational credential from a postsecondary educational institution with the term associate, bachelor's, master's, specialist, or doctor in the credential designation.

~~(22) "Degree-granting postsecondary educational institution" includes institutions offering education or training above the high school level and where the institution awards degrees, such as associate, bachelors, masters, specialist, or doctoral degrees.~~

~~(2321)~~ "Diploma program" means a program of instruction offering technical and some basic course work. General education courses may be included. Program requirements generally range from more than five hundred (500) contact hours to less than the requirements for an Associate degree.

~~(2422)~~ "Distance learning" means a system and process that connects learners with distributed learning resources through delivery systems at a distance such as correspondence, video tape, audio tape, telecommunications, computer resources, computer network system or an electronic delivery system, where there is physical separation of the instructor and student.

~~(2523)~~ "Division of Postsecondary State Authorization" or "DPSA" means the office and Commission staff responsible for oversight of the Act and Rule Chapters 1540-01-02 and 1540-01-10.

~~(2624)~~ "Doctoral degree" means a credential issued to students who complete a program consisting of a bachelor's degree plus at least ninety (90) semester hours of graduate credit, one hundred and thirty-five (135) quarter hours of graduate credit, or the equivalent.

~~(2725)~~ "Enrollment" or "Enrolled" refers to those students who have attended one (1) session of class, turned in one (1) assignment, or received one (1) distance learning lesson.

~~(2826)~~ "Educational credentials" means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers or words which signify, purport or are generally taken to signify enrollment, attendance, progress or satisfactory completion of the requirements or prerequisites for education at a postsecondary educational institution.

- (2927) "Educational service" means any class, course or program of training, instruction or study.
- (3028) "Federal student financial aid programs" means any of the various loans or grants offered to students, parents, or institutions through Title IV of the Higher Education Opportunity Act, as amended.
- (29) "Field Trip" means a congregation of students and instructors at a location in Tennessee for instruction in the subject of enrollment for not more than three (3) calendar days. Such field trips may not occur more than three (3) times a year in the same program.
- (3130) "General education courses" means a category of academic subjects that students are required to take prior to graduation outside of their major area of study or vocational concentration. These subjects are intended to broaden students' intellectual growth and cover topics including humanities, communication/language skills, social science, science, and quantitative and ethical reasoning.~~academic subjects intended to broaden communication/language skills, contribute to the intellectual growth of the student and give balance to the total program beyond the area of vocational or professional concentration.~~
- (3231) "Independent certified public accountant" means a certified public accountant not associated with the institution, its owners, or its affiliated businesses.
- (3332) "In-field placement rate" means the Number Placed In-Field as a percentage of number placeable, that is, In-Field Placement Rate = Number Placed In-Field/Number Placeable × 100.
- (3433) "Institutional director" means the individual designated by the institution to assume responsibility for ensuring that the conduct of the institution and its agents are within the Act and these rules.
- (3534) "License" or "Licensure" includes similar terms, such as registration and certification, and means a designation from a subject matter expert state agency, board, or commission indicating that the recipient has met certain requirements for obtaining the designation, for example, a licensed massage therapist or educator.
- (3635) "Location" means an address that may be used for purposes of a postsecondary educational institution in compliance with all pertinent ordinances and laws, including any rules and regulations adopted pursuant to the ordinances and laws, relative to zoning and the safety and health of persons at the address is zoned for commercial purposes for use as a postsecondary educational institution. When physical presence activities or operations are not the result of instruction at a postsecondary educational institution location as determined by the Commission staff, such as supervised field experiences or similar activities or operations, then the postsecondary educational institution location from which the educational credential is awarded must be the authorized location.
- (3736) "Master's degree" means a credential issued to students who complete a program consisting of a bachelor's degree plus at least thirty (30) semester credit hours, forty-five (45) quarter credit hours, or the equivalent.



~~(38)~~ "Non-degree-granting postsecondary educational institution" includes all postsecondary educational institutions that do not meet the definition of a degree-granting postsecondary educational institution. Non-degree-granting postsecondary institutions are frequently referred to as "career," "vocational," or "technical" schools. Non-degree-granting postsecondary educational institutions are institutions offering programs designed primarily for job entry or upgrading of skills and usually measured in contact hours. These programs typically prepare individuals for employment and do not require courses beyond those specific to the job or its field with program length sufficient to affect outcomes.

~~(3937)~~ "Other fees" means fees, other than tuition, paid to the institution for housing, meals, or transportation or fees paid to the institution or third parties for products or services, including, but not limited to, fees paid for tangible goods, laboratory fees, technology fees, student activity fees, or graduation fees. Other fees may include, at the institution's discretion, optional fees, including post-program completion testing fees, if collected by the institution on behalf of a student.~~paid to the institution or third parties for products or services, including, but not limited to, fees paid for tangible goods, laboratory fees, technology fees, student activity fees, graduation fees, or fees paid for housing, meals, or transportation.~~

~~(4038)~~ "Out-of-state institution" means an authorized postsecondary educational institution that maintains its primary campus in another state, but has a physical presence in Tennessee.

~~(4139)~~ "Ownership" and "Owner" mean: s ownership of a controlling interest in the institution or in the event the institution is owned or controlled by a corporation or other legal entity other than a natural person or persons, ownership of a controlling interest in the legal entity owning or controlling the institution.

(a) the individual, if the postsecondary educational institution is a sole proprietorship;

(b) all partners, whether full, silent, or limited, if the postsecondary educational institution is a partnership;

(c) all individuals and entities with an interest in the for-profit corporation or other for-profit legal entity, if the postsecondary educational institution is a for-profit corporation or other for-profit legal entity; or

(d) the executive committee of the governing board, if the postsecondary educational institution is a not-for-profit or nonprofit entity.

~~(4240)~~ "Physical presence" means presence within the state of Tennessee for the purpose of conducting activity related to a postsecondary educational institution as given in T.C.A. § 49-7-2007. Physical presence as further outlined for purposes of authorization shall include but not be limited to:

(a) operating an instructional site location within the state;

- (b) offering instruction within or originating from Tennessee designed to impart knowledge with response utilizing teachers, trainers, counselors or computer resources, computer linking, or any form of electronic means;
- (c) granting an educational credential from a location within the state;
- (d) using an agent, recruiter, institution, or business that solicits for enrollment or credits or for the award of an educational credential; or
- (e) advertising, disseminating promotional material or conducting public solicitation in any form that targets Tennessee residents or uses local advertising markets in the state for institutions seeking, holding, or required to be authorized by the Commission.

Physical presence does not include field trips, sanctioned sports recruiting activities, or college fairs or other assemblies of institutions in Tennessee. As to college fairs or assemblies and institution may not enroll an individual, allow an individual to sign any agreement obligating the person to the institution, accept any moneys from the individual, or follow-up with an individual by means of an in-person meeting in Tennessee.

(4341) "Placement rate" means the number placed as a percentage of the number placeable, that is, Placement Rate = Number Placed/Number Placeable × 100.

(4442) "Postsecondary educational institution" includes, but is not limited to, ~~an academic, vocational, technical, online/distance learning, business, professional, or other~~ school, college, ~~or~~ university, or other ~~type of entity organization or person~~, offering educational credentials, ~~or offering instruction, or educational services, or other activities as described in T.C.A. § 49-7-2007,~~ primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for ~~the~~ attainment of educational, professional, or vocational objectives. The terms "campus," "location," "postsecondary educational institution," and "institution" may be used interchangeably such that determinations made pursuant to the Act and these rules are made in regard to the specific location.

(4143) "Primarily located" means:

- (a) if accredited, the state recognized by the accreditor as the state in which the main campus or similarly designated campus is located;
- (b) If unaccredited, the state where the main administrative or corporate office is located.

(4244) "Principal party" means an owner, executive board member, or institutional director.

(4345) "Prospective student" means a student who has been accepted for attendance at an institution but who is not enrolled as defined in subparagraph (25) of this rule.

- (4546) "Quarter" is a period of instruction into which the academic year is divided. A quarter must consist of at least ten (10) weeks.
- (464547) "Quarter credit hour" means a measurement of scholastic attainment earned by receipt of instruction for one (1) quarter of one (1) classroom lecture hour per week, two (2) hours of laboratory experience per week, or three (3) hours of intern/externship experience per week, or the equivalent number of hours.
- (4748) "Refundable fees" means any fees charged by an institution to the student for a period of enrollment paid by or on behalf of the student to the institution but excluding fees paid for (1) tangible goods retained by the student or (2) services provided in full to the student.
- (4849) "Residential course" means a course in which the student comes to an institution's authorized location as opposed to a course where the student and the instructor are in different locations.
- (4950) "Semester" is a period of instruction into which the academic year is divided. A semester must consist of at least fifteen (15) weeks.
- (5051) "Semester credit hour" means a measurement of scholastic attainment earned by receipt of instruction during one (1) semester of one (1) classroom lecture hour per week, two (2) hours of laboratory experience per week, or three (3) hours of intern/externship experience per week or the equivalent number of hours.
- (5152) "Solicitation" means contact, written or verbal, on behalf of an institution for the purpose of supplying information in an attempt to enroll Tennessee residents.
- (5253) "Specialist Degree" means an advanced master's degree or post-master's degree with requirements less than those required for a doctoral degree.
- (5254) "Supervised field experiences" means a student learning experience comprised primarily of the practical application of previously studied theories and skills, under the oversight of a supervisor, mentor, faculty member or other qualified professional who has a direct or indirect reporting responsibility to the institution where the student is enrolled, whether or not credit is granted. The supervised field experience is part of a program of study offered by the enrolling institution. Examples include, but are not limited to, practica, student teaching, clinical placements, or internships.
- (5355) "These rules" means all rules contained in Rule Chapter 1540-01-02.
- (5456) "Time to completion" means the total number of days from a student's start date until the completion date.
- (5557) "Tuition" means any fee involving the student, actually charged or tracked as a bookkeeping item for instruction provided. Pursuant to Rule .15(4) of these rules, all tuition charges must clearly indicate the period of enrollment for which the student is being charged, for example, if the program is a four (4) month program but the tuition charged is for one (1) month, the

account statement might read "Tuition Charged for Month 1."

- (5658) "Tuition guaranty fund" means the tuition guaranty fund created by T.C.A. § 49-7-2018 and the related rules in Rule Chapter 1710-01-02.
- (5759) "Unearned tuition" means the dollar amount calculated pursuant to T.C.A. § 49-7-2018 and the related rules in Rule Chapter 1710-01-02.
- (5860) "University" means a postsecondary educational institution that provides facilities for teaching and research, offers academic undergraduate and graduate degrees at the baccalaureate and higher level, and is organized into largely independent colleges or schools offering undergraduate, graduate, and/or professional programs.
- (5961) "Vocational" in the description of a program or institution means that which is organized primarily for job entry or upgrading of job skills that would result in a new job title or position and is not intended for academic transfer.
- (6062) "Withdrawal rate" means the number of withdrawals minus the number of withdrawals due to special circumstances as a percentage of program enrollment, that is,  $\text{Withdrawal Rate} = (\text{Number of Withdrawals} - \text{Special Circumstance Withdrawals}) / \text{Program Enrollment} \times 100$ .

Authority: T.C.A. §§ 49-7-2003 and 49-7-2005.

#### 1540-01-02-.04 Determination for Required Authorization.

- (1) No ~~location of a~~ postsecondary educational institution may create a physical presence unless the location is authorized by an affirmative vote of the Commission during a public meeting, is awarded provisional initial authorization, or is exempt. Authorization includes regular, ~~temporary provisional~~, and conditional authorization referred to in this Rule Chapter as well as optional expedited authorization referred to in Rule Chapter 1540-01-10.
- (2) Commission staff may recommend that the Executive Director take adverse action against any unauthorized ~~individual, business, or institutions~~ school, college, university, or other type entity requiring authorization as a postsecondary educational institution. Such entities must make an immediate good faith effort toward compliance by submitting an Initial Authorization Application or Optional Expedited Authorization Application, as provided in Rule Chapter 1540-01-10, and the applicable fee by the due date provided by Commission staff.

Authority: T.C.A. §§ 49-7-2002, 49-7-2003, 49-7-2005, 49-7-2006, 49-7-2011, 49-7-2022, and 49-7-2023, and 2022 Tenn. Pub. Ch. No. 1044.

#### 1540-01-02-.05 Exemptions.

- (1) T.C.A. § 49-7-2004 of the Act includes general descriptions of institutions and programs that are exempt from the provisions of the Act and these rules. Institutions and programs meeting the specific provisions below shall be considered exempt pursuant to the general

exemption descriptions of T.C.A. § 49-7-2004.

- (a) Subject to subparagraph (b) of this rule, education that is:
1. ~~maintained or given by or on behalf of an employer or group of employers on a no-fee basis to employees or to persons they anticipate employing; maintained or given by an employer or group of employers, for employees or for persons they anticipate employing at no cost to the individual;~~
  2. ~~maintained or given by a labor organization recognized by either the U.S. Department of Labor or the state (1) to its membership or apprentices or (2) on a no-fee basis to the individual; maintained or given by a U.S. Department of Labor or state recognized labor organization (1) to its membership or apprentices or (2) at no cost to the individual;~~
  3. financed and/or subsidized by public funds, at no cost to the individual, and having a closed enrollment;
  4. given under a contract agreement, having a closed enrollment, ~~on a no-fee basis~~ ~~at no cost~~ to the individual, and ~~does not offer~~ ~~not offering~~ educational credentials that in the opinion of Commission staff are specifically directed toward new or additional vocational, professional, or academic goals; or
  5. given to a closed network of franchise owners and their employees ~~at no cost~~ ~~on a no-fee basis~~ to employees through a franchisor that does not advertise or provide its training to the general public and wherein such training is not the primary business of the franchisor.
- (b) For purposes of subparagraph (a) of this rule, ~~and T.C.A. § 49-7-2004(a)(2), any tuition charges, other fee charges,~~ payroll deductions, minimum employment periods as a result of a company's investment in the employee, fees levied if an individual leaves that employment, or similar practices shall constitute ~~cost a fee~~ to the individual, except that the employer may accept funds provided through a state or federal program that provides adequate institutional and/or programmatic review as determined by Commission staff.
- (c) Programs, seminars, or workshops that are recreational or avocational, including, but not limited to, motivational or enrichment programs, as determined by Commission staff shall be considered exempt from ~~authorization registration~~ requirements. Upon review by Commission staff, a provider that presents the instruction in such a way as to suggest a vocational end may be required to become authorized or clarify through public advertising that the program, seminar, or workshop is in fact recreational or avocational.
- (d) Short-term programs, seminars, or workshops that are solely for professional enhancement as determined by Commission staff shall be considered exempt from ~~authorization registration~~ requirements. Education resulting in specialized certifications clearly used to denote technical, professional, or vocational proficiency

toward an additional vocational goal or new job title must be authorized for operation.

- (e) Intensive review courses of instruction previously received by students that are designed solely to prepare students for graduate or professional school entrance exams and professional licensure exams shall be considered exempt from authorization-registration requirements. This exemption applies only when the review course is not designed to provide the initial training in the subject area.
  - (f) Training designed to prepare students for credit-by-examination tests may be considered exempt from authorization-registration requirements. The exemption is contingent on the entity's agreement to indicate in all promotional materials that the training is for test preparation for credit-by-examination tests and refrain from any misleading representations. Such misleading representations include:
    - 1. suggesting in any way that the training results in receipt of an educational credential, such as a degree;
    - 2. listing anticipated salary amounts; and
    - 3. suggesting that the entity is accredited.
  - (g) Businesses offering limited computer training in hardware, software, delivery systems or any related technology for clients or customers directly related to a sale of equipment or services are exempt from the provisions of authorization.
  - (h) Businesses offering short-term computer courses in common software or basic computer hardware that is intended for enrichment or professional enhancement are exempt from the provisions of authorization unless in the opinion of Commission staff the courses are offered concurrently toward a vocational goal.
- (2) Any institution or program that qualifies as exempt under the Act and these rules is exempt from authorization or registration without a determination of the Commission. However, institutions can request that Commission staff issue a written determination of exemption as provided for in Rule .07 of these rules for the institution as a whole or for any program. Commission staff can revoke or amend an exemption determination if the basis for the exemption changes or no longer exists.
- ~~(3) Except as provided in paragraph (4) of this rule, to request a determination of exemption, institutions shall submit an Exemption Application along with a descriptive narrative explaining how the institution or program qualifies for an exemption. The application shall require a citation to the exemption provision relied on in the Act and these rules and documentation supporting the requested exemption such as: copies of all institutional materials; brochures; advertising; state charter or business license; or organizational ties and/or contracts with other educational providers. Upon receipt of an Exemption Application, Commission staff shall make a written determination and, if denied, provide a date by which an aggrieved institution may submit a request for further review by the~~

~~Executive Director. Such date shall not be earlier than ten (10) business days after the date of the written determination.~~

- ~~(4) Institutions that are exempt pursuant to T.C.A. § 49-7-2004(a)(6) shall submit the Information Request Form in order to obtain a determination of exemption.~~
- ~~(5) If the institution is aggrieved by a determination concerning exemption status, the institution may seek review as provided for in Rule .02(2)(b) of these rules. Any request for review shall be in writing, signed, list each instance where Commission staff erred, and provide a detailed explanation of each alleged error with references to specific statutes or rules. Requests for review shall be received through hand delivery, mail, electronic mail or facsimile. A request may be denied if it is not received in a timely manner as set forth in paragraph (3) of this rule.~~

Authority: T.C.A. §§ 49-7-2002, 49-7-2003, 49-7-2004, 49-7-2005, 49-7-2006 and 49-7-2008.

1540-01-02-.06 Minimum Standards for Authorization.

- (1) Institutions authorized to operate or seeking authorization ~~to operate~~ in Tennessee must meet the minimum standards for authorization stated in the Act and these rules. Commission staff shall verify that an institution meets minimum standards for authorization through review of applications, registration requests, and certifications, including, but not limited to, Initial Authorization Applications, New Program Applications, Program Revision Notification, School Personnel Applications, and Reauthorization Applications.
- (2) No out-of-state institution will be considered for authorization if it is not authorized or exempt from authorization in the state where it is primarily located.
- (3) In relation to the size and scope of the institution, it shall furnish adequate student services and resources to fulfill the mission and claims of the institution. Such services must have staff available to students with the knowledge and skills in areas such as: academic standing and satisfactory progress, admissions, employment opportunities or placement, intern/externships, library, and financial aid.
- (4) Administrative capability must be demonstrated in the daily operational standards at the institution. Administrative capability is the ongoing effective operation of the institution such that the institution is able to comply with and, as applicable, coordinate federal, state and accreditation requirements in a positive and educationally enriching environment to the benefit of students. Indicators of a breakdown-lack of administrative capability include: reoccurring violations in the same area, numerous student complaints during the year, failure to correct compliance issues, frequent or sudden turnover in faculty or staff, instances where a principal party has been or is involved with a postsecondary educational institution that ceased or ceases operation resulting in a loss of time or money for enrollees or prospective students or that had or has its institutional authorization to operate in a state revoked, or multiple findings in several different areas.
- (5) Institution Name:

- (a) An institution's name may not duplicate another institution name or mislead potential students in violation of fair consumer practices or suggest guaranteed employment, completion, or other outcomes.
- (b) An institution may not use the word "university" in its name unless the institution meets the definition of university in these rules ~~and is accredited, and has been so approved by a regional accrediting body so recognized by the U.S. Department of Education.~~
- (c) An institution may use the word "college" in its name without a qualifier if the institution:
  - 1. meets the definition of college as set forth in the Act and these rules;
  - 2. has been approved by an accrediting body recognized by the U.S. Department of Education to offer degree level programs; and
  - 3. offers or is seeking approval to offer at least one (1) degree program.
- (d) An unaccredited or non-degree granting postsecondary educational institution may use the word "college" in its name as long as the institution meets the definition of college as provided for in the Act and these rules and the name contains an appropriate qualifier, such as career, vocational, or Bible. For institutions authorized after October 1, 2016, the qualifier shall precede the word college.

(6) In the event that an institution seeks authorization and Commission staff is aware of an outstanding complaint against the institution, the institution must resolve the complaint to the satisfaction of Commission staff before an Initial Authorization Application will be reviewed.

Authority: T.C.A. §§ 49-7-2002, 49-7-2004, 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008.

1540-01-02-.07 Institutional Applications, Requests, and Certifications of Compliance.

- (1) Application d~~Due dates, denials, and deferrals~~withdrawals, and review:
  - (a) ~~For purposes of these rules, application refers to any application, request, or certification. For each quarterly meeting of the Committee, Commission staff shall establish a due date that is no more than ninety (90) days before the date of the meeting. Unless stated by Commission staff, the established due date shall apply to Initial Authorization Applications, New Program Applications, and Reauthorization Applications.~~
  - (b) When a due date is provided by Commission staff, a complete application in the prescribed format~~Applications~~ shall be received at the Commission ~~on by the close of business on~~ the due date. Applications received after ~~that the due~~ the due date will be



deemed late, will be reviewed after all timely filed applications are reviewed, and may be subject to a late fee and may be deferred to the next due date.

- (c) Initial Authorization Applications and Program Registration Requests shall be filed in the prescribed format and may be filed at any time. All other applications shall be filed as provided for in these rules. Applications will be reviewed when complete.
- (bd) When received, Commission staff shall determine whether an application is complete and notify the applicant if the application is incomplete. An applicant will have thirty (30) calendar days to complete an incomplete application. Incomplete applications include applications submitted without all applicable fees or in a format other than the prescribed format and applications missing a required attachment. An application submitted without the appropriate fee will be considered incomplete and will not be reviewed until all applicable fees are received. In any event, Commission staff may defer the application to the next due date. An application that is not completed by the prescribed due date will be deemed withdrawn.
- (ce) Denial or withdrawal of an application does not prevent the applicant from submitting a new application. Further, an incomplete application is an application that is missing any information or contains noncompliant information. Commission staff may defer consideration of the application to the next due date.
- (cf) When an application is before Commission staff for consideration, Commission staff will provide the applicant written notice of its final determination. If, upon written notification of any action taken by Commission Staff, an aggrieved applicant desires a review by the Executive Director, the applicant shall notify the Executive Director within ten (10) business days of the date of the action of the Commission staff, otherwise the action of Commission staff shall be deemed final and no further review available. Any request for review by the Executive Director shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner. If an application is deferred, the institution shall have until the next established due date to complete the application.
- (cg) If, upon written notification of any action taken by the Executive Director, an aggrieved applicant desires a hearing and review by the Commission, pursuant to T.C.A. § 49-7-2012, the applicant shall notify the Commission within ten (10) business days of the date of the action of the Executive Director, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review by the Commission shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner. An application can be deferred either by the institution or Commission staff a total of two (2) times. After the second deferral, the application will be deemed withdrawn if the institution does not submit a completed application by the next due date.

(h) Any person, agent, group or entity aggrieved or adversely affected by any final Commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.

(2) Initial Authorization Application:

(a) Institutions must demonstrate through the Initial Authorization Application that the institution meets minimum standards for authorization as provided for in the Act and these rules. The application shall require at a minimum:

1. a name of the institution that complies with the Act and Rule .06(5) of these rules;
2. evidence of a business account with a financial institution that is federally insured in said institution's name;
3. a description of the ownership of the institution, including names and contact information for owners or board of director members, percentage of ownership, and, when applicable, a corporate flowchart or tree showing the institution's position in relationship to all affiliated corporate-legal entities;
4. the address and general description of facilities such that a determination can be made that the institution has adequate space, equipment, and instructional material to provide education consistent with the objectives of the course or program of study of good quality;
5. evidence demonstrating that the location meets the definition of location as provided for in these rules is commercially zoned and that possession of the location is stable such that the institution will be able to use the location for a minimum of one (1) year from the date of application. Month-to-month leases are not acceptable;
6. qualifications for instructional staff and supervisors administrative personnel;
7. designation of and contact information for an institutional director for each location and an affirmation from the director that he or she the director will conduct the institution in accordance with the Act and these rules;
8. a description of any administrative structure above the institutional director with the signature of the official that will notify the Commission if the director is replaced;
9. a continuous institutional surety bond;
10. a copy of the enrollment agreement the institution will use following receipt of authorization;

11. a copy of the pre-enrollment checklist the institution will use following receipt of authorization;
12. a copy of the institutional catalog the institution will use following receipt of authorization;
13. a copy of the student transfer of credit disclosure statement required by T.C.A. § 49-7-144 the institution will use following receipt of authorization;
14. any specific requirements as outlined under Rule .08 of these rules;
15. affirmation that the institution is maintained and operated in compliance with all pertinent ordinances and laws, including, but not limited to, rules and regulations adopted pursuant to ordinances and laws relative to the safety and health of all persons upon the premises;
16. if participating in Title IV federal student financial aid programs, the institution must meet financial standards and institutional stability deemed acceptable for eligibility in Title IV federal student financial aid programs and provide the following:
  - (i) the institution's Office of Postsecondary Education Identification (OPEID) number;
  - ~~(ii) the most recently calculated three (3)-year official cohort default rate from the Office of Federal Student Aid of the U.S. Department of Education; and~~
  - ~~(iii) documentation from Federal Student Aid Office of the U.S. Department of Education listing the institution's federal financial composite score as described in 34 C.F.R. § 668.172; and documentation demonstrating that the institution is currently maintaining financial standards and institutional stability deemed acceptable for eligibility in Title IV federal student financial aid programs. Documentation shall include at a minimum:~~
    - ~~(l) the most recent independent audit completed, in part, for purposes of calculating the institution's federal financial composite score as described in 34 C.F.R. § 668.172; and~~
  - ~~(iii)~~ any correspondence issued in the past twenty-four (24) months from the Federal Student Aid Office of the U.S. Department of Education concerning eligibility for financial aid, including, but not limited to, ~~financial ratios,~~ a letter of credit alternative, or a provisional certification alternative as well as any related correspondence from the institution;

17. provide financial statements as follows:

(i) as to institutions that are not currently operating a location,

- (I) a year-to-date balance sheet prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers that demonstrates resources adequate to fund facilities maintenance and overhead, staff and faculty payroll, books, supplies or equipment utilized by students, and general operating costs for a minimum of ~~ninety (90) days~~ ninety (90) calendar days and
- (II) pro forma income statements prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers demonstrating that the location for which authorization is being sought will within the first three (3) years following receipt of initial authorization meet the ratios described in Rule .14(~~65~~)(e) of these rules; or

(ii) as to institutions that are operating a location,

- (I) current financial statement prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers with a balance sheet that demonstrates resources adequate to fund facilities maintenance and overhead, staff and faculty payroll, books, supplies or equipment utilized by students, and general operating costs for a minimum of ninety (90) calendar days and
- (II) pro forma income statements prepared by a certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers demonstrating that the location for which authorization is being sought will within the first three (3) years following receipt of initial authorization meet the ratios described in Rule .14(~~65~~)(e) of these rules and financial statements of all owners; and

18. such other information, ~~or~~ clarification, or training deemed necessary by Commission staff.

(b) A separate application for authorization must be made for each location located outside of reasonable walking distance from a previously authorized location. Commission staff may make reasonable exceptions for narrow purpose, highly

structured programs at multiple locations where administrative requirements are limited and precise.

- (c) Initial Authorization may be granted for up to four (4) years, unless otherwise determined by the Executive Director or the Commission. Institutions with a four (4) year initial authorization term shall submit Certifications of Compliance as provided for in these rules in years one (1), two (2), and three (3) and a Reauthorization Application as provided for in these rules in year four (4).
- (d) Commission staff will review an Initial Authorization Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, recommend that the Executive Director grant the institution provisional initial authorization as further explained at Rule .21 of these rules. Provisional initial authorization shall list any limitations as to time, procedures, functions, or other conditions as deemed necessary and be subject to review and ratification by the Commission.
- (e) The Commission is not required to authorize an institution, if, in its judgment:
  - 1. the institution is noncompliant with the Act or these rules;
  - 2. adequate provisions for the institution or its programs exist within the proposed service area;
  - 3. if there is insufficient evidence that adequate employment opportunities exist in the related occupations for persons successfully completing the institution's programs; or
  - 4. if the costs of a program are unreasonable in relation to the reasonably expected earnings in occupations for which the program is designed.
- (f) In the event that the Initial Authorization Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied.

(3) Reauthorization Application:

- (a) Effective January 1, 2018, institutions with regular, temporary, or conditional authorization shall file a reauthorization application by the a due date to be established by Commission staff and posted on the Commission's website. for the Committee meeting that is approximately one (1) year from the institution's initial authorization date. In order to efficiently transition to this process in 2017, Commission staff will post on its website by October 3, 2016, a schedule for institutions to follow in 2017 to obtain reauthorization prior to the current authorization expiration date of June 30, 2017. If necessary to effectuate the

~~transition, the Executive Director may extend an institution's authorization.~~

- (b) ~~The Reauthorization Application constitutes a self-study through which Institutions~~ institutions must demonstrate ~~through the Reauthorization Application~~ that the institution continues to meet the minimum standards for authorization as provided for in the Act and these rules. The application ~~shall~~ may require at a minimum:
1. updates to information previously submitted as part of other applications;
  2. information related to required student enrollment documentation, such as enrollment agreements and disclosures;
  3. financial statements as described at Rule .14(4) of these rules; for the most recent institutional fiscal year as given under Rule .14 of these rules;
  4. a list of institutional personnel;
  5. funding data for students enrolled during the reporting year, including, but not limited to, the amount of self-pay and state or federal aid program funds;
  6. student data related to licensure examination passage rates as further explained in Rule .08(4) of these rules;
  7. affirmation of the requirement to submit statistical data as described in Rule .27-18 of these rules; and
  8. such other information or clarification deemed necessary by Commission staff.

~~(c) Commission staff will review a Reauthorization Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, grant reauthorization for four (4) years, unless a shorter term is determined to be appropriate by the Executive Director or Commission. In the event that the Reauthorization Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff will recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.~~

(4) Change of Ownership Application:

- (a) ~~Authorization must be issued to the owner or governing body of the applicant institution and is nontransferable. Authorization to operate cannot be transferred.~~

- ~~(b) The sale or transfer of an ownership interest after the death of an owner of an institution to either an approved partner or current stockholder of the corporation is not considered a change in ownership. The Executive Director may determine that other similar transfers should also be excluded from these requirements.~~
- ~~(c) A change of ownership occurs when a transaction results in the controlling interest in the postsecondary educational institution changing from an authorized owner to an unauthorized owner. In the event of a change of ownership, as defined in Rule .03(41) of these rules, the new owner or governing body must submit to Commission staff within ~~ten-five (105)~~ business days after the change in ownership is finalized:~~
1. a Change of Ownership Application and
  2. a request that the Executive Director grant the new owner or governing body conditional authorization ~~to operate~~ until the new owner or governing body obtains ~~temporary provisional initial~~ authorization.
- ~~(d) No later than thirty (30) calendar days after the grant of conditional authorization, The the new owner or governing body shall submit an Initial Authorization Application and related applications or an Optional Expedited Authorization Application as provided for in Rule Chapter 1540-01-10, by the first quarterly filing due date after filing the Change of Ownership Application.~~
- ~~(e) The Change of Ownership Application shall require that the new owner or governing body provide the sales contract, bill of sale, deed, or other documents necessary to transfer ownership of the institution.~~
- ~~(e) Commission staff will review a Change of Ownership Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, grant the change of ownership and recommend that the Executive Director grant conditional authorization. In the event that the Change of Ownership Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied and the closure process described in Rule .23(b) of these rules will commence.~~
- (5) ~~New Program Application and Program Revision Notification~~ Program Registration Request:
- (a) In order to offer a program, an institution must submit a ~~New Program Application Registration Request~~ either along with an Initial Authorization Application or, for previously authorized institutions, as a stand-alone application. Program ~~approval registration by the Commission~~ is required prior to offering the program, which includes enrolling, advertising, recruiting or soliciting. ~~Program Registration Requests shall be filed in the prescribed format and may be filed at any time. Applications must be received by the quarterly due date established by Commission staff.~~

- (b) The ~~New Program Application Registration Requests shall~~ may include at a minimum:
1. general program information, such as the program name, proposed start date, anticipated initial enrollment, itemized tuition and other fees, delivery mode, length, number of credits or contact hours, and accreditation status. ~~When program lengths exceed standard times or program periods established by these rules, the institution must justify expansion of training in terms of exceptional student benefits;~~
  2. designation of ~~the a~~ credential that is defined in Rule .03, such as certificate, diploma or bachelor's degree that awarded which conforms to the requirement that no institution may offer ~~instruction leading to~~ an academic degree program unless the institution is ~~accredited~~ approved by a regional accrediting body recognized by the U.S. Department of Education. An exception may be approved by the Executive Director upon recommendation of Commission staff. Any request for exception shall be made in writing and include proof of the following:
    - (i) ~~the institution is accredited by an U.S. Department of Education approved accreditor for the specific degree type; the program is accredited by the appropriate accrediting agency if such accreditation is necessary for employment in or licensure by the state; and the institution has articulation and transfer of credit agreements with two (2) regionally accredited institutions both having a physical location in the Southeast region; or~~
    - (ii) ~~special or unique circumstances;~~
  3. if applicable, evidence of approval from any subject matter expert state agency, board, or commission;
  4. a program overview;
  5. ~~syllabi for courses or, for short programs, an outline and description of the training;~~
  65. a job title and the associated Classification of Institutional Programs (CIP) code applicable to the job title;
  76. the most currently available entry level salary or wage data and job outlook projections for those CIP codes from a Tennessee or federal website;
  87. admission criteria confirmation and, if necessary, an explanation;
  98. instructor qualifications ~~and, when applicable, School Personnel Applications;~~



- ~~10.~~ library holdings and in-house resources available to students related to the program;
- ~~11.~~ a list of training equipment, indicating whether the equipment is owned or leased;
- ~~12.~~ a description of how this program is consistent with the institution's mission;
- ~~13.~~ a description of how the institution is structured (administration, staff and resources) to ensure educational quality;
- 1410. if applicable, a list of all clinical or externships sites with which the institution has an executed agreement; ~~with a copy of an affiliation agreement with each site;~~
- 1511. ~~if applicable, the~~The maximum pupil to teacher ratio for each course that does not exceed the below acceptable ratios. ~~Acceptable ratios, without special permission from the Commission, are as follows:~~
  - ~~(i)~~ lecture: 40-1;
  - ~~(ii)~~ allied health ~~and nursing~~ labs or clinicals with no subject matter agency oversight: 20-1;
  - ~~(iii)~~ class A truck cab: 4:1; and
  - ~~(iv)~~ class B truck cab: 2:1;
- 1612. if applicable, distance learning specific information, such as:
  - (i) a mock password so that Commission staff can navigate through the online system used for instruction and;
  - (ii) an explanation as to how educational goals and overall program goals are achievable through distance learning; and
  - ~~(iii)~~ ~~an explanation as to how graduates of the program will exhibit skills and knowledge equivalent to similar residential programs; and~~
- 1713. such other information or clarification deemed necessary by Commission staff.

(c) An institution revises a program when it changes any element of a program that has been approved by registered with the Commission ~~or Commission staff~~, for example, the name of the program, tuition, credit or contact hours, mandatory other fees, length, or delivery mode ~~and curriculum~~, or when it changes the status of the

program, for example, inactivates or discontinues the program. Institutions may revise programs as follows:

2. When an institution revises ~~an approved~~ a registered program, by more than twenty-five percent (25%) in the last twelve (12) months or by changing the program delivery mode, name, or credential, then the institution must reregister the program by submitting a Program Registration Request seek approval from Commission staff by submitting a Program Revision Notification at least thirty (30) days~~thirty (30) calendar days~~ prior to implementing the revision. When calculating twenty-five percent (25%) in the last twelve (12) months, all revisions made to quantifiable program elements in the last twelve (12) months should be totaled. For example, if in the last twelve (12) months, the institution raises tuition by five percent (5%) and adds ten percent (10%) to the program length, then the institution has revised the program by a total of fifteen percent (15%). If within twelve (12) months of these revisions, the institution raises other fees by fifteen percent (15%), then the total of the revisions in the last twelve (12) months is now thirty percent (30%) and the institution must reregister the program by submitting a Program Registration Request.~~If the program revision amounts to change of more than twenty-five percent (25%) in the last twelve (12) months or if Commission staff determines a significant revision has occurred, then the institution must submit a New Program Application prior to implementing the revision.~~

2. In all other instances, an institution may revise a program at its discretion and report the revisions to Commission staff when completing the annual Reauthorization Application or Certification of Compliance.

(d) Institutions shall not arbitrarily add a course, contact hours, or credit hours to an existing program in which a student would incur additional time or expense beyond the catalog requirements at the time of enrollment, unless the addition is in response to:

- ~~1.~~ demonstrated educational necessity;
- ~~2.~~ a reasonable program completion period elapsed;
- ~~3.~~ state approval agency requirements;
- ~~4.~~ U.S. Department of Education recognized accreditor requirements; or
- ~~5.~~ professional licensure requirements.

In any event, the institution shall ~~provide written notification to Commission staff~~ and give adequate notice to all students affected prior to any change.

(e) Commission staff will review a Program Registration Request and, upon finding that the registration demonstrates that the institution complies with all requisite standards, register the program by including it or revising it in the postsecondary program inventory. In the event that the Program Registration Request fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the registration by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the program registration will be denied.

(6) Change of Location Application:

(a) Absent extraordinary circumstances, an authorized institution shall submit a Change of Location Application ~~thirty (30) days~~thirty (30) calendar days prior to moving and receive Commission Staff approval prior to operation. An example of an extraordinary circumstance is the unexpected loss of a lease. In the event of extraordinary circumstances, the institution shall submit a Change of Location Application and receive Commission Staff approval prior to providing instruction to students.

(b) The Change of Location Application shall include at a minimum:

1. the address and general description of facilities such that a determination can be made that the institution has adequate space, equipment, and instructional material ~~to provide education of good quality;~~
2. evidence demonstrating that the location meets the definition of location as provided for in these rules ~~is commercially zoned~~ and that possession of the location is stable such that the institution will be able to use the location for a minimum of one (1) year from the date of application. Month-to-month leases are not acceptable;
3. affirmation that the institution is maintained and operated in compliance with all pertinent ordinances and laws including, but not limited to, rules and regulations adopted pursuant to ordinances and laws, relative to zoning and the safety and health of all persons upon the premises; and
4. such other information or clarification deemed necessary by Commission staff.

(c) Commission staff will review a Change of Location Application and conduct an authorization site visit, if Commission staff determines an authorization site visit is necessary. Upon finding that the application and an authorization site visit, if necessary, demonstrate that the institution complies with all requisite standards, Commission staff will grant the change of location. In the event that the Change of Location Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written

~~notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff will recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization. Commission staff shall approve the application after it determines that the application is complete and conducts a successful site visit.~~

- (d) If a move is beyond ten (10) miles and a student is prevented from completing the training at the new location, a full refund of all moneys paid and a release from all obligations will be given to the student or loan holder.

(7) School Personnel Application:

- (a) Authorized Institutions must ~~provide and~~ maintain qualified faculty and staff in order to fulfill the mission of the institution and all obligations to the students. ~~Following initial authorization, an institution must notify Commission staff when there is a change of institutional director, including the appointment of an interim institutional director, by submitting a School Personnel Application no later than five (5) business days after the hire or appointment date. Qualifications must be submitted to Commission staff on a School Personnel Application no later than ten (10) business days after the hire date.~~

~~1. Unaccredited institutions must submit to Commission staff School Personnel Applications for all instructors and administrative personnel as that term is defined in subparagraph (7)(b) of this rule.~~

~~2. Institutions accredited by an accrediting body recognized by the U.S. Department of Education must submit to Commission staff School Personnel Applications for all administrative personnel as that term is defined in subparagraph (7)(b) of this rule. For each instructor, an accredited institution shall maintain on-site documentation that demonstrates the minimum qualifications and must submit such documentation and a School Personnel Application at any time upon request from Commission staff.~~

- (b) Administrative personnel are individuals that oversee areas as outlined in operational and administrative standards. This includes by function, but is not limited to titles of an institutional director; financial aid administrator; director of admissions; director of education; business officer or manager; director of student services (including counseling and placement) and the registrar. Support and clerical staff is not included as administrative personnel.

- ~~(c) Commission staff will review a School Personnel Application and, upon finding that the qualifications of the institutional director meet all requisite standards, approve the application. In the event that the School Personnel Application fails to demonstrate that the qualifications of institutional director meet all requisite standards, Commission staff shall defer the application by providing written notice of~~

the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied.

~~(8)~~ Agent Permit Application:

~~(a) Agents must submit an Agent Permit Application, as provided by Commission staff, and must receive approval and an agent permit from Commission staff prior to any solicitation. The application shall include at a minimum:~~

- ~~1. general contact information for the agent;~~
- ~~2. recommendations by two (2) reputable persons certifying that the applicant is of good character and reputation;~~
- ~~3. a surety bond as specified in Rule .09 of these rules; and~~
- ~~4. certification by the institution director that the applicant will be directed to act in accordance with the Act and these rules.~~

~~(b) Agent permits must be renewed every year. The expiration date of a permit is one (1) year from the date of issue or immediately upon termination of employment whichever occurs first.~~

~~(c) Agents must have separate permits to represent separate institutions unless the institutions have common ownership such that the institutions present a common name to the public and have the same mission. Mutual agreement by institutions is required.~~

~~(d) All agents must verify by signature that they have read and are familiar with rules on advertising and solicitation and must verify intent to follow rules as set forth in Fair Consumer Practices.~~

~~(9)~~ Institution Name Change Application:

(a) An authorized institution shall submit an Institution Name Change Application ~~thirty (30) days~~thirty (30) calendar days prior to changing the institution's name unless the name change is the result of a change of ownership. In the case of a change of ownership, the authorized institution shall submit a Change of Ownership Application.

(b) The Institution Name Change Application shall include at a minimum:

1. updated contact information;
2. a proposed new name of the institution that is compliant with these rules;
3. updated surety bond information;

4. affirmation that the institution following approval and prior to using the new name will update the pre-enrollment checklist, enrollment agreement, transfer of credit disclosure statement, and catalog; and an updated copy of the pre-enrollment checklist, enrollment agreement, and catalog; and
5. such other information or clarification deemed necessary by Commission staff.

(c) Commission staff will review Institution Name Change Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, Commission staff will grant the change of name. In the event that the Institution Name Change Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied.

#### (9) Certification of Compliance

- (a) Annually during the authorization term, institutions with regular or conditional authorization shall file a Certification of Compliance by a due date to be established by Commission staff and posted on the Commission's website.
- (b) The Certification of Compliance shall require at a minimum that the institution self-certify that it is engaged in activities and operations in compliance with the Act and these rules, the institution provide an updated comprehensive program list, and the certification must be signed by the institutional director and, if other than the institutional director, the owner, or a representative thereof. For institutions that do not receive Title IV funds, the Certification of Compliance may require financial statements as described at Rule .14(4) of these rules.
- (c) Commission staff will review a Certification of Compliance and, upon finding that the certification demonstrates that the institution complies with all requisite standards, notify the institution of such. In the event that the Certification of Compliance fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the Certification of Compliance by providing written notice of the deficiencies to the institution and providing the institution two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff will recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.

#### (10) Exemption Determination Request

- (a) The Exemption Determination Request may include at a minimum:

- (1) full contact information for the requestor;
  - (2) the statutory or rule citation justifying exemption;
  - (3) an argument applying the statutory or rule citation to operations of the requestor;
  - (4) documentation supporting the requested exemption such as: copies of all institutional materials; brochures; advertising; state charter or business license; or organizational ties and/or contracts with other educational providers; and
  - (5) such other information or clarification deemed necessary by Commission staff.
- (b) Commission staff will review an Exemption Determination Request and, upon finding that the exemption as requested is justified by statute or rule, notify the institution of such. In the event that Commission staff requires additional information, Commission staff shall defer the Exemption Determination Request by requesting such information and providing the institution two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the Exemption Determination Request will be denied.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008, ~~and~~ 49-7-2013, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-02-.08 Regulations for Specific Institutions and Programs.

- (1) Degree Granting Institutions:
  - (a) Authorization to offer any degree in the state will require either institutional accreditation by a U.S. Department of Education recognized accreditor or authority to grant degrees by affirmative vote of the Commission.
  - (b) Unaccredited institutions seeking authority to grant degrees must meet, in addition to the requirements in the Act and these rules for initial authorization, at a minimum:
    - 1. the institution shall incorporate instructional procedures, texts, and materials appropriate to the purpose, curriculum and standards of other degree granting postsecondary educational institutions offering similar programs in the state;
    - 2. for undergraduate and degree granting programs and except as noted further in subparagraph (c) of this rule, twenty-five percent (25%) of the total program must be in general education courses and should be indicated separately in the curriculum presented;

3. library resources and holdings shall contain up-to-date titles, be available and accessible to all enrolled students and commensurate with the proposed degree level;
  4. demonstration that the degree and the program ~~has~~ have merit and value academically, professionally, or vocationally in Tennessee; and
  5. master's and doctorate level degrees must demonstrate in the curriculum and outcomes increasing levels of critical, analytical, and interpretive thinking, use of primary documents or resources, and independent research skills.
- (c) Undergraduate degree programs must include at least twenty-five percent (25%) of the program in general education courses unless the institution can demonstrate program accreditation requirements which are lesser or for an unaccredited institution offering or proposing an associate degree level, demonstrate to the Commission that because of the occupational/technical nature of the program that a student would not benefit in the job from general education courses and demonstrate the need to use that twenty-five percent (25%) of the program for job skills courses.
  - (d) Graduate degree programs, in addition to staffing and study time requirements in these rules, must provide experienced research staff to direct graduate research papers, provide a program of sufficient length and arrangement to facilitate student-to-student and student-to-staff exchange of ideas, provide appropriately credentialed staff in collateral areas, and provide access to a wide range of current reference materials in the subject field.
- (2) Unaccredited institutions shall not accept funds for tuition prior to ten (10) business days of the scheduled start date of the course or program.
  - (3) Bartending institutions:
    - (a) Pursuant to T.C.A. § 49-7-115, all schools involved in training in the areas of management, operation, procedures, or practice of dispensing alcoholic beverages or bartending shall include instruction in the problems of alcohol abuse and the effect of alcohol consumption on highway safety.
  - (4) Programs leading to licensure, certification, registration or similar recognition:
    - (a) ~~Students shall not be required to take Successful completion of~~ an examination given by a private or public third-party ~~cannot be as~~ part of an institution's program ~~or be a completion requirement~~. For example, a truck driving program cannot include successful completion of the Commercial Driver's License examination.



- (b) Institutions offering programs in fields that require a student to take an examination in order to be licensed or similarly recognized before the student can be employed in the field shall provide as part of the Reauthorization Application student-level data as to:
  - 1. whether the student sat for the examination; and
  - 2. whether the student passed the examination.
- (c) Institutions may request a waiver from Commission staff of subparagraph (4)(b) of this rule. Commission staff shall grant the waiver upon receipt of documentation from the institution demonstrating that the examination provider or related state agency will not provide testing data to the institution.
- (5) For programs of interest to other state agencies, such as dental programs, Commission staff will endeavor to streamline processes when a subject matter expert state agency has a law that is contrary or duplicitous of the Act or these rules.
- (6) Computer Training:
  - (a) Businesses offering specialized certifications clearly used to denote technical, professional or vocational proficiency toward an additional vocational goal or new job title must be authorized for operation of that training in the state.

(7) Institutions that require students to complete cleaning or similar tasks as part of any course or program shall limit such tasks to those that are reasonably related to the field for which the student is being prepared and that are consistent with the types of tasks that the student would be expected to complete as part of the student's primary duties or functions when working in the field that the education is preparing the student to enter.

Authority: T.C.A. §§ 49-7-2003, 49-7-2005, and 49-7-2008.

1540-01-02-.09 Bonds.

- (1) Institutions, other than public institutions, must, on forms provided by the Commission, secure ~~for student indemnification purposes~~, from a surety company qualified and authorized to do business in Tennessee, a continuous surety bond in the amount of:
  - ~~(a) ten thousand dollars (\$10,000), for in-state institutions, out-of-state public institutions and all institutions providing primarily religious instruction, and~~
  - ~~(b) twenty thousand dollars (\$20,000) for all other institutions, including out-of-state private institutions.~~
- ~~(2) Out-of-state institutions must, on forms provided by the Commission, secure a surety bond for agents in the amount of five thousand dollars (\$5,000) per agent from a surety company qualified and authorized to do business in Tennessee with the institution as~~

~~principal.~~

- (32) Institutions must provide a bond for each authorized location.
- (43) Subject to Commission staff approval, an irrevocable letter of credit secured by a certificate of deposit or a cash deposit with a bank may be accepted in lieu of the bond. Such deposits are subject to the same terms and conditions provided for in the surety bond form.
- (4) Commission staff shall provide the institution at least thirty (30) calendar days written notice that authorization shall be made conditional, subject to revocation, by operation of law when the institution is no longer covered by a surety bond. Absent exceptional circumstances, a postsecondary educational institution shall not continue to engage in activities or operations without a surety bond for more than ninety (90) calendar days.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2013.

1540-01-02-.10 Audits.

- (1) Commission staff may conduct audits to ensure compliance with the Act and these rules. Audits may be performed at the ~~institution's~~ authorized location or by requesting that the institution forward copies of student records to Commission staff. In the case of the latter, the provided records will be retained by Commission staff as working papers but will be destroyed when the audit is closed.
- (2) Commission staff may audit an authorized institution at any time without notice to the institution. However, unless the circumstances mandate that no notice can or should be given, Commission staff should provide at least seventy-two (72) hours' notice. Notice shall be given by email to the institutional director.
- (3) Failure to comply with any audit request may be an audit finding, and Commission staff may recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization~~result in adverse action against the institution.~~
- (4) Commission staff will provide the institution with an audit report that lists any findings and the frequency. The report shall require the institution to propose corrective action for all findings or to show cause why the Executive Director or Commission should not take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.
- (5) Tuition increases that in the opinion of the Commission are excessive, unreasonable or exceed initial disclosure to students may result in an in-depth audit of the institution's financial stability.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, and 49-7-2014.

- (1) Each institution must publish a catalog that includes at a minimum:
  - (a) the full and correct name and address of the institution;
  - (b) identifying data, such as catalog number and publication date;
  - (c) table of contents;
  - (d) names of owners and officers, ~~including any governing boards,~~ and credential requirements for faculty ~~with credentials for position~~;
  - (e) the institutional calendar, including holidays, application and registration enrollment periods and the beginning and ending dates of terms, courses, or programs;
  - (f) the institutional enrollment admission procedures and entrance requirements, including late ~~enrollment admission~~, if permitted;
  - (g) the institutional attendance policy, including minimum attendance requirements, how attendance will be determined, the withdrawal policy, the circumstances under which a student will be interrupted for unsatisfactory attendance, and the conditions under which a student may be readmitted;
  - (h) the institutional policy covering satisfactory progress, including an explanation of any grading system used, a description of any probation policy, and a description of the institutional system for making progress reports to students;
  - (i) the institutional policy regarding student conduct, including causes for dismissal and conditions for readmission;
  - (j) a description of each program offered including objectives, costs, length, program components, ~~and or~~ course requirements, including, if applicable, cleaning or similar tasks as described in Rule .08(7), or in the case of correspondence instruction, the number of lessons; Institutions that require students to complete cleaning or similar tasks as part of any program curriculum shall describe such tasks and explain how the tasks are reasonably related to the field for which the student is being prepared and are consistent with the types of tasks that the student would be expected to complete as part of the student's primary duties or functions when working in the field that the education is preparing the student to enter;
  - (k) a description of student services provided, including whether the placement assistance is available and, if none, so state;
  - (l) a description of the facilities and equipment used for educational programs;

- (m) the policy concerning credit granted for previous education, training, and experience and, if none, so state;
- (n) the refund and cancellation policy, including the procedure for determining the last date of attendance and official date of termination, the time within which a refund will be provided, ~~and how a refund must be requested~~;
- (o) a statement provided within the first four pages of the catalog which reads as follows: "The (name of institution) is authorized by the Tennessee Higher Education Commission. This authorization ~~must be renewed each year and~~ is based on an evaluation of minimum standards concerning quality the provision of education, ethical business practices, and fiscal responsibility";
- (p) a description of the student grievance procedure, including:
1. the title, address, and telephone number of the institutional employee designated to receive student complaints;
  2. the timeframe for the institution's investigation of the complaint, the steps of the investigation and the timeframe and method for communicating the written decision to the student if applicable, the process for escalating or appealing a complaint;
  3. if the institution allows for nonbinding mediation or voluntary arbitration, the catalog must describe the process in its entirety; and
  4. the address and telephone number of Commission staff along with a statement that reads: "Any person claiming damage or loss as a result of any act or practice by this institution that may be a violation of the Title 49, Chapter 7, Part 20 or Rule Chapter 15201540-01-02 may file a complaint with the Tennessee Higher Education Commission, Division of Postsecondary State Authorization after exhausting the grievance process at the institution."
- (q) a disclosure regarding the- ability to transfer credit earned to another institution, with language sufficient to describe limitations on the transfer of credit. Institutions have a responsibility to advise potential enrollees that transfer of credit is controlled by the receiving institution and that accreditation does not guarantee transferability. Suggested language is as follows:
- ~~"(name of institution) is a special purpose institution. That purpose is (institution's mission statement).~~ Students should be aware that transfer of credit is always the responsibility of the receiving institution. Whether or not credits transfer is solely up to the receiving institution. Any student interested in transferring credit hours should check with the receiving institution directly to determine to what extent, if any, credit hours can be transferred.";

- (r) the cash discount policy, if offered to students; ~~and~~
  - (s) the ATB testing policies, if any, in accordance with Rule .12(3) of these rules; and along with the admissions policies.
- (2) Institutions may provide electronic catalogs to students as long as the institution provides the student a hard-copy upon the student's request.
  - (3) Use of supplemental pages must be done in a way as to ascertain that supplemental pages become an effective part of the catalog and must show an effective date and be presented to students prior to enrollment or payment of fees;
  - (4) Catalogs should be written at a level that allows prospective students and enrollees to comprehend the information and make informed decisions.

Authority: T.C.A. §§ 49-7-2002, 49-7-2005, 49-7-2006 and 49-7-2008.

1540-01-02-.12 Admissions Standards.

- (1) The admissions policy for students must be based on the institution's objectives and must be publicly stated and administered as written.
- (2) An institution should not enroll a student in a program leading to licensure when the institution knows or, by the exercise of reasonable care, should know the student is or will be ineligible to obtain licensure in the occupation for which the student is being trained. For example, an institution should not admit a student if the institution knows the student has a prior legal conviction that will prevent the student from obtaining licensure. If a student who is ineligible or likely to be ineligible for licensure desires to enroll in such a program, regardless of license eligibility, the institution may admit the student after the student submits a signed, written statement acknowledging the student is or is likely to be ineligible for licensure. The institution shall provide the student a copy of the statement and maintain the original in the student's file.
- (3) Basis of admission shall be at a minimum:
  - (a) Students enrolling in a certificate or diploma program must possess a high school diploma, a high school diploma equivalency, a current Tennessee license in the field for which the training is intended, postsecondary credit in a degree program, or, subject to subparagraph (3)(d) of this rule, a passing score on an ATB test.
  - (b) Students enrolling in an associate or bachelor's degree program must possess, at a minimum, a high school diploma, a high school diploma equivalency, or postsecondary credit in a degree program.
  - (c) Students enrolling in a post-baccalaureate program must possess, at a minimum, a baccalaureate degree from an institution judged to be appropriate by the Commission.

- (d) A student may be admitted as an ATB student if the student has terminated secondary enrollment and is beyond the age of compulsory attendance. An institution may use ~~either~~ a standardized test formerly or currently recognized by the U.S. Department of Education or an ATB approved by Commission staff prior to January 1, 2023, ~~if such a test is not applicable to the particular subject matter of the program, a test developed by the institution. In either case, the~~ The institution shall request approval from Commission staff before using the test and shall state the minimally acceptable scores and the maximum number of attempts allowable in a given period of time, for example, three(3) times in a six (6) month period. The following applies to all ability-to-benefit tests:
1. Tests shall be administered in a secure environment, for example, monitors present.
  2. Tests shall not be administered in a manner that is inconsistent with the recommendations of the standardized test developers.
  3. An agent is not allowed to administer the test, nor is anyone allowed to assist the applicant in answering the questions.
- (4) Proof of the basis of admission shall be maintained in the student file in accordance with Rule .15 of these rules.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2008.

1540-01-02-.13 Enrollment Checklists, Agreements, and Disclosures.

- (1) Pre-Enrollment Checklist: Prior to signing an enrollment agreement, institutions shall require an institution representative and the prospective student to sign and date a pre-enrollment checklist using a form provided in the Initial Authorization Application. The document must clearly indicate that it is the pre-enrollment checklist, include the full and correct name and address of the authorized location ~~of the institution~~, and, if multiple pages, be paginated using the format “\_\_ of \_\_ pages.” The checklist shall include, at a minimum, affirmations that the student:
- (a) toured the institution virtually or in-person (not applicable to institutions that deliver all instruction through distance learning);
  - (b) received an institution catalog and all addendums and attachments referenced therein. If the catalog and addendums/attachments are ~~and if~~ provided electronically understands that the student may request a hard-copy of the catalog and the documents at any time;
  - (c) was given the time and opportunity to review the institutional policies in the catalog;
  - (d) knows the length of the program for full-time and part-time students in academic

terms and actual calendar time;

- (e) has been informed of the total tuition and other fees of the program;
- (f) has been informed of the estimated cost of books and any required equipment purchases such as a computer, specialized tools, or art supplies;
- (g) has been given a copy of the institution refund policy;
- (h) has executed a Transfer of Credit Disclosure Statement in compliance with T.C.A. § 49-7-144 and understands the specific limitations- should the institution have articulation agreements;
- (i) has been given the address and telephone number of Commission staff along with a statement that reads: "Any person claiming damage or loss as a result of any act or practice by this institution that is may be a violation of the Title 49, Chapter 7, Part 20 or Rule Chapter 15201540-01-02 may file a complaint with the Tennessee Higher Education Commission, Division of Postsecondary State Authorization after exhausting the grievance process at the institution."; and
- (j) has received the most recent withdrawal, completion, and placement data as calculated by the Commission by including in the checklist:

1. For institutions previously authorized by THEC and under new ownership:

(i) the following statement: "For the program entitled, (program name), I have been informed that, for the July (year)/June (year) period, the withdrawal rate is (percent)%, the completion rate is (percent)%, and the in-field placement rate is (percent)%. Detailed statistical data for this program may be viewed by going to <http://www.tn.gov/thec/bureaus/student-aid-and-compliance/postsecondary-state-authorization.html> /topic/authorized-institutions-data." or;

2. a chart listing all approved program names and the related percentage rates for withdrawal, completion, and in-field placement, identifying the July/June reporting period, and stating that "detailed statistical data for all approved programs may be viewed by going to <http://www.tn.gov/thec/topic/authorized-institutions-data>"; or

3-(ii) a copy of the institution's most recent Annual Performance Report created by Commission staff and posted on the Commission's website.

2. For institutions that are currently authorized by THEC but zero students were enrolled in the program the previous fiscal year, the following statement: "Understands that withdrawal, completion, and placement information is not

currently available because the program has had zero students enrolled in the previous fiscal year. This information will be provided by THEC approximately one year after the institution reports enrollment for this program."

3. For institutions that are offering a new program or institutions that are not currently authorized by THEC, the following statement: "Understands that this is a new program and placement, completion and withdrawal information will be provided by THEC approximately one year after the institution begins offering the program."; and

(k) has received and understands the institution's cash discount policy (applicable only to those institutions that have a cash discount policy).

(2) Enrollment Agreement: Institutions enrolling an individual in a course or program shall require an institution representative and the prospective student to sign and date an enrollment agreement prior to the student attending one (1) session of class, turning in one (1) assignment, or receiving one (1) distance learning lesson, whichever occurs first. The document must clearly indicate that it is the enrollment agreement (not an application for admissions), and, if multiple pages, the pages of the enrollment agreement shall be paginated using the format " \_\_ of \_\_ pages."

(a) The enrollment agreement shall include, at a minimum:

1. the full and correct name and address of the authorized location of the institution;
2. the name, address, and social security number or unique student identification number of the student;
3. the date training is to begin and program length;
4. if students have the option to attend part-time, full-time or part-time status of the student;
5. the projected date of completion;
6. the program name as approved by the Commission;
7. the total cost of the program, including itemized costs for tuition and ~~the approximate costs for~~ other fees, as defined in Rule .03(35) of these rules, along with an indication of which fees are optional and which fees are program related or post-completion related, for example, third-party testing fees;
8. cancellation and refund policy;



9. verification that by signing the agreement the student understands the student's right to receive an exact signed copy of the agreement,
  10. verification that by signing the agreement the institution understands its obligation to immediately provide the student an exact signed copy of the agreement;
  11. a guarantee of tuition cost for twelve hundred (1200) contact hours or twelve (12) months from the time of enrollment; programs less than twelve hundred (1200) contact hours must have a set total tuition; and
  12. The following statement: "The (name of institution) is authorized by the Tennessee Higher Education Commission. This authorization must be renewed each year and is based on an evaluation of minimum standards concerning quality of education, ethical business practices, and fiscal responsibility."
- (b) Institutions that enroll students in individual courses may modify the pre-enrollment checklist or enrollment agreement as appropriate, but should strive to make as few modifications as necessary.
- (3) Transfer of Credit Disclosure Statement: Prior to signing an enrollment agreement and the pre-enrollment checklist, institutions shall require the student to complete a Transferability of Credit Disclosure Statement.
- (a) The written statement must be:
1. a stand-alone document containing no other disclosures;
  2. contain a space for the prospective student to initial and date; and
  3. printed in type not less than sixteen (16) point font; and
  4. contain the exact language in T.C.A. § 49-7-144(b)(2), except ~~those that~~ institutions offering contact hours only may substitute the word contact for credit.
- (b) Institutions shall post the disclosure on its website, but the language does not have to be in at least sixteen (16) point font.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2008, 49-7-2019 and 49-7-144.

1540-01-02-.14 Financial Standards.

- (1) The Commission and its staff may share information with the Tennessee Student Assistance Corporation and other state and federal agencies as appropriate.

- (2) The institution shall maintain financial and business practices in-line with common business procedures utilizing standard accounting practices.
- (3) The institution shall maintain and be prepared to demonstrate at any time financial resources adequate to fund and maintain the following:
  - (a) facility maintenance and overhead;
  - (b) staff and faculty payroll;
  - (c) books, supplies or equipment utilized by students; and
  - (d) general operating costs.
- (4) ~~As part of reauthorization, authorized institutions must file financial statements for the most recently completed fiscal year as follows:~~ When financial statements are required by the Reauthorization Application or the Certification of Compliance, such statements shall be completed for the fiscal year that ended prior to one hundred-twenty (120) calendar days of the application due date and shall be prepared in the following format and manner:
  - (a) Institutions with annual gross tuition revenue at the authorized location of one million dollars (\$1,000,000) or more shall submit audited financial statements, including an income statement, balance sheet, statement of cash flow, and notes, prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant.
  - (b) Institutions with annual gross tuition revenue at the authorized location of less than one million dollars (\$1,000,000) but more than one hundred thousand dollars (\$100,000) shall submit a reviewed balance sheet and income statement prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant.
  - (c) Institutions with annual gross tuition revenue at the authorized location of one hundred thousand dollars (\$100,000) or less shall submit a balance sheet and income statement using forms prepared by Commission staff as long as those forms are completed by a an independent certified public accountant or a bookkeeper certified by the National Association of Certified Public Bookkeepers.
  - (d) As an alternative to subparagraphs (5)(a) through (c) of this rule, institutions owned by the same parent company may submit an audited consolidated corporate financial statement. The audited consolidated statement shall be prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant. Commission staff, ~~the Committee,~~ or the Commission may request additional campus or institution-specific information where needed to better understand the financial stability of a single authorized location or to protect the public interest.

- (5) The following is applicable to all financial statements:
  - (a) The balance sheet must reflect the owner's (proprietorship, partnership, corporation, or other) assets and liabilities.
  - (b) The institution shall report total revenue on the income statement; however, total tuition revenue must be delineated.
  - (c) Related parties must be disclosed, including, but not limited to, related party footnotes, debt agreements with owners, and supplemental footnotes on separate campuses or branches are expected.
  - (d) It should be noted whether or not tuition revenue is recognized up front or on a pro rata basis.
  - (e) Within three (3) years from initially receiving authorization, neither the ratio of total revenues to total expenditures nor the ratio of current assets to current liabilities of either the authorized location or the parent company, where applicable, shall be less than 1:1 without convincing explanation.
  - (f) An Institution shall elect during reauthorization whether it will rely on the financial statements of the authorized location or the parent company and must use the financial statements of the elected entity for at least three (3) consecutive years.
- (6) When there are questions about the institution's financial stability, the Commission staff may require the institution to file appropriate financial statements, which may include audited statements prepared in accordance with the Generally Accepted Accounting Principles by an independent certified public accountant, for the authorized location or the parent company.
- (7) All institutions must maintain a business account with a financial institution that is federally insured in said institution's name.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006 and 49-7-2015.

1540-01-02-.15 Institution and Student Records.

- (1) Institutional directors must maintain on-site a current copy file of materials filed with the Commission as part of their current authorization which includes the application, documentation of appropriate bonding, and financial reports, ~~and agent permit documentation.~~
- (2) Institutions shall retain for three (3) years a record of student complaints that follow the institution grievance process, including a copy of the complaint, any investigatory documents, and a statement of the matter's disposition.
- (3) Student financial records must be maintained and open for inspection and copying by

Commission staff in accordance with applicable confidentiality laws.

- (4) For each student, the institution must maintain an up-to-date reconciled account statement as a separate document. The statement must clearly reflect:
  - (a) ~~clearly reflect~~ the balance due the institution or student;
  - (b) all charges and payments;
  - (c) the reason for the debit or credit, for example, student cash payment, loan payment, tuition waiver, technology fee, or tuition charged; and
  - (d) all tuition charges must clearly indicate ~~indicate~~ the period of enrollment for which the student is being charged, for example, if the tuition charge is for five hundred (500) contact hours of instruction, the account statement might read "Tuition Charged for 500 Contact Hours" or if the tuition charge is for one (1) semester of instruction, the account statement might read "Tuition Charged for Spring 2022 Semester." ~~program is a four (4) month program but the tuition charged is for one (1) month, the account statement might read "Tuition Charged for Month 1."~~
- (5) Institutions must maintain a file for each prospective student or student enrolled in a program or course for three (3) years after the student's withdrawal from or completion of the program or course of enrollment. The file shall contain at a minimum:
  - (a) the executed transferability of credit disclosure statement required by T.C.A. § 49-7-144 and Rule .13(3) of these rules;
  - (b) documentation evidencing the student's basis for admission as provided for in paragraph (6) of this rule;
  - (c) the executed pre-enrollment checklist;
  - (d) the executed enrollment agreement;
  - (e) an exhibit of the institution's enforcement of standards acceptable to the Commission related to attendance, academic satisfactory progress, and proper documentation of any leave of absence (LOA) that may affect progress; ~~and~~
  - (f) written records of the previous training and education of the applicant student which clearly indicates the appropriate credit which has been given by the institution for previous training and education; ~~and~~
  - (g) an up-to-date reconciled account statement.
- (6) Sufficient basis of admission documentation for purposes of the student file is as follows:

- (a) If the basis of admission is successful completion of an ATB test, then the student file shall contain a copy of the scored test or a graded score sheet.
  - (b) If the basis of admission is a high school diploma or equivalency, then the student file shall contain:
    - 1. an official transcript from the high school or other government body, such as a county school board;
    - 2. an official high school equivalency transcript, HiSET, or GED score sheet from the appropriate issuing entity; or
    - 3. an official military document indicating that the student completed high school such as an Enlisted Record Brief.
  - (c) If the basis of admission is a Tennessee license in the field for which the training is intended, then the student file shall contain verification of current licensure from the issuing Tennessee subject matter expert agency, such as a current screenshot from the agency's website.
  - (d) If the basis of admission is postsecondary credit in a degree program, then the student file shall contain an official transcript from a postsecondary educational institution indicating that credit in a degree program was awarded to the student.
  - (e) If the basis of admission is a bachelor's degree or higher credential, the student file shall contain an official copy of the transcript from the postsecondary educational institution indicating that the student received the credential.
  - (f) If a transcript is from an institution outside the United States, documentation from a transcript translation service indicating that the education obtained is the equivalent of the applicable United States credential and, if necessary, a translated transcript.
- (7) Official documentation is a statement of the student's academic record received directly from the issuing institution or agency such as a transcript or score sheet. Paper transcripts printed on security sensitive paper that contains the issuing institution's seal or signature of an official from the institution is acceptable admission documentation. Electronic transcripts or scores sheets not printed on security sensitive paper must include indicia that the transcript or score sheet was received directly from the issuing institution or agency such as accompanying email correspondence or the envelope.
- (8) Institutions must offer a transcript for all programs other than programs registered as certificate programs. For a certificate program, an institution must provide a certificate to completers of the program and may offer a transcript to all enrolled students. In any event, all transcripts and certificates shall meet the requirements of this rule. Institutions shall maintain for the life of the institution a transcript or a certificate for each student previously or currently enrolled in a program offered by the institution. Institutions may only use certificates with well-defined short term programs, such as bartending and truck driving,

~~where there is no separation of courses by subject content.~~ Institutions offering programs where a subject matter expert agency requires that the institution maintain a transcript must do so.

(a) Transcripts and certificates for each student enrolled in a program or course offered by the institution shall be maintained for the life of the institution and provided to DPSA upon closure as provided for in Rule .23 of these rules.

(ab) Transcripts shall be in a form that permits easy and accurate review by the student, transfer institutions, potential employers, and other state or federal agencies. The transcript shall include at a minimum the:

1. ~~full and correct~~complete name and address of the authorized location of the institution;
2. ~~first and last name of the student~~full name of student;
3. last four digits of the student's social security number;
4. program name as registered with the Commission~~as approved by the Commission~~;
5. status of student, for example, active, withdrawn, probation, leave of absence, or graduate;
6. official date recorded for all student withdrawals and graduations;
7. beginning date or academic term with the year for each course attempted;
8. as applicable to the type of institution, credit or contact hours attempted and earned;
9. name of each course and, if any, the course number as listed in the institution catalog along with the corresponding grade received;
10. indication of credits given by transfer from another institution or credit by exam;
11. cumulative Grade Point Average (GPA);
12. date the transcript was last updated and/or printed; and
13. signature of an institution official.

(b) Certificates shall be in a form that permits easy and accurate review by the student, transfer institutions, potential employers, and other state or federal agencies. The certificate shall include at a minimum the:

1. complete name and address of the institution;
  2. first and last full name of student;
  3. program name as registered with the Commissioner ~~department of enrollment~~;
  4. a certificate award date; and
  5. the signature of an institution official.
- (9) In lieu of hard copies of transcripts and certificates, an institution may maintain transcripts and certificates by electronic storage provided that the institution has a process for maintaining an up-to-date backup of the information in a separate system or at a different location. Commission staff must have complete and easy access to review student transcripts and certificates during authorization site visits and audits such that the institution can print any requested records upon request.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006 and 49-7-2016.

1540-01-02-.16 Personnel and Instructor Qualifications.

- (1) Administrative personnel and instructors shall meet all qualifications listed in this rule. Evidence of education, experience, or training, such as official transcripts, for each personnel and instructors must be maintained on-site at the authorized location. Institutions must submit a copy of provide this evidence at any time upon receiving a request from Commission staff.
- (2) The method of administration and procedure for staff selection must be defined in a way that each employee has specific duties and responsibilities. The process for selection of administrative personnel and instructors shall ensure that administrative personnel and instructors meet the qualifications in this rule. Additionally, institutions shall take reasonable actions to ensure that a supervisor of any experiential learning, regardless of whether the learning is conducted at the location or in the field, is qualified to supervise the learning. For example, the supervisor must hold an appropriate license if the subject is a vocation requiring licensure.
- (3) Administrative personnel at an authorized institution must be graduates of an accredited college or university or have sufficient background and training in the administrator's area of responsibility. If the institution employs a director of education, that director shall possess a post-baccalaureate degree or the highest educational credential offered by the institution, whichever is higher. Administrative personnel are individuals that oversee areas as outlined in operational and administrative standards. This includes by function, but is not limited to, titles of an institutional director; financial aid administrator; director of admissions; director of education; business officer or manager; director of student services (including counseling and placement) and the registrar. Support and clerical staff are not included as

administrative personnel.

(4) Institutional Directors:

- (a) Each institution must designate one (1)-person as the institutional director. The institutional director is responsible for ensuring that the conduct of the institution and its agents is in compliance with the Act and these rules. The institutional director shall serve as the official contact for all correspondence and business conducted between the institution and the Commission, ~~the Committee~~, or Commission staff.
- (b) Institutional owners ~~or the controlling board~~ must ensure that each authorized location has an institutional director at the authorized location for at least fifty percent (50%) of the operational time each week the school has students present unless other provisions have been approved by Commission staff.
- (c) The institutional director implicitly accepts knowledge of and responsibility for compliance with the Act and these rules including, but not limited to, advertising, records, contracts, required benchmarks, annual due dates, and fee payments.
- (d) The institutional director at an authorized institution must:
  - 1. be a graduate of an accredited ~~postsecondary educational institution~~ college or university with at least one (1) year experience in administration or institutional management; or
  - 2. the total years of administration or institutional management experience in postsecondary education shall equal at least five (5) years.

(5) Instructors:

- (a) Instructional staff for all institutions must be selected at a minimum on the basis of these rules.
- (b) Instructors in a trade related or specific skill area must have documented proficiency and practical applied experience in that trade or skill.
- (c) An instructor must hold the appropriate license if the subject is a vocation requiring licensure.
- (d) An instructor must be qualified by education and experience/background and must meet at a minimum the following qualifications:
  - 1. Doctorate level courses:
    - (i) Hold a doctorate degree from a college or university judged to be appropriate by the Commission and either:



- (I) a doctorate degree with a major or concentration in the subject area to be taught; or
- (II) a doctorate not in the subject area but with a minimum of one (1) year of practical experience within the last five (5) years in the subject area to be taught and completion of nine (9) semester hours or twelve (12) quarter hours of doctoral level courses in the subject.

2. Master's level courses:

- (i) Hold a master's or higher degree from a college or university judged to be appropriate by the Commission and either:
  - (I) a master's or higher degree with a major or concentration in the subject area to be taught; or
  - (II) a master's or higher degree not in the subject area but with a minimum of one (1) year of demonstrated practical experience within the last five (5) years in the subject area to be taught and completion of nine (9) semester hours or twelve (12) quarter hours in graduate level courses in the subject.

3. Baccalaureate level courses:

- (i) Hold a baccalaureate or higher degree from a college or university judged to be appropriate by the Commission and either:
  - (I) a baccalaureate or higher degree with a major or concentration in the subject area to be taught; or
  - (II) a baccalaureate or higher degree not in the subject area but with a minimum of one (1) year of demonstrated practical experience within the last five (5) years in the subject area to be taught and completion of nine (9) semester hours or twelve (12) quarter hours in the subject. Additional years of documented experience in the subject area may be substituted for semester/quarter hour requirements.

4. Associate level courses:

- (i) Meet the minimum requirements for doctorate, master's or baccalaureate level; or
- (ii) Hold an associate degree from a postsecondary institution judged to be appropriate by the Commission and either:

- (I) an associate degree with a concentration in the subject to be taught and one (1) year of practical experience; or
- (II) an associate degree not in the subject area but with a minimum of two (2) years of practical experience within the last five (5) years in the subject area to be taught and satisfactory completion in a postsecondary educational institution of nine (9) semester hours or twelve (12) quarter credit hours in the subject area to be taught. Additional years of documented experience in the subject area may be substituted for semester/quarter hour requirements.

5. Diploma and certificate level courses or programs:

- (i) Meet the minimum requirements for doctorate, master's or baccalaureate or associate level; or
- (ii) Hold a high school diploma or GED and a certificate of completion from a postsecondary institution judged to be appropriate by the Commission in a relevant subject area and a minimum of three (3) years of practical experience within the last seven (7) years in the subject area to be taught. Additional years of documented experience in the subject area or licensure in the field may be substituted for the postsecondary educational requirements.

6. General education courses: All general education courses must be taught by holders of baccalaureate degrees with at least twenty-five percent (25%) of the general education staff with, at minimum, earned master's degrees.

(6) The Executive Director may approve a variance from the specific qualifications in paragraph (5) of this rule with sufficient justification and an assurance that the program quality will not be lessened. In such a situation, the institutional director must submit written justification and documentation ~~with using~~ the School Personnel Application submission within five (5) business days of the personnel hire date. In addition, the instructor must be institutionally evaluated at the close of the first instructional period for effectiveness and quality. This evaluation shall be made available to Commission staff upon request.

(7) Instructors shall be evaluated annually in writing by students and annually in writing by the institutional director or chief academic/instructional officer. The institution shall maintain such evaluations for six (6) years from the date of the evaluation. ~~Instructors shall be evaluated at least annually by students, as well as the director or chief academic/instructional officer, and the institution shall have on file at the campus evidence of such evaluations.~~

(8) Agents:

- (a) An institution is responsible for any representations or misrepresentations, expressed or implied, made by the agent.
- (b) Any student solicited or enrolled by an ~~an non-permitted~~ agent whose actions are in contravention with these rules is entitled to a refund from the institution of all moneys paid. Upon payment by the institution, the student shall release the institution from any further obligations to the student, and a release of all obligations by the institution. Any contract signed by a prospective student as a result of solicitation or enrollment by ~~a non-licensed an~~ agent shall be null and void and unenforceable at the option of the student. In cases where the institution is willing to honor the contract and the student wishes the contract enforced, it can be. However, in cases where the contract has been fully executed between the institution and the student, the student ~~would not be~~ is not entitled to a refund solely because ~~he or she~~ the student was improperly solicited or enrolled by ~~a non-permitted an~~ agent.
- (c) An agent is prohibited from inappropriate activities in procuring enrollees including, but not limited to, the following:
  1. administering the admission test;
  2. advising students about financial aid other than informing the student of the general availability of financial assistance;
  3. giving false, misleading, or deceptive information about any aspect of the institution's operation, job placement, or salary potential;
  4. representing that a program has sponsorship, approval, characteristics, uses, benefits, or qualities which it does not have; ~~or~~
  5. soliciting enrollments in a program which has not been approved by the Commission; or
  6. otherwise acting in contravention of these rules.
- ~~(d) — An agent must display the current permit to all prospective students and other interested parties.~~

Authority: T.C.A. §§ 49-7-2002, 49-7-2005, 49-7-2006, 49-7-2009 and 49-7-2011.

1540-01-02-.17 Cancellation and Refund Policy.

- (2) All authorized institutions must comply with the laws of the local, state, and federal government concerning cancellations and refunds and must revise all policies and practices if laws are revised.
- ~~(3) — Each authorized institution shall have a fair and equitable refund policy which governs the~~

~~repayment of institution charges assessed a student when:~~

~~(a) — the student does not begin classes for the period of enrollment for which he or she was charged; or~~

~~the student withdraws, drops out, is expelled from the institution, or otherwise fails to complete the period of enrollment for which he or she was charged.~~

~~(32)~~ An authorized institution may use the following refund policies:

(a) the ~~default~~ refund policy contained in paragraph ~~(43)~~ of this rule;

(b) an institution policy, as provided for in paragraph (3) of this rule except the institution may increase the percentage listed in paragraph (3)(c) to more than 20% as long as the refund due a student pursuant to that policy is equal to or greater than the refund due according to the default refund policy; or

~~(c)~~ as applicable, a refund policy mandated by an accreditor or as a condition for students of the institution to participate in a governmental student assistance program, such as Veterans Benefits.

~~(43)~~ The ~~default~~ refund policy is as follows:

~~(a) — A student who at any time withdraws, is withdrawn (including expulsion) by the institution, or otherwise fails to attend class is entitled to a full refund of any fee, regardless of whether the fee is included in tuition, paid to the institution for tangible goods or services not delivered to or fully provided to the student.~~

~~(b) — In addition to subparagraph (4)(a) of this rule, if a student fails to begin class on the program start date as written in the enrollment agreement or as amended by the institution, the refund shall equal the sum of all refundable fees paid and, if the student has institutional loans, forgiveness of the amounts owed by the student, less an administrative fee of one hundred dollars (\$100.00).~~

~~(c) — In addition to subparagraph (4)(a) of this rule, if after the program has commenced and before expiration of twenty percent (20%) or less of the period of enrollment for which the student was charged, a student withdraws, is withdrawn (including expulsion) by the institution, or otherwise fails to attend classes, the refund shall be a pro rata portion of refundable fees, less an administrative fee of one hundred dollars (\$100.00). If applicable, the refund shall include forgiveness of institutional loans. For example, if a student's last day of attendance equals ten percent (10%) of the period of enrollment for which the student was charged, the institution is entitled to retain only ten percent (10%) of the refundable fees charged for the period of enrollment as well as one hundred dollars (\$100.00). However, in no instance will the institution be responsible for any refund in excess of the amount paid by or on behalf of the student for the period of enrollment for which the student was charged.~~

- ~~(d) Except as provided in subparagraph (4)(a) of this rule, if after expiration of twenty percent (20%) of the period of enrollment for which the student was charged, a student withdraws, is withdrawn (including expulsion) by the institution, or otherwise fails to attend classes, the student may be deemed obligated for one hundred percent (100%) of the refundable fees charged by the institution up to the last period of enrollment charged.~~
- ~~(e) For a student who cannot complete one (1) or more classes because the institution discontinued such a class during a period of enrollment for which the student was charged, the institution shall refund the sum of all refundable fees paid and, if the student has institutional loans, forgive the amounts owed by the student.~~  
~~(a) If a student withdraws from the institution on or before the first day of classes, or fails to begin classes, the refund shall equal the sum of all refundable fees paid and, if the student has institutional loans, forgiveness of the amounts owed by the student for the period of enrollment for which the student was charged, less an administrative fee of one hundred dollars (\$100.00);~~
- ~~(b) A student who withdraws at any time is entitled to a full refund of any fee, regardless of whether the fee is included in tuition, paid to the institution for tangible goods or services not delivered to or fully provided to the student;~~
- ~~(c) In addition to subparagraph (4)(b) of this rule, if after classes have commenced and before expiration of ten percent (10%) of the period of enrollment for which the student was charged, a student withdraws, drops out, is expelled, or otherwise fails to attend classes, the refund shall equal seventy-five percent (75%) of all refundable fees paid and, if the student has institutional loans, forgiveness of the loan amount in excess of the twenty-five percent (25%) the student owes the institution, less administrative fee of one hundred dollars (\$100.00);~~
- ~~(d) In addition to subparagraph (4)(b) of this rule, if after expiration of ten percent (10%) of the period of enrollment for which the student was charged, and before expiration of twenty-five percent (25%) of the period, a student withdraws, drops out, is expelled, or otherwise fails to attend classes, the refund shall equal twenty-five percent (25%) of all refundable fees paid and, if the student has institutional loans, forgiveness of the loan amount in excess of the seventy-five percent (75%) the student owes the institution, less administrative fee of one hundred dollars (\$100.00); or~~
- ~~(e) In addition to subparagraph (4)(b) of this rule, if after expiration of twenty-five percent (25%) of the period of enrollment for which the student was charged, a student withdraws, drops out, is expelled, or otherwise fails to attend classes, the student may be deemed obligated for one hundred percent (100%) of the tuition and other fees charged by the institution.~~
- ~~(f) For a student who cannot complete one or more classes because the institution discontinued such a class during a period of enrollment for which the student~~

~~was charged, the institution shall refund the sum of all refundable fees paid and, if the student has institutional loans, forgive the amounts owed by the student.~~

- (54) For purposes of calculating percentages of attendance in clock hour programs the number of scheduled hours up to the last date of attendance will be the numerator. For credit hour programs, percentages are calculated based on calendar days.
- (5) ~~When computing refunds pursuant to the default refund policy, the last day of attendance for a student who meets the definition of enrolled shall be one (1) of the following either:~~
- (a) ~~the date of the student's last recorded day of attendance or on the expulsion notice if a student is expelled from the institution;~~
  - (b) ~~When applicable, the date the institution receives a written notice of withdrawal from a student;~~
  - (c) ~~when no written notice of withdrawal is given, the institution shall use the last day of attendance as the date of withdrawal; or~~
  - (d) ~~the date the student fails failed to return from an approved leave of absence.~~
- (6) Pursuant to Rule .15(4) of these rules, the reconciled account statement must indicate the period of enrollment for which the student is being charged for each tuition charge. If the institution does not maintain the requisite account statement or the reconciled account statement does not clearly indicate the period of enrollment for which the student is being charged, the institution shall be liable for all refundable fees paid by or on behalf of the student.
- (7) In any event, the last date of attendance will be determined and any refund due disbursed within forty-five (45) calendar days of the last date of attendance.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008, and 49-7-2013.

1540-01-02-.18 Statistical Data Collections.

- (1) Annually by October 15 or the next business day if October 15 is a state holiday or weekend day. All all authorized institutions shall provide student-level statistical data on a Commission ~~staff~~ data form that will allow Commission staff to calculate the following statistical information by institution and program:
- (a) the enrollment count;
  - (b) demographic statistics;
  - (c) withdrawal rates;
  - (d) completion rates;

- (e) number of credentials awarded;
  - (f) categories of credentials awarded;
  - (g) placement rates;
  - (h) in-field placement rates; and
  - (i) average time to completion.
- (2) THEC shall publish the results of its calculations on its website except that withdrawal, completion, placement, and in-field placement rates shall not be reported for programs with ten (10) or fewer students.
- (3) Data shall include all students enrolled at the institution between the twelve (12) months beginning July 1 and ending June 30 of the year prior to the report.
- (4) Data form:
- (a) Commission staff will provide institutions either a blank data form or a spreadsheet that is prepopulated with continuing student data.
  - (b) At a minimum, the data form shall include:
    1. student's first name, middle initial, and last name;
    2. student's social security number or unique student identification number;
    3. demographic information, such as race, gender, and date of birth;
    4. program name;
    5. ~~Commission staff assigned~~ program code;
    6. date started;
    7. date completed or date withdrawn; and
    8. placed or placed in-field along with employer contact information.
- (5) All authorized Institutions shall maintain in the student's file evidence of placement sufficient for Commission staff to verify placement. Depending on the field, sufficient evidence includes a written record of an employee of the institution, correspondence from the student, or evidence from a social media site or post indicating that the student is working independently.

- (6) If annual average institutional or individual program withdrawal rates exceed twenty-five percent (25%) or if annual average institutional or individual program in-field placement rates are less than seventy percent (70%), institutions shall explain the circumstances contributing to these rates, demonstrate how these rates are not an indicator of poor instructional value and administrative capability~~educational quality~~, and describe what actions the institution will take to lower the withdrawal rates and/or increase the in-field placement rates. Additionally, Commission staff may compare an institution's rates to the state average for that type of institution and/or program. Institution types are unaccredited, accredited non-degree granting, and accredited degree granting; program type is based on CIP codes and length. When an institution-level or program-level rate fails to meet the state average for two (2) consecutive years Commission staff may recommend to the Executive Director ~~Commission~~ that adverse action be taken against the institution.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006 and 49-7-2022.

1540-01-02-.19 Fair Consumer Practices and Complaints.

- ~~(1) All institutions and their administrative personnel, instructors, agents, and other staff shall act in accordance with fair consumer practices. Fair consumer practices means honesty, fairness, and disclosure to students in areas including, but not limited to, class schedules, recruitment, admissions, contractual agreements, student financial assistance, obligations to repay student loans, placement assistance, job placement rates, advertising, refund policies, the meaning and recognition of different types of accreditation, the transferability of the institution's credits to other postsecondary institutions, and competitors.~~
- ~~(a) Institutions shall ensure that nothing is hidden and all verbal and written representations by the institution are accurate.~~
- ~~(b) Fair consumer practices require an institution to apply its policies as written. The student shall be subject to the written policies in place at the time of the student's initial enrollment into the applicable program. Any changes to the written policies that occur during the student's period of enrollment shall only be applied to the student if the student signs and dates a document acknowledging the new policy and agreeing that said policy shall be applied to the student.~~
- ~~(c) As applicable, verbal and written representations must reasonably allow enrolled or prospective students to make informed decisions concerning their investment of time or money and provide information needed to understand, evaluate, and comply with institution policies and program requirements.(1)All institutions and their representatives shall act in accordance with fair consumer practices to ensure current and prospective students that nothing is hidden and verbal and written representations by the institution are accurate, such that students can make informed decisions concerning their investment of time or money.~~
- ~~(2) Fair consumer practices means honesty, fairness, and disclosure to students in areas including, but not limited to, recruitment, admissions, contractual agreements, student financial assistance, obligations to repay student loans, placement assistance, job placement~~



~~rates, advertising, refund policies, the meaning and recognition of different types of accreditation, the transferability of the institution's credits to other postsecondary institutions, and competitors. Fair consumer practices require an institution to apply its policies as written.~~

- (32) Students ~~should~~ have a reasonable expectation to complete programs as printed in the institutional catalog at the time of enrollment.
- (43) Institutions may not use mandatory arbitration provisions.
- (54) Findings by Commission staff and/or ongoing complaints by current or prospective students that show a pattern of misinformation, misrepresentation, lack of disclosure, or discrepancies between verbal and written information, intimidation, or coercion may require corrective public announcements in addition to adverse action as set forth in Rule .22 of these rules.
- (65) An institution must report to Commission staff in writing within ~~thirty (30) days~~ thirty (30) calendar days any unresolved written complaint filed in a Tennessee court about the institution of which the institution is knowledgeable.
- (76) Institutions may provide a discount for cash payments provided:
- (a) the institution has a written policy in the catalog that includes the definition of cash and details the qualifications for receiving and the amount of a cash discount; and
  - (b) the student verifies receipt and understanding of the policy in the pre-enrollment checklist.
- (87) An institution may award a scholarship, tuition waiver, or other similar award provided:
- (a) the eligibility requirements for the offering, including terms, conditions, application procedures, due dates, basis for selection, and amount to be awarded, are clearly defined in writing;
  - (b) the institution has a form and procedure to verify eligibility; and
  - (c) the amount of the award is a flat dollar amount or subject to calculation using a defined formula or scale.
- (98) Any person claiming damage or loss as a result of any act or practice by an authorized postsecondary educational institution or its agent that is a violation of the Act or these rules, may file a verified complaint on forms provided by the Commission. Any student who files a complaint or on behalf of whom a complaint is filed must first exhaust the grievance process at the institution. Parties to the complaint shall be the complainant and any named institution or agent thereof. The investigation and further review of written complaints will occur in accordance with the following provisions:

- (a) Complaints shall be signed and submitted through hand delivery, mail, or electronic mail as provided for in Rule ~~.27-24~~ of these rules.
- (b) ~~Any complaint as described in (a) shall be commenced within three (3) years of the subject student's withdrawal from or completion of the program or course of enrollment. Commission staff shall investigate all written complaints.~~
- (c) Any named institution or agent will receive a copy of the complaint and be provided an opportunity to respond to all allegations contained in the complaint.
- (d) Any named institution or agent shall provide all information requested by Commission staff as part of the investigation.
- (e) As part of the investigation process, Commission staff may work with the complainant and the named institution or agent to effectuate a ~~settlement~~ resolution.
- (f) ~~When resolution is not reached and if, based on all the evidence obtained through the investigation, Commission staff finds that any person, agent, group, or entity is, is about to, or has been violating the Act or these rules:~~
  - 1. ~~Commission staff may recommend that the Executive Director take action as provided for in T.C.A. § 49-7-2010 and § 49-7-2017 and these rules. Parties to the complaint shall be provided an opportunity to show cause why such recommendations should not be forwarded to the Executive Director. Such opportunity shall detail the basis for the findings and provide any party ten (10) business days to respond. Following completion of the investigation, Commission staff shall provide to all parties written determinations and proposed recommendations and provide a date by which an aggrieved party may submit a request for further review by the Executive Director as provided for in Rule.02(2)(b) of these rules. Such date shall not be earlier than ten (10) business days after the date of the determinations and proposed recommendations.~~
  - 2. ~~(g)——~~ The Executive Director shall act on a recommendation from Commission staff after the time for the show cause response has expired by providing a Notice of Decision to the parties to the complaint. Such notice shall explain the right to a hearing and review by the Commission as provided in T.C.A. § 49-7-2012. Any request for review shall be filed with the Commission within ten (10) business days of the date of the Notice of Decision, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review shall be in writing, signed, list each instance where Commission staff erred, and provide a detailed explanation of each alleged error with references to specific statutes or rules. A request may be denied if it is not received in a timely manner—~~as set forth in subparagraph (8)(f) of this rule.~~

- (g) When resolution of the complaint is not reached and if, based on all the evidence obtained through the investigation, Commission staff makes no findings or determines that an adverse action recommendation is not justified:
1. Commission staff shall provide the parties to the complaint notice of the lack of findings or determination.
  2. If, upon written notification of any action taken by Commission Staff, an aggrieved party to a complaint desires a review by the Executive Director, the party shall notify the Executive Director within ten (10) business days of the date of the action of Commission staff, otherwise the action of Commission staff shall be deemed final and no further review available. Any request for review by the Executive Director shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
  3. If, upon written notification of any action taken by the Executive Director, an aggrieved party to the complaint desires a hearing and review by the Commission, pursuant to T.C.A. § 49-7-2012, the party shall notify the Commission within ten (10) business days of the date of the action of the Executive Director, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review by the Commission shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.
- (h) Any party to the complaint aggrieved or adversely affected by any final commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.
- (i) A complaint investigation may be placed on hold or closed if litigation or investigation involving similar issues is on-going at any court or other government agency.

- (109) Notwithstanding the provisions of paragraph (98) of this rule, Commission staff may take appropriate action to investigate any complaint or suspected non-compliance in order to protect the public interest.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008, ~~and~~ 49-7-2011, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-02-.20 Representations, Advertising, and Solicitations.

- (1) Institutions may reference having authorization in advertising, promotional material, and on letterhead ~~stationary-stationery~~ using the following language: "(name of institution) is authorized for operation by the Tennessee Higher Education Commission." The entire statement must appear with the same size and type of font used throughout the statement, be used, have the same size font, and type of print.

- (2) Entities or individuals that own an authorized institution as well as a related business, for example, truck driver training and trucking company, must maintain clear separation in function and advertising of the business and the institution.
- (3) The Commission logo may not be used by an institution.
- (4) Institutions authorized by the Commission that have a website on, advertise through, or offer instruction via the internet must state on the institution's home page or Tennessee specific webpage: "[name of institution] is authorized for operation as a postsecondary educational institution by the Tennessee Higher Education Commission." The entire statement must be used, have the same size font, and type of print. The reference to the "Tennessee Higher Education Commission" must be a hyperlink to [www.tn.gov/thec](http://www.tn.gov/thec).
- (5) No statement shall be made that the institution or its courses of instruction have been accredited unless the accreditation is identified and is an accreditor recognized by the U.S. Department of Education.
- (6) No statement shall be made that the institution or its courses of instruction have been approved by a state or the federal government unless the approval can be substantiated by an appropriate certificate or letter of approval issued by the approving agency of the state or federal government.
- (7) All advertisements seeking prospective students must include and clearly indicate the full and correct name of the institution, the authorized location city, and, if out-of-state, the authorized location state.
- (8) Any promotion of the institution must primarily be based on the institution's educational programs, not student aid promotion or the number of jobs available, must not guarantee employment, and must comply with fair consumer practices as described in Rule .19 of these rules.
- (9) Other than entry level salary data available on a Tennessee or federal government website, no dollar amount will be quoted in any advertisement as representative or indicative of the earning potential of graduates without prior approval by Commission staff.
- (10) Institutions shall not use images of any kind in such a manner as to convey a false impression as to the location's size, importance, ~~or location of the institution, its~~ equipment, or ~~its~~ facilities.
- (11) Institutions or representatives shall not make deceptive statements concerning other institutions when attempting to enroll students.
- (12) Other than referencing the most recent rates calculated by Commission staff, no institution shall use job placement percentages or related statistics except by written permission of Commission staff.

- (13) If ~~tuition~~ loans are available at the institution, the school may advertise them only with the language "student ~~tuition~~ loans available" in type no larger than that used for the name of the ~~school~~ institution. This does not preclude disclosure of the institution's eligibility under the various state and federal loan programs.
- (14) Promotional materials or agent solicitation practices must not state or infer that programs are available on a free tuition basis unless the tuition and other fee amount reported to Commission staff is zero (0).
- (15) No statement shall be made by an institution that the programs or courses are transferable to another institution without a current articulation agreement or transfer of credit agreement.
- (16) Claims must not be vague. For example, "award winning" institution should include the full name of the award in advertisement; specify year of any such attainment, and the source of the award.
- (17) No institution may publicize, promote or imply an accreditation that is not recognized by the U.S. Department of Education.
- (18) If an institution represents that it has an educational certification from any entity, other than those given by other Tennessee agencies, the institution must produce at the request of Commission staff proof of such certification.

Authority: T.C.A. §§ 49-7-2005, 49-7-2006, 49-7-2007, 49-7-2008 and 49-7-2013.

1540-01-02-.21 Authorization Status.

~~(1) — Temporary Authorization:~~

~~(a) — Commission staff will recommend temporary authorization to the Committee after determining that the institution has demonstrated through the Initial Authorization Application and a site visit that it is compliant with the Act and these rules.~~

~~(b) — An institution will receive temporary authorization after favorable Commission action.~~

~~(c) — Temporary authorization must be maintained for at least twenty-four (24) months prior to eligibility for regular authorization.~~

~~(1) — Provisional Initial Authorization~~

~~(a) — An award of provisional initial authorization shall be subject to review and ratification by the Commission.~~

~~(b) — If an award of provisional initial authorization is ratified by the Commission, authorization becomes regular or conditional as determined by the Commission.~~

~~(c) — If an award of provisional initial authorization is not ratified by the Commission, the institution shall cease all activities and operations as directed by Commission staff in~~

accordance with the Act and these rules.

(d) An institution awarded provisional initial authorization may engage in activities and operations; however, limitations as to time, procedures, functions, or other conditions may be imposed as deemed necessary. Such limitations may include, but not be limited to, notifying prospective students in the enrollment agreement that the institution:

1. is authorized provisionally subject to ratification by the Commission, and

2. notwithstanding Rule .17 of these rules, must refund all moneys paid by or on behalf of prospective or enrolled students in the event that the Commission does not ratify the award of provisional authorization thereby requiring the institution to cease activities or operations such that students are unable to begin or complete the program of enrollment.

(2) Regular Authorization:

(a) Provisional authorization shall become regular authorization following review and ratification of the Commission ~~staff shall recommend for regular authorization any institution authorized for more than twenty-four (24) months that demonstrates all minimum standards for authorization through the Reauthorization Application.~~

(3) Conditional Authorization or Registration:

(a) Conditional authorization or registration is authorization ~~to operate~~ or program registration, but with conditions, such as reporting requirements, performance standard requirements, securing new or additional bonds, a limited period of time to operate such as during change of ownership, or for the purpose of teaching out existing students. Institutions with conditional authorization or registration may also be required to suspend or cease any part of institutional activity, such as enrolling students, advertising, or conducting specific classes or programs. Such suspension or cessation shall remain in effect until activities precipitating the condition are corrected and Commission staff has completed all related reviews and investigations. Conditional authorization or registration may be issued when deemed necessary to protect the public interest.

(b) An institution may request conditional authorization, including, but not limited to, suspension of the operation, rather than expose the institution to adverse action, for situations such as unexpected loss of lease, extended inactivity, or reorganization.

(c) Nothing in this section shall be construed to absolve institutions of their educational and financial obligations to currently enrolled students.

(4) Revocation of Authorization or Program Registration:

- (a) Revocation of authorization or program registration is the immediate and complete withdrawal of the institution's authorization or program registration to enroll, advertise, or operate a postsecondary educational institution in the state.
- (b) Possible grounds for immediate revocation of authorization or program registration to operate include but are not ~~be~~-limited to:
1. loss of right to use the authorized location without immediate notification to the Commission;
  2. instances where a principal party ~~or owner~~ has been or is involved with a postsecondary educational institution that ceased or ceases operation resulting in a loss of time or money for enrollees or prospective students, or; that had or has its institutional authorization ~~to operate~~ in a state revoked ~~or had or has a felony conviction involving moral turpitude, fraud or a capital crime;~~
  3. a pattern of deceptive practices;
  4. failure to correct any situation that resulted in conditional authorization or program registration within a reasonable time period to be determined by the Executive Director;
  5. disregard for any specific directive issued by the Commission, the Executive Director, or Commission staff;
  6. failure to pay assessed fines; ~~and~~
  7. closing an institution without proper notification to the Commission or failure to complete all required closure obligations; and
  8. failure to submit a Certification of Compliance by the required due date or a Reauthorization Application by the authorization term expiration.
- (c) Revocation of authorization or program registration shall not relieve an institution of complete compliance with the requirements in these rules applicable to an institution closing, including, but not limited to, refunds to students, arranging instructional teachouts, and securing the disposition of student records.

Authority: T.C.A. §§ 49-7-2004, 49-7-2005, 49-7-2008 and 49-7-2010.

1540-01-02-.22 Causes for Adverse Action.

- (1) The Commission or Executive Director in the interest of the public welfare, consumer protection and statutory responsibility may assess fines of five hundred dollars (\$500) per day per violation or revoke or make conditional the authorization of an institution or its program registrations or approval of an agent permit under the process as given in

subparagraph .02(2)(e) of these rules for reasons including, but not limited to:

- (a) disregard of provisions of the Act and/or these rules;
- (b) willful violation of any commitment made in an application for authorization or reauthorization;
- (c) presenting to the general public or students or prospective students information that violates Fair Consumer Practices as outlined in these rules;
- (d) advertising, recruiting, or operating a group of classes or a program that has not been approved by the Commission;
- (e) failure to provide or maintain premises or equipment in a safe and sanitary condition as required by laws, regulations, or ordinances applicable at the authorized location of the institution;
- (f) failure to provide and maintain adequate faculty and/or staff;
- (g) failure to maintain financial resources adequate for the satisfactory conduct of the courses of instruction offered;
- (h) operating a postsecondary educational institution at a location that has not been authorized by the Commission;
- (i) failure to correct findings or areas of non-compliance resulting from ~~a~~an authorization site visit, investigation, or audit;
- (j) a pattern of coercion, threats, or intimidation by institutional personnel to students or other school personnel;
- (k) failure to advise the Commission about significant factors, such as:
  - 1. financial difficulties affecting program consistent with the objectives of the course or program of study ~~quality~~, including, but not limited to, when applicable, receipt of Title IV funds;
  - 2. significant staff changes in a short period of time;
  - 3. change of ownership;
  - 4. outcomes of audits by other government agencies;
  - 5. any factor or clearly developing factor that could alter the basis for authorization;
  - 6. loss or lowering of accreditation status; and



7. legal action against the Tennessee authorized school; ~~and~~
  - (l) activities described in Rule .21 of these rules;
  - (m) failure to comply with the requirements of the tuition guaranty fund under § 49-7-2018 and the related rules;
  - (n) submitting false information in any application or correspondence related to an audit, investigation, or complaint; and
  - (o) retaliating against a complainant who exercise their right to complain.
- (2) Repeated and/or consistent violations of the Act or these rules, particularly in the same areas such as advertising, fair consumer practices or operational standards may be grounds for conditional or revocation of authorization in addition to fines.
- (3) Institutions that advertise in formats that will be in the public domain for long periods and where such advertising cannot be rewritten or retracted may be fined in accordance with the Act and these rules for each day, week, or month the advertisement is in active circulation.
- (4) Commission staff at any time may require that an institution furnish proof to the Commission of any of its advertising claims. If proof acceptable to Commission staff cannot be furnished, Commission staff may recommend to the Executive Director that the institution publish a retraction of such advertising claims in the same manner as the claims themselves. Continuation of such advertising shall constitute cause for further adverse action.
- (5) Any action by the Commission or Executive Director under this rule shall be ~~in conformance with~~ subject to review as provided in T.C.A. § 49-7-2010(c)12. All Commission actions are subject to due process provisions of the Uniform Administrative Procedures Act.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2010.

#### 1540-01-02-.23 Institution Closure.

- (1) When an authorized postsecondary educational institution proposes to discontinue its activities or operation, including allowing authorization to expire, such institution shall notify Commission staff within seventy-two (72) hours of that decision.
- (2) Commission staff will provide the institution a list of items that must be provided to Commission staff to close the institution in good-standing and a due date by which to provide the items. The list may include, but is not limited to:

- (a) anticipated date to terminate teaching activity;
  - (b) ending date of present term;
  - (c) a listing by name of all students in all programs. Such list shall include student's social security number, unique student identification number, address, phone number, program of enrollment, and estimated completion dates;
  - (d) the status of all current refunds due or the amount of unearned tuition paid by each student and for which the ~~school~~institution is obligated;
  - (e) a verified agreement with one or more local institutions able to provide ~~-~~sound education to all students in all programs;
  - (f) disposition and servicing of all ~~student academic~~ records as required by T.C.A. §49-7-2016;
  - (g) a request for conditional authorization ~~to operate~~ where required;
  - (h) updated statistical data;
  - (i) official transcripts and certificates for all students enrolled at the institution since it was first authorized and any transcripts or certificates held by the institution that were awarded by another institution that had previously closed and deposited its records with the institution or that was purchased; and
  - (j) demonstration that current educational obligations by the institution will be met on behalf of the presently enrolled students.
- (3) An institution that ceases operations shall maintain sufficient and qualified faculty, staff, and equipment to teach all subjects to all currently enrolled students, regardless of the size of the class, until such time as the institution closes.
- (4) Should the institution fail to make arrangements satisfactory to the Commission staff ~~Executive Director~~ for the completion of the programs in which the currently enrolled students are enrolled and/or for the reimbursement of unearned tuition and fees, the institution shall be subject to fines. Unearned tuition is not the same as a refund calculation or return to Title IV calculation. Unearned tuition shall be calculated as provided for in Rule Chapter 1710-01-02.
- (5) Institutions that close without proper notification to the Commission or that fail to comply with closure obligations given in this rule may be deemed retroactively by the Executive Director to have had the institutional authorization officially revoked. Such a revocation status shall be maintained as part of the Commission closure file on that institution and any individuals directly involved, including, but not limited to, the director, owners, and/or the board chair.

(6) Student Completion of Education (“Teachouts”):

- (a) The Executive Director may approve other authorized or exempt institutions to teachout students who were currently enrolled in an institution which ceases operation. An approved teachout institution shall:
1. offer the course of study or similar course of study as those offered at the closed institution;
  2. be in the same geographic area as that in which the closed institution existed or provide necessary transportation expenses;
  3. provide the student the opportunity to complete the program at no cost in excess of that for which the student originally contracted at the closed institution;
  4. accept any and all credits earned at the closed institution; and
  5. not reduce total course hours required for the student to complete.
- (b) If the closed or closing institution fails to provide an acceptable plan to the ~~executive~~ Executive director/Director, Commission staff may work toward effecting teachout arrangements or transfer agreements with other authorized institutions.
- (c) Teachout plans may involve other institutions or be carried out by the terminating institution as circumstances may dictate.

~~(7) As an alternative to the deposit of records with the Commission, the institution may propose a plan for permanent retention of the records for consideration by Commission staff.~~

Authority: T.C.A. §§ 49-7-2002, 49-7-2005 and 49-7-2016.

1540-01-02-.24 Filing Methods and Requirements.

- (1) ~~Applications shall be filed electronically as prescribed in the application or using DPSA's electronic forms portal. Unless otherwise provided in an application, all filings must be received via hand delivery, mail, electronic mail, or facsimile. Current addresses and fax numbers will be posted on the THEC webpage.~~
- (2) As to any filing requiring the payment of a fee, the fee must be submitted along with the filing or else the filing will be considered incomplete pursuant to Rule .07(1)(b) of these rules.
- ~~(3) Filings shall be received at DPSA on the due date. Items postmarked on the due date but not received at DPSA will be deemed late-filed and, if applicable, may be deferred pursuant to Rule 07(1)(a).~~

Authority: T.C.A. §§ 49-7-2005.

1540-01-02-.25 Fees.

- (1) All fees collected pursuant to the provisions of ~~this part~~the Act shall be deposited in the state treasury as a special agency account to administer the provisions of ~~this part~~the Act.
- (2) Annual ~~reauthorization~~ fees shall be paid with the Reauthorization Application and Certification of Compliance as follows:
  - (a) Annual ~~Reauthorization~~ Fee:
    - 1. a fee of five hundred dollars (\$500) if enrollment is zero (0) to three hundred (300) students;
    - 2. a fee of one thousand five hundred dollars (\$1,500) if enrollment is three hundred and one (301) to six hundred (600) students; and
    - 3. a fee of three thousand five hundred dollars (\$3,500) if enrollment is six hundred and one (601) or more students.
  - (b) ~~Reauthorization Application or Certification Deadline~~ Extension Fee .....\$500
  - (c) Late ~~Reauthorization Application or Certification~~ Fee .....\$500
- (3) The following fees apply to the filing of applications and other services:
  - (a) Initial Authorization Application ..... \$3,000
  - (b) ~~New Programs Application~~Program Registration Request .....\$500
  - (c) Authority for Unaccredited Institutions to Grant Degrees .....\$1,000  
(paid in addition to the ~~New Program Application~~Program Registration Request fee)
  - (d) Credential Level Elevation for Authorized Institutions ..... \$2,000  
(paid in addition to the Program Registration Request~~New Program Application~~ fee)
  - ~~(e) Agent Permit Application – Initial .....\$500~~
  - ~~(f) Agent Permit Application – Renewal .....\$250~~
  - ~~(g)~~ Institution Name Change Application .....\$500
  - ~~(h)~~ Change of Location Application .....\$500
  - ~~(i)~~ Fines (assesses at a maximum of per day, per violation) .....\$500

- (jh) Exemption Determination ~~Application Request~~ .....\$100
- (ki) Closed Institution Transcript Request .....\$10
- (lj) Convenience Charge for Electronic Payments ..... amount charged by vendor

Authority: T.C.A. §§ 49-7-2005, 49-7-2014 and 49-7-2017.

1540-01-02-.26 Refund of Regulatory Fees.

- (1) At the request of an institution a refund will be made as follows:
  - (a) ~~If an institution withdraws an application within three (3) business days from filing, then all fees assessed less the convenience charge for electronic payments shall be refunded. Thereafter all fees are nonrefundable. If an institution withdraws a pending application within three (3) working days from receipt or prior to the start of Commission staff's review, then all fees assessed shall be refunded.~~
  - (b) ~~If an institution withdraws a pending application more than three (3) working days from receipt and once Commission staff review begins, the Commission may retain fifty percent (50%) of the assessed fees.~~
  - (c) ~~Once Commission staff's review of a pending application is complete or a site visit has been conducted, the Commission may retain one hundred percent (100%) of the assessed fees.~~
  - (~~db~~) Institutions that fail to complete the application process described in Rule ~~1540-01-02-.07(1)(b)~~ of these rules shall forfeit all fees paid.
  - (~~e2~~) Fees for a Closed Institution Transcript Request and Convenience charges for electronic payments are nonrefundable. Any other fee collected is nonrefundable once Commission staff has performed the associated review or work related to that fee.

Authority: T.C.A. §§ 49-7-2005 and 49-7-2014.

## Amendment

### CHAPTER 1540-01-10 REGULATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS WITH OPTIONAL EXPEDITED AUTHORIZATION (OEA)

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#### 1540-01-10-.01 Incorporation of Rules.

- (1) Rules 1540-01-02-.01, .02, .04, .09, .18 and .26-23 shall be incorporated into this Rule Chapter as if fully written herein.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023~~, and 2022 Tenn. Pub. Ch. No. 1044.

#### 1540-01-10-.02 Definitions.

- (1) "Accreditation" is a non-governmental, peer evaluation of postsecondary educational institutions and programs. ~~P by private educational associations of regional and national scope~~ that have adopted criteria for educational programs and have developed procedures for evaluating institutions or programs. The date of accreditation is the date applicable to a location and includes approval, recognition, or similar designation of a branch, satellite, instructional, or other location descriptor used by an accreditor. These criteria determine whether or not institutions or programs are operating at basic levels of quality. The Commission only recognizes accrediting agencies that are recognized by the U.S. Department of Education.
- (2) "Act" means the Tennessee Higher Education Authorization Act of 2016, T.C.A. §§ 49-7-2001, et seq., as amended.
- (3) "Articulation and transfer of credit agreement" means an arrangement between two (2) higher education institutions that is approved and signed by authorized institutional representatives and constructed by faculty in the discipline that (1) equates for transfer of a defined set or block of academic credits that will meet requirements of a specified program at a degree-awarding institution or (2) provides that a specific credential from one institution will meet the admission education requirement for a program leading to a higher credential

at a second institution.

- (4) "Authorization" means approval of a postsecondary educational institution by the Commission for the institution to engage in activities or operations otherwise prohibited by T.C.A. § 49-7-2007. Authorization is for a specified time at a specified location. Institutions shall not use authorization to connote greater approval than simple permission to engage in allowed activities or operations. Terms which may not be used include, but are not limited to, "accredited by," "supervised by," "endorsed by," and "recommended by the Commission."~~"Authorization to operate" means approval of the Commission to operate or to contract to operate a postsecondary educational institution in this state as described in T.C.A. § 49-7-2007(1)–(3) or (5). Authorization to operate is for a specified time at a specified location. Institutions shall not use an authorization to operate to connote greater approval than simple permission to operate. Terms which may not be used include, but are not limited to, "accredited," "supervised," "endorsed," and "recommended by the Commission."~~
- (5) "Commission" means the Tennessee Higher Education Commission.
- ~~(6) "Committee" means the Committee on Postsecondary Educational Institutions.~~
- ~~(7) "Degree-granting postsecondary educational institution" includes institutions offering education or training above the high school level and where the institution awards degrees, such as associate, bachelors, masters, specialist, or doctoral degrees.~~
- ~~(86)~~ "Division of Postsecondary State Authorization" or "DPSA" means the division within the Tennessee Higher Education Commission tasked with overseeing the implementation and enforcement of the Act and these rules.
- ~~(7)~~ "Enrollment" or "Enrolled" refers to those students who have attended one (1) session of class, turned in one (1) assignment, or received one (1) distance learning lesson.
- ~~(98)~~ "Federal student financial aid programs" means any of the various loans or grants offered to students, parents, or institutions through Title IV of the Higher Education Opportunity Act, as amended.
- ~~(9)~~ "Institutional director" means the individual designated by the institution to assume responsibility for ensuring that the conduct of the institution and its agents are within the Act and these rules.
- (10) "License" or "Licensure" includes similar terms, such as registration and certification, and means a designation from a subject matter expert state agency, board, or commission indicating that the recipient has met certain requirements for obtaining the designation, for example, a licensed massage therapist or educator.
- (11) "Location" means an address that may be used for purposes of a postsecondary educational institution in compliance with all pertinent ordinances and laws, including any rules and regulations adopted pursuant to the ordinances and laws, relative to zoning and the safety and health of persons at the address. When physical presence activities or operations are

~~not the result of instruction at a postsecondary educational institution location as determined by the Commission staff, such as supervised field experiences or similar activities or operations, then the postsecondary educational institution location from which the educational credential is awarded must be the authorized location. "Location" means an address that is zoned for commercial purposes for use as a postsecondary educational institution.~~

(12) "Optional expedited authorization" or "OEA" means the ~~alternative~~ optional ~~expedited~~ authorization available pursuant to T.C.A. § 49-7-2022 and these rules to certain accredited ~~degree-granting postsecondary educational~~ institutions.

(13) "Other fees" means fees, other than tuition, paid to the institution or third parties for products or services, including, but not limited to, fees paid for tangible goods, laboratory fees, technology fees, student activity fees, graduation fees, or fees paid for housing, meals, or transportation.

~~(14) "Ownership" and "Owner" mean:~~

~~(a) the individual, if the postsecondary educational institution is a sole proprietorship;~~

~~(b) all partners, whether full, silent, or limited, if the postsecondary educational institution is a partnership;~~

~~(c) all individuals and entities with an interest in the for-profit corporation or other for-profit legal entity, if the postsecondary educational institution is a for-profit corporation or other for-profit legal entity; or~~

~~(d) the executive committee of the governing board, if the postsecondary educational institution is a not-for-profit or nonprofit entity.~~

~~(1415) "Postsecondary educational institution" includes, but is not limited to, a school, college, university, or other type of entity offering educational credentials, instruction, educational services, or other activities as described in T.C.A. § 49-7-2007, primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for the attainment of educational, professional, or vocational objectives. The terms "location," "postsecondary educational institution," and "institution" may be used interchangeably such that determinations made pursuant to the Act and these rules are made in regard to the specific location. "Postsecondary educational institution" includes, but is not limited to, an academic, vocational, technical, online/distance learning, business, professional, or other school, college, or university, or other organization or person, offering educational credentials, or offering instruction or educational services primarily to persons who have completed or terminated their secondary education or who are beyond the age of compulsory high school attendance, for attainment of educational, professional, or vocational objectives.~~

~~(16) "Primarily located" means the state recognized by the accreditor as the state in which the main campus is located;~~



~~(17)~~ “Prospective student” means a student who has been accepted for attendance at an institution but who is not enrolled as defined in subparagraph (7) of this rule.

~~(1518)~~ “These rules” means all rules contained in Rule Chapter 1540-01-10.

~~(1619)~~ “Tuition” means any fee involving the student, actually charged or tracked as a bookkeeping item for instruction provided.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023,~~ and 2022 Tenn. Pub. Ch. No. 1044.

#### 1540-01-10-.03 Eligibility and Application Requirements.

- (1) In order to receive OEA, a postsecondary educational institution must submit a signed OEA Application demonstrating that the institution meets the following eligibility requirements:
- ~~(a)~~ Meet the definition of degree-granting postsecondary educational institution;
  - ~~(b)~~ Be accredited by a regional or national institutional an accrediting agency recognized by the U.S. Department of Education; and
  - ~~(c)~~ Provide the following information and documentation as part of a signed and notarized OEA Application created by Commission staff:
    - 1. evidence of good-standing and valid institutional accreditation from a regional or national an institutional accrediting agency recognized by the U.S. Department of Education indicating that the location for which authorization is being sought is accredited or properly recognized by the accreditor;
    - 2. documentation evidencing an established, clearly articulated, and comprehensive process for the resolution of student complaints. In order to be a comprehensive complaint process, the process must contain:
      - (i) a detailed explanation as to how a student escalates a grievance to the highest level at the authorized institution location, for example, to the institutional director;
      - (ii) an opportunity for all persons involved in the complaint to be heard at any final step at the institutional-authorized location level, including, but not limited to, an appeal;
      - (iii) an explanation as to how the institution will notify students that complaints not resolved at the institutional-authorized location level may be filed with the Commission; and
      - (iv) an explanation as to how students will be notified of the institution’s comprehensive complaint process;

3. ~~documentation demonstrating the institution is operating lawfully in Tennessee evidencing that the institution is authorized or exempt from authorization in the state where it is primarily located, if the institution is not authorized in Tennessee;~~
  
4. ~~documentation, if deemed necessary, evidencing that the institution meets and maintains financial standards and institutional stability acceptable by the accreditor for the purpose of maintaining accreditation or the United States department of education for the purpose of being a Title IV eligible institution; documentation demonstrating that the institution is currently maintaining financial standards and institutional stability deemed acceptable for eligibility in Title IV federal student financial aid programs. Documentation shall include at a minimum:~~
  - ~~(i) the most recent independent audit completed, in part, for purposes of calculating the institution's federal financial composite score as described in 34 C.F.R. § 668.172; and~~
  
  - ~~(ii) any correspondence issued in the past twenty-four (24) months from the Federal Student Aid Office of the U.S. Department of Education concerning eligibility for financial aid, including, but not limited to, financial ratios, a letter of credit alternative, or a provisional certification alternative as well as any related correspondence from the institution;~~
  
5. a comprehensive list or verification of all programs offered at the institution along with, when applicable, documentation evidencing receipt of all requisite program approvals from subject matter expert state licensing agencies, boards, or commissions. Evidence shall be provided for any program designed to train a student for employment in a field where a license is required in order to be employed in that field. The evidence shall clearly demonstrate that the state agency, board, or commission has determined that the program meets the educational requirements necessary to receive a license or sit for a required exam. The comprehensive list or verification shall include, at a minimum, the following information:
  - (i) program name;
  - (ii) DPSA assigned program code;
  - (iii) credential awarded;
  - (iv) credit hours or contact hours to be awarded;
  - (v) length of time expected to complete the program;
  - (vi) cost of program tuition;

- (vii) cost of other fees;
  - (viii) program status;
  - (ix) a Classification of Instructional Programs (CIP) code;
  - (x) whether programmatic accreditation is required for the program and the name of the accreditor that has reviewed and accredited the program; and
6. the website addresses to the ~~gainful employment data for gainful employment programs~~ most current version of the following information. The address should provide a reasonable person easy access to this information;
- (i) Costs of attendance;
  - (ii) Information on whether academic credits attained are transferable to other institutions operating in Tennessee;
  - (iii) Executed articulation and transfer of credit agreements with other institutions operating in Tennessee, if applicable; and
  - (iv) Federal student cohort default rates.
7. a report of any illegal or unethical conduct by employees, agents, contractors, or third-party service providers related to the delivery of educational programs and services to students with any corrective action and remedies taken by the institution;
8. a description of the ownership of the institution and when applicable, a corporate flowchart or tree showing the institution's position in relationship to all affiliated ~~corporate-legal~~ entities;
- ~~9. copies of all executed articulation and transfer of credit agreements with other institutions operating in Tennessee;~~
- ~~109.~~ the most recently calculated three-year (3) official cohort default rate from the Office of Federal Student Aid of the U.S. Department of Education. ~~Institutions with official cohort default rates for the three most recent years equal to or greater than thirty percent (30%) or a current official cohort default rate greater than forty percent (40%) are not eligible for OEA; and~~
- ~~110.~~ affirmation of the requirement to submit statistical data as described in Rule 1540-01-02-.18; and
- ~~11.~~ other than public institutions, a continuous institutional surety bond on the prescribed form.

(c) OEA will be granted for four (4) years, unless otherwise determined by the Executive Director or the Commission. Institutions with a four (4) year authorization term shall submit Certifications of Compliance as provided for in these rules in years one (1), two (2), and three (3) and an OEA Application as provided for in these rules in year four (4).

(d) Commission staff will review an OEA Application to determine whether the application demonstrates that the institution complies with all requisite standards. Upon such a finding and in the case of an initial application, Commission staff will recommend that the Executive Director grant the institution provisional initial authorization. Provisional initial authorization shall list any limitations as to time, procedures, functions, or other conditions as deemed necessary and be subject to review and ratification by the Commission. After ratification, the provisional designation will be removed.

1. An award of provisional initial authorization shall be subject to review and ratification by the Commission.

2. If an award of provisional initial authorization is ratified by the Commission, authorization becomes OEA.

3. If an award of provisional initial authorization is not ratified by the Commission, the institution shall cease all activities and operations as directed by Commission staff in accordance with the Act and these rules.

4. An institution awarded provisional initial authorization may engage in activities and operations; however, limitations as to time, procedures, functions, or other conditions may be imposed as deemed necessary. Such limitations may include, but not be limited to, notifying prospective students in the enrollment agreement, or similar document, that the institution:

i. is authorized provisionally subject to ratification by the Commission, and

ii. must refund all moneys paid by or on behalf of prospective or enrolled students in the event that the Commission does not ratify the award of provisional authorization thereby requiring the institution to cease activities or operations such that students are unable to begin or complete the program of enrollment.

(e) In the event that an OEA Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall provide written notice of the deficiencies to the applicant and provide applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application may be denied or Commission staff will recommend that the Executive Director take adverse action, including but not limited to placing the institution on conditional authorization status, or revoking authorization.

(2) Certification of Compliance

- (a) Annually during the authorization term, institutions with optional expedited authorization shall file a Certification of Compliance by a due date to be established by Commission staff and posted on the Commission's website.
  - (b) The Certification of Compliance shall require at a minimum that the institution self-certify that it is engaged in activities and operations in compliance with the Act and these rules, the institution provide an updated comprehensive program list, and the certification be signed by the institutional director and, if other than the institutional director, the owner or a representative thereof.
  - (c) Commission staff will review a Certification of Compliance and, upon finding that the certification demonstrates that the institution complies with all requisite standards, notify the institution of such. In the event that the Certification of Compliance fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the Certification of Compliance by providing written notice of the deficiencies to the institution and providing the institution two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, Commission staff may recommend that the Executive Director take adverse action, including but not limited to assessing a fine, placing the institution on conditional authorization status, or revoking authorization.
- (2) After receipt of an institution's application, Commission staff shall conduct a detailed review and verification of the application. OEA applications will be processed as follows:
- (a) Upon satisfactory examination of all submitted documentation, Commission staff will recommend the application for recommendation of approval by the Committee to the Commission. Thereafter, the Committee's recommendation will be submitted to the Commission and upon approval by the Commission, Commission staff shall issue notification of the OEA status noting that it is valid for one (1) year.
  - (b) If the Commission upon review and consideration of the application determines the applicant is not eligible and fails to meet the OEA criteria established in this section, the Commission shall notify the applicant of its decision to deny the application and set forth the reasons for the denial in writing. Such denial can be reviewed as further described in Rule .05 of these rules.
  - (c) In order to continue OEA for an additional year, an institution must complete an application as described in Rule .03(1)(c) of these rules and file it with Commission staff by the due date immediately preceding the expiration date of the institution's current OEA. In the event that an application is timely filed but is not considered by the Commission prior to the current OEA expiration date, Commission staff may continue an institution's OEA for not more than six (6) months.

(3) Change of Ownership Application:

- (a) Authorization must be issued to the owner or governing body of the applicant institution and is nontransferable.
- (b) A change of ownership occurs when a transaction results in the controlling interest in the postsecondary educational institution changing from an authorized owner to an unauthorized owner. In the event of a change of ownership, the new owner must submit to Commission staff within five (5) business days after the change in ownership is finalized:
  - 1. a Change of Ownership Application and
  - 2. a request that the Executive Director grant the new owner conditional authorization until the new owner obtains provisional initial authorization.
- (c) The new owner shall submit an Initial Authorization Application as provided for in Rule Chapter 1540-01-02 or an Optional Expedited Authorization Application thirty (30) calendar days after the notice of conditional authorization.
- (d) The Change of Ownership Application shall require that the new owner provide the sales contract, bill of sale, deed, or other documents necessary to transfer ownership of the institution.
- (e) Commission staff will review a Change of Ownership Application and, upon finding that the application demonstrates that the institution complies with all requisite standards, grant the change of ownership and recommend that the Executive Director grant conditional authorization. In the event that the Change of Ownership Application fails to demonstrate that the institution complies with all requisite standards, Commission staff shall defer the application by providing written notice of the deficiencies to the applicant and providing applicant two (2) opportunities to correct the deficiencies. Following the second failed attempt to correct deficiencies, the application will be denied and the closure process described in Rule .23(b) of these rules will commence.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023~~, and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.04 Required Notifications to Commission Staff.

- (1) OEA institutions shall notify Commission staff, within five (5) business days, of the following:
  - (a) action by an accrediting agency in regard to the institution's accreditation status, such as revocation, suspension, probation, warning, or similar action;
  - (b) notice of legal action involving the institution, or its parent entity if applicable, and Tennessee students, related to the delivery of educational programming or student consumer practices, including, but not limited to, class action lawsuits;
  - (c) utilization by the institution of a letter of credit or a cash management agreement

with the U.S. Department of Education;~~or~~

(d) public announcement of investigation by any governmental agency. The institution shall notify Commission staff whether the investigation is related to the institution's academic quality, financial stability, or student or consumer practices;

(e) change of ownership; or

(f) change of institutional director.

(2) Institutions shall submit a New Program Notification Form when the institution offers a new program on the Committee meeting due dates for any programs implemented since the last due date. Once processed, Commission staff will issue the institution a program code for use when submitting statistical data.

(3) At the request of Commission staff, the Executive Director, ~~the Committee~~, or the Commission, OEA institutions shall provide any information deemed necessary to monitor the institution's eligibility for OEA.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023~~ and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.05 Denial or Withdrawal of an Application or Certification of Compliance of Oea Status.

(1) When an application or certification is before Commission staff for consideration, Commission staff will provide the applicant written notice of its final determination. If, upon written notification of any action taken by Commission Staff, an aggrieved applicant desires a review by the Executive Director, the applicant shall notify the Executive Director within ten (10) business days of the date of the action of the Executive Director, otherwise the action of Commission staff shall be deemed final and no further review available. Any request for review by the Executive Director shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner.

~~A decision of the Commission to deny OEA status shall be provided to the institution in writing through the Executive Director, provide the basis for denial, and be effective as of the date of the decision.~~

(2) If, upon written notification of any action taken by the Executive Director, an aggrieved applicant desires a hearing and review by the Commission, pursuant to T.C.A. § 49-7-2012, the applicant shall notify the Commission within ten (10) business days of the date of the action of the Executive Director, otherwise the action of the Executive Director shall be deemed final and no further review available. Any request for review by the Commission shall be in writing, signed, and provide a detailed explanation of each alleged error with references to the Act or these rules. A request may be denied if it is not received in a timely manner. Any person aggrieved by a decision of the Commission respecting denial of OEA status shall have the right to a hearing and review of the decision by the Commission as provided in T.C.A. § 49-7-2022(q) and these rules. An aggrieved party for purposes of this

~~rule is any postsecondary educational institution denied OEA status.~~

- (3) ~~Any person, agent, group or entity aggrieved or adversely affected by any final commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012. If an aggrieved party desires a hearing and review, the party shall file a written notice within ten (10) business days after the date of the Commission's written notice of denial. If written notice is not provided by an aggrieved party, then the action shall be deemed final.~~
- (4) ~~Upon receiving notice from an aggrieved party, the Commission shall fix the time and place for a hearing and shall notify the aggrieved party of the time and place of the hearing. The Commission may vote to have an administrative law judge from the Administrative Procedures Division of the Tennessee Secretary of State's Office conduct a contested case proceeding and issue an initial order pursuant to the Uniform Administrative Procedures Act.~~
- (5) ~~At the hearing, the aggrieved party may employ counsel, shall have the right to hear the evidence upon which the action is based, and present evidence in opposition or in extenuation. If an administrative judge is not appointed, then any member of the Commission may preside except when a clear conflict of interest may be demonstrated.~~
- (6) ~~Any decision by the Commission or an initial order by an administrative law judge shall include a statement of findings and conclusions upon all material issues of fact, law or discretion presented at the hearing and the appropriate rule, order, sanction, relief, or denial thereof.~~
- (7) ~~Any final decision of the Commission shall be subject to the right of judicial review provided in T.C.A. § 49-7-2012.~~

Authority: T.C.A. §§ 49-7-2005, 49-7-2022 ~~and 2022 Tenn. Pub. Ch. No. 1044~~ and 49-7-2023.

1540-01-10-.06 Conditional Status of or Revocation of OEA Status.

- (1) OEA may be made conditional or revoked for just cause or as otherwise noted in T.C.A. § 49-7-2022. Revocation can occur as a result of:
  - (a) a vote of the Commission on its own motion ~~or on the recommendation of the Committee or the Commission staff~~; or
  - (b) a determination of the Executive Director pursuant to Rule 1540-01-02-.02(e).
- (2) Just cause includes activities where the institution acted contrary to the public interest, exhibits questionable financial strength, or is not operating educational programs with acceptable outcomes and includes, but is not limited to:
  - (a) Loss or failure to meet any of the listed criteria for eligibility in Rule .03(1) of these rules;



- (b) Failure to fulfill the requirements in Rule .03 of these rules;
  - (c) A finding resulting from a ~~signed student complaint, that:~~
    - 1. ~~the institution did not follow its policies as presented to the student; or~~
    - 2. ~~the institution hid a fact or made a verbal or written inaccurate representation to the student that affected the student's ability to make an appropriate decision concerning the student's investment of time and money.~~
  - (d) Having an institution-level or program-level withdrawal, completion, placement, or in-field placement rate that is less than the state average rate for other OEA institutions or a program type for more than two (2) consecutive years;
  - (e) Providing false or misleading statistical data;
  - (f) Failure to comply with the requirements of the tuition guaranty fund under § 49-7-2018 and the related rules;
  - (g) A three-year federal financial aid cohort default rate as calculated by the U.S. Department of Education of thirty percent (30%) or higher for three (3) consecutive years or over forty percent (40%) for any single year;
  - ~~(h) Retaliating against a complainant who exercises their right to complain; or~~
  - ~~(hi) Allowing OEA to expire without timely filing an OEA Application, Certification of Compliance, or Initial Authorization Application.~~
- (3) Upon revocation of any institution's OEA, the following shall occur:
- (a) The institution shall immediately be subject to all provisions of the Act and Rule Chapter 1540-01-02.
  - (b) The institution shall apply for Commission authorization under T.C.A. § 49-7-2008 and Rule Chapter 1540-01-02 ~~thirty (30) calendar days after the notice by the next due date which is more than ten (10) business days from the date~~ of revocation.
  - (c) The Executive Director may grant the institution conditional authorization to continue its operation as a non-OEA institution. Such conditional authorization shall not be for more than six (6) months. Failure to fulfill all conditions of authorization within six (6) months may lead to revocation of authorization.
  - (d) Any institution whose OEA is revoked by the Commission shall be ineligible to reapply until the Commission determines that all bases for revocation have been resolved for OEA for no less than twenty-four (24) months from the date of revocation.

- (4) Notwithstanding paragraphs (1) through (3) of this rule, no immediate action should be taken to revoke an institution's OEA when the institution's accreditor is removed from the U.S. Department of Education's list of recognized accreditors. The Executive Director shall set a time period in which institutions may continue to operate under OEA, assuming all other OEA requirements are met. The time period should coincide with the provisional time period set by the U.S. Department of Education for affected institutions to seek a new accreditor.

(5) Any action by the Commission or Executive Director under this rule shall be subject to review as provided in T.C.A. § 49-7- 2012. All Commission actions are subject to due process provisions of the Uniform Administrative Procedures Act

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023,~~ and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.07 Complaints.

- (1) Commission staff shall investigate any signed student complaint involving an OEA institution after verifying that the student has ~~escalated the complaint to exhausted the institution complaint process~~ the institutional director and the institutional director has had an opportunity to investigate and resolve the complaint yet the complainant contends it remains unresolved.
- (2) Commission staff's investigation shall determine as necessary:
  - (a) whether the institution followed its policies as represented to the student; and
  - (b) whether the institution failed to disclose a fact or made a verbal or written inaccurate representation to the student that affected the student's ability to make an appropriate decision concerning the student's investment of time and money.
- (3) When determining whether a finding is appropriate, Commission staff shall take into consideration any reasonable offers the institution made to resolve the student's complaint at the institutional level.
- (4) The investigation will proceed as follows:
  - (a) Complaints shall be signed and submitted through hand delivery, mail, or electronic mail as provided for in Rule .08 of these rules.
  - (b) Any named institution will receive a copy of the complaint and be provided an opportunity to respond to all allegations contained in the complaint.
  - (c) Any named institution shall provide all information requested by Commission staff as part of the investigation.
  - (d) As part of the investigation process, Commission staff may work with the complainant and the named institution to effectuate a settlement.

- (e) If there are no findings, the complaint will be closed and the written determination shall include a date by which an aggrieved party may submit a request for further review by the Executive Director as provided for in Rule 1540-01-02-~~19(9)02(2)(b)~~. Such date shall ~~not be earlier than~~ be ten (10) business days after the date of the written determinations. If no request for review is received, the complaint will be closed.
- (f) If there are findings and proposed recommendations, the following process will be used:
1. Commission staff shall provide in the written determinations and proposed recommendations a date by which either party may respond to the findings or recommendations. Such date shall not be earlier than ten (10) business days after the date of the written determinations.
  2. Following review of the responses, if any, Commission staff may:
    - (i) determine that the complaint is closed by providing written notice to the parties. The written notice shall include a date by which an aggrieved party may submit a request for further review by the Executive Director as provided for in Rule 1540-01-02-~~19(9)02(2)(b)~~. ~~Such date shall not be earlier than ten (10) business days after the date of the written determinations;~~ or
    - (ii) recommend that the Executive Director take some action that is within the scope of the proposed recommendations. Any decision of the Executive Director to take action will be provided to the parties by letter and shall include a date by which an aggrieved party may submit a request for further review by the ~~Executive Director~~Commission as provided for in Rule 1540-01-02-~~19(9)02(2)(b)~~. ~~Such date shall not be earlier than ten (10) business days after the date of the written determinations.~~
    - (iii) Any party to the complaint aggrieved or adversely affected by any final commission action may obtain judicial review of the action as provided in T.C.A. § 49-7-2012.
- (g) Any request for review shall be in writing, signed, ~~list each instance where Commission staff erred,~~ and provide a detailed explanation of each alleged error with references to specific statutes or rules. Requests for review shall be received through hand delivery, mail, electronic mail or facsimile. A request may be denied if it is not received in a timely manner ~~as set forth in subparagraph (f)~~.

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023,~~ and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.08 Filing Methods and Requirements.

- (1) ~~Application d~~Due dates, denials, and deferrals, and withdrawals:
- (a) ~~For purposes of these rules, application refers to any application or certification.~~
  - (b) ~~When a due date is provided by Commission staff, a complete application in the prescribed format shall be received at the Commission by the close of business on the due date. Applications received after the due date will be deemed late and will be reviewed after all timely filed applications or certifications are reviewed. For purposes of these rules, applications refer to any applications or certifications. For each quarterly meeting of the Committee, Commission staff shall establish a due date that is no more than ninety (90) days before the date of the meeting. Unless stated by Commission staff, the established due date shall apply to Optional Expedited Authorization Applications. Applications shall be received at DPSA on or before the due date. Applications received after that date will be deemed late and may be deferred to the next due date.~~
  - (b)c) ~~Initial OEA Applications shall be filed in the prescribed format and may be filed at any time. All other OEA Applications shall be filed as provided for in these rules. Applications and certifications will be reviewed when complete. When received, Commission staff shall determine whether an application is complete and notify the applicant if the application is incomplete. An applicant will have thirty (30) calendar days to complete an incomplete application. Incomplete applications or certifications include applications or certifications submitted without all applicable fees or an attachment. An application that is not completed by the prescribed due date will be withdrawn. An application submitted without the appropriate fee will be considered incomplete and will not be reviewed until all applicable fees are received. In any event, Commission staff may defer the application to the next due date.~~
  - (c)d) ~~Denial or withdrawal of an application does not prevent the applicant from submitting a new application. Further, an incomplete application is an application that is missing any information or contains noncompliant information. Commission staff may defer consideration of the application to the next due date.~~
  - (d) ~~If an application is deferred, the institution shall have until the next established due date to complete the application.~~
  - (e) ~~An application can be deferred either by the institution or Commission staff a total of two (2) times. After the second deferral, the application will be deemed withdrawn if the institution does not submit a completed application by the next due date.~~
- (2) ~~Applications shall be filed electronically as prescribed in the application or using DPSA's electronic forms portal. Unless otherwise provided in an application, all filings must be received via hand delivery, mail, electronic mail, or facsimile. Current addresses and fax numbers will be posted on the THEC webpage.~~
- (3) ~~Filings shall be received on the due date. Items postmarked on the due date but not received at DPSA will be deemed late.~~

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023,~~ and 2022 Tenn. Pub. Ch. No. 1044.

1540-01-10-.09 Fees.

- (1) An institution shall pay a fee of nine thousand dollars (\$9,000) to the Commission ~~with the~~ when filing an Optional Expedited Authorization Application or Certification of Compliance. Any convenience charge for electronic payments shall equal the amount charged by the vendor.
- (2) ~~If an institution withdraws an application within three (3) business days from receipt, then all fees assessed less the convenience charge for electronic payments shall be refunded. After three (3) business days from filing of the application, all fees are nonrefundable.~~
- (3) ~~Institutions that fail to complete the application process described in Rule .08 of these rules shall forfeit all fees paid.~~

Authority: T.C.A. §§ 49-7-2005, 49-7-2022, ~~and 49-7-2023,~~ and 2022 Tenn. Pub. Ch. No. 1044.



## TENNESSEE HIGHER EDUCATION COMMISSION

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REGULAR CALENDAR ITEM: VI.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Election of 2022-2023 Commission Officers

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** N/A

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### BACKGROUND

Pursuant to the Article V of the Rules of Procedure, the Commission will elect the officers annually at the regular summer meeting. Article V provides:

*The Commission officers shall consist of a chair, two vice-chairs, and a secretary, each elected by the Commission members from among their own number. The office of secretary may be combined with that of vice-chair. Officers shall be elected at the summer Commission meeting, and the term of office of all officers shall be one year or until their successors are elected; and their duties shall be those ordinarily performed by such officers.*

*Each vice-chair shall reside in one of the grand divisions of the state in which the chair and the vice-chair do not reside.*

The current Commission officers are:

Evan Cope – Chair (Middle Grand Division)

Vernon Stafford – Vice Chair (West Grand Division)

Dakasha Winton – Vice Chair (East Grand Division)

A C Wharton – Secretary



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** VII.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Selection of THEC/TSAC Joint Audit Committee Member

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

The THEC/TSAC Joint Audit Committee Charter outlines the requirements for membership on the audit committee. The committee and its chair shall be selected by the Executive Director of THEC/TSAC and confirmed by the selected member's respective Commission/Board of Directors. The Audit Committee shall consist of five (5) members with representation from both organizations who are generally knowledgeable in financial, management, and auditing matters. The committee chair shall have some accounting or financial management expertise. Each member shall serve for a term not to exceed three (3) years and may be reappointed. Each member shall be free of any appearance of conflict and of any relationship that would interfere with his or her exercise of independent judgment. The appointed term of THEC's former committee member Nancy Dishner expired on June 30, 2022.

The current composition of the audit committee is:

- Pam Koban, Chair, *representing THEC*
- Doree Hicks, *designee for Commissioner of Finance and Administration, representing TSAC*
- Dr. Claude Pressnell, *representing TSAC*
- Vernon Stafford, *representing THEC*

### EXECUTIVE DIRECTOR RECOMMENDATION

Executive Director Dr. Emily House recommends that THEC Commissioner Jay Moser be appointed to a three-year term of the Combined Audit Committee commencing immediately.



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** VIII.

**MEETING DATE:** July 28, 2022

**SUBJECT:** Historically Black Colleges and Universities Success 2022-25 Strategic Plan

**ITEM TYPE:** Informational

**ACTION RECOMMENDATION:** N/A

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### BACKGROUND

On June 29, 2022, the Historically Black Colleges and Universities (HBCU) Success Advisory Board held a special called meeting to discuss the 2022-25 HBCU Success Strategic Plan proposed by THEC staff. Subsequently, this strategic plan was formally adopted by the HBCU Success Advisory Board. The Advisory Board serves as a connection between the Commission, Tennessee HBCUs, and the community and provides guidance on matters related to strengthening the capacity of the seven HBCUs in Tennessee in providing the highest quality education; increasing opportunities for these institutions to participate in and benefit from state programs; and ensuring that Tennessee has the highest proportion of college graduates from HBCUs in the country.

In partnership with the office of Consumer Focused Government, THEC staff has worked to gather input from the Tennessee HBCU sector on ideas that should be considered in the three-year HBCU Success Strategic Plan. The feedback from those surveys was used to inform a strategic planning workshop with the Advisory Board that took place in March 2022, followed by the Advisory Board's regular meeting in April 2022 which included dedicated time for public comment and participation.

The 2022-25 HBCU Success Strategic Plan is based on three objectives that outline what must be completed to achieve progress towards reaching the statutory goals of the statewide HBCU Success initiative:

1. Promote HBCUs to students, families, the community, and policymakers;
2. Support the strengthening of HBCU administrative capacity; and
3. Encourage partnerships with HBCU programs and initiatives

Of equal importance to the statewide HBCU Success Strategic Plan is ensuring alignment and compatibility with the vision and strategic planning taking place on each of the individual HBCU campuses across the state. The highlights of the Strategic Plans of each of the seven HBCUs have been included in this agenda item, to emphasize the alignment and cohesion between HBCUs and the State, secure buy-in from the individual institutions, and reestablish working relationships with their senior administrations.

The goals, policy tools, and strategies outlined in the strategic plan document are interconnected, and ultimately must be pursued in tandem to achieve any lasting success. This plan is designed to be carried out, not by a single office or entity, but rather by a collective of HBCU advocates working together: THEC HBCU Success, the Advisory Board, institutions, business and industry partners, and community advocates.

The 2022-25 HBCU Success Strategic Plan document can be found following this agenda item.





# 2022-2025 Tennessee HBCU Success Strategic Plan

American Baptist College | Fisk University | Knoxville College

Lane College | LeMoyne-Owen College

Meharry Medical College | Tennessee State University

# THEC TSAC

## Tennessee Higher Education Commission 2021-22 Commissions Members

Ms. Whitney Allmon, Dyersburg (West Tennessee)

Mr. Evan Cope, **Chair**, Murfreesboro (Middle Tennessee)

Dr. Nancy Dishner, Jonesborough (East Tennessee)

Ms. Pam Koban, Nashville (Middle Tennessee)

Mr. Jay Moser, Jefferson City (East Tennessee)

Ms. Tara Scarlett, Nashville (Middle Tennessee)

Mr. Vernon Stafford, Jr., **Vice Chair West**, Collierville (West Tennessee)

Mayor A C Wharton, Jr., **Secretary**, Memphis (West Tennessee)

Ms. Dakasha Winton, **Vice Chair East**, Chattanooga (East Tennessee)

Mr. Tre Hargett, Secretary of State

Mr. David H. Lillard, Jr., State Treasurer

Mr. Jason E. Mumpower, State Comptroller

Dr. Sara Morrison, Executive Director, State Board of Education

Mr. Ethan Galloway, East Tennessee State University, Student Member

## HBCU Success Advisory Board 2021-22 Board Members

Dr. André Churchwell, Nashville (Middle Tennessee)

Officer Shelley Clemmons, Knoxville (East Tennessee)

Dr. Carol Johnson Dean, Memphis (West Tennessee)

Ms. Laschinski Emerson, **Secretary**, Knoxville (East Tennessee)

Dr. Doug Magee, Nashville (Middle Tennessee)

Ms. Ashley Northington, **Chair**, Nashville (Middle Tennessee)

Ms. Brandi Smith, Nashville (Middle Tennessee)

Mr. Ernest Strickland, Memphis (West Tennessee)

Ms. Elaine Washington, **Vice Chair**, Johnson City (East Tennessee)

Dr. Forrest Harris, American Baptist College

Dr. Vann Newkirk, Fisk University

Mr. Leonard Adams, Knoxville College

Dr. Logan Hampton, Lane College

Dr. Vernell Bennett-Fairs, LeMoyne Owen College

Dr. James Hildreth, Meharry Medical College

Dr. Glenda Baskin Glover, Tennessee State University

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# INTRODUCTION



## Introduction

The Historically Black Colleges and Universities (HBCU) Success initiative at the Tennessee Higher Education Commission (THEC) is dedicated to strengthening the capacity of Tennessee's seven historically Black colleges and universities to provide the highest quality education; increasing opportunities for these institutions to participate in and benefit from State programs; and ensuring that Tennessee has the highest proportion of college graduates from HBCUs in the country.

### **Office of HBCU Success**

The director of HBCU Success fosters programming, policy, and partnerships that will allow the students, staff, and faculty at Tennessee's HBCUs to achieve their maximum potential. This is accomplished through three strategic priority areas:

**Research and Analysis:** Engagement in policy and academic research to maintain a catalog of interventions, best practices, and leading strategies in the areas of academic excellence and student success for students of color broadly, and at HBCUs in particular. Analysis of data from a variety of sources to highlight enrollment trends, persistence and completion gaps, and other accountability and advocacy metrics as needed to advance policy.

**Program Development:** Curation of a diverse portfolio of opportunities for Tennessee HBCU faculty, staff, and students to participate in and further strengthen institutional capacity to provide the highest quality education and to benefit from State programs.

**Coordinating and Convening:** Bringing together various stakeholders and potential investors as well as cross-institutional teams and affinity groups that will collectively address the needs of students and create mutually beneficial partnerships around each institution's strategic planning goals.

### **HBCU Success Advisory Board**

The HBCU Success Advisory Board is comprised of nine THEC-appointed members and the seven Tennessee HBCU presidents as ex-officio members. The Board serves as a connection to the community and other external stakeholders and makes recommendations to the Commission on policy matters regarding HBCUs. Board members are Tennesseans representing a variety of sectors who are dedicated HBCU supporters and committed to the strategic advancement of Tennessee's HBCUs.



The inaugural HBCU Success Advisory Board served from 2018 through 2021. The current Advisory Board was appointed by the Commission in July 2021 for the three-year term, 2021-2024.

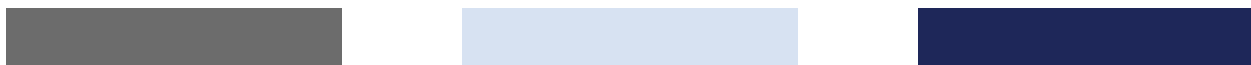
### Statutory Charge

The role and duties of both the office of HBCU Success and the Advisory Board are outlined in Tenn. Code Ann. §47-7-217. In developing this strategic plan, it was important to not only address each of the statutory directives, but to do so in a way that optimized and maximized the synergy between the Board, THEC staff, the broader HBCU sector, and the Commission. The following table represents the crosswalk between the statute and the strategic goals that have been developed for this three-year plan.

The first and last objectives of the HBCU Success initiative represent common, overarching themes of the strategic plan, holding the work and those committed to it together in unified purpose.

### HBCU Success Statute Objectives and Strategic Goals

#### Strategic Goals



Promote HBCUs to Students, Families, the Community, and Policymakers

Support the Strengthening of the Administrative Capacity of HBCUs

Encourage Partnerships with HBCU Programs and Initiatives

<b>Office of HBCU Success §49-7-217(b)</b>	Strengthening the capacity of HBCUs to participate in state programs	Fostering enduring private-sector initiatives and public-private partnerships while promoting specific areas and centers of academic research and programmatic excellence throughout all HBCUs	Improving the availability, dissemination, and quality of information concerning HBCUs to inform public policy and practice	Sharing administrative and programmatic practices within the consortium for the benefit of all	Exploring new ways of improving the relationship between the state and HBCUs
	Improving the identity, visibility, and distinctive capabilities and overall competitiveness of HBCUs	Engaging the philanthropic, business, government, military, homeland security, and education communities in a dialogue regarding new HBCU programs and initiatives	Improving the ability of HBCUs to remain fiscally secure institutions that can assist the state in reaching its educational goals	Elevation the public awareness of HBCUs	Encouraging public-private investments in HBCUs
<b>Advisory Board §49-7-217(f)</b>					

# THE TENNESSEE HBCU SECTOR





## The Tennessee HBCU Sector

In order to proceed strategically in addressing the objectives outlined in statute, it is important to identify the constituents and stakeholders that make up Tennessee’s HBCU Sector.

### Institutions

The seven HBCUs across Tennessee are: American Baptist College, Fisk University, Knoxville College, Lane College, LeMoyne-Owen College, Meharry Medical College, and Tennessee State University. Collectively they make up the **Tennessee HBCU Consortium**, a non-binding association of the institutions that recognizes their common missions and aims to capitalize on collective bargaining. These schools have the entire range of postsecondary institutional characteristics—rural and urban; public and private; regionally, nationally, and non-accredited; undergraduate only, graduate only, and both levels; liberal art focus, medical institution, and broad research institution, among other characteristics. This diversity of taxonomy is an asset to the sector, providing a wealth of options and experiences internally and externally.

	Fall 2019 Enrollment	Fall 2020 Enrollment	2019 First-Year Students	2020 First-Year Students	2018-19 Graduates	2019-20 Graduates
<b>American Baptist College</b>	99	55	23	4	20	17
<b>Fisk University</b>	874	911	327	251	98	82
<b>Knoxville College</b>	27	26	--	--	1	1
<b>Lane College</b>	1,267	1,095	405	245	176	158
<b>LeMoyne-Owen College</b>	835	654	150	58	141	117
<b>Meharry Medical College</b>	877	944	--	--	219	261
<b>Tennessee State University</b>	8,081	7,615	1,268	1,703	1,592	1,425

## Students

In fall 2020, there were approximately 11,300 students enrolled in Tennessee HBCUs, among those 77 percent were undergraduates and 23 percent were pursuing graduate degrees. In total, just over 20 percent of Black undergraduate enrollment in Tennessee is at an HBCU—which is nearly double the national HBCU rate of 11 percent of Black undergraduate enrollment from across the country. Tennessee HBCU students are largely from in-state, with \$12 million in state financial aid going to students at Tennessee HBCUs in the 2020-21 academic year. The top majors selected by undergraduates include business, education, biology, and psychology.

*The sector of higher education that represents Tennessee's HBCUs is far from one-size-fits all, and any plan for its coordinated, sustainable future success will require far from one-size-fits all goals and strategies.*

## Policy Environment

In fall 2020, there were approximately 11,300 students enrolled in Tennessee HBCUs, among those 77 percent were undergraduates and 23 percent were pursuing graduate degrees. In total, just over 20 percent of Black undergraduate enrollment in Tennessee is at an HBCU—which is nearly double the national HBCU rate of 11 percent of Black undergraduate enrollment from across the country. Tennessee HBCU students are largely from in-state, with \$12 million in state financial aid going to students at Tennessee HBCUs in the 2020-21 academic year. The top majors selected by undergraduates include business, education, biology, and psychology.

# STRATEGIC PLAN GOALS



## Strategic Plan Goals

The 2022-25 three-year strategic plan for HBCU Success has been developed by the HBCU Success Advisory Board, with vital input from stakeholders and constituents across the Tennessee HBCU Sector.

Goal I: Promote HBCUs to Students, Families, the Community, and Policymakers

Graduates, advocates, administrators, and researchers of HBCUs have long promoted HBCUs as a vital, necessary sector of higher education.

In 2014 the UNCF published a series of reports that detail the economic impact HBCUs have had on their communities and states. The relevancy of HBCUs has been the subject of academic inquiry, and many media outlets recently have raised the question of the continued existence of these institutions.

*Engagement with legislators and policymakers on the state and federal levels is critical for HBCUs, and HBCUs must develop a national advocacy strategy that will strengthen their access to resources and enhance their capacities to provide quality educational outcomes for students.*

Repositioning HBCUs for the Future  
2013

### Strategies to Promote the Tennessee HBCU Sector

#### **Develop and enhance existing comprehensive pathway to college materials that promote Tennessee's HBCUs**

- For the target HBCU enrollment population: demystify the process of accessing college (including financial aid, application process, admissions, housing); provide an outline of the details on how to get into and be successful in college by addressing the basics
- Early education interventions beyond educational materials—liaisons and mentors on site in schools to help students walk through the process of filling out paperwork
- Leverage and effectively market opportunities to utilize TN Promise at HBCUs (Fisk, Lane, and LeMoyne-Owen) via the network of volunteers in communities to increase student awareness and utilization of these programs
- Develop an information hub/portal to make sure Tennessee HBCU information is easily accessible to students and families
- Leverage existing resources to reach out to adults to connect them with relevant certificate and degree programs on HBCU campuses

### **Further develop the Tennessee HBCU Consortium through collective marketing**

- Bring together the marketing/communications offices from each institution to create a centralized source for press releases and news items from all seven institutions
- Coordinate with institutions to disseminate information on HBCU Success events (Day on the Hill)
- Host HBCU Success Advisory Board meetings on an HBCU campus; invite Commissioners to attend meetings

### **Create policy briefs on important issues that can be addressed with state policy**

- National vs. regional **accreditation**, as well as support for non-accredited HBCUs while working towards re-accreditation
- **Financial aid and student debt** levels of graduates of Tennessee's HBCUs
- **Digital equity** in broadband and the impact of disparities in access to high quality broadband on the success and legitimacy of education and service at HBCUs

## Goal II: Support the Strengthening of HBCU Administrative Capacity

Many HBCUs struggle with the negative perception of poor leadership, despite facing the same challenges as many other non-HBCU institutions. At the same time, there is certainly a need to strengthen the overall administrative capacity of HBCUs, due to being persistently overlooked and underfunded. With the rise of “Generation Xers” as HBCU presidents (Edward Waters University, Paul Quinn College, Benedict College, Wiley College, Virginia State University, and others), a new model of successful leadership and best practices are available both for sharing across the sector, as well as further research. One of the critical components for repositioning HBCUs for the future will be leadership. Not only must the leadership of individual campuses be visionary and innovative, but the HBCU leadership community must come together to articulate collective goals for HBCUs (Lee and Keys, 2013).

### Strategies to Strengthen the Tennessee HBCU Sector

#### **Provide targeted capacity building focused on high priority and common issues across institutions that can be address or assisted through external intervention**

- Develop a list of needed training programs to support development and business acumen (e.g., finances, strategic planning, future casting, etc.)
- Identify training providers or develop in-house trainings based on identified needs

#### **Further develop the Tennessee HBCU Consortium**

- Identify affinity groups (e.g., academic affairs, student affairs, etc.) and facilitate a convening to discuss common issues and best practices
- Develop a medium to regularly share best practices and institutional data to reinforce data-informed decision making

### Goal III: Encourage Partnerships with HBCU Programs and Initiatives

Overall, HBCUs have repeatedly demonstrated successful proof-of-concept regarding partnerships that provide pipelines to continued education as well as diverse job placement for alumni across a variety of industries. Partnerships can benefit institutions by helping them garner financial support, increase educational opportunities, improve public opinion locally and nationally, improve operational infrastructure, and assist in the development of new knowledge or intellectual property (AASCU, 2018; Felix, 2020).

*A key strength of the \$73 million grant for the Vanderbilt Institute for Clinical and Translational Research is their long-standing partnership with Meharry Medical College, the nation's largest private, historically Black academic health care center dedicated to educating health care professionals and biomedical scientists.*

Vanderbilt University Medical Center  
Reporter  
April 6, 2022

Replication of such collaborative programs requires ensuring not only institutional alignment and fit, but also scalability with fidelity. Additionally, potential partners have expressed logistical barriers to connecting, including identifying points of contact and a lack of general awareness of institutional opportunities. Research points to improvement of the overall context for collaboration and empowering a knowledgeable and vested third party “negotiator,” that can serve as a bridge

between HBCUs and external entities.

American Association of State Colleges and Universities describes three categories of partnerships: 1) community, 2) cross-institutional, and 3) public and private sector (AASCU, 2018). Community partnerships are between universities and communities within their respective geographical regions, which in turn improve or raise the public opinion of the institution (AASCU, 2018). Cross-institutional partnerships occur between multiple universities and allow for opportunities such as collaborative academic programming (AASCU, 2018). Lastly, partnerships with the public and private sector occur when universities partner with specific businesses and create opportunities for joint profit ventures or leasing of university-owned land for a profit.

## Strategies to Encourage Partnerships with the Tennessee HBCU Sector

### **Catalog the existing robust network between HBCUs and external partners**

- Inventory successful partnerships between Tennessee HBCUs and public and private partners and meet with Tennessee business leaders to understand new and emerging workforce needs in Tennessee
- Share information about partnership successes and lessons learned to HBCUs, business leaders and on the information hub
- Share business needs with HBCUs to facilitate the creation of new programming or partnership building with existing programs

### **Continue to support the establishment of key partnerships with longstanding business groups in Tennessee**

- Work with the Chamber Statewide Tennessee leadership program to become a standing agenda item on yearly training
- Collaborate on the Tennessee Business Roundtables' current education targets and initiatives

### **Leverage internship and apprenticeship programs with Tennessee Department of Labor to bridge the gap between employers and HBCU students and graduates**

- Create a pledge opportunity where business leaders publicly announce their intent to provide paid internships to HBCU students annually



# INSTITUTIONAL STRATEGIC PLANNING



## Institutional Strategic Planning

Of central importance to the statewide 2022-2025 HBCU Success Strategic Plan is ensuring alignment and compatibility with the vision and strategic planning taking place on each of the individual HBCU campuses across the state. The following section gives an overview of the most recently published strategic plan from each HBCU in Tennessee. These publications, updated regularly by a consortium of campus constituents, outline each institution's vision, long term goals, and actionable steps to achieve them.

For example, when considering strategic goal III: *Encouraging Partnerships with HBCU Programs and Initiatives*, each of the individual institutional strategic plans contain a specific statement that aligns with this goal as outlined below:

### American Baptist College

***Excellence in Community Partnerships*** Pursue alignments with business, industry, government, religious, and civic organizations to create experiential education to facilitate a pathway to economic, social, and educational success for our students and the advancement of our college.

### Fisk University

**Create and enhance partnerships that are mutually beneficial to the campus and surrounding community by:**

- Increasing coordination of our University services with community needs and community services with our University needs;
- Developing additional experiential learning opportunities with external partners, including internships and service-learning projects;

### Knoxville College

**Design and Implement a Collective Impact Model**

- Foster and establish strategic public and private partnerships

### Lane College

**Strategic Theme 5: Enhance mutually beneficial partnerships that support college initiatives and enrich the community**

## LeMoyne-Owen College

...engaging a wider audience in our mission by communicating our value to the Greater Memphis region;

## Meharry Medical College

### **Goal #4: Strategically Expand Reach**

- Expand and diversify community engagement programs in the areas of research, education, and clinical care.
- Strategically engage and collaborate with external partners in ways that will benefit the college.

## Tennessee State University

### **Create a Transformative Educational Environment that Impacts Middle Tennessee and Beyond**

- Align academic programs to build and expand partnerships with the fast-growing technology, healthcare, and music-related and other businesses in the Nashville Metro region.
- Increase partnerships with the business community to enhance overall operations of the University and placement of graduates.

The future envisioned by Tennessee's HBCUs is as diverse as their varied missions and student bodies, and yet unified and united by the common threads of providing access and ensuring success to those who have been historically denied. The inclusion of the strategic plans in this document serves to further illustrate the strength in cohesion between Tennessee's HBCUs and the State.

## Conclusion

Tennessee's seven historically Black colleges and universities are a unique and vital part of the postsecondary landscape of the state. From small liberal arts institutions to large, research focused universities to world-renowned, community-based medical schools, our HBCUs are not only monuments of an enduring legacy, but they also represent the cutting-edge innovation that will usher in the next generation of civic engagement, family wellness and prosperity, and community growth for the state.

The goals, policy tools, and strategies outlined in this document are interconnected, and ultimately must be pursued in tandem to achieve any lasting success. This plan is designed to be carried out, not by a single office or entity, but rather by a collective of HBCU advocates working together: THEC HBCU Success, the Advisory Board, institutions, business and industry partners, and community advocates.

## American Baptist College<sup>1</sup>

The mission of American Baptist College, a historically Black college with a liberal arts emphasis, is to educate, graduate, and prepare diverse students for Christian leadership, service, and social justice in the world. American Baptist College's vision is to provide educational opportunities for gifted students who have limited academic experiences and resources, but unlimited potential for leadership in society. The College was established in 1924 and will celebrate their centennial anniversary in 2024 – “*On the Road to 100*”.

### Four Strategic Priorities

#### Excellence in Education

Maintain a high quality collegial, supportive, and educational environment to motivate and engage faculty, administrators, staff, and students to achieve their personal and professional goals and the expected institutional outcomes.

#### Excellence in Christian and Ethical Leadership

Develop a student-centered and justice-oriented institutional culture of Christian vocation rooted in leadership, service, and ethical living.

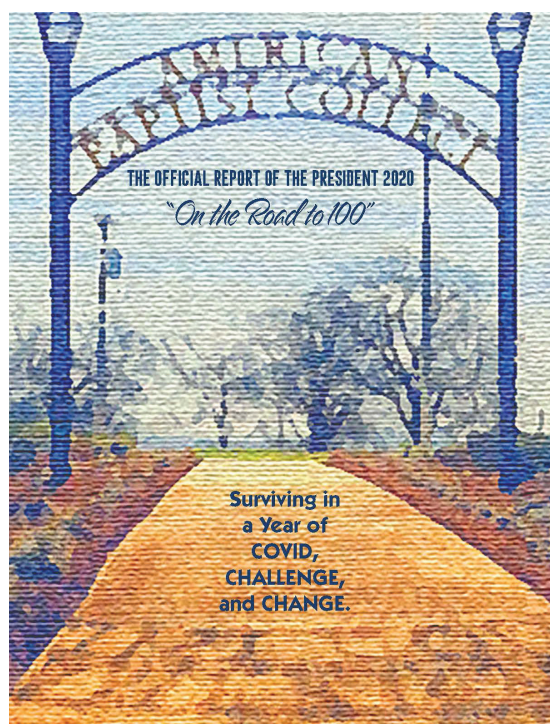
#### Excellence in Resource Management

Utilize best practices in resource management and allocation to support American Baptist College's commitment to sound stewardship.

Strategic Partnerships and Alliances

#### Excellence in Community Partnerships

Pursue alignments with business, industry, government, religious, and civic organizations to create experiential education to facilitate a pathway to economic, social, and educational success for our students and the advancement of our college.



<sup>1</sup> Source: American Baptist College - 2020 President's Report - “*On the Road to 100*”

## Fisk University<sup>2</sup>

Fisk University embraces a bright future by creating a new four-year Strategic Plan (2018-2022). The plan consists of seven guiding principles: Transformational Student Experience, Academic Excellence with a Focus on Liberal Arts and Science, Thrive, Diversity and Social Justice, Community Partnerships, Continuous Improvement, and Globalization.

**Provide an environment which will develop students intellectually, personally, and professionally to the greatest extent of their abilities by:**

- Providing professional development opportunities for students to enhance their readiness for jobs;
- Developing co-curricular opportunities that enhance students' career competitiveness;
- Developing and enhancing advising and mentoring programs;
- Increasing participation of students in University, civic, service, leadership, and stewardship activities;
- Inspiring students to assume the 'Fisk Identity' (represent themselves with honor, integrity, and dignity).



**Promote a learning-centered environment through immersive educational experiences which facilitate excellence in teaching, research, and creative activity by:**

- Increasing institutional research expenditures by strengthening connections between teaching, research, and across disciplines;
- Enriching programmatic offerings, which may include, but are not limited to, Criminal Justice, School of Continuing Education, Queer Studies, Religious and Philosophical Studies, Healthcare Business, and Hospitality;
- Increasing the number of faculty members;
- Expanding professional development opportunities for faculty;
- Expanding applied learning opportunities such as service learning, faculty-sponsored student research, and international study;
- Recasting the Honors Program to attract and retain academically talented students;
- Broadening the use of technology within the classroom to provide cutting-edge learning experiences for students.

<sup>2</sup>Source: Fisk University - 2018-22 Strategic Plan: Transformations

**Promote individual and collective responsibility for the continued financial well-being of the University by:**

- Increasing enrollment from between 1,600 to 1,800 students;
- Increasing philanthropic giving from Alumni giving, and solicitations from private foundations;
- Growing the University's endowment;
- Steering campus planning and resource management to promote the effective use of the University's resources;
- Redesigning business processes at the University for maximum student responsiveness and fiscal effectiveness;
- Becoming a leader among HBCUs in the aid packages awarded to students;
- Establishing a new branding/marketing strategy for the institution;
- Maintaining and enhancing the University's infrastructure, including its facilities, grounds, instructional services, and information technology resources.

**Promote diversity and social justice initiatives by:**

- Establishing or reestablishing centers within the institution focused on developing and implementing University-wide diversity and social justice initiatives, which may include, but not be limited to, the Race Relations Institute, International Center, and LGBTQ Center;
- Offering civic engagement and research projects that are diversity/social justice-related;
- Developing a diversity/social justice course requirement within the CORE curriculum.

**Create and enhance partnerships that are mutually beneficial to the campus and surrounding community by:**

- Enhancing and/or creating partnerships with local secondary schools, including charter and other independent schools;
- Increasing coordination of our University services with community needs and community services with our University needs;
- Developing additional experiential learning opportunities with external partners, including internships and service-learning projects;
- Enhancing the engagement of alumni and friends of our University in mutually beneficial endeavors;
- Establishing a student/alumni mentorship program.

**Design and employ a mechanism that improves the overall customer service experience for students by:**

- Reviewing processes and practices to ensure efficiency and effectiveness in the University's operations;
- Building a modern IT infrastructure that supports the achievement of the University's mission and goals;
- Building a culture of philanthropy through the University community and stakeholders;
- Recruiting and retaining talented faculty and staff for a competitive University enterprise;
- Promoting sustainability initiatives that place Fisk as a sustainability leader among universities;
- Designing and implementing a One Fisk Guarantee initiative.

**Further greater cultural understanding, immersion, and inclusion by enhancing opportunities for greater interaction within the global arena by:**

- Enhancing coordination of global educational activities for faculty, staff, and students;
- Developing service-learning, internships, and scholarship opportunities in other countries and with international organizations;
- Developing incentives to encourage student engagement in international and study-abroad programs;
- Fostering opportunities to study foreign cultures and languages;
- Increasing number of international students attending Fisk.



## Knoxville College<sup>3</sup>

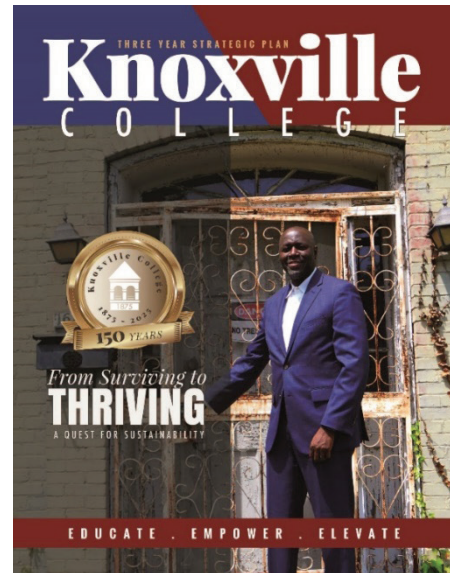
Knoxville College is a private, church-related, four-year, coeducational, liberal arts institution. The College is open to students of diverse backgrounds and cultures who seek a quality liberal arts education. The College provides a challenging and stimulating educational experience for students of demonstrated academic ability and for students of potential who have been afforded little advantage within society.

### Maintain THEC Licensure and Gain TRACS Accreditation

- Meet all requirements and threshold to maintain authorization with Tennessee Higher Education Commission (THEC)
- Apply for Transnational Association of Christian Colleges and Schools (TRACS) accreditation
- Continue to expand and specify offered catalog and specialty programs

### Improve Knoxville College's Financial Position

- Create a strong, more viable institution
- Increase net assets by \$1.5 million
- Develop and increase fund development and fundraising capacity



### Design and Implement a Collective Impact Model

- Foster and establish strategic public and private partnerships
- Conduct and expand community engagement activities
- Use Knoxville College family of business units to perfect the Collective Impact Model

### Master Planning and Development of Building and Grounds

- Identify short-term development initiatives
- Establish a master planning team to include sector professionals, community representative, higher education experts, representatives (board, local alumni chapter) and students to create the Knoxville College Master Planning and Development Plan.

<sup>3</sup>Source: Knoxville College: *From Surviving to Thriving: A Quest for Sustainability*



### **Rebuild the Knoxville College Brand**

- Increase brand awareness for Knoxville College
- Promote Knoxville College
- Re-establish our position as a leader of institutions of higher learning
- Invest in new and/or innovative technology

### **Build Knoxville College's Board and Administration Capacity**

- Attract, recruit, and retain credentialed staff
- Acquire and maintain a strong board with extensive experience
- Evaluate and enhance the institution's post-Covid remote/in-person work model and distance learning model

## Lane College<sup>4</sup>

### **Vision:**

*“Now, imagine the year 2032, the year that our fair Lane celebrates its sesquicentennial, meaning its 150 years in operation from its humble beginnings as CME High School to Lane Institute to Lane College and by 2032, Lane University.”*



### **2022-27 Strategic Plan:**

The future focused vision of Lane College is to achieve university status, community transformation, and endowment increase. This vision is wed to Lane’s mission to develop the whole student. It is a vision defined by our core values of transformation, liberation, and celebration...a vision actualized through a data-driven strategic plan.

### **2022-27 Strategic Plan:**

*The future focused vision of Lane College is to achieve university status, community transformation, and endowment increase. This vision is wed to Lane’s mission to develop the whole student. It is a vision defined by our core values of transformation, liberation, and celebration...a vision actualized through a data-driven strategic plan.*

### **Strategic Theme 1: Stimulate intellectual and creative discovery through scholarship, teaching, and research.**

- Create and sustain a culture of academic success
- Create applied knowledge through research and scholarship
- Increase faculty engagement in undergraduate research
- Increase Lane Institute to enhance student achievement and development

### **Strategic Theme 2: Promote student success through meaningful interactions to prepare students for life in a global society.**

- Develop and promote effective student leaders to address international and national issues across cultures
- Strengthen our academic programs
- Establish the 10,000 miles global initiative to internationalize the campus

<sup>4</sup>Source: Lane College: *Future Focused: A Strategic Journey Toward University Status and Community Transformation*

**Strategic Theme 3: Develop persons of integrity grounded in Christ-centered values.**

- Develop diversity, equity, and inclusion plan to address each strategic theme and area of operation at the College
- Create campus culture that fosters and supports character development and faith formation throughout the campus
- Provide well rounded student athletes with Christ centered values and education

**Strategic Theme 4: Strengthen financial resources that enhance facilities and operations.**

- Improve the financial aid awarding process
- Improve the effectiveness of the Annual Giving Campaign
- Develop a housing reserve fund

**Strategic Theme 5: Enhance mutually beneficial partnerships that support college initiatives and enrich the community**

- Maximize the Lane College brand
- Create collaborative partnerships with local higher educational institutions
- Increase educational partnerships in the community through the 10-block initiative

## LeMoyne-Owen College<sup>5</sup>

The mission of LeMoyne-Owen College, a private urban HBCU serving a diverse population of students, is to deliver transformative and inspiring educational experiences to prepare students for a lifetime of leadership, scholarship, service, and success through liberal arts, career, and professional studies using various modalities of teaching and learning at the associates and baccalaureate levels.



**Destination 2023: Road to Renaissance**

LeMoyne-Owen College is pursuing excellence across seven areas:

1. Recruiting and retaining faculty to develop and grow strong academic programs;
2. Maximizing enrollment while balancing career preparation with maintaining the benefits of a small liberal arts college;
3. Retaining first-year, first-time students from the fall of their first year to the fall of their second year;
4. Maximizing graduation rates;
5. Ensuring the best post-graduation placements for our students in graduate school or careers;
6. Growing our endowment by building a vibrant culture of gratitude and giving among our students and alumni and by engaging a wider audience in our mission by communicating our value to the Greater Memphis region; and
7. Ensuring policies align with institutional outcomes to increase the effectiveness of systems, structures, and processes to facilitate team communication and execution.

<sup>5</sup>Source: LeMoyne-Owen College: *Destination 2023 Strategic Plan*

# Meharry Medical College<sup>6</sup>

## Goal #1: Establish a Performance Culture Based on Excellence and Accountability

- Maintain a culture of continuous improvement based on the regularly scheduled collection, analysis, interpretation, and utilization of data.
- Minimize redundancy and waste while streamlining business processes and operations.
- Maintain a performance-based culture that promotes excellence by supporting collaboration and rewarding productivity.

Sesquicentennial Strategic Plan  
Evolution & Transformation:  
Meharry 2026



 MEHARRY

## Goal #2: Increase the Production of Diverse Health Care Professionals and Researchers

- Attract, support, and retain high performing and motivated students.
- Provide the human capital, programming, facilities, and technological infrastructure necessary to advance the College.
- Develop and deliver distinctive, high-quality academic programs.

## Goal #3: Develop Distinctive and Pioneering Approaches to Teaching, Health Care, Research, Public Health and Health Policy to Achieve Health Equity

- Provide a holistic learning experience to students and working professionals based on the utilization of best educational practices and leveraging the power of technology.
- Provide affordable, quality and patient-centered health care to a diverse population of constituents.
- Develop and sustain a physical and technological infrastructure for research that is conducive to increased opportunities for interdisciplinary research and scholarly productivity.
- Expand the reach of the Division of Public Health both internally and externally.
- Become a national leader in Health Policy by increasing the diversity of health policy leaders in the social, behavioral and health sciences; and by expanding and promoting the work of the Center for Health Policy.

**Goal #4: Strategically Expand Reach**

- Expand and diversify community engagement programs in the areas of research, education, and clinical care.
- Strategically engage and collaborate with external partners in ways that will benefit the college.

**Goal #5: Build a Transformed, Sustainable Institutional Economy**

- Capitalize on revenue from existing funding sources and bolster funding from non-traditional revenue sources.
- Responsibly steward the Colleges resources in such a way as to ensure financial viability and sustainability.

<sup>6</sup>Source: Meharry Medical College: *Sesquicentennial Strategic Plan – Evolution & Transformation Meharry 2026*

## Tennessee State University<sup>7</sup>

*Tennessee State University aspires to be the premier public urban, comprehensive institution achieving prominence through innovation and instruction, research, creativity, and service with the dissemination of knowledge and information.*

### **Attract, Prepare, and Graduate Scholars to Change the World**

- Grow undergraduate and graduate enrollment.
- Develop innovative approaches to retain a diverse student body.
- Improve graduation attainment performance.
- Expand online academic programs that address the diverse needs of students and constituents.
- Establish a comprehensive onboarding process inclusive of orientation, tutorial support, advisement, registration, and other academic and student support services.
- Provide students access to experiential learning, research, and engagement opportunities.

### **Cultivate an Organizational Climate that Promotes Collaboration, Continuous Improvement, and High Performance**

- Build and enhance a culture that utilizes and supports assessment, accreditation, compliance, and strategic planning.
- Improve customer service and enhanced quality and responsiveness to internal and external demands.
- Enhance technology infrastructure to provide the various communities technological resources needed today.
- Improve institutional-wide operational and organizational effectiveness improvement and efficiency initiatives.



<sup>7</sup> Source: Tennessee State University: *Strategic Plan – The Pathway to Excellence 2025*

### **Create a Transformative Educational Environment that Impacts Middle Tennessee and Beyond**

- Align academic programs to build and expand partnerships with the fast-growing technology, healthcare, and music-related and other businesses in the Nashville Metro region.
- Enhance coordinated efforts internally and externally to improve engagement with all stakeholders.
- Increase partnerships with the business community to enhance overall operations of the University and placement of graduates.
- Cultivate a climate of interdisciplinary research and for all stakeholders.

### **Generate Revenue and Capacity to Reinvest in Strategic Priorities**

- Strengthen the University's fiscal position to enhance current and diversify current and new revenue streams.
- Increase and offer competitive scholarships by 10% per academic year.
- Enhance the research output of personnel (faculty and graduate students), Ph.D. programs, and facilities to sustain R2 research status and pursue R1 classification.

### **Promote, Strengthen and Sustain Academic Excellence in Teaching And Learning**

- Attract and retain talented and highly qualified faculty and staff.
- Create and enhance the professional development of faculty and staff through a coordinated approach.



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# APPENDIX



## Appendix: Campus Administration

### American Baptist College

Forrest E. Harris Sr., D.D.	President
Febbie Dickerson, Ph.D.	Vice President for Academic Affairs
Richard Jackson, J.D.	Executive Vice President
Phyllis D. K. Hildreth, J.D.	Vice President for Institutional Strategy, Chief of Staff
Phyllis Qualls, Ed.D.	Vice President of Institutional Advancement, Marketing, and Communications

### Fisk University

Vann Newkirk, Sr., Ph.D.	President
Arnold Burger, Ph.D.	Interim University Provost
Jens Frederiksen, Ph.D.	Executive Vice President
Norman E. Jones	Interim Vice President of Finance and Chief Financial Officer
Rev. Jason Curry, Ph.D.	Associate Vice President for Institutional Effectiveness/ Dean of Chapel

### Knoxville College

Leonard Adams, MBA	Interim President
Dasha Lundy, Ph.D.	Executive Vice President/Chief Operating Officer
Ebony Bowers, Ph.D.	Vice President of Academic Affairs

## Lane College

Logan Hampton, Ed.D.	President
Daryll Coleman, Ph.D.	Acting Vice President for Academic Affairs
Darryl McGee	Vice President for Division of Student Affairs, Chief Budget Officer
Darlette Samuels	Chief of Staff/Vice President of Institutional Advancement
Tangela Poole	Chief Financial Officer

## LeMoyne-Owen College

Vernell Bennett-Fairs, Ed.D.	President
Lisa J. Lang, Ph.D.	Provost and Vice President, Academic Affairs
Tara Dunn-Ross, Ph.D.	Vice President, Student Affairs
Curtis Creagh	Vice President Finance/Chief Financial Officer
Charles G. Elliott	Vice President, Information Technology & Facilities
Cynthia L. Shelton, Ph.D.	Chief Administrative Officer

## Meharry Medical College

James E.K. Hildreth, Ph.D., M.D.	President and Chief Executive Officer
Peter Millet, Ph.D.	Executive Vice President
Jeannette E. South-Paul, M.D.	Senior Vice President and Chief Academic Officer
LaMel Bandy-Neal, MBA	Senior Vice President for Finance and Chief Financial Officer
Ivanetta Davis Samuels, J.D.	Senior Vice President, General Counsel and Corporate Secretary
Walter D. Woods	Senior Vice President for Institutional Advancement
Anil Shanker, Ph.D.	Senior Vice President for Research and Innovation
Sandra A. Williams, MPS	Chief of Staff/Director, Title III Administration

## Tennessee State University

Glenda Glover, Ph.D.	President
Michael Harris, Ph.D.	Interim Provost and Vice President of Academic Affairs
Douglas Allen	Vice President of Business and Finance
Laurence Pendleton, J.D.	University Counsel/Secretary to the Board
Curtis Johnson, Ph.D.	Chief of Staff
Frank Stevenson	Associate Vice President of Student Affairs
Terrance Izzard	Associate Vice President of Recruitment, Admissions & Student Services
Quincy Quick, Ph.D.	Chief Research Officer and Interim Assistant Vice President of Research & Sponsored Programs

# Appendix: Recent Tennessee HBCU Legislation



## State of Tennessee

### PUBLIC CHAPTER NO. 464

#### HOUSE BILL NO. 553

**By Representatives Love, Gilmore, Miller, Akbari, Hardaway, Shaw, Clemmons, Camper, Staples, Powell, Thompson, Parkinson**

**Substituted for: Senate Bill No. 562**

**By Senators Tate, Harris**

AN ACT to amend Tennessee Code Annotated, Section 4-3-733 and Title 49, Chapter 7, relative to the Tennessee HBCU consortium.

WHEREAS, historically black colleges and universities (HBCUs) have made historic and ongoing contributions to the general welfare and prosperity of our country; and

WHEREAS, America's HBCUs, for over one hundred fifty years, have produced leaders in business, government, academia, and the military and have provided generations of men and women with hope and educational opportunity; and

WHEREAS, 105 HBCUs are located in twenty states, the District of Columbia, and the U.S. Virgin Islands and serve more than 300,000 undergraduate and graduate students; and

WHEREAS, these institutions continue to be important engines of economic growth and community service, and they are proven ladders of intergenerational advancement for men and women of all ethnic, racial, and economic backgrounds, especially African Americans; and

WHEREAS, these institutions also produce a high number of baccalaureate recipients who go on to assume leadership and service roles in their communities and who successfully complete graduate and professional degree programs; and

WHEREAS, in February 2010, President Obama signed Executive Order 13532 to highlight excellence, innovation, and sustainability of HBCUs, using partnerships with federal agencies and departments and the private sector to sustain the important work of HBCUs; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 2, is amended by adding the following language as a new section:

(a) The "Initiative on Historically Black Colleges and Universities (HBCUs)" or "initiative", as used in this section, is an organizational unit of the commission, established and administered by the executive director for the purpose of providing oversight to focus on ways to strengthen the capacity of historically black colleges and universities to provide the highest quality education, increase opportunities for these institutions to participate in and benefit from state programs, and ensure that Tennessee has the highest proportion of college graduates from HBCUs in the country. The initiative shall operate in consultation with the consortium of historically black colleges and universities, pursuant to Part 29 of this chapter.

(b) The initiative shall work with state departments, agencies, offices, the private sector, educational associations, philanthropic organizations, and other partners to increase the capacity of HBCUs to provide the highest quality education to a greater number of students, and to take advantage of these institutions' capabilities in serving the state's needs through five (5) core tasks:

(1) Strengthening the capacity of HBCUs to participate in state programs;

(2) Fostering enduring private-sector initiatives and public-private partnerships while promoting specific areas and centers of academic research and programmatic excellence throughout all HBCUs;

(3) Improving the availability, dissemination, and quality of information concerning HBCUs to inform public policy and practice;

(4) Sharing administrative and programmatic practices within the consortium for the benefit of all; and

(5) Exploring new ways of improving the relationship between the state and HBCUs.

(c)

(1) The commission is authorized and directed to provide all necessary and appropriate guidance, assistance, and support to facilitate strategy development and coordinated implementation by the initiative and the partnership to accomplish the respective and mutual key tasks of the initiative as outlined in subsection (b).

(2) In furtherance of subdivision (c)(1), the commission may enter into one (1) or more memoranda of cooperation with the initiative and the partnership on terms deemed by the commission to be appropriate, mutually beneficial, and in the best interest of the consortium and the partnership.

(d) All state departments and agencies are encouraged to create an annual plan of its efforts to strengthen the capacity of HBCUs through increased participation in appropriate federal programs and initiatives. Where appropriate, each agency plan shall address, among other things, the agency's proposed efforts to:

(1) Establish how the department or agency intends to increase the capacity of HBCUs to compete effectively for grants, contracts, or cooperative agreements and to encourage HBCUs to participate in state programs;

(2) Identify state programs and initiatives in which HBCUs may be either underserved or underused as national resources, and improve HBCUs' participation therein; and

(3) Encourage public-sector, private-sector, and community involvement in improving the overall capacity of HBCUs.

(e) If a department or agency creates an annual plan pursuant to subsection (d), then the department or agency shall:

(1) Provide appropriate measurable objectives and, after the first year, shall annually assess that department's or agency's performance on the goals set in the previous year's agency plan; and

(2) Provide a written summary of the objectives and goals to the education committee of the senate and the education administration and planning committee of the house of representatives within thirty (30) days of the annual assessment required in subdivision (e)(1).

(f) The initiative may establish a board of advisors to consist of no more than twenty-five (25) members appointed by the commission. The board shall include representatives of a variety of sectors, including philanthropy, education, business, finance, entrepreneurship, innovation, and private foundations, as well as sitting HBCU presidents. The board may advise the commission and the initiative in the following areas:

(1) Improving the identity, visibility, and distinctive capabilities and overall competitiveness of HBCUs;



**HB 553**

(2) Engaging the philanthropic, business, government, military, homeland security, and education communities in a dialogue regarding new HBCU programs and initiatives;

(3) Improving the ability of HBCUs to remain fiscally secure institutions that can assist the state in reaching its educational goals;

(4) Elevating the public awareness of HBCUs; and

(5) Encouraging public-private investments in HBCUs.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 553

PASSED: May 9, 2017



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 25<sup>th</sup> day of May 2017



BILL HASLAM, GOVERNOR



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 750**

### **SENATE BILL NO. 2749**

**By Gilmore, Akbari, Yarbrow, Crowe, Yager**

Substituted for: House Bill No. 2720

By Love, Stewart, Shaw, Beck, McKenzie, Parkinson, Chism, Miller, Dixie, Clemmons, Thompson, Jernigan, Harris

AN ACT to amend Tennessee Code Annotated, Title 15, Chapter 2, relative to Historically Black Colleges and Universities.

WHEREAS, Historically Black Colleges and Universities (HBCUs) have played and continue to play a pivotal role in enhancing the overall socioeconomic status of African-American communities, as well as the fabric of our nation; and

WHEREAS, Historically Black Colleges and Universities are institutions of higher learning established prior to 1964, with the primary mission of educating African Americans. Although these institutions were created primarily to educate African-American students, these institutions offer all students, regardless of race, an inclusive and welcoming environment to pursue their scholastic endeavors; and

WHEREAS, HBCUs have been essential to the African-American and American community since their inception; and

WHEREAS, the Institute for Colored Youth, now Cheyney University, the oldest HBCU, was established in 1837 in Pennsylvania, and all others that have followed have made significant contributions to American society; and

WHEREAS, Tennessee is home to seven HBCU institutions: American Baptist College, Fisk University, Knoxville College, Lane College, LeMoyne-Owen College, Meharry Medical College, and Tennessee State University, with at least one HBCU in each of the state's Grand Divisions; and

WHEREAS, the four HBCUs in Nashville have produced notable graduates that played a major role in the Civil Rights Movement in Nashville such as: Ida B. Wells, John Lewis, John Hope Franklin, and W.E.B. DuBois at Fisk University; Arikana Quao and Grace Marilyn James at Meharry Medical College; Oprah Winfrey and James Clayborne, Jr., at Tennessee State University; and C. T. Vivian, Bernard Lafayette, and James Bevel at American Baptist College; and

WHEREAS, the three Historically Black Colleges and Universities outside of Middle Tennessee have produced exceptional graduates as well, including former Speaker Pro Tempore of the Tennessee House of Representatives Lois Marie DeBerry from LeMoyne-Owen College; civil rights attorney Donald Lee Hollowell from Lane College; and journalist Vernon Daurice Jarrett from Knoxville College; and

WHEREAS, Nashville has always led the way in the fight for equality and civil rights in government and many other aspects of life. The city's HBCU students were able to evoke change through their participation in sit-ins and marches, and were able to impact better race relations for years to come; and

WHEREAS, HBCUs are representative of only three percent of the country's higher learning institutions, yet they produce almost twenty percent of all African-American graduates; and

WHEREAS, HBCUs also address the disparity of African-American graduates in the Science, Technology, Engineering, and Mathematics (STEM) field. HBCUs produce twenty-five percent of African-American graduates with degrees in STEM; and

WHEREAS, HBCUs impact communities throughout the nation, by generating \$14.8 billion in economic impact in addition to 134,090 jobs for their communities; and

WHEREAS, Historically Black Colleges and Universities provide students with intimate learning settings, a challenging academic environment, memorable social experiences, as well as the opportunity to create a legacy; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following as a new section:

November 8 of each year is to be observed as "Historically Black Colleges and Universities Day." This day is not a legal holiday as defined in § 15-1-101.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 2749

PASSED: March 14, 2022

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24<sup>th</sup> day of March 2022

  
BILL LEE, GOVERNOR





**TENNESSEE HIGHER EDUCATION  
COMMISSION**



## TENNESSEE HIGHER EDUCATION COMMISSION

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### REGULAR CALENDAR ITEM: IX.

**MEETING DATE:** July 28, 2022

**SUBJECT:** New Academic Programs: Post-Approval Monitoring Report

**ITEM TYPE:** Informational

**ACTION RECOMMENDATION:** N/A

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### BACKGROUND

Post-approval monitoring (PAM) is an annual review of all recently approved academic programs that is stipulated in academic polices A1.0 – New Academic Programs: Approval Process and A1.6 – Expedited Academic Programs: Approval Process. The annual review evaluates fidelity of academic program implementation and monitors progress towards meeting the implementation goals articulated in the program proposal during the approval process.

Post-approval monitoring continues for three years after approval for associate degrees and certificate programs; five years for bachelor's and master's degrees; and seven years for doctoral programs. The post-approval monitoring process can be extended when additional time is needed for approved programs to demonstrate success in meeting program benchmarks. After a program has completed post-approval monitoring, it is evaluated via Quality Assurance Funding (QAF).

Programs being monitored report their performance in one of four ways:

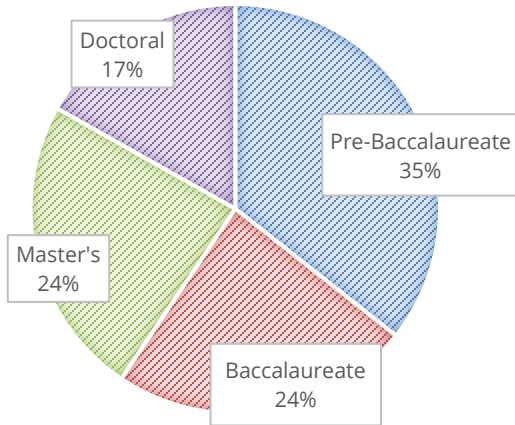
- **Implementation Report:** Programs report progress towards pre-enrollment planning goals when there is a delay between program approval and scheduled implementation.
- **Standard Report:** Programs that make satisfactory progress towards meeting the enrollment and graduation projections established in the approval process provide information about program enrollment, graduation, costs, and revenues.
- **Summative Report:** After the conclusion of the post-approval monitoring cycle, programs complete a summative report that includes final enrollment and graduation numbers and highlights key aspects of the program's success.
- **Productivity Report:** Programs that do not consistently meet the enrollment and graduation benchmarks established in the approval process may be required to continue in the PAM cycle for additional monitoring. Productivity reports provide three additional years of enrollment, graduation, and financial projections. Additionally, programs provide an annual productivity plan describing their efforts to improve the program.



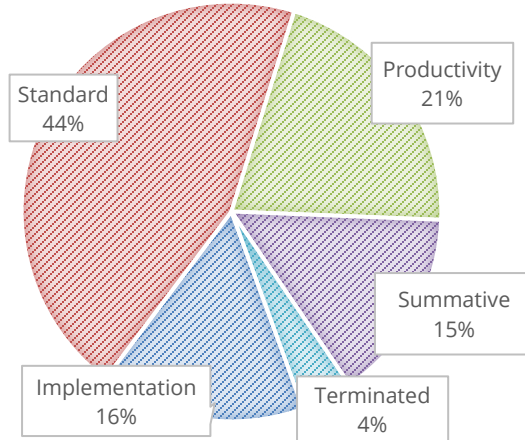
## POST-APPROVAL MONITORING: 2021-22

The 2021-22 post-approval monitoring cycle included 101 academic programs, distributed as follows:

PROGRAMS BY DEGREE LEVEL  
(N = 101)



PROGRAMS BY PAM STATUS  
(N = 101)



The following chart plots the monitored programs both by degree level and PAM status.

	Pre-Baccalaureate	Bachelor	Master	Doctoral	Total
<b>Implementation</b>	3	4	5	4	16
<b>Standard</b>	6	13	15	11	45
<b>Summative</b>	6	5	2	2	15
<b>Terminated</b>	2	1	1	0	4
<b>Productivity</b>	19	1	1	0	21
<b>Total</b>	<b>36</b>	<b>24</b>	<b>24</b>	<b>17</b>	<b>101</b>

Of the fifteen programs that have reached the prescribed monitoring time period based on their degree level, five will exit PAM and continue annual monitoring via Quality Assurance Funding. The remaining ten programs will be placed in productivity monitoring for an additional three years, requiring them to provide a productivity plan describing efforts to improve key aspects of the program.

The 2021-22 post-approval monitoring report follows, including detailed information about monitored programs categorized by post-approval monitoring status, degree level, and institution. The report will also be posted on the THEC website.



**Tennessee Higher Education Commission**

***Post-Approval Monitoring Report***

*July 2022*

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## Overview of Post-Approval Monitoring

The Tennessee Higher Education Commission (THEC) is charged with the continuous monitoring of academic programs offered at Tennessee's public postsecondary institutions. To this end, both the *New Academic Programs: Approval Process A1.0 Policy* and the *Expedited Academic Programs: Approval Process A 1.6 Policy* require that all approved academic programs be monitored annually to ensure fidelity of academic program implementation and to monitor progress towards meeting the implementation goals articulated in the program proposal.

The annual review of newly approved academic programs is conducted through a process of post-approval monitoring (PAM), which begins immediately after a new program has been approved. Post-approval monitoring continues for three years for associate degrees and certificate programs; five years for bachelor's and master's degrees; and seven years for doctoral programs. The post-approval monitoring process is extended when additional time is needed for approved programs to demonstrate success in meeting program benchmarks. After a program has completed post-approval monitoring, it will be evaluated via Quality Assurance Funding (QAF).

Programs in post-approval monitoring report their performance annually in one of four reports:

- *Implementation*: Required for programs that are still in the pre-enrollment planning stages. Implementation reports offer a general overview of the progress made towards program implementation.
- *Standard*: Programs that make satisfactory progress towards meeting the enrollment and graduation projections established in the new academic program proposal or expedited new academic program proposal process will be required to submit a standard report consisting of updated data about program enrollment, graduation, costs, and revenues.
- *Summative*: After the conclusion of the post-approval monitoring cycle, programs complete a summative report which highlights the components and characteristics of programs that are successfully implemented.
- *Productivity*: Programs which do not consistently meet the enrollment and graduation benchmarks established in the approval process may be required to continue in the PAM cycle for additional productivity monitoring. Productivity reports must provide an additional three years of enrollment, graduation, and financial projections. Additionally, programs are required to provide an annual productivity plan describing efforts to improve key aspects of the program.

Throughout the post-approval monitoring cycle, programs are evaluated by their fidelity to the enrollment, graduation, and financial projections they identified in the process of proposing the program. Two primary evaluative measures are used. First, attaining at least 80 percent of institutionally articulated enrollment and graduation projections. Second, programs must meet minimum productivity standards that require pre-baccalaureate and baccalaureate programs to graduate at least ten students a year, master's degree programs to graduate at least five students a year, and doctoral programs to graduate at least three graduates a year.

Program progress reports are collected annually, and assembled into the following post-approval monitoring report, which is posted on the THEC website and presented at the summer meeting of the Tennessee Higher Education Commission. The report is presented in two sections.

1. Degree Level Overview: A summary of the status of each program is organized by degree level and by the program's place in the post-approval monitoring process.
2. Institutional Reports: Provides a more detailed picture of each program in the post-approval monitoring process and organized by each institution.



Tennessee Higher Education Commission  
2021-22 Post-Approval Monitoring  
Degree Level Report

**Programs in Post-Approval Monitoring**

The 101 academic programs eligible for post-approval monitoring in the 2021-22 cycle are distributed across various phases of the monitoring process. Table 1 shows the number of programs at each degree level with each reporting requirement.

*Table 1: Programs in Post-Approval Monitoring by PAM Status*

	Pre-Baccalaureate	Bachelor	Master	Doctoral	Total
Implementation	3	4	5	4	16
Standard	6	13	15	11	45
Summative	6	5	2	2	15
Terminated	2	1	1	0	4
Productivity	19	1	1	0	21
<b>Total</b>	<b>36</b>	<b>24</b>	<b>24</b>	<b>17</b>	<b>101</b>

Twenty programs are new to post-approval monitoring in this cycle, including 3 pre-baccalaureate programs, 6 baccalaureate programs, 7 master’s programs, 4 are doctoral programs. These programs are listed in Table 2, along with their approval date and status in post-approval monitoring.

*Table 2: New programs in PAM*

	Institution	Program	Degree	Approval	PAM Status
1.	Austin Peay	National Security Studies	BS	Jan 2022	Implementation
2.	East Tennessee	Digital Media	MFA	May 2021	Standard
3.	East Tennessee	Orthotics and Prosthetics	MS	May 2021	Implementation
4.	East Tennessee	Occupational Therapy	OTD	May 2021	Implementation
5.	Middle Tennessee	Data Science	MS	Jan 2022	Implementation
6.	Northeast	Unmanned Aircraft Systems	Certificate	Dec 2021	Implementation
7.	Northeast	Electromechanical Technology	Certificate	Dec 2021	Standard
8.	Southwest	Aviation Operations Technology	AAS	Dec 2021	Implementation
9.	Tennessee State	Data Science	MS	Nov 2021	Implementation
10.	Tennessee State	Agricultural Sciences	PhD	Jan 2022	Implementation
11.	UT Chattanooga	Applied Leadership	BS	July 2021	Standard
12.	UT Knoxville	Geographic Information Science and Technology	BS	May 2021	Standard

	<b>Institution</b>	<b>Program</b>	<b>Degree</b>	<b>Approval</b>	<b>PAM Status</b>
13.	UT Martin	Veterinary Science and Technology	BS	July 2021	Standard
14.	UT Martin	Cybersecurity	BS	July 2021	Implementation
15.	UT Martin	Sport Coaching and Performance	MS	Nov 2021	Standard
16.	UT Martin	Criminal Justice	MS	July 2021	Standard
17.	Univ of Memphis	American Sign Language and Deaf Studies	BS	July 2021	Implementation
18.	Univ of Memphis	Nonprofit Management	MS	May 2021	Standard
19.	Univ of Memphis	Applied Physiology and Neuromechanics	PhD	July 2021	Implementation
20.	Univ of Memphis	Physical Therapy	DPT	July 2021	Implementation

The following sections provide more detailed description of the programs at four stages in the post-approval monitoring process: implementation, productivity, exiting post-approval monitoring, and programs terminated by their institutions while they were in post-approval monitoring.

### *Implementation*

Approved academic programs are monitored on pre-enrollment planning efforts by providing an implementation report noting the progress towards benchmarks established in their program proposal documentation. Sixteen programs provided an implementation report for the 2021-22 PAM cycle. Table 3 provides an overview of the progress that the programs are making towards implementation.

*Table 3: Programs in Implementation Reporting*

	<b>Institution</b>	<b>Program</b>	<b>Degree</b>	<b>Intended Implementation</b>	<b>Status</b>
1.	Austin Peay	National Security Studies	BS	Fall 2022	On track
2.	Austin Peay	Speech-Language Pathology	MSLP	Fall 2021	Delayed to fall 2022
3.	Columbia	Civil and Construction Engineering Technology	AAS	Fall 2020	Delayed to fall 2022
4.	East Tennessee	Occupational Therapy	OTD	Fall 2022	On track
5.	East Tennessee	Orthotics and Prosthetics	MS	Fall 2022	Delayed to fall 2023
6.	Middle Tennessee	Art Therapy	MS	Fall 2021	Delayed to fall 2024
7.	Middle Tennessee	Data Science	MS	Fall 2022	On track
8.	Northeast	Unmanned Aircraft Systems	Certificate	Spring 2021	Delayed to fall 2022
9.	Southwest	Aviation Operations Technology	AAS	Fall 2022	On track
10.	Tennessee State	Data Science	MS	Fall 2022	On track
11.	Tennessee State	Agricultural Sciences	PhD	Fall 2022	On track
12.	Univ of Memphis	American Sign Language and Deaf Studies	BS	Fall 2022	On track
13.	Univ of Memphis	Applied Physiology and Neuromechanics	PhD	Fall 2022	On track
14.	Univ of Memphis	Physical therapy	DPT	Fall 2023	Delayed to spring 2026
15.	UT Knoxville	Education	BS	Fall 2021	Delayed to fall 2022
16.	UT Martin	Cybersecurity	BS	Fall 2022	On track

Ten of the programs in this list are on track to launch their program in the timeline they proposed. The other six have reported delayed implementation. Hinderances to implementation timelines can be caused by difficulty filling necessary positions, unexpected procedural delays, or delays in securing programmatic accreditation or necessary program certification.

### *Productivity*

Programs which do not consistently meet the enrollment and graduation benchmarks that they established during the initial approval process. Twenty-one programs are currently in productivity or extended productivity monitoring. Productivity monitoring refers to a three-year cycle of extended monitoring in which programs develop a productivity plan aimed to allow them to meet enrollment, graduation, and financial projections. Extended productivity monitoring adds an additional three-year cycle of monitoring for programs that continue to struggle to meet their benchmarks after the first productivity cycle. Table 4 provides an overview of the programs currently in productivity monitoring.

*Table 4: Programs in Productivity Monitoring*

	<b>Institution</b>	<b>Program</b>	<b>Degree</b>	<b>Year Implemented</b>	<b>Status</b>	<b>Enrollment Benchmarks Attained</b>	<b>Graduation Benchmarks Attained</b>
1.	Chattanooga	Paramedic	AAS	2016	Extended Productivity	No	No
2.	Chattanooga	Nuclear Medicine Technology	AAS	2017	Extended Productivity	Yes	No
3.	Cleveland	Fine Arts	AFA	2013	Extended Productivity	No	No
4.	Cleveland	Medical Informatics	AAS	2014	Extended Productivity	No	No
5.	Cleveland	Paramedic	AAS	2015	Extended Productivity	Yes	No
6.	Cleveland	Law Enforcement	AAS	2017	Productivity	No	No
7.	Columbia	Anesthesia Technology	AAS	2017	Productivity	No	No
8.	Dyersburg	Health Sciences	AAS	2017	Extended Productivity	No	No
9.	Jackson	Respiratory Care	AAS	2018	Productivity	No	Yes
10.	Motlow	Paramedic	AAS	2014	Extended Productivity	No	Yes
11.	Motlow	Medical Laboratory Technology	AAS	2017	Productivity	Yes	No
12.	Motlow	Fine Arts	AFA	2017	Productivity	No	No
13.	Nashville	Fine Arts	AFA	2012	Extended Productivity	Yes	No
14.	Nashville	Hospitality Management	AAS	2017	Productivity	Yes	Yes
15.	Nashville	Retail Management	Certificate	2017	Productivity	No	No
16.	Roane	Financial Services	AAS	2014	Extended Productivity	No	No
17.	Roane	Medical Informatics	AAS	2015	Extended Productivity	No	No



	Institution	Program	Degree	Year Implemented	Status	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
18.	Southwest	Allied Health Science	AAS	2015	Extended Productivity	Yes	No
19.	TTU & ETSU Joint	Engineering	BS	2016	Productivity	Yes	No
20.	Tennessee Tech	Professional Science Master's	Master	2013	Extended Productivity	No	No
21.	Volunteer	Professional Music	AAS	2018	Productivity	No	No

Table 5 lists the ten programs that will enter productivity monitoring in the 2022-23 PAM cycle. These programs have not been able to consistently meet their enrollment, graduation, or financial projections or have not grown to the point that they meet THEC minimum productivity standards.

*Table 5: Programs Entering Productivity Monitoring Next Cycle*

	Institution	Program	Degree	Year Implemented	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1.	Austin Peay	Engineering Physics	BS	2017	No	Yes
2.	Columbia	Fire Science	AAS	2019	No	No
3.	Middle Tennessee	Africana Studies	BA/BS	2017	No	No
4.	Middle Tennessee	Fermentation Science	BS	2017	No	No
5.	Middle Tennessee	Religious Studies	BA/BS	2017	No	Yes
6.	Middle Tennessee	Dance	BS	2017	No	No
7.	Pellissippi	Water Quality Technology	AAS	2019	No	No
8.	Southwest	Funeral Services Education	AAS	2019	Yes	No
9.	Southwest	Fine Arts	AFA	2019	No	No
10.	UT Knoxville	Entomology, Plant Pathology, and Nematology	PhD	2015	Yes	No

### *Summative*

When programs complete their scheduled post-approval monitoring cycle – three years for associate degrees and certificate programs; five years for bachelor's and master's degrees; and seven years for doctoral programs – they submit a summative report highlighting the components and characteristics of programs that are successfully implemented.

The five programs outlined in Table 6 have completed the post-approval monitoring cycle; have made satisfactory progress towards meeting their enrollment, graduation, and financial projections; and will be exiting the post-approval monitoring after this cycle. Annual monitoring of these programs will continue via Quality Assurance Funding.

*Table 6: Programs Exiting PAM*

	<b>Institution</b>	<b>Program</b>	<b>Degree</b>	<b>Year Implemented</b>
1.	East Tennessee	Global Sport Leadership	EdD	2015
2.	UT Knoxville	Supply Chain Management	MS	2017
3.	UT Martin	Strategic Communication	MASC	2017
4.	Roane	Chemical Engineering Technology	AAS	2019
5.	Volunteer	Nursing	AAS	2019

*Terminated Programs*

Four programs in the post-approval monitoring cycle were terminated by their institutions and are listed in Table 7.

*Table 7: Terminated Programs*

	<b>Institution</b>	<b>Program</b>	<b>Degree</b>
1.	Jackson	Fire Science	AAS
2.	Middle Tennessee	Art Therapy	BS
3.	UT Knoxville	United States Business Law	MS
4.	Volunteer	Medical Assisting	AAS

Institutions elect to terminate programs for a variety of reasons, ultimately institutions determine that a significant change to the structure or context for the program renders the degree program non-viable. MTSU terminated its Art Therapy, BS after a recommendation from the programmatic accreditor against this type of program. UT Knoxville terminated the US Business Law, MS after changes to the bar exam, rendering graduates of the program ineligible to take the bar. The Associate of Applied Science programs are each in industries that require a specific certification, but not an associate degree for employment, which significantly reduces student demand for the associate degree.

## Programs by Degree Level

In 2021-22, a total of 101 programs were eligible for post-approval monitoring. Thirty-six percent of monitored programs are at the Tennessee Board of Regents (TBR) community colleges, 20 percent are housed at University of Tennessee (UT) system institutions, and the remaining 44 percent of programs are delivered at Locally Governed Institutions (LGI). Thirty-six percent of the programs being monitored are pre-baccalaureate programs, 24 percent are baccalaureate programs, 23 percent are master's programs, and 17 percent are doctoral programs. Table 8 displays a breakdown of these programs by system and degree level.

*Table 8: Programs in Post-Approval Monitoring by Degree Level*

	Pre-Baccalaureate	Bachelor	Master	Doctoral	Total
LGI	-	15	16	14	45
UT System	-	9	8	3	20
TBR Community Colleges	36	-	-	-	36
<b>Total</b>	<b>36</b>	<b>24</b>	<b>24</b>	<b>17</b>	<b>101</b>

### *Pre-Baccalaureate Programs*

Thirty-six pre-baccalaureate programs were eligible for post-approval monitoring in 2021-22. These 36 programs are made up of five certificates of 24 credits or more, three Associate of Fine Arts (AFA) programs, and 28 Associate of Applied Science (AAS) programs. Pre-baccalaureate programs are monitored for an initial three years after program approval and can be extended into productivity monitoring if not meeting program benchmarks. Table 9 provides an overview of the pre-baccalaureate programs currently in post-approval monitoring.

*Table 9: Pre-baccalaureate programs*

Institution	Program	Degree	Year in PAM	PAM Status	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
Chattanooga	Paramedic	AAS	6	Productivity	No	No
Chattanooga	Nuclear Medicine Technology	AAS	5	Productivity	Yes	No
Cleveland	Fine Arts	AFA	9	Productivity	No	No
Cleveland	Medical Informatics	AAS	8	Productivity	No	No
Cleveland	Paramedic	AAS	7	Productivity	Yes	No
Cleveland	Law Enforcement	AAS	5	Productivity	No	No
Columbia	Anesthesia Technology	AAS	5	Productivity	Yes	No
Columbia	Fire Science	AAS	3	Summative	No	No
Columbia	Civil and Construction Engineering Technology	AAS	--	Implementation	--	--
Dyersburg	Health Sciences	AAS	5	Productivity	Yes	No
Jackson	Fire Science	AAS	4	Terminated		
Jackson	Respiratory Care	AAS	4	Productivity	No	Yes
Motlow	Paramedic	AAS	8	Productivity	No	Yes

Institution	Program	Degree	Year in PAM	PAM Status	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
Motlow	Medical Laboratory Technology	AAS	5	Productivity	Yes	No
Motlow	Fine Arts	AFA	5	Productivity	No	No
Motlow	Entrepreneurship	AAS	2	Standard	No	No
Nashville	Fine Arts	AFA	10	Productivity	Yes	No
Nashville	Hospitality Management	AAS	5	Productivity	Yes	Yes
Nashville	Retail Management	Certificate	5	Productivity	No	No
Nashville	Paralegal Studies	Certificate	2	Standard	No	Yes
Northeast	Unmanned Aircraft Systems	Certificate	--	Implementation	--	--
Northeast	Electromechanical Technology	Certificate	1	Standard	No	Yes
Pellissippi	Water Quality Technology	AAS	3	Summative	No	No
Pellissippi	Architectural Design Technology	AAS	2	Standard	Yes	No
Roane	Financial Services	AAS	8	Productivity	No	No
Roane	Medical Informatics	AAS	7	Productivity	No	No
Roane	Chemical Engineering Technology	AAS	3	Summative	Yes	Yes
Roane	Medical Laboratory Technology	AAS	1	Standard	No	--
Southwest	Allied Health Science	AAS	7	Productivity	Yes	No
Southwest	Funeral Services Education	AAS	3	Summative	Yes	No
Southwest	Fine Arts	AFA	3	Summative	No	No
Southwest	Aviation Operations Technology	AAS	--	Implementation	--	--
Volunteer	Professional Music	AAS	4	Productivity	No	No
Volunteer	Nursing	AAS	3	Summative	Yes	No
Volunteer	Medical Assisting	AAS	--	Terminated	--	--
Walters	Paralegal Studies	Certificate	2	Standard	Yes	Yes

-- Not applicable.

Three programs are in the implementation stage, ten are eligible for standard reporting, and 19 are in productivity monitoring. Two programs will exit post-approval monitoring – Volunteer State’s Nursing, AAS and Roane State’s Chemical Engineering Technology, AAS. Two programs were terminated – Fire Science at Jackson State and Medical Assisting at Volunteer State. Thirty-eight percent of the pre-baccalaureate programs met the enrollment benchmarks they established and just over 19 percent met their graduation benchmarks.

### *Baccalaureate Programs*

Twenty-four baccalaureate programs are being monitored in post-approval monitoring in the 2021-22 cycle as illustrated in Table 10. Fifteen of the programs are at locally governed institutions and an additional nine are at UT System institutions. One of the programs is a joint engineering program offered collaboratively by Tennessee Technological University and East Tennessee State University.

Table 10: Baccalaureate programs

Institution	Program	Degree	Year in PAM	PAM Status	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
Austin Peay	Engineering Physics	BS	5	Summative	No	Yes
Austin Peay	Aviation Science	BS	4	Standard	Yes	No
Austin Peay	National Security Studies	BS	--	Implementation	--	--
TTU & ETSU	Engineering	BS	6	Productivity	Yes	No
East Tennessee	Rehabilitative Health Sciences	BS	4	Standard	Yes	Yes
Middle Tennessee	Africana Studies	BA/BS	5	Summative	No	No
Middle Tennessee	Fermentation Science	BS	5	Summative	No	No
Middle Tennessee	Religious Studies	BA/BS	5	Summative	No	Yes
Middle Tennessee	Dance	BS	5	Summative	No	No
Middle Tennessee	Tourism and Hospitality Management	BS	3	Standard	Yes	Yes
Middle Tennessee	Data Science	BS	2	Standard	Yes	Yes
Middle Tennessee	Art Therapy	BA	--	Terminated	--	--
Univ of Memphis	Commercial Aviation	BS	4	Standard	No	Yes
Univ of Memphis	Public Health	BS	1	Standard	Yes	--
Univ of Memphis	American Sign Language and Deaf Studies	BS	--	Implementation	--	--
UT Chattanooga	Mechatronics Engineering	BAS	4	Standard	Yes	No
UT Chattanooga	Applied Leadership	BAS	1	Standard	Yes	--
UT Health Science Center	Pharmaceutical Sciences	BS	2	Standard	No	Yes
UT Knoxville	Information Sciences	BS	3	Standard	Yes	Yes
UT Knoxville	Deaf Studies	BS	2	Standard	No	No
UT Knoxville	Education	BS	--	Implementation	--	--
UT Knoxville	Geographic Information Science and Technology	BS	1	Standard	No	--
UT Martin	Veterinary Science and Technology	BS	1	Standard	Yes	No
UT Martin	Cybersecurity	BS	--	Implementation	--	--

-- Not applicable.

Four of the programs are in the implementation phase, 18 are in standard reporting, one program is in productivity monitoring, and one was terminated. Forty-seven percent of the baccalaureate programs being monitored met their enrollment benchmarks, and 40 percent met their graduation benchmarks.

## Master's Programs

Twenty-four master's programs are being monitored in the 2021-22 post-approval monitoring cycle as illustrated in Table 11.

Table 11: Master's Programs

Institution	Program	Degree	Year in PAM	PAM Status	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
Austin Peay	Speech-Language Pathology	MSLP	--	Implementation	--	--
Austin Peay	Criminal Justice	MS	1	Standard	Yes	No
East Tennessee	Digital Media	MFA	1	Standard	Yes	--
East Tennessee	Orthotics and Prosthetics	MS	--	Implementation	--	--
Middle Tennessee	Art Therapy	MA	--	Implementation	--	--
Middle Tennessee	Physician Assistant Studies	MS	1	Standard	Yes	--
Middle Tennessee	Data Science	MS	--	Implementation	--	--
Tennessee State	Environmental Science	MS	2	Standard	Yes	No
Tennessee State	Data Science	MS	--	Implementation	--	--
Tennessee Tech	Professional Science Master's	PSM	9	Productivity	Yes	No
Tennessee Tech	Engineering Management	MS	2	Standard	No	--
Tennessee Tech	Community Health and Nutrition	MS	1	Standard	Yes	--
Univ of Memphis	Engineering Management	MS	2	Standard	No	--
Univ of Memphis	Biostatistics	MS	3	Standard	No	No
Univ of Memphis	Data Science	MS	2	Standard	Yes	--
Univ of Memphis	Nonprofit Management	MS	1	Standard	Yes	Yes
UT Chattanooga	Data Analytics	MS	3	Standard	Yes	No
UT Chattanooga	Chronic Disease and Prevention	MPH	4	Standard	No	Yes
UT Knoxville	United States Business Law	MS	--	Terminated	--	--
UT Knoxville	Supply Chain Management	MS	5	Summative	Yes	Yes
UT Knoxville	Legal Studies	MLS	1	Standard	Yes	--
UT Martin	Strategic Communication	MASC	5	Summative	Yes	Yes
UT Martin	Sport Coaching and Performance	MSCP	1	Standard	Yes	Yes
UT Martin	Criminal Justice	MS	1	Standard	Yes	--

-- Not applicable.

Eight of the master's programs being monitored are at University of Tennessee System campuses, and the remaining 16 are at Locally Governed Institutions. Five of the monitored programs are in the implementation phase, 17 are in standard monitoring, one program is in productivity monitoring, and one has been terminated. Two of the master's programs monitored in the 2021-22 post-approval monitoring cycle have made satisfactory progress towards meeting their enrollment, graduation, and financial projections, and will be exiting the post-approval monitoring after this monitoring cycle. Nearly 78 percent of the monitored master's programs met their enrollment benchmarks, and 38 percent met graduation benchmarks.

### Doctoral Programs

Seventeen doctoral programs were monitored in the 2021-22 cycle as illustrated in Table 12.

Table 12: Doctoral Programs

Institution	Program	Degree	Year in PAM	PAM Status	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
Austin Peay	Education Leadership	EdD	4	Standard	Yes	No
Austin Peay	Counseling Psychology	PsyD	2	Standard	Yes	--
East Tennessee	Global Sport Leadership	EdD	7	Summative	Yes	Yes
East Tennessee	Occupational Therapy	OTD	--	Implementation	--	--
ETSU & TTU Joint	Nursing Practice	DNP	5	Standard	Yes	No
Tennessee State	Agricultural Sciences	PhD	--	Implementation	--	--
Tennessee Tech	Counseling and Supervision	PhD	2	Standard	Yes	--
Univ of Memphis	Liberal Studies	DLS	4	Standard	Yes	No
Univ of Memphis	Social Work	DSW	2	Standard	No	--
Univ of Memphis	Nursing	PhD	4	Standard	Yes	--
Univ of Memphis	Applied Physics	PhD	2	Standard	Yes	Yes
Univ of Memphis	Urban Affairs	PhD	1	Standard	Yes	--
Univ of Memphis	Applied Physiology and Neuromechanics	PhD	--	Implementation	--	--
Univ of Memphis	Physical Therapy	DPT	--	Implementation	--	--
UT Knoxville	Entomology, Plant Pathology, and Nematology	PhD	7	Summative	Yes	No
UT Knoxville	Data Science Engineering	PhD	5	Standard	No	No
UT Knoxville	Public Health Sciences	PhD	2	Standard	Yes	No

-- Not applicable.

Three of the monitored programs are at University of Tennessee System schools, 14 are housed at Locally Governed Institutions. Four of the programs are currently in implementation and 13 are in

standard reporting. Two programs reached the conclusion of their standard reporting period. The Global Sport Leadership, EdD at ETSU has consistently met its enrollment, graduation, and financial projections, and will exit post-approval monitoring. The Entomology, Plant Pathology, and Nematology, PhD at UT Knoxville will enter productivity monitoring in the 2022-23 post-approval monitoring cycle. Eighty-five percent of the doctoral programs being monitored met their enrollment benchmarks whereas 14 percent met their graduation projections.





## Tennessee Higher Education Commission 2021-22 Post-Approval Monitoring Institutional Report

Institutional reports provide specific information about each academic program in post-approval monitoring, organized by the institution housing the program.

Each institutional report begins with a summary table that provides an overview of all the programs at a given institution being monitored through the post-approval monitoring process. These tables include basic information about each program, including its name and the degree, year implemented, year in PAM, and an overview of program progress towards meeting enrollment and graduation benchmarks. A “yes” indicates that the program met or exceeded its benchmarks, and a “no” indicates that it did not meet its benchmarks.

Academic program summaries follow and provide more complete information about the program. This information includes enrollment and graduation data for the life of the program, as well as projections for the remaining time the program is in PAM. An attainment percentage was not calculated when programs did not project enrollment or graduation, even if the program produced graduates when none were projected. This data is accompanied by additional information about each program, including

- a description of various factors that influence program progress;
- identification of plans for continued program improvement;
- notable accomplishments of program participants;
- summary cost and revenue data, where notable; and
- information about the program’s place in the post-approval monitoring cycle.

Programs are organized by system. Locally governed institutions appear first, followed by the University of Tennessee System institutions, and then the Tennessee Board of Regents institutions.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Engineering Physics	BS	2017	5	No	Yes
2. Education Leadership	EdD	2018	4	Yes	No
3. Aviation Science	BS	2019	4	Yes	No
4. Counseling Psychology	PsyD	2020	2	Yes	--
5. Speech-Language Pathology	MSLP	2021 (delayed to 2022)	Implementation	--	--
6. Criminal Justice	MS	2021	1	Yes	No
7. National Security Studies	BS	2022	Implementation	--	--

-- Not applicable.

### Academic Program Summaries

#### 1. Engineering Physics, BS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	15	3	20%	2017-18	0	0	--
Fall 2018	29	20	69%	2018-19	0	0	--
Fall 2019	46	39	85%	2019-20	0	0	--
Fall 2020	58	34	59%	2020-21	8	4	50%
Fall 2021	63	35	56%	2021-22	10	8	80%

APSU's Engineering Physics, BS did not meet their enrollment projections but did attain graduation benchmarks in their fifth year of post-approval monitoring. Though program enrollment lags projections, the enrollment decreased at a slower rate during COVID (2019-2021) than other undergraduate programs in the College of Science, Technology, Engineering, and Mathematics at APSU. After being delayed due to the pandemic, the process of programmatic accreditation with the Accreditation Board for Engineering and Technology (ABET) is nearly completed. The program had a virtual site visit in September 2021; provided a due process response in November 2021; and submitted a follow-up report in May 2022. ABET will vote on accreditation in July 2022. Due to lower than projected enrollment and graduation, the Engineering Physics, BS program will be monitored for an additional three years via productivity monitoring.

#### 2. Educational Leadership, EdD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	20	20	100%	2018-19	0	0	--
Fall 2019	33	43	130%	2019-20	0	0	--
Fall 2020	44	44	100%	2020-21	16	1	6%
Fall 2021	39	40	110%	2021-22	11	8	73%
Fall 2022	39			2022-23	11		
Fall 2023	39			2023-24	11		
Fall 2024	39			2024-25	11		

The Educational Leadership, EdD continues a four-year history of exceeding its enrollment projections. Changes to program faculty have created delays in program completion. Eight students admitted in 2018 were reassigned to new faculty after their dissertation chairs left the university causing some delay to their progress. The Educational Leadership, EdD program anticipates that five students will complete the program in Summer 2022.

### 3. Aviation Science, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	25	3	12%	2018-19	0	0	--
Fall 2019	35	14	40%	2019-20	0	0	--
Fall 2020	45	30	67%	2020-21	17	0	0%
Fall 2021	45	37	82%	2021-22	24	0	0%
Fall 2022	45			2022-23	24		

In their fourth year of post-approval monitoring, the Aviation Science, BS met enrollment benchmarks, but not graduation projections. While enrollment has not met projections for each year in the monitoring cycle, more new students entered the program in 2020-2021 than any other year. Enrollment continues to be hampered by the lack of a marketing plan for the program. Two unforeseen factors have influenced low graduation numbers. The program admitted its first cohort in fall 2019 and has grown rapidly since and now has six helicopters in its fleet. The department expects its first six graduates in December 2022. The program was granted full certification by the Federal Aviation Agency (FAA) in July 2021 as a Pilot School (Part 141) and will begin formal accreditation review after the first students have graduated in early 2023.

### 4. Counseling Psychology, PsyD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	6	5	83%	2020-21	0	0	--
Fall 2021	6	9	150%	2021-22	0	0	--
Fall 2022	9			2022-23	0		
Fall 2023	10			2023-24	0		
Fall 2024	10			2024-25	6		
Fall 2025	12			2025-26	6		
Fall 2026	12			2026-27	8		

Enrollment in the Counseling Psychology, PsyD exceeded departmental enrollment projections in the second year of post-approval monitoring. The program has not projected graduates until their fifth year of monitoring. The program successfully hired one full-time tenure track assistant professor to begin in August 2022. A search for a second position was not completed, the position will be advertised again in August 2022. A part-time administrative assistant was hired in January 2022.

### 5. Speech-Language Pathology, MSLP – Implementation Report

The Speech-Language Pathology, MSLP was approved in May 2020, but implementation was delayed until fall 2022 due to the impact of COVID-19 on the programmatic accreditation process required by the Council on Academic Accreditation in Audiology and Speech-Language Pathology. Sixteen students have already been admitted and will start the program in fall 2022. The three faculty positions proposed have been hired and these faculty will meet the program's classroom and clinical

needs. The program continues to progress towards achieving programmatic accreditation, most recently being awarded a five-year candidacy beginning February 1, 2022.

*6. Criminal Justice, MS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	20	19	95%	2021-22	8	0	0%
Fall 2022	28			2022-23	11		
Fall 2023	41			2023-24	17		
Fall 2024	46			2024-25	18		
Fall 2025	50			2025-26	20		

In the first year of post-approval monitoring, the Criminal Justice, MS reached 95 percent of its projected enrollment and is on track to exceed projections in the second year. No students graduated in the first year because the program was designed with a one- and two-year completion schedule and the majority of students selected the two-year completion schedule. Three students are expected to graduate in August 2022, and the other students in the first cohort will graduate over the 2022-23 academic year. An assistant professor was hired to begin in fall 2022, the second of three projected faculty hires required to support this program. A search for the third faculty position will begin in August 2022 along with a search for a replacement instructor after a faculty retirement.

*7. National Security Studies, BS – Implementation Report*

The National Security Studies, BS was approved in January 2022 for implementation in August 2022. A program director has been hired, and searches for three tenure track faculty are ongoing.

## Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Global Sport Leadership	EdD	2015	7	Yes	Yes
2. Rehabilitative Health Sciences	BS	2018	4	Yes	Yes
3. Digital Media	MFA	2021	1	Yes	--
4. Orthotics and Prosthetics	MS	2022	Implementation	--	--
5. Occupational Therapy	OTD	2022	Implementation	--	--

-- Not applicable.

## Academic Program Summaries

### 1. Global Sport Leadership, EdD – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2015	11	12	109%	2015-16	0	0	--
Fall 2016	27	25	93%	2016-17	0	0	--
Fall 2017	42	40	95%	2017-18	10	12	120%
Fall 2018	45	43	96%	2018-19	15	10	67%
Fall 2019	45	50	111%	2019-20	15	15	100%
Fall 2020	45	48	107%	2020-21	15	16	107%
Fall 2021	45	50	111%	2021-22	15	16	107%

The Global Sport Leadership, EdD exceeded its enrollment and graduation projections in the seventh year of post-approval monitoring. Demand for the program continues to rise, and applications exceed program capacity. The Global Sport Leadership, EdD program has successfully completed post-approval monitoring and will be monitored via Quality Assurance Funding moving forward.

### 2. Rehabilitative Health Sciences, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	26	9	35%	2018-19	0	0	--
Fall 2019	50	110	220%	2019-20	0	0	--
Fall 2020	70	154	220%	2020-21	20	18	90%
Fall 2021	72	170	236%	2021-22	21	36	171%
Fall 2022	73			2022-23	23		

The Rehabilitative Health Sciences, BS substantially exceeded both enrollment and graduation projections in the fourth year of post-approval monitoring, continuing a three-year trend of surpassing enrollment projections. Increased enrollment is partially attributed to the current program marketing plan which focuses on post-graduation opportunities – both graduate school and employment – available to students upon completion of the program.

### 3. Digital Media, MFA – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	7	10	143%	2021-22	0	0	--
Fall 2022	13			2022-23	0		
Fall 2023	17			2023-24	5		
Fall 2024	16			2024-25	5		
Fall 2025	16			2025-26	5		

Enrollment in the Digital Media, MFA exceeded projections in the first year of post-approval monitoring. Graduate assistants from this program have been placed across campus, indicating that the skills these students are learning are in high demand. Students are working remotely with several national game and media studios; have been recognized for outstanding student work at a regional conference; and contribute to the growth and development of the undergraduate digital media program.

### 4. Orthotics and Prosthetics, MS – Implementation Report

The Orthotics and Prosthetics, MS was approved by the Commission in May 2021 for summer 2022 implementation. In September 2021 the existing program director left ETSU creating a challenge to the successful implementation of the program. Specifically, the pre-accreditation self-study document was not completed, and admissions paused until a program director can be hired. The position remains vacant and a search for a qualified replacement is ongoing. In the meantime, program implementation is being handled within the department. Two full-time faculty positions were proposed but have not yet been filled. Renovations for program instructional areas and lab spaces have been completed. The program is targeting admission of the first cohort in May 2023.

### 5. Occupational Therapy, OTD – Implementation Report

The Occupational Therapy, OTD is on the way to successful implementation in summer 2022. Nineteen students, approximately 80 percent of the projected first-year cohort, have been admitted to the program. Implementation of this program has progressed smoothly. The program made changes to anatomy instruction, moving from cadaver dissection to digital anatomical modeling. They also will be adjusting application deadlines for the 2022-23 cycle to allow additional time for application review and interviews. These deadlines align with national application deadlines, allowing for sufficient applicants to meet enrollment projections. The program has hired several of the positions they proposed. Both the program director and academic fieldwork coordinator have been hired. Efforts are underway to hire the capstone coordinator to start in July 2022, and a full-time faculty member to start in August 2022. The program will search for two additional full-time faculty positions in the 2022-23 academic year. Finally, the Occupational Therapy, OTD has been granted candidacy status by the Accreditation Council for Occupational Therapy Education (ACOTE) and they will complete a pre-accreditation self-study in fall 2023.

## Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Joint Engineering	BS	2016	6	Yes	No
2. TN Joint Doctor of Nursing Practice	DNP	2017	5	Yes	No

## Academic Program Summaries

### 1. Engineering, BS – Productivity Report

Enrollment				Graduates			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2016	12	7	58%	2016-17	0	0	--
Fall 2017	18	34	189%	2017-18	0	0	--
Fall 2018	40	9	23%	2018-19	0	0	--
Fall 2019	58	35	60%	2019-20	10	2	20%
Fall 2020	75	45	60%	2020-21	22	6	27%
Fall 2021	40	41	103%	2021-22	4	3	75%
Fall 2022	45			2022-23	10		
Fall 2023	50			2023-24	10		

The TTU/ETSU Joint Engineering, BS met its enrollment projections but fell below its graduation projections in the sixth year of post-approval monitoring. An accreditation site visit was conducted in fall 2021 and the program is expecting to receive the Accreditation Board for Engineering and Technology (ABET) Engineering Commission accreditation prior to fall 2022.

### 2. Doctor of Nursing Practice, DNP – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	13	10	77%	2017-18	0	0	--
Fall 2018	26	16	62%	2018-19	0	0	--
Fall 2019	39	31	79%	2019-20	15	0	0%
Fall 2020	46	40	87%	2020-21	15	5	33%
Fall 2021	46	47	102%	2021-22	15	11	73%
Fall 2022	46			2022-23	15		
Fall 2023	46			2023-24	15		

The ETSU/TTU Joint Doctor of Nursing Practice (DNP) program met enrollment projections but fell below graduation projections in its fifth year of post-approval monitoring. A primary challenge the program continues to face is that employers who hire nurse practitioners do not specify that the positions must be filled by DNP graduates, leaving a master's degree sufficient educational preparation for most open positions. The program chose to change the name of the Executive Leadership concentration to Nursing and Healthcare Leadership to better relate the scope of the concentration and to appeal to BSN-prepared RNs with master's degrees in areas other than nursing who have healthcare experience.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Africana Studies	BA/BS	2017	5	No	No
2. Fermentation Science	BS	2017	5	No	No
3. Religious Studies	BA/BS	2017	5	No	Yes
4. Dance	BS	2017	5	No	No
5. Tourism & Hospitality Management	BS	2019	3	Yes	Yes
6. Data Science	BS	2020	2	Yes	Yes
7. Art Therapy	BA	2021	Terminated	--	--
8. Art Therapy	MA	2021	Implementation	--	--
9. Physician Assistant Studies	MS	2021 (Delayed to spring 2022)	1	Yes	--
10. Data Science	MS	2022	Implementation	--	--

-- Not applicable.

### Academic Program Summaries

#### 1. Africana Studies, BA/BS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	9	9	100%	2017-18	0	0	--
Fall 2018	17	11	65%	2018-19	0	6	*
Fall 2019	28	8	29%	2019-20	4	3	75%
Fall 2020	38	16	42%	2020-21	7	6	86%
Fall 2021	46	9	20%	2021-22	10	4	40%

\* Attainment rate not calculable: Students graduated, though none were projected.

The Africana Studies, BA/BS did not meet enrollment or graduation projections in their fifth year of post-approval monitoring. As of Fall 2021, a new program director was appointed who made several programmatic changes aimed at increasing enrollment. For example, MTSU has included African American History I and II as general education options with the hopes of increasing student exposure to the program. Due to the lower than projected enrollment and graduation, the program will be placed in productivity monitoring for an additional three years.

#### 2. Fermentation Science, BS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	12	13	108%	2017-18	0	0	--
Fall 2018	24	27	113%	2018-19	0	7	*
Fall 2019	35	25	71%	2019-20	1	1	100%
Fall 2020	49	35	71%	2020-21	7	8	114%
Fall 2021	58	30	52%	2021-22	11	3	27%

\* Attainment rate not calculable: Students graduated, though none were projected.



MTSU's Fermentation Science, BS was below enrollment and graduation projections in its fifth year of post-approval monitoring and as a result will enter productivity monitoring for an additional three years. In order to build a pipeline for community college students and increase interest in the program, a course was developed for a USDA grant awarded to the program, but the course has not yet been offered. The grant also included the development of problem-based learning modules focusing on fermentation science scenarios in the areas of introductory biology, chemistry, and mathematics. These modules have been included in courses at Motlow State Community College and Columbia State Community College and have showed enhanced student interest in fermentation science.

### 3. Religious Studies, BA/BS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	9	11	122%	2017-18	0	4	*
Fall 2018	17	24	141%	2018-19	0	4	*
Fall 2019	28	32	114%	2019-20	4	7	175%
Fall 2020	38	33	87%	2020-21	7	10	143%
Fall 2021	46	28	61%	2021-22	10	8	80%

\* Attainment rate not calculable: Students graduated, though none were projected.

Enrollment in Religious Studies, BA/BS trailed projections in the fifth year of monitoring. The program is planning a full schedule of on- and off-campus recruiting events in the 2022-23 academic year to increase enrollment. The program reached 80 percent of its projected graduates in 2021 and has produced over 150 percent of the graduates they projected to this point in the implementation of program. The Religious Studies, BA/BS will be placed in productivity monitoring for three years to ensure the program meets minimum productivity standards.

### 4. Dance, BS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	13	21	162%	2017-18	0	4	*
Fall 2018	27	33	122%	2018-19	0	5	*
Fall 2019	43	40	93%	2019-20	5	10	200%
Fall 2020	52	39	75%	2020-21	9	9	100%
Fall 2021	59	42	71%	2021-22	11	6	55%

\* Attainment rate not calculable: Students graduated, though none were projected.

Enrollment in the Dance, BS was below projections for the fifth year of post-approval monitoring. Fifteen incoming majors are expected in fall 2022. The program has produced 136 percent of their projected graduates, though their annual graduation fell below projections in the fifth year of post-approval monitoring. Revenues continue to exceed projections, as they have for each year in the monitoring period. Recurring costs rose past projections for the first time because of the cost of hiring a full-time faculty member. The Dance, BS will be placed in productivity monitoring for three years to ensure the program meets minimum productivity standards.

### 5. Tourism and Hospitality Management, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	12	39	325%	2019-20	0	0	--
Fall 2020	24	71	296%	2020-21	0	9	*
Fall 2021	36	58	161%	2021-22	2	15	750%
Fall 2022	48			2022-23	5		
Fall 2023	60			2023-24	10		

\* Attainment rate not calculable: Students graduated, though none were projected.

In the third year of post-approval monitoring, the Tourism and Hospitality Management, BS exceeded both enrollment and graduation projections by a wide margin. To solidify the enrollment pipeline, program staff are working with industry partners to address negative perceptions of the tourism and hospitality industry that arose through during the COVID-19 pandemic. As a result of the larger than projected enrollment, the program has tuition revenue that is well above its projections. Program costs are below projections, as they have been every year in the monitoring cycle.

### 6. Data Science, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	29	26	83%	2020-21	0	0	--
Fall 2021	47	51	109%	2021-22	0	2	*
Fall 2022	56			2022-23	4		
Fall 2023	64			2023-24	9		
Fall 2024	73			2024-25	14		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Data Science, BS exceeded enrollment projections in the second year of post-approval monitoring. In addition, two students completed the program, though graduates were not expected until the third monitoring year. A third tenure-track faculty and an administrative assistant were both hired in the 2021-22 academic year. Additionally, a 100-member data science student organization has been established. Recurring expenses are below projections, and tuition revenues exceed projections.

### 7. Art Therapy, BA

MTSU terminated the Art Therapy, BA in May 2022. MTSU plans to add a concentration in Art Therapy under the existing Art, BA/BS consistent with recommendations made by the National Schools of Art and Design (NASAD) in the accreditation process for the Art Therapy, MA.

### 8. Art Therapy, MA – Implementation Report

Implementation of the Art Therapy, MA has been delayed to fall 2024. Though there is student interest in the program, it has been challenging to hire a credentialed faculty member to serve as program director. A suitable candidate had been hired to start in August 2022, but that person backed out of the job in the beginning of June. Plans are currently being developed to hire the program director and second faculty member during the next academic year. Delays in faculty hiring have also delayed program accreditation by SACSCOC. In May 2022, the National Schools of Art and Design (NASAD) granted plan approval for the program, allowing them to begin enrolling students.

### 9. Physician Assistant Studies, MS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
May 2022	30	30	100%	2022-23	0	0	--
May 2023	57			2023-24	0		
May 2024	84			2024-25	27		
May 2025	84			2025-26	27		
May 2026	84			2026-27	27		

The Physician Assistant Studies, MS met its enrollment projections in its first year of post-approval monitoring. Graduates are not projected until the third year. Classrooms and labs have been renovated and the program has secured technologically advanced simulation materials to ensure effective instruction.

### 10. Data Science, MS – Implementation Report

Program implementation is scheduled for fall 2022. As of June 2022, 19 students have been admitted to the program, doubling the projections. An adjunct faculty member will be hired to teach Data Understanding (DATA 6300) in fall 2022 and a new tenure-track faculty line has been requested to begin in spring 2023.

## Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Environmental Science	MS	2020	2	Yes	No
2. Data Science	MS	2022	Implementation	--	--
3. Agricultural Sciences	PhD	2022	Implementation	--	--

-- Not applicable.

## Academic Program Summary

### 1. Environmental Science, MS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	14	20	143%	2020-21	0	3	*
Fall 2021	25	26	104%	2021-22	10	5	50%
Fall 2022	26			2022-23	12		
Fall 2023	26			2023-24	12		
Fall 2024	27			2024-25	13		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Environmental Science, MS met its enrollment projections in the second year of post-approval monitoring. The program graduated half of the projected students, but an additional three students are anticipated to graduate in summer 2022. Currently, 20 students are being offered paid graduate research assistantships. A full-time faculty member in with expertise in silviculture and forest ecology was hired in spring 2022.

### 2. Data Science, MS – Implementation Report

The Data Science, MS is on track for fall 2022 implementation. The Department of Computer Science organized two boot camps, one in Python Programming and the other in Mathematics, over the summer of 2022 to help interested students meet program prerequisites. A total of 113 students have applied for these boot camps. Twenty-six students have applied for fall admission to the Data Science, MS and six have been unconditionally admitted. More applications are expected after the boot camps are completed.

### 3. Agricultural Sciences, PhD – Implementation Report

The Agricultural Sciences, PhD is on track to exceed its enrollment projections in the first year of post-approval monitoring. Six students are transferring to this program from TSU's PhD in Biological Sciences, and twelve other students have applied for fall 2022 admission. An associate professor of silviculture and forest ecology was hired in spring 2022 to support this program and the Environmental Sciences, MS. A search is underway for an assistant professor of virology, which is expected to be completed in fall 2022. The program has reassessed their graduate research assistantship funding to accommodate an increase in the Nashville cost of living, funding for these positions comes from external funds, and so the increase will not affect the program budget.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Professional Science Master's	PSM	2013	9	Yes	No
2. Engineering Management	MS	2020	2	No	--
3. Counseling and Supervision	PhD	2020	2	Yes	--
4. Community Health and Nutrition	MS	2021	1	Yes	--

-- Not applicable.

### Academic Program Summaries

#### 1. Professional Science, PSM – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2013	9	3	33%	2013-14	0	1	*
Fall 2014	18	5	28%	2014-15	6	1	17%
Fall 2015	26	9	35%	2015-16	6	3	50%
Fall 2016	33	7	21%	2016-17	8	5	63%
Fall 2017	40	8	20%	2017-18	8	2	25%
Fall 2018	15	15	100%	2018-19	5	4	80%
Fall 2019	16	18	113%	2019-20	6	5	83%
Fall 2020	16	19	119%	2020-21	6	4	67%
Fall 2021	18	15	83%	2021-22	5	3	60%

\* Attainment rate not calculable: Students graduated, though none were projected.

Slow enrollment growth in the first five years of the Professional Science, PSM has been superseded by larger enrollment since fall 2018, when the program constricted its concentrations to only offering the Environmental Informatics concentration. Graduation has been hampered by COVID related personal stress and financial constraints students are facing, and the program did not meet its graduation projections in the ninth year of post-approval monitoring. The program will remain in extended productivity monitoring to monitor progress towards meeting graduation projections.

#### 2. Engineering Management, MS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	15	14	93%	2020-21	0	0	--
Fall 2021	33	13	39%	2021-22	0	0	--
Fall 2022	50			2022-23	6		
Fall 2023	64			2023-24	9		
Fall 2024	69			2024-25	18		

The Engineering Management, MS did not meet its enrollment projections in the second year of post-approval monitoring. About half of the enrolled students are part-time students, taking only one course per semester and this large percentage of part-time students will likely contribute to lower than projected graduation rates going forward. New recruitment and advertising efforts will include online advertisement and targeted recruitment of TTU Alumni. Seven students have enrolled in the

program capstone course for fall 2022, these students are nine credits from program completion, and it is anticipated they will graduate in the next academic year.

### 3. Counseling and Supervision, PhD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	7	6	86%	2020-21	0	0	--
Fall 2021	10	8	80%	2021-22	0	0	--
Fall 2022	15			2022-23	2		
Fall 2023	18			2023-24	2		
Fall 2024	20			2024-25	3		
Fall 2025	20			2025-26	4		
Fall 2026	23			2026-27	5		

The Counseling and Supervision, PhD reached 80 percent of its projected enrollment in the second year of post-approval monitoring. In January 2022, the Counseling and Supervision, PhD program submitted its self-study report to the Council for Accreditation of Counseling and Related Educational Programs (CACREP), an essential step in obtaining programmatic accreditation. A site visit is scheduled for fall 2022 and three faculty searches are planned for 2022-23 – two will replace full-time graduate faculty who left in 2021-22.

### 4. Community Health and Nutrition, MS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	8	13	163%	2021-22	0	0	--
Fall 2022	18			2022-23	7		
Fall 2023	21			2023-24	9		
Fall 2024	22			2024-25	10		
Fall 2025	25			2025-26	10		

The Community Health and Nutrition, MS exceeded enrollment projections in its the first year of program implementation. Twelve of the thirteen students enrolled are expected to graduate in May 2023. The program is on track to meet enrollment projections in the second year of monitoring with nine students already admitted to the fall 2022 cohort. The program was granted candidacy for accreditation by the Accreditation Council for Education in Nutrition and Dietetics (ACEND) board in June 2020, a site visit will be held in April 2023.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Commercial Aviation	BS	2018	4	No	Yes
2. Liberal Studies	DLS	2018	4	Yes	No
3. Nursing	PhD	2019	4	Yes	--
4. Biostatistics	MS	2019	3	No	No
5. Engineering Management	MS	2020	2	No	--
6. Social Work	DSW	2020	2	No	--
7. Applied Physics	PhD	2020	2	Yes	Yes
8. Data Science	MS	2020	2	Yes	--
9. Public Health	BS	2021	1	Yes	--
10. Urban Affairs	PhD	2021	1	Yes	--
11. Nonprofit Management	MS	2021	1	Yes	Yes
12. American Sign Language and Deaf Studies	BS	2022	Implementation	--	--
13. Applied Physiology and Neuromechanics	PhD	2022	Implementation	--	--
14. Physical Therapy	DPT	2023 (Delayed to Jan 2026)	Implementation	--	--

-- Not applicable.

**Program Summaries**

*1. Commercial Aviation, BS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	10	7	70%	2018-19	0	0	--
Fall 2019	15	21	140%	2019-20	0	0	--
Fall 2020	25	12	48%	2020-21	2	3	150%
Fall 2021	30	16	53%	2021-22	5	5	100%
Fall 2022	30			2022-23	15		

The Commercial Aviation, BS met its graduation projections, but only achieved half of its projected enrollment in the fourth year of post-approval monitoring. An additional 67 students have indicated they would like to major in commercial aviation but cannot be fully admitted to the program until they complete their professional pilot license.

2. Liberal Studies, DLS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	12	1	8%	2018-19	0	0	--
Fall 2019	15	29	193%	2019-20	0	1	*
Fall 2020	15	43	286%	2020-21	0	0	--
Fall 2021	15	60	400%	2021-22	6	0	0%
Fall 2022	15			2022-23	9		
Fall 2023	15			2023-24	12		
Fall 2024	15			2024-25	15		

\* Attainment rate not calculable: Students graduated, though none were projected.

In the fourth year of post-approval monitoring, the Liberal Studies, DLS continues to exceed its enrollment projections. The program currently has seven full-time graduate teaching assistants who are the farthest into the program having completed over 30 hours of coursework. The remaining students are enrolled part-time and have completed fewer than 20 credit hours. Though the first graduates were expected this year, no additional students have completed the program this academic year.

3. Nursing, PhD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Spring 2019	4	5	125%	2019-20	0	0	--
Spring 2020	9	12	133%	2020-21	0	0	--
Spring 2021	14	19	136%	2021-22	0	0	--
Spring 2022	21	20	95%	2022-23	0		
Spring 2023	21			2023-24	2		
Spring 2024	25			2024-25	2		
Spring 2025	28			2025-26	1		

Enrollment in the Nursing, PhD program reached 95 percent of enrollment projections in the fourth year of post-approval monitoring. The first two student cohorts have completed their qualifying exams and will enter dissertation phase in fall 2022. No graduates are anticipated until year five of the program.

4. Biostatistics, MS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	5	8	160%	2019-20	0	2	*
Fall 2020	15	11	73%	2020-21	0	2	*
Fall 2021	25	5	20%	2021-22	5	2	40%
Fall 2022	30			2022-23	9		
Fall 2023	30			2023-24	9		

\* Attainment rate not calculable: Students graduated, though none were projected.



The Biostatistics, MS did not meet its enrollment projections in its third year of post-approval monitoring. Though the program did not meet graduation projections for the third year, it has graduated more total students to this point in program implementation than the total projected.

*5. Engineering Management, MS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	15	7	47%	2020-21	0	0	--
Fall 2021	27	7	26%	2021-22	0	0	--
Fall 2022	30			2022-23	6		
Fall 2023	36			2023-24	9		
Fall 2024	36			2024-25	9		

Enrollment in the Engineering Management, MS in the second year of post-approval monitoring was a quarter of their projections. Enrollment was hindered by COVID, and because the program was marketed as an online, asynchronous program, limiting the pool of students who were interested because of student preference for hands-on, in person learning. The program is now providing hybrid and on-ground courses to better meet student needs. Future marketing efforts will be organized to emphasize general knowledge students will gain in addition to the specific skills inherent to the program concentrations.

*6. Social Work, DSW – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	16	9	56%	2020-21	0	0	--
Fall 2021	30	10	33%	2021-22	0	0	--
Fall 2022	42			2022-23	12		
Fall 2023	42			2023-24	12		
Fall 2024	42			2024-25	12		
Fall 2025	42			2025-26	12		
Fall 2026	42			2026-27	12		

The Social Work, DSW did not meet its enrollment projections in the second year of post-approval monitoring. Because of lower-than-expected enrollment, courses are being offered once every other year and have been expanded to allow enrollment of MSW students and those enrolled in other doctoral programs. A newly hired program director, focused on student recruitment, has recruited five additional students to the program for fall 2022. The search for the third proposed full-time faculty member has been postponed because of the low program enrollment. The program had a limited recruitment budget for 2021-22 and is looking to secure funds for future recruitment.

7. Applied Physics, PhD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	10	11	110%	2020-21	0	0	--
Fall 2021	18	19	106%	2021-22	0	1	*
Fall 2022	23			2022-23	0		
Fall 2023	25			2023-24	3		
Fall 2024	26			2024-25	4		
Fall 2025	27			2024-25	5		
Fall 2026	28			2025-26	5		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Applied Physics, PhD surpassed its enrollment projections in the second year of post-approval monitoring. One student graduated from the program, though students were not expected to complete the program until its fourth year.

8. Data Science, MS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	10	1	10%	2020-21	0	0	--
Fall 2021	20	35	175%	2021-22	0	0	--
Fall 2022	40			2022-23	6		
Fall 2023	40			2023-24	9		
Fall 2024	40			2024-25	9		

The Data Science, MS exceeded enrollment projections substantially in its second year of post-approval monitoring. The program is growing, and enrollment is expected to be over 100 students in fall 2022. The program plans to hire a visiting assistant professor and a tenure-track assistant professor in the 2022-23 academic year. The first program graduates are not expected until the third year of monitoring.

9. Public Health, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	13	13	100%	2021-22	0	0	--
Fall 2022	31			2022-23	11		
Fall 2023	42			2023-24	11		
Fall 2024	54			2024-25	26		
Fall 2025	64			2025-26	32		

The Public Health, BS met its enrollment projections in the first year of post-approval monitoring and currently has 38 declared public health majors for fall 2022. An additional 74 incoming first-year students have declared public health as their major, which will exceed the second-year enrollment projections. The program did not project that any students would graduate until the second year of program implementation and currently eight students are on track to graduate in 2022-23. Three program developments will assist with future student recruitment. First, a public health club was

established in the fall of 2021 and currently 40 students are members. Second, the undergraduate minor in public health has 38 students enrolled, also creating program interest. Finally, a program course – Population Health and Society – was approved for inclusion in the University’s general education curriculum.

*10. Urban Affairs, PhD – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	10	10	100%	2021-22	0	0	--
Fall 2022	18			2022-23	0		
Fall 2023	21			2023-24	1		
Fall 2024	27			2024-25	3		
Fall 2025	29			2025-26	3		
Fall 2026	32			2026-27	6		
Fall 2027	32			2027-28	6		

The Urban Affairs, PhD met its enrollment projections in the first year of post-approval monitoring. Seven additional students are anticipated to enroll into the program in fall 2022. The program has developed a marketing plan for 2022-23 to increase the number of completed program applications. A full-time faculty member was hired in July 2021 who also serves as the program director.

*11. Nonprofit Management, MS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	8	9	113%	2021-22	0	1	*
Fall 2022	15			2022-23	3		
Fall 2023	20			2023-24	10		
Fall 2024	27			2024-25	15		
Fall 2025	30			2025-26	25		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Nonprofit Management, MS exceeded enrollment projections in the first year of post-approval monitoring. Additionally, the program had one graduate, though none were projected until year two.

*12. American Sign Language and Deaf Studies, BS – Implementation Report*

The American Sign Language and Deaf Studies, BS is scheduled for fall 2022 implementation. A qualified program director has been hired and a search is currently underway for a certified interpreter who can also participate in program administration. Funding has not been allocated for this position as of May 2022. Several program courses need to be developed and will be needed as students seek upper-level offerings to complete the degree. An additional two faculty positions have been requested to fill this need.

### *13. Applied Physiology and Neuromechanics, PhD – Implementation Report*

The Applied Physiology and Neuromechanics, PhD is on track to exceed its enrollment projections in the first year of post-approval monitoring. Forty-two students applied for the program, and eight have been admitted, accounting for 115 percent of their enrollment projections.

### *14. Physical Therapy, DPT – Implementation Report*

The Physical Therapy, DPT program was preparing for fall 2023 implementation, but has been delayed to January 2026 by the Commission on Accreditation in Physical Therapy Education (CAPTE). CAPTE only allows a certain number of new programs to begin each year, and the Physical Therapy, DPT has been scheduled for a January 2026 start. The search for a program director has been delayed as well.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Mechatronics Engineering Technology	BAS	2018	4	Yes	No
2. Chronic Disease and Prevention and Control	MPH	2018	4	No	Yes
3. Data Analytics	MS	2019	3	Yes	No
4. Applied Leadership	BAS	2021	1	Yes	--

-- Not applicable.

### Academic Program Summaries

#### 1. Mechatronics Engineering Technology, BAS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	20	7	35%	2018-19	0	0	--
Fall 2019	30	37	123%	2019-20	0	5	*
Fall 2020	40	64	160%	2020-21	10	10	100%
Fall 2021	50	86	172%	2021-22	12	9	75%
Fall 2022	60			2022-23	15		

\* Attainment rate not calculable: Students graduated, though none were projected.

In the fourth year of monitoring, the Mechatronics Engineering Technology, BAS enrolled 86 students, accounting for 172 percent of their projected enrollment. This continues a trajectory of larger than anticipated program enrollment extending back to year two. Nine students completed the program in 2021-22. The larger than expected enrollment has increased program cost slightly because of the need to employ additional faculty and purchase additional lab equipment. Of note, one program faculty member was awarded the Chattanooga Regional Manufacturers Association Engineer Award.

#### 2. Chronic Disease Prevention and Control, MPH – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	20	21	105%	2018-19	0	0	--
Fall 2019	38	31	82%	2019-20	0	16	*
Fall 2020	56	37	66%	2020-21	18	12	67%
Fall 2021	56	39	70%	2021-22	18	16	89%
Fall 2022	56			2022-23	19		

\* Attainment rate not calculable: Students graduated, though none were projected.

Enrollment in the Chronic Disease Prevention and Control, MPH program met 70 percent of projections in 2021. To address lagging enrollment, the program has implemented several changes, including changing their admission model to allow students to enroll at two points in the year and

adjusting class times to fit student need. The program has also recently attained programmatic accreditation from the Council on Education for Public Health (CEPH). The program had 16 graduates in its fourth year of post-approval monitoring, accounting for 89 percent of their graduation projections. A total of 44 students have completed the program to date, exceeding the total number of graduates projected by year four by 22 percent.

*3. Data Analytics, MS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	15	3	20%	2019-20	0	0	--
Fall 2020	20	34	170%	2020-21	0	0	--
Fall 2021	24	49	204%	2021-22	14	8	57%
Fall 2022	24			2023-24	15		
Fall 2023	24			2024-25	15		

For fall 2021, 49 students enrolled in the Data Analytics, MS, leading to the program exceeding its enrollment projections in its third year. This marks a second consecutive year of larger than anticipated program enrollment. However, only eight students completed the program in year three which was 57 percent of the graduation projections. The lower than anticipated graduation rate is a consequence of lower than projected year one program enrollment.

*4. Applied Leadership, BAS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	15	12	80%	2021-22	0	0	--
Fall 2022	42			2023-24	0		
Fall 2023	66			2024-25	6		
Fall 2024	84			2025-26	12		
Fall 2025	96			2026-27	18		

After approval in July 2021 by the Commission, the Applied Leadership, BAS achieved 80 percent of its enrollment projections by the fall 2021 census, one month later. No graduates are projected until the third year. Twenty-two students enrolled in spring 2022, placing the program on track to its projected graduation target for 2024.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Pharmaceutical Sciences	BS	2020	2	No	Yes

**Academic Program Summary**

*1. Pharmaceutical Sciences, BS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	175	169	97%	2020-21	571	486	85%
Fall 2021	175	133	76%	2021-22	170	140	82%
Fall 2022	175			2022-23	170		
Fall 2023	175			2023-24	170		
Fall 2024	175			2024-25	170		

Enrollment and graduation for the Pharmaceutical Sciences, BS were both around 80 percent of projections in the second year of post-approval monitoring. The lower-than-expected program enrollment relates to reduced enrollment in UTHSC’s Doctor of Pharmacy program. The Pharmaceutical Sciences, BS is granted to students enrolled in the Doctor of Pharmacy program upon completion of the curricular requirements for the bachelor’s degree. UTHSC expects that future enrollment in the Pharmaceutical Science, BS will be lower than projected because of a national trend of declining applications to Doctor of Pharmacy programs.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Entomology, Plant Pathology, and Nematology	PhD	2015	7	Yes	No
2. United States Business Law	MS	2016	Terminated	--	--
3. Supply Chain Management	MS	2017	5	Yes	Yes
4. Data Science Engineering	PhD	2017	5	No	No
5. Information Sciences	BS	2019	3	Yes	Yes
6. Public Health Sciences	PhD	2020	2	Yes	No
7. Deaf Studies	BS	2020	2	No	No
8. Legal Studies	MLS	2021	1	Yes	--
9. Education	BS	2021 (delayed to fall 2022)	Implementation	--	--
10. Geographic Information Science and Technology	BS	2021	1	No	No

-- Not applicable.

### Academic Program Summaries

#### 1. Entomology, Plant Pathology, and Nematology, PhD – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2015	3	0	0%	2015-16	0	1	*
Fall 2016	7	11	157%	2016-17	0	1	*
Fall 2017	11	9	82%	2017-18	3	2	67%
Fall 2018	15	11	73%	2018-19	3	4	133%
Fall 2019	18	14	78%	2019-20	4	4	100%
Fall 2020	18	22	122%	2020-21	4	1	25%
Fall 2021	18	25	139%	2021-22	4	1	25%

\* Attainment rate not calculable: Students graduated, though none were projected.

Enrollment in the Entomology, Plant Pathology, and Nematology, PhD program exceeded projections by nearly 40 percent in the seventh year of post-approval monitoring. Graduation fell below projections in both year six and seven. The program attributes the lack of graduates in both 2020-2021 and 2021-22 to COVID-19 restrictions. The program will enter productivity monitoring for three years.



## 2. United States Business Law, MS

The University of Tennessee, Knoxville terminated United States Business Law, MS, effective February 2022.

## 3. Supply Chain Management, MS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	10	6	60%	2017-18	0	0	--
Fall 2018	20	14	70%	2018-19	0	0	--
Fall 2019	52	57	110%	2019-20	10	23	230%
Fall 2020	151	154	102%	2020-21	20	30	150%
Fall 2021	173	241	139%	2021-22	20	73	365%

In the fifth year of post-approval monitoring, the Supply Chain Management, MS continued a three-year trend of exceeding its enrollment and graduation projections. The program attributes its expanded enrollment and graduation numbers to their development of an option for online delivery of the program. The online program carries high marketing and recruitment costs, but these costs will be recuperated with expanded enrollment. Enrollment in the residential program was hampered by COVID-19, but the program expects expansion of the residential offerings in the near future. The Supply Chain Management, MS program has successfully completed post-approval monitoring and will be monitored via Quality Assurance Funding moving forward.

## 4. Data Science Engineering, PhD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	15	10	67%	2017-18	0	0	--
Fall 2018	35	18	51%	2018-19	0	0	--
Fall 2019	60	29	48%	2019-20	0	3	*
Fall 2020	85	33	39%	2020-21	0	4	*
Fall 2021	100	40	40%	2021-22	10	3	30%
Fall 2022	110			2022-23			
Fall 2023	120			2023-24			

\* Attainment rate not calculable: Students graduated, though none were projected.

The Data Science Engineering, PhD program did not meet its enrollment or graduation projections in its fifth year of post-approval monitoring. In part, enrollment is limited by capacity, and the program is recruiting 10 students per year rather than the 25 per year as originally projected. Ten students have completed the program to date, matching the cumulative graduation projections by year five but spread out over three years of monitoring.

5. Information Sciences, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	10	19	190%	2019-20	0	0	--
Fall 2020	18	45	250%	2020-21	0	2	*
Fall 2021	26	104	400%	2021-22	0	18	*
Fall 2022	34			2022-23	6		
Fall 2023	42			2023-24	12		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Information Sciences, BS program substantially surpassed its enrollment projections in its third year of post-approval monitoring, as it has in each year since program approval. Although the program did not project having any graduates until year four, they have already graduated 20 students. Elevated student enrollment in the program has also increased tuition revenue by approximately 200 percent. Recurring costs are also up, chiefly due to the hiring of two tenure track faculty were hired in August 2020.

6. Public Health Sciences, PhD – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	9	8	89%	2020-21	3	0	0%
Fall 2021	10	13	130%	2021-22	4	0	0%
Fall 2022	13			2022-23	2		
Fall 2023	16			2023-24	2		
Fall 2024	18			2024-25	4		
Fall 2025	19			2025-26	5		
Fall 2026	20			2026-27	5		

The Public Health Sciences, PhD program exceeded its enrollment projections in its second year of post-approval monitoring due to the investment of faculty in recruiting students to the program. It did not meet its graduation projections. However, one student is expected to complete the program in summer 2022. Additionally, one student delayed their studies to pursue international research through a McClure Global Award, and another received a Fulbright Award and took a leave of absence.

7. Deaf Studies, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	48	46	96%	2020-21	12	11	92%
Fall 2021	53	37	70%	2021-22	12	8	67%
Fall 2022	58			2022-23	14		
Fall 2023	63			2023-24	17		
Fall 2024	68			2024-25	17		

After nearly meeting the enrollment and graduation projections in the first year of post-approval monitoring, the Deaf Studies, BS met neither enrollment nor graduation projections in the second year of monitoring. Despite the lower than projected number of declared majors, program courses are filling because of the robust enrollment in the American Sign Language minor. Program

enrollment has been constrained by delays in getting program concentrations approved as PreK-12 teacher licensure pathways. At present only two of the seven undergraduate licensure pathways have completed curricular review at UTK and appear in the fall 2022 catalog. The other five pathways have been resubmitted and should appear in the fall 2023 catalog. The approval of these pathways will assist program recruitment. Finally, four program faculty were hired to support the major, two replacing retiring faculty, and two new hires.

**8. Legal Studies, MLS – Standard Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
2021	5	10	200%	2021-22	0	0	---
2022	6			2022-23	3		
2023	15			2023-24	15		
2024	17			2024-25	15		
2025	17			2025-26	15		

The Legal Studies, MLS enrolled twice the anticipated students in the first year of post-approval monitoring. This enrollment increase is related to the expanded online offerings that make the program more accessible to working professionals and those living outside of the Knoxville area. The development of online courses did incur one-time program costs that were significantly higher than projected, but these costs are more than offset by increased revenue from the increased program enrollment.

**9. Education, BS – Implementation Report**

The Education, BS is moving towards effective program implementation in fall 2022, and 94 students have already declared this major. Implementation of this program was delayed from the original implementation date of fall 2021 because it was added to the university catalog after the fall 2021 recruitment and admission cycle had already started.

**10. Geographic Information Science and Technology, BS – Standard Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	10	0	0%	2021-22	0	0	--
Fall 2022	24			2022-23	0		
Fall 2023	41			2023-24	0		
Fall 2024	60			2024-25	6		
Fall 2025	82			2025-26	16		

The Geographic Information Science and Technology, BS was approved by the Commission in May 2021 for August 2021 implementation. However, because of a procedural error the program was not included in the online catalog until late August and was not included in promotional materials listing available undergraduate programs at UTK until October 2021. The result is that students were not aware of this program and students did not enroll in the program in fall 2021. The department has created and carried out an advertising and recruitment plan for the remainder of 2021 and 2022, aiming to increase program enrollment to the levels projected. Five students were enrolled in the program in spring 2022.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Strategic Communication	MASC	2017	5	Yes	Yes
2. Veterinary Science and Technology	BS	2021	1	Yes	No
3. Sport Coaching and Performance	MSCP	2022	1	Yes	Yes
4. Criminal Justice	MS	2022	1	Yes	--
5. Cybersecurity	BS	2022	Implementation	--	--

-- Not applicable.

### Academic Program Summary

#### 1. Strategic Communication, MASC – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	10	15	150%	2017-18	0	6	*
Fall 2018	15	15	100%	2018-19	0	1	*
Fall 2019	20	22	110%	2019-20	5	7	140%
Fall 2020	25	29	116%	2020-21	8	3	38%
Fall 2021	25	29	116%	2021-22	10	13	130%

\* Attainment rate not calculable: Students graduated, though none were projected.

The Strategic Communications, MASC exceeded its enrollment projections in the fifth year of post-approval monitoring, as it has for each year in the post-approval monitoring cycle. After missing graduation projections in their fourth year, the program exceeded its projections in the fifth year. Additionally, more students have completed the program in its first five years than were projected. It is also worth mentioning that recurring expenses have been far lower than projected for the life of the program and tuition revenue exceeded projections in each year. The Strategic Communications, MASC program has successfully completed post-approval monitoring and will be monitored via Quality Assurance Funding moving forward.

#### 2. Veterinary Science and Technology, BS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	314	329	105%	2021-22	261	37	14%
Fall 2022	314			2022-23	261		
Fall 2023	314			2023-24	261		
Fall 2024	314			2024-25	261		
Fall 2025	314			2025-26	261		

The Veterinary Science and Technology, BS exceeded its first-year enrollment projections but did not meet graduation projections. UTM overestimated the number of graduates in year one partially because they did not account for attrition and overestimated how many students would complete the program in one year.

**3. Sport Coaching and Performance, MSCP – Standard Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Spring 2022	10	12	120%	2021-22	0	5	*
Spring 2023	18			2022-23	8		
Spring 2024	22			2023-24	8		
Spring 2025	26			2024-25	12		
Spring 2026	29			2025-26	12		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Sport Coaching and Performance, MSCP exceeded enrollment projections in its first year of post-approval monitoring. In addition, five students who were in an existing graduate program were able to change their major to the Sport Coaching and Performance, MSCP, and graduate in spring 2022. Recurring spending was lower than projected in 2021-2022 because a projected faculty line was not filled.

**4. Criminal Justice, MS – Standard Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Spring 2022	10	11	110%	2021-22	0	0	--
Spring 2023	15			2022-23	7		
Spring 2024	18			2023-24	20		
Spring 2025	23			2024-25	25		
Spring 2026	30			2025-26	25		

In the first year of post-approval monitoring, the Criminal Justice, MS exceeded its enrollment projections. Graduates are not projected until the programs second year in PAM.

**5. Cybersecurity, BS – Implementation Report**

UTM's Cybersecurity, BS was approved in 2021 for implementation in fall 2022 and the program is working to prepare for successful program launch. Though hiring new program faculty took longer than expected, a faculty member was hired in spring 2022. However, the department chair, an assistant professor, and the program resource specialist each left the university unexpectedly. Searches to replace these positions are currently underway. The program is progressing towards meeting its enrollment projections for fall 2022. At present, five students have declared an intent to change their major to cybersecurity. Program staff will continue recruiting students over the summer to increase enrollment for the next academic year.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Paramedic	AAS	2016	6	No	No
2. Nuclear Medicine Technology	AAS	2017	5	Yes	No

**Academic Program Summaries**

*1. Paramedic, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2016	20	19	95%	2016-17	15	6	40%
Fall 2017	20	14	70%	2017-18	15	4	27%
Fall 2018	20	3	15%	2018-19	15	5	33%
Fall 2019	20	8	40%	2019-20	15	6	40%
Fall 2020	20	9	45%	2020-21	15	6	40%
Fall 2021	10	7	70%	2021-22	10	5	50%
Fall 2022	10			2022-23	10		
Fall 2023	10			2023-24	10		

The Paramedic, AAS did not meet enrollment or graduation projections in its sixth year of post-approval monitoring. The program currently has a vacancy in the department which has limited the marketing and outreach of the program. Four instructors in the paramedic program have died since September 2019, increasing instructional and emotional burden on the remaining faculty. Lower than expected enrollment will be mitigated through increased marketing activities and increased efforts to retain certificate seeking students. The program will continue in extended productivity monitoring.

*2. Nuclear Medicine Technology, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	13	14	108%	2017-18	10	0	0%
Fall 2018	13	16	123%	2018-19	10	0	0%
Fall 2019	13	15	115%	2019-20	10	3	30%
Fall 2020	13	14	107%	2020-21	10	6	60%
Fall 2021	13	15	115%	2021-22	10	4	40%

The Nuclear Medicine Technology, AAS exceeded enrollment projections but did not meet its graduation goals. Program recruitment efforts will continue at local high schools and on campus tours. The program will be moved into extended productivity monitoring.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Fine Arts	AFA	2013	9	No	No
2. Medical Informatics	AAS	2014	8	No	No
3. Paramedic	AAS	2015	7	Yes	No
4. Law Enforcement	AAS	2017	5	No	No

### Academic Program Summaries

#### 1. Fine Arts, AFA – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2013	15	6	40%	2013-14	10	1	10%
Fall 2014	40	12	30%	2014-15	25	0	0%
Fall 2015	20	14	70%	2015-16	3	2	67%
Fall 2016	27	15	56%	2016-17	5	1	20%
Fall 2017	34	18	53%	2017-18	12	6	50%
Fall 2018	34	17	50%	2018-19	12	5	42%
Fall 2019	34	21	62%	2019-20	12	2	17%
Fall 2020	20	20	100%	2020-21	12	2	17%
Fall 2021	15	11	73%	2021-22	12	2	17%

The Fine Arts, AFA did not meet enrollment nor graduation projections in the ninth year of post-approval monitoring. Implications of COVID continue to be seen in the program, both in terms of decreased opportunities for in person high school recruitment and in student progression in the program. The music theory courses were redesigned this year to utilize an affordable textbook and a variety of online resources. A jazz ensemble was created to provide additional opportunities for students to learn and perform. The program has had many conversations with TBR and program auditors about program innovations needed to better meet the needs of students. Some program directions include, connecting students with music faculty earlier in their program of study, building student cohorts, collecting data from current students and alumni, and conducting a comprehensive needs assessment. Because of lower than projected enrollment and graduation numbers, the Fine Arts, AFA will remain in extended productivity monitoring.

2. Medical Informatics, AAS – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2014	15	0	0%	2014-15	0	0	--
Fall 2015	20	1	5%	2015-16	12	0	0%
Fall 2016	20	7	35%	2016-17	15	1	7%
Fall 2017	20	1	5%	2017-18	15	0	0%
Fall 2018	20	7	35%	2018-19	15	1	7%
Fall 2019	20	8	40%	2019-20	15	0	0%
Fall 2020	20	4	20%	2020-21	15	1	7%
Fall 2021	20	7	35%	2021-22	15	0	0%
Fall 2022	20			2022-23	15		

The Medical Informatics, AAS was below enrollment and graduation projections in its eighth year of post-approval monitoring. The program had a successful program review in March 2022, which recommended that the program name be changed to better reflect program curriculum. Meetings are planned with the TBR Common Curriculum Committee to pursue this change. The program will continue in extended productivity monitoring.

3. Paramedic, AAS – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2015	10	15	150%	2015-16	0	2	*
Fall 2016	18	7	39%	2016-17	12	1	8%
Fall 2017	18	17	94%	2017-18	12	1	8%
Fall 2018	18	10	56%	2018-19	12	6	50%
Fall 2019	18	7	39%	2019-20	12	5	42%
Fall 2020	18	10	56%	2020-21	12	1	8%
Fall 2021	15	14	93%	2021-22	12	0	0%
Fall 2022	15			2022-23	12		
Fall 2023	15			2023-24	12		

\* Attainment rate not calculable: Students graduated, though none were projected.

Enrollment in the Paramedic, AAS has grown over the past three years, and is currently 93 percent of enrollment projections. No students graduated from the program in 2021-22, though at least seven students are expected to graduate in summer 2022. The program will continue in extended productivity monitoring to track progress towards meeting graduation projections.



4. Law Enforcement, AAS – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	15	6	40%	2017-18	0	1	*
Fall 2018	28	24	86%	2018-19	8	4	50%
Fall 2019	30	29	97%	2019-20	10	5	50%
Fall 2020	30	20	67%	2020-21	10	3	30%
Fall 2021	15	9	60%	2021-22	10	1	10%
Fall 2022	20			2022-23	10		
Fall 2023	20			2023-24	12		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Law Enforcement, AAS did not meet enrollment nor graduation projections in its fifth year of post-approval monitoring. Lower than expected enrollment is at least partially attributed to a changing public perception of law enforcement that may be related to a drop in new applicants for positions at state and local law enforcement agencies. Recruitment at local high schools continues throughout the year, and the program is working to redesign chemistry and physics labs to better reflect the type of work law enforcement students would experience in their post-graduation career. The program will continue in extended productivity monitoring.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Anesthesia Technology	AAS	2018	5	Yes	No
2. Fire Science	AAS	2019	3	No	No
3. Civil and Construction Engineering	AAS	2020 (delayed to Fall 2022)	Implementation	--	--

-- Not applicable.

### Academic Program Summaries

#### 1. Anesthesia Technology, AAS – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	10	0	0%	2017-18	0	0	--
Fall 2018	20	5	25%	2018-19	5	3	60%
Fall 2019	25	9	36%	2019-20	8	7	88%
Fall 2020	15	25	167%	2020-21	4	3	75%
Fall 2021	26	24	92%	2021-22	12	7	58%
Fall 2022	26			2022-23	10		
Fall 2023	26			2023-24	13		

The Anesthesia Technology, AAS realized 92 percent of its enrollment projections and 58 percent of its graduation projections in its fifth year of post-approval monitoring. Recruitment of qualified students continues to be a challenge. Many students declare Pre-Anesthesia Technology as their major but are not able to achieve minimum course requirements for acceptance into the Anesthesia Technology, AAS. To meet this challenge, advisors have been trained on entry requirements and the application process for the program. The program is also partnering with college success advisors to help students with chemistry and anatomy and physiology coursework. The program is also constrained by limited clinical placement, which slows student progression. Lastly, the Commission on Accreditation of Allied Health Education Programs (CAAHEP) awarded initial accreditation to the program in May 2022, making it one of nine accredited programs in the nation.

#### 2. Fire Science, AAS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	10	1	10%	2019-20	0	0	--
Fall 2020	23	1	4%	2020-21	2	0	0%
Fall 2021	30	0	0%	2021-22	8	0	0%

The Fire Science, AAS had no students enrolled during the 2021-22 academic year. A search for a program director was postponed, and no fire science classes were offered. A search is currently being

developed for a program director who would also be qualified to teach in the Emergency Medical Services program. If the search proves unsuccessful, the college will submit paperwork to terminate or inactivate the program. The program will move to productivity monitoring for three years.

### *3. Civil and Construction Engineering, AAS – Implementation Report*

The Civil and Construction Engineering, AAS was scheduled for fall 2020 implementation, but that timeline has been delayed. A program director is required to start the program, but the search for that position has been postponed for a second time. Approval of the SACSCOC substantive change requires hiring the program director, and the change will not be filed until the program director has been hired. Columbia State is planning to terminate the program if it is not implemented by 2023.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Health Sciences	AAS	2017	5	Yes	No

**Academic Programs Summary**

*1. Health Sciences, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	20	3	15%	2017-18	0	0	--
Fall 2018	40	19	48%	2018-19	20	0	0%
Fall 2019	40	127	318%	2019-20	20	4	20%
Fall 2020	50	84	168%	2020-21	10	5	50%
Fall 2021	60	53	88%	2021-22	15	5	33%
Fall 2022	70			2022-23	20		

The Health Sciences, AAS enrolled 88 percent of projected students in Fall 2021, and graduated 33 percent of their projections. The program reports increasing retention rates of 65 percent in 2020-21 to 77 percent in 2021-22. At present about two thirds of students are enrolled part-time which has impacted progress towards meeting graduation projections. The program is planning to embed both the Quality Improvement in Long Term Services and Supports (QuILTSS) certificate program and a surgical technology certificate into the Health Sciences, AAS in the next academic year. The embedding of these certificates is expected to result in increased enrollment in the Health Sciences, AAS. The program will continue in extended productivity monitoring.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Fire Science	AAS	2018	Terminated	--	--
2. Respiratory Care	AAS	2018	4	No	Yes

-- Not applicable.

**Academic Programs Summaries**

*1. Fire Science, AAS – Terminated*

Jackson State Community College terminated the Fire Science, AAS due to difficulties staffing the program appropriately.

*2. Respiratory Care, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Spring 2018	12	11	92%	2018-19	11	10	91%
Spring 2019	26	11	42%	2019-20	12	10	83%
Fall 2020	28	13	46%	2020-21	14	0*	0%
Fall 2021	24	19	79%	2021-22	12	10	83%
Fall 2022	22			2022-23	8		
Fall 2023	26			2023-24	14		

\* No graduates because the program changed admission semester from Spring to fall.

The Respiratory Care, AAS program met about 80 percent of its enrollment and graduation projections in its fourth year of post-approval monitoring. Program enhancements over the 2021-22 academic year included student recruitment assistance through a Career Ready Perkins Grant; the purchase of equipment to enhance neonatal and pediatric training; and the addition of several clinical sites.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Paramedic	AAS	2014	8	No	Yes
2. Medical Laboratory Technology	AAS	2017	5	Yes	No
3. Fine Arts	AFA	2017	5	No	No
4. Entrepreneurship	AAS	2020	2	No	No

**Academic Program Summaries**

*1. Paramedic, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2014	3	5	167%	2014-15	2	0	0%
Fall 2015	5	19	380%	2015-16	4	2	50%
Fall 2016	8	28	350%	2016-17	6	1	17%
Fall 2017	12	26	217%	2017-18	8	4	50%
Fall 2018	17	50	294%	2018-19	10	3	30%
Fall 2019	17	30	176%	2019-20	10	2	20%
Fall 2020	17	21	124%	2020-21	10	1	10%
Fall 2021	17	13	76%	2021-22	10	9	90%
Fall 2022	17			2022-23	10		

The Paramedic, AAS has adjusted the way students are enrolled into the program for this post-approval monitoring report. Previously, all students interested in paramedic training were registered for the AAS, including those who were only interested in completing the certificate. Now an intake evaluation helps filter students into the specific program that fits their goals. Using the adjusted method, program enrollment was approximately three quarters of projections in the eighth year of post-approval monitoring. However, 90 percent of projected students graduated from the program. The program continues to face enrollment challenges because an associate degree is not a requirement for employment in the paramedic field. Plans are underway to offer paramedic classes on multiple Motlow campuses, not just Smyrna. This geographic expansion will require adding full-time instructors.

**2. Medical Laboratory Technology, AAS – Productivity Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	10	18	180%	2017-18	10	0	0%
Fall 2018	12	32	267%	2018-19	10	0	0%
Fall 2019	12	30	250%	2019-20	12	8	67%
Fall 2020	12	19	158%	2020-21	12	8	67%
Fall 2021	12	16	133%	2021-22	12	0	0%
Fall 2022	12			2022-23	12		
Fall 2023	12			2023-24	12		

The Medical Laboratory Technology, AAS exceeded its enrollment projections for fall 2021. Several enrolled students will complete the program in summer 2022. The program has engaged in extensive curriculum revision including conversion to a hybrid/simulation format that will incorporate virtual and technology-enhanced learning; technical simulation through diagnostic level automation; and conventional on-ground contact hours. These curricular changes should increase student retention and completion.

**3. Fine Arts, AFA – Productivity Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	20	20	100%	2017-18	0	2	*
Fall 2018	20	18	90%	2018-19	16	0	0%
Fall 2019	25	21	84%	2019-20	16	0	0%
Fall 2020	25	27	108%	2020-21	16	0	0%
Fall 2021	25	14	56%	2021-22	5	2	40%
Fall 2022	30			2022-23	10		
Fall 2023	35			2023-24	15		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Fine Arts, AFA did not meet enrollment nor graduation projections in their fifth year of post-approval monitoring. The program is in a rebuilding phase after COVID-related cancellations of several music major courses and live performances. The program will remain in productivity monitoring as it rebuilds.

**4. Entrepreneurship, AAS – Standard Report**

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	15	25	167%	2020-21	0	0	0%
Fall 2021	27	19	70%	2021-22	7	3	43%
Fall 2022	45			2022-23	19		

The Entrepreneurship, AAS did not meet enrollment or graduation projections in its second year of post-approval monitoring. Program courses moved to virtual delivery because of the pandemic and will be moving back to on-ground delivery soon. Early enrollment numbers for fall 2022 look promising.

### Programs in Post-Approval Monitoring

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Fine Arts	AFA	2012	10	Yes	No
2. Hospitality Management	AAS	2017	5	Yes	Yes
3. Retail Management	Certificate	2017	5	No	No
4. Paralegal Studies	Certificate	2020	2	No	Yes

### Academic Program Summaries

#### 1. Fine Arts, AFA – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2012	0	0	--	2012-13	0	0	--
Fall 2013	55	33	60%	2013-14	10	0	0%
Fall 2014	70	31	44%	2014-15	18	0	0%
Fall 2015	50	39	78%	2015-16	10	2	20%
Fall 2016	50	72	144%	2016-17	10	1	10%
Fall 2017	60	67	112%	2017-18	15	5	33%
Fall 2018	60	51	85%	2018-19	15	8	53%
Fall 2019	60	57	95%	2019-20	15	3	20%
Fall 2020	60	41	68%	2020-21	15	13	87%
Fall 2021	50	33	66%	2021-22	10	11	110%
Fall 2022	50			2022-23	10		
Fall 2023	50			2023-24	10		

The Fine Arts, AFA program did not meet enrollment projections but exceeded its graduation projections for the first time in ten years of post-approval monitoring. To increase enrollment, the program has prepared an articulation agreement allowing Nashville State AFA graduates to transfer into the Bachelor of Commercial Music program at Belmont, pending a successful audition, which should be signed summer 2022. The program will continue in productivity monitoring for at least two more academic years.

#### 2. Hospitality Management, AAS – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	30	14	47%	2017-18	0	2	*
Fall 2018	55	31	56%	2018-19	5	2	40%
Fall 2019	63	34	54%	2019-20	10	1	10%
Fall 2020	20	29	145%	2020-21	5	2	40%
Fall 2021	25	29	116%	2021-22	7	6	86%
Fall 2022	30			2022-23	10		

\* Attainment rate not calculable: Students graduated, though none were projected.



Enrollment in the Hospitality Management, AAS exceeded projections in the fifth year of post-approval monitoring and the number of graduates reached 86 percent of projections. The program incorporated several innovations over the last academic year including embedding several optional certificates and developing an advisory committee made up of industry representatives to define skills and expectations needed for graduates to be successful after graduation. Lastly, the program is working on incorporating an apprenticeship into the program to expand options for post-graduation employment. The program will continue in productivity monitoring for at least one additional year to see how these program changes affect graduation.

### 3. Retail Management, Certificate – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2017	35	17	49%	2017-18	5	3	60%
Fall 2018	45	10	22%	2018-19	10	3	30%
Fall 2019	60	9	15%	2019-20	15	6	40%
Fall 2020	25	1	4%	2020-21	10	0	0%
Fall 2021	30	1	3%	2021-22	10	2	20%
Fall 2022	35			2022-23	10		

The Retail Management certificate missed enrollment and graduation projections in year five of post-approval monitoring and has only enrolled two students in the last two years. Enrollment may be hindered by the current high demand for retail jobs that do not require a postsecondary credential. The program is approaching major retailers to explore options for blending program curriculum with components of the retailer’s employee training program. The program is also shifting courses to 7-week online courses, which will provide increased flexibility for students.

### 4. Paralegal Studies, Certificate – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	15	5	33%	2020-21	5	2	40%
Fall 2021	20	14	70%	2021-22	13	12	92%
Fall 2022	30			2022-23	18		

The Paralegal Studies certificate reached 70 percent of its enrollment projections and 92 percent of its graduation projections in its second year of post-approval monitoring. Lower than anticipated enrollment may be related to increased workload for employees in law-related fields, possibly creating uncertainty for working students around their ability to balance work with school.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Unmanned Aircraft Systems	Certificate	2022	Implementation	--	--
2. Electromechanical Technology	Certificate	2021	1	No	Yes

-- Not applicable.

**Academic Program Summaries**

*1. Unmanned Aircraft Systems, Certificate – Implementation Report*

The Unmanned Aircraft Systems certificate did not start in spring 2022 as planned because of the unexpected loss of a full-time faculty member. A cohort will begin the program fall 2022 and the first graduates are expected in spring 2023.

*2. Electromechanical Technology, Certificate – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	22	0	0%	2021-22	10	22	220%
Fall 2022	45			2022-23	16		
Fall 2023	55			2023-24	26		

The Electromechanical Technology certificate is embedded in the Electrical Engineering technology, AAS. Enrollment is listed as zero in the table above because students are recorded by degree, not certificate in the college’s registration system. The program exceeded graduation projections by more than double in its first year of post-approval monitoring.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Water Quality Technology	AAS	2019	3	No	No
2. Architectural Design Technology	AAS	2020	2	Yes	No

**Academic Program Summaries**

*1. Water Quality Technology, AAS – Summative Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	12	7	58%	2019-20	0	0	--
Fall 2020	20	18	90%	2020-21	7	2	29%
Fall 2021	29	17	59%	2021-22	12	5	42%

The Water Quality Technology, AAS did not meet its enrollment nor graduation projections in its third year of monitoring. Program recruitment is coordinated by both the program coordinator and cohort specialist. These professionals coordinate with an advisory board composed of industry partners four times a year, when they confer on recruitment, industry changes, and employer needs. Curricular changes that emerged from conversations with the advisory board will be included in the 2022-23 catalog and these changes are expected to improve program enrollment and graduation. Due to the lower-than-expected program enrollment and graduation numbers, the Water Quality Technology, AAS will move to productivity monitoring for three years.

*2. Architectural Design Technology, AAS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	12	25	208%	2020-21	0	2	*
Fall 2021	16	18	113%	2021-22	7	5	71%
Fall 2022	20			2022-23	10		

\* Attainment rate not calculable: Students graduated, though none were projected.

The Architectural Design Technology, AAS exceeded enrollment projections, but did not meet graduation projections in its second year of post-approval monitoring. Program enrollment and completion were negatively affected by the shift to online course delivery during the pandemic. As of spring 2022, 28 students were enrolled in the program and Pellissippi State is hopeful that this pipeline will result in meeting enrollment and graduation projections for the third year of post-approval monitoring.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Projections Meet
1. Financial Services	AAS	2014	8	No	No
2. Medical Informatics	AAS	2015	7	No	No
3. Chemical Engineering Technology	AAS	2019	3	Yes	Yes
4. Medical Laboratory Technology	AAS	2020 (delayed to 2021)	1	No	--

-- Not applicable.

**Academic Program Summaries**

*1. Financial Services, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2014	17	9	53%	2014-15	0	0	--
Fall 2015	23	21	91%	2015-16	10	2	20%
Fall 2016	33	16	48%	2016-17	16	2	13%
Fall 2017	20	14	70%	2017-18	10	5	50%
Fall 2018	22	11	50%	2018-19	10	0	0%
Fall 2019	25	15	60%	2019-20	10	1	10%
Fall 2020	15	14	93%	2020-21	10	1	10%
Fall 2021	20	13	65%	2021-22	15	2	13%
Fall 2022	25			2022-23	20		

The Financial Services, AAS did not meet enrollment nor graduation projections in the eighth year of post-approval monitoring. The departure of the lead faculty member in fall 2021 combined with the inability to recruit in high schools because of COVID restrictions created recruitment challenges and contributed to the low enrollment. Recruitment efforts are progressing by establishing partnerships with business education programs at area high schools and by communicating curricular changes that better prepare students to complete industry certifications.

2. Medical Informatics, AAS – Productivity Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2015	15	1	7%	2015-16	0	0	--
Fall 2016	27	2	7%	2016-17	12	1	8%
Fall 2017	27	9	33%	2017-18	12	0	0%
Fall 2018	10	7	70%	2018-19	2	1	50%
Fall 2019	10	1	10%	2019-20	4	0	0%
Fall 2020	10	5	50%	2020-21	6	2	33%
Fall 2021	10	3	30%	2021-22	4	0	0%
Fall 2022	10			2022-23	6		
Fall 2023	10			2023-24	6		

The Medical Informatics, AAS did not meet enrollment projections, and did not graduate any students in its seventh year of post-approval monitoring. A more aggressive advertising campaign has already been launched to promote all the health programs at Roane State.

3. Chemical Engineering Technology, AAS – Summative Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	12	50	417%	2019-20	0	3	*
Fall 2020	27	66	244%	2020-21	11	18	164%
Fall 2021	30	74	247%	2021-22	13	19	146%

\* Attainment rate not calculable: Students graduated, though none were projected.

The Chemical Engineering Technology, AAS surpassed enrollment and graduation projections in the third year of post-approval monitoring. As a result, the program has successfully completed post-approval monitoring and will be monitored via Quality Assurance Funding moving forward.

4. Medical Laboratory Technology, AAS – Standard Report

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2021	12	4	33%	2021-22	0	0	--
Fall 2022	11			2022-23	11		
Fall 2023	12			2023-24	11		

The Medical Laboratory Technology, AAS program was not able to obtain all required permissions to begin the program until April 2021. After approval, recruitment began for the initial student cohort, which did not meet enrollment projections. Enrollment looks stronger for fall 2022 with 10 students who have already been admitted and recruitment is ongoing.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Allied Health Science	AAS	2015	7	Yes	No
2. Funeral Services Education	AAS	2019	3	Yes	No
3. Fine Arts	AAS	2019	3	No	No
4. Aviation Operations Technology	AAS	2022	Implementation	--	--

**Academic Program Summaries**

*1. Allied Health Science, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2015	20	10	50%	2015-16	10	0	0%
Fall 2016	40	121	303%	2016-17	28	0	0%
Fall 2017	55	207	376%	2017-18	35	1	3%
Fall 2018	210	185	88%	2018-19	25	1	4%
Fall 2019	210	110	52%	2019-20	25	3	12%
Fall 2020	115	200	174%	2020-21	20	3	15%
Fall 2021	120	133	111%	2021-22	20	2	10%
Fall 2022	125			2022-23	20		

The Allied Health Science, AAS met its enrollment goal but not its graduation projection in the seventh year of post-approval monitoring. The program has come to serve as a starting point for students who are interested in a health career but undecided about a specific direction for their studies. The result is that students frequently move to one of the allied health programs after taking a few courses in this program. The program has created a strategic plan mapping workforce health training to this degree program to better align the degree with industry needs. The goal is to help industry partners upskill their current workforce by enrolling them in the Allied Health Science, AAS.

*2. Funeral Services Education, AAS – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	25	37	148%	2019-20	0	0	--
Fall 2020	27	54	200%	2020-21	18	5	28%
Fall 2021	30	39	130%	2021-22	20	4	20%

The Funeral Services Education, AAS surpassed its enrollment projections but did not meet its graduation projections in the third year of post-approval monitoring. Challenges helping students navigate the reduced clinical placement opportunities stemming from COVID restrictions in 2020-21 led to students leaving the program rather than completing the program. In fall 2021 the program

implemented a cohort model providing a structured course sequence to promote student program completion. The program has also been adjusted to allow students to sit for licensing exams in phases, rather than all at one time. The Funeral Services Education, AAS will be placed in productivity monitoring for three years as the program works to meet its projections.

*3. Fine Arts, AFA – Summative Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	15	0	0%	2019-20	0	0	--
Fall 2020	22	4	18%	2020-21	5	0	0%
Fall 2021	30	8	27%	2021-22	10	0	0%

The Fine Arts, AFA program did not meet its enrollment projections in the third year of post-approval monitoring, and no students have completed the program yet, putting it well behind graduation projections. To address lackluster enrollment and completion rates, fine arts facilities that need improvements have been identified; a persistent recruitment plan has been developed; and dual enrollment opportunities are being explored. The program also plans to resume on-campus performances and productions. The Fine Arts, AFA will be placed in productivity monitoring for three years.

*4. Aviation Operations Technology, AAS – Implementation Report*

The Aviation Operations Technology, AAS is ready for launch in fall 2022. The program received final approval from SACSCOC in January 2022 and three program courses were offered in spring 2022. Three adjunct faculty members have been hired and a replacement program coordinator has been identified. A comprehensive marketing plan and recruitment plan is in development.

**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Professional Music	AAS	2018	4	No	No
2. Nursing	AAS	2019	3	Yes	No
3. Medical Assisting	AAS	2020	Terminated	--	--

-- Not applicable.

**Academic Program Summaries**

*1. Professional Music, AAS – Productivity Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2018	35	6	17%	2018-19	0	0	--
Fall 2019	28	10	36%	2019-20	4	2	50%
Fall 2020	20	16	80%	2020-21	6	1	17%
Fall 2021	20	9	45%	2021-22	10	2	20%
Fall 2022	30			2022-23	12		
Fall 2023	35			2023-24	14		

The Professional Music, AAS did not meet its enrollment or graduation projections in the fourth year of post-approval monitoring. The dean of the division will be working with the program to complete the corrective actions identified in the 2020-21 PAM reporting cycle, including: marketing the program in area high schools; designing opportunities for co-curricular student engagement; and formalizing internships with industry partners. The college will also be evaluating the continued need for this program in the next academic year.

*2. Nursing, AAS – Summative Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2019	48	21	44%	2019-20	0	0	--
Fall 2020	48	45	94%	2020-21	44	18	41%
Fall 2021	48	47	98%	2021-22	48	38	79%

The Nursing, AAS met 98 percent of its enrollment projections and 79 percent of its graduation projections in the third year of post-approval monitoring. The program has overcome the setbacks experienced early in the pandemic and has established a trajectory of success. Sixty students have been admitted to the program in summer 2022, further establishing program success. The Nursing, AAS has successfully completed post-approval monitoring and will be monitored via Quality Assurance Funding moving forward.

*3. Medical Assisting, AAS - Terminated*

Volunteer State terminated the Medical Assisting, AAS as of December 2021.



**Programs in Post-Approval Monitoring**

Program	Degree	Year Implemented	Year in PAM	Enrollment Benchmarks Attained	Graduation Benchmarks Attained
1. Paralegal Studies	Certificate	2020	2	Yes	Yes

**Volunteer State Community College: Academic Program Summaries**

*1. Paralegal Studies, Certificate – Standard Report*

Enrollment				Graduation			
Year	Projected	Actual	Attainment	Year	Projected	Actual	Attainment
Fall 2020	4	19	475%	2020-21	2	1	50%
Fall 2021	7	29	414%	2021-22	4	5	125%
Fall 2022	10			2022-23	7		

The Paralegal Studies certificate has exceeded its enrollment and graduation projections in the second year of post-approval monitoring. The program is a certificate embedded within the Paralegal Studies, AAS and uses existing resources, including faculty, advisors, and facilities.