



Business and Finance Committee Meeting Agenda

Austin Peay State University

317 College Street

Clarksville, TN 37040

June 6, 2019

Call to Order

Roll Call/Declaration of Quorum

Action Items

- A. Consideration of a Tuition Increase for the 2019-2020 Academic Year
- B. Consideration of the Estimated Budget for the 2018-2019 Fiscal Year and Proposed Budget for the 2019-2020 Fiscal Year
- C. Consideration of the Capital Outlay and Maintenance Requests for the 2020-2021 Fiscal Year
- D. Consideration of APSU Participation in the Clarksville Multipurpose Event Center
- E. Consideration of Revisions to Policy 1:021 Fees, Charges, Refund and Fee Adjustments
- F. Consideration of Use of University Property Rule
- G. Consideration of Classifying Students In-State and Out-of-State Rule
- H. Consideration of Rule 0240-05-01 Traffic and Parking Regulations

Information Items

- A. Review of the University's Organizational Chart

Adjourn

Agenda Item: A.

Date: June 6, 2019

Subject: Consideration of Tuition Increase for the 2019-2020 Academic Year

Action Recommended: Approval by Roll Call Vote

Background Information:

In November 2018, the Tennessee Higher Education Commission (THEC) recommended a maximum of a 2.5% increase for tuition and fees for Tennessee's public higher education institutions. The University is requesting approval for a 2.26% tuition increase for the 2019-2020 academic year. The total increase in tuition and fees does not exceed the 2.5% recommendation from THEC.

Proposed Implementation Date: Fall 2019

Item Details:

The additional revenue combined with the increase in state appropriations will be used as follows:

- Compensation
- Scholarships
- Operating Expenses

Agenda Item: B.

Date: June 6, 2019

Subject: Consideration of the Estimated Budget for the Fiscal Year 2018-2019 and Proposed Budget for Fiscal Year 2019-2020

Action Recommended: Approval by Roll Call Vote

Background Information:

Under Policy 1:022 (*Budget Principles and Control*), the original budget for the fiscal year is known as the *Proposed Budget* and is prepared in the spring. This budget includes the level of state funds recommended in the governor's proposed budget. The *Proposed Budget* is submitted to the Board for approval at the summer board meeting.

The *Estimated Budget* is the final budget submitted for each fiscal year. It includes final adjustments to the current year budget and is the budget against which final, year-end actual amounts are compared. It is prepared, submitted and considered by the Board at the same time as the *Proposed Budget* for the upcoming fiscal year.

The purpose of this agenda item is to consider for approval both the *Estimated Budget* for Fiscal Year 2018-19 and the *Proposed Budget* for Fiscal Year 2019-20.

Proposed Implementation Date: July 1, 2019

Item Details:

See attachment.

Agenda Item: C.

Date: June 6, 2019

Subject: Consideration of the Capital Outlay and Maintenance Requests for the 2020-2021 Fiscal Year

Action Recommended: Approval by Roll Call Vote

Background Information:

As the coordinating body for higher education in Tennessee, the Tennessee Higher Education Commission (THEC) engages with institutions and governing boards on capital investments through its role to develop and approve recommendations for capital outlay and maintenance funding. THEC identifies capital investment needs and determines priorities for those investments to be considered by the governor and the General Assembly as part of the annual appropriations act. APSU will submit to THEC a capital outlay request for a new health professions building, three capital maintenance projects and one disclosed project for the fiscal year 2020-2021.

Proposed Implementation Date: Fiscal Year 2020 – 2021

Item Details:

To meet the demands of growing academic programs in nursing, psychological sciences and counseling, allied health sciences, social work, and health and human performance, APSU is submitting a capital outlay request for a health professions building for fiscal year 2020-2021. APSU will also submit maintenance outlay requests for Dunn Center HVAC, main electrical switchboard and controls replacement; passenger elevator upgrades in Claxton, Woodward Library, Trahern, Dunn Center and the Morgan University Center service elevator; and replacement of fume hood control systems in Sundquist.

Agenda Item: D.

Date: June 6, 2019

Subject: Consideration of APSU Participation in the Clarksville Multipurpose Event Center

Action Recommended: Approval by Voice Vote.

Background Information:

The plan for the new multipurpose event center in downtown Clarksville includes a 29,000-square-foot main event floor with stadium seating and box seats. An adjacent building would have a full basketball practice facility on the second level. The event center would cover the downtown block bounded by College, Second, Main and First streets.

Montgomery County has had conversations with Austin Peay State University about making the facility the home of its basketball program.

Item Details:

A proposed agreement between APSU and the Montgomery County government will allow APSU to lease space for the men and women's basketball programs, including coach and assistant offices, locker rooms, practice facilities and game-day facilities.

APSU will be allowed 40 events, which will cover all men and women's basketball regular season games and potentially other events, such as major volleyball games.

Agenda Item: E.

Date: June 6, 2019

Subject: Consideration of Revisions to Fees, Charges, Refund and Fee Adjustments Policy 1:021

Action Recommended: Approval by Voice Vote.

Background Information:

Fees, Charges, Refunds and Fee Adjustments Policy 1:021 details the required fees of University and the process for approving them. All fees are approved by the Board of Trustees unless the Board has delegated the approval to the president. The policy is being updated to remove the section regarding 250R, which is no longer applicable for the University as of fiscal year 2019-2020.

Proposed Implementation Date: June 7, 2019

Item Details: See attached.

**Austin Peay State
University**

Fees, Charges, Refund and Fee Adjustments

Issued: June 7, 2019

POLICIES

Responsible Official: Vice President for Finance and Administration

Responsible Office: Student Account Services

Policy Statement

It is the policy of Austin Peay State that fees be approved by the APSU Board of Trustees.

Purpose

The purpose of this policy is the establishment of a University policy regarding review and approval of fees and charges, refunds, and fee adjustments.

Contents

Procedures

- Establishment and Approval of Fees and Charges
 - Publishing Approved Fees and Charges
 - Appeals Process
 - Mandatory Fees
 - Out-of-State Tuition
 - eRate
 - Specialized Academic Fees
 - Miscellaneous Course Fees
 - Incidental Fees and Charges
 - Deposits
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 - Refunds and Fee Adjustments
-

Procedures

**Establishment and
Approval of Fees and
Charges**

- A. Establishment of Fees and Charges
1. The Board of Trustees must establish or approve all University fees and charges unless specific exceptions are provided. The University Budget Office is charged with

the responsibility of obtaining and coordinating data to be submitted to the Vice President for Finance and Administration in establishing those fees.

B. Approval of Fees and Charges

1. The Board of Trustees must approve specific fees as follows:
 - a. Mandatory Fees (In-state tuition and program service fees)
 - b. Out-of-State Tuition
 - c. Specialized academic course fees
 - d. Miscellaneous course fees
2. The President or designee is authorized to approve fees and charges not reserved for specific approval by the Board of Trustees.

Publishing Approved Fees and Charges

- A. Student Account Services is charged with the responsibility of maintaining a master fee list of all approved fees and publishing this information.
- B. The University will follow a general format in publishing information on fees and charges.

Appeals Process

- A. Any student may appeal the assessment, application, calculation, collection, or interpretation of any University fee, charge, deposit, or refund.
- B. Procedures for appealing a fee adjustment are available through the Office of Enrollment Management and are posted on the office web site.

Mandatory Fees

- A. Description of Fees
 1. Mandatory Fees include in-state tuition and program service fees.
 2. The Mandatory Fee is charged to students enrolled in credit courses. It is an enrollment or registration fee and is calculated based on the number of Student Credit Hours (SCH's) for the University for which the student enrolls. Fees are established by the Board of Trustees.
 3. The same fee is applicable to courses for which the student is enrolled on an audit basis.
- B. Rates
 1. Rates are established by the Board and incorporated in a fee schedule that groups specific fees by type of

- institution and by student level (undergraduate and graduate). The hourly rate will be discounted when undergraduate students enroll in greater than 12 hours and graduate students in greater than 10 hours unless stated otherwise elsewhere in this policy.
2. Because the University has multiple summer sessions, mandatory fees, including tuition, may be assessed by using the current part-time rate with no maximum amount for total credit hours enrolled.
 3. Mandatory fees may not be waived. However, specific exceptions are provided in the following instances:
 - a. Pursuant to T.C.A. § 49-7-113, exceptions exist for certain disabled and elderly students, as well as state service retirees. For audit courses, no fee is required for persons with a permanent, total disability, persons 60 years of age or older and domiciled in Tennessee and persons who have retired from state service with 30 or more years of service, regardless of age. For credit, a fee of \$70 per semester or \$60 per trimester may be charged to persons with a permanent, total disability, and persons who will become 65 years of age or older during the academic semester in which they begin classes and who are domiciled in Tennessee. (Note: This fee includes all mandatory fees; it does not include course-specific fees such as all miscellaneous course fees, materials fees, application fee, online course fees and parking fees.) This only applies to enrollment on a space available basis, which permits registration no earlier than four (4) weeks prior to the first day of classes.
 - b. Pursuant to T.C.A. § 49-7-102, certain statutory fee exceptions exist for dependents and spouses of military personnel killed, missing in action, or officially declared a prisoner of war while serving honorably as a member of the armed forces during a period of armed conflict. If these provisions are invoked by a student, the correct applicable law should be determined.
- C. Tuition Refunds for Activated Reserve and National Guard Personnel
(per Tennessee Higher Education Commission; Chapter 1540-1-6 and Tennessee Senate Bill 1925)

This policy applies to any activated Reserve or National Guard personnel ordered to active military service since August 1, 1990.

1. Students who have been ordered to active military service and seeking a tuition credit or refund must be absent in excess of thirty (30) days during the term due to active military service. Students absent less than thirty (30) days may receive a refund or tuition credit at the discretion of the institution.
2. Students seeking a tuition credit or refund must present to the Associate Provost of Enrollment Management and Academic Support from competent military authority of the dates active duty was actually performed. Determination of the adequacy of documentation presented or the necessity for additional material will be at the discretion of the institution.
3. These rules apply only to the refund of maintenance fees and out-of-state tuition. Refunds for other fee charges such as student activity fees, vehicle registration fees, and room and board charges will be reimbursed based upon the date of withdrawal.
4. A refund or credit for tuition may be provided only if the reserve or National Guard student did not receive a final grade in the class or the course which a refund or tuition credit is sought.
5. If a withdrawal occurs late in the term and one or more of the student's instructors deem that sufficient work has been completed to warrant awarding credit, fees will be assessed at the hourly rate for courses for which credit is granted, and a refund will be made in an amount equal to the difference between that assessment and the fees paid for all courses in which the student is enrolled.
6. Any refund or credit for tuition to which the student is entitled may be first applied to any of the student's outstanding balances as determined by the institution.
7. Students who are unable to withdraw from the institution at the time of military activation may withdraw within a reasonable timeframe upon completion of active duty without penalty to the student.

D. Appeal Procedures

Students seeking a tuition credit or refund should apply in a manner consistent with institutional procedures now in place for withdrawal from the institution. Please click on the following link, [Withdrawals](#), for instructions on Withdrawal from the University. Procedures for fee appeals can be found at www.apsu.edu/appeals.

E. Awarding a W (withdrawal) or I (incomplete) Grade for Service Members Called to Active Duty

Military reserve and national guard personnel who are called to active duty shall be allowed to withdraw, even if the deadline to withdraw from courses has passed, or to receive a grade of incomplete in any course in which the service member is enrolled. The withdrawal or grade of incomplete shall be reflected on the service member's transcript.

F. Financial Aid Implications

1. Students receiving a tuition credit or refund will be responsible for repayment of financial aid where applicable.
2. A service member that is called to active duty and must withdraw from a course or receive a grade of incomplete, then the withdrawal or grade of incomplete that is related to the service absence shall not affect eligibility or continuing eligibility for state or institutional financial aid, including scholarships or grants, upon reenrollment at the institution.
3. The semester hours attempted for courses from which the military service member withdrew or received a grade of incomplete shall not count against any limitation or receipt of state or institutional financial aid, including scholarships or grants.
4. Future consideration for state or institutional financial aid, scholarship and grants shall not be affected by the withdrawal from a course or the receipt of a grade of incomplete due to mandatory service obligations.

Out-of-State Tuition

Description of Fee

1. This is an additional fee charged to students classified as non-residents who are enrolled for credit courses, including audit courses. This fee is in addition to the mandatory fees.
2. Out-of-state tuition fee rates are established by the Board of Trustees and are incorporated in the annual fee schedule.
3. A separate hourly rate for out-of-state tuition will be set for undergraduate and graduate students.
 - a. While the per-hour rate for graduate students will be higher, the rates will be set so that a full-time graduate student and a full-time undergraduate student will pay approximately the same amount for out-of-state tuition.
 - b. A full-time student is defined as an undergraduate enrolled in 12 hours or a graduate student enrolled in 10 hours.
4. Applicability of out-of-state tuition is determined pursuant to APSU Policy 1:014. Student Account Services will collect fees based upon student classification as determined by the appropriate authority within the University.

eRate

Description of Fee

1. The eRate is available to students who enroll at APSU, who are classified as non-residents of Tennessee, and who are enrolled exclusively in online courses.
2. The eRate is 150% of the University's approved undergraduate or graduate mandatory fees.
3. The hourly rate will not be discounted for students receiving the eRate and enrolling in greater than 12 undergraduate hours or 10 graduate hours.
4. To qualify for an eRate, students must:
 - a. Meet all University admission requirements and must be verified as an online out-of-state student enrolled exclusively in courses delivered online by a procedure documented by the institution.
 - b. Qualify as out-of-state students in item 2 above refers to geographic location and does not include undocumented students living in Tennessee.
5. Students enrolled in any type courses other than online (on-ground, telecourse, hybrid, distance education, etc.) will not be eligible for the eRate specified in this policy and will instead incur traditional non-resident fees and charges.
 - a. Students who enroll in both online courses and other type courses and subsequently drop the other type courses will not then become eligible for the eRate.
6. The University enrolling eRate students as defined in this policy must provide a method to mitigate any negative impact on the opportunity for Tennessee student enrollment in online courses.

Specialized Academic Fees

- A. Certain academic programs require expensive maintenance/updating of equipment and software and the employment of highly qualified staff. The high costs of instruction for these programs can be offset by establishing specialized academic fees, with the Board's approval. To receive approval for a specialized academic fee, a program will be required to meet criteria 1. High Cost of Instruction as defined below. Additionally, the program should document meeting criteria 2.-7., as applicable.
 1. High Cost of Instruction. Programs qualifying for charging specialized academic fees must demonstrate that they are more costly than other programs offered by the University. If appropriate, the extraordinary cost of the program must be validated including benchmarking with similar programs in the region and nation.

2. High Demand. The number of students enrolled in the program and the student credit hours generated are sufficient to justify additional fees.
 3. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for charging specialized academic fees are expected to be those that require extensive maintenance and regular updating of equipment and/or software, all of which are very expensive. An average hardware/software cost per student credit hour serves as the basis for determining the amount of the fee.
 4. Accreditation. Meeting standards of specific accrediting agencies may also qualify a specialized program for charging specialized academic fees. The accrediting standards that justify a fee are those that specify the possession and use of certain equipment and unique software that are extraordinarily costly and/or the employment of faculty with specific credentials that demand high salaries.
 5. High Recognition and Quality. The programs approved for specialized academic fees are expected to be distinctive and with a regional or national reputation. The program must demonstrate that it has achieved exceptional recognition in its particular enterprise.
 6. High Value to Tennessee. The program must demonstrate that it is a good investment for the State of Tennessee to justify charging extra fees to the student. The program should be distinctive and not one duplicated in other State institutions and should be of integral value to Tennessee. The graduates' earning potential and the associated benefit to the state economy should be projected, as well as the efforts taken by the University to aid graduates in finding appropriate employment in Tennessee.
 7. Impact on Affected Students. Through surveys, questionnaires, or other suitable means, the program must demonstrate that the charging of additional fees will not diminish enrollment. The program should demonstrate that enrolled students realize that the potential earning power in the work force justifies their additional investment.
- B. The University must submit documentation of the above applicable criteria when requesting approval of a specialized academic fee. Specialized academic course fee revenues are limited to funding related costs accumulated in the instruction function.

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

Incidental Fees and Charges Incidental fees will be uniformly charged (or, if applicable, to the extent that they remain within the set range) at the University both as to the amount and condition of assessment. Charges are subject to approval by the President.

Deposits

A. A deposit may be established by the University for rent or lease of buildings and facilities or for the issuance of other institutional property or equipment. Deposits should be subject to a 100% refund if no damage or loss occurs. The amount of such deposits should be related to the value of the facilities or equipment subject to loss and the general ability of the University to secure reimbursement should loss or damage occur.

B. Pursuant to APSU Policy on Student Residence Regulations and Agreements (No. 3:004), the University is authorized to require a security deposit for residence hall facilities which may be forfeited by the student for failure to enter into a residence agreement or non-compliance with applicable agreement terms.

Room and Board

A. All regular and special rental rates for student residence halls and student apartments will be approved by the Board of Trustees upon the recommendation of the University. All meal plan rates will be approved by the President. The University may recommend special rates for non-student groups during summer periods, etc.

B. Pursuant to APSU Policies on Student Resident Regulations and Agreements (No. 3:004) and this policy, rental for residence halls and student apartments shall be payable in full in advance of the beginning of a term. However, the University offers an optional payment plan under which a prorated amount of the rental shall be payable monthly in advance during the term. Specific provisions for the payment plan must comply with those cited in Policy No. 3:004. A monthly service charge and a late payment charge may be assessed. Residence Hall students can participate in either the deferred installment plan or the optional monthly housing

payment plan. The University has the option of allowing students to participate in both the deferred installment plan and the optional monthly housing payment plan.

Other Fee and Charge Considerations

The University may submit for Board of Trustees approval fees and charges not specifically covered by this policy when the establishment of a fee or charge is justified by the University.

1. Fees may be established to control the utilization of facilities and services or to offset the cost of extraordinary requirements as a result of specific programs or activities. [Reference APSU Policy on Access to and Use of Campus Property and Facilities (No. 1:019).]
2. When fees and charges are incorporated in agreements with outside contractors and vendors, specific rates, refunds and conditions must be clearly stated.
3. Fees for auxiliary services must take into consideration that Auxiliary Enterprises should be a break-even operation with rates and charges generating revenue sufficient to cover all expenses as defined in operating budget guidelines.
4. Fees established for non-credit courses and activities shall be sufficient to cover the total costs incurred in providing instruction plus a minimum of 25% of the annual instructional salary costs including contractual salary costs or personal services contracts.
5. Students enrolled for six or more hours are eligible for full-time privileges, i.e., access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.

Refunds and Fee Adjustments

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

Revision Dates

APSU Policy 1:021 – Rev.: June 7, 2019
APSU Policy 1:021 – Rev.: November 30, 2018

APSU Policy 1:021 – Rev.: September 15, 2017
APSU Policy 1:021 (previously 4:011) – Rev.: March 30, 2017
APSU Policy 1:021 – Rev.: September 14, 2015
APSU Policy 1:021 – Rev.: May 23, 2011
APSU Policy 1:021 – Rev.: February 8, 2006
APSU Policy 1:021 – Rev.: June 28, 2001
APSU Policy 1:021 – Rev.: September 26, 1994
APSU Policy 1:021 – Issued: August 1, 1986

Subject Areas:

Academic	Finance	General	Human Resources	Information Technology	Student Affairs
	<input checked="" type="checkbox"/>				

Approved

President: signature on file

**Austin Peay State
University**

Fees, Charges, Refund and Fee Adjustments

POLICIES

Issued: ~~November 30, 2018~~ June 7, 2019

Responsible Official: Vice President for Finance and Administration

Responsible Office: Student Account Services

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- ~~-Recruitment Focus Area Plan (250-R)~~
- eRate
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2. Students seeking a tuition credit or refund must present to the Associate Provost of Enrollment Management and Academic Support from competent military authority of the dates active duty was actually performed. Determination of the adequacy of documentation presented or the necessity for additional material will be at the discretion of the institution.
3. These rules apply only to the refund of maintenance fees and out-of-state tuition. Refunds for other fee charges such as student activity fees, vehicle registration fees, and room and board charges will be reimbursed based upon the date of withdrawal.
4. A refund or credit for tuition may be provided only if the reserve or National Guard student did not receive a final grade in the class or the course which a refund or tuition credit is sought.
5. If a withdrawal occurs late in the term and one or more of the student's instructors deem that sufficient work has been completed to warrant awarding credit, fees will be assessed at the hourly rate for courses for which credit is granted, and a refund will be made in an amount equal to the difference between that assessment and the fees paid for all courses in which the student is enrolled.
6. Any refund or credit for tuition to which the student is entitled may be first applied to any of the student's outstanding balances as determined by the institution.
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incomplete in any course in which the service member is enrolled. The withdrawal or grade of incomplete shall be reflected on the service member's transcript.

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3. The semester hours attempted for courses from which the military service member withdrew or received a grade of incomplete shall not count against any limitation or receipt of state or institutional financial aid, including scholarships or grants.
4. Future consideration for state or institutional financial aid, scholarship and grants shall not be affected by the withdrawal from a course or the receipt of a grade of incomplete due to mandatory service obligations.

Out-of-State Tuition

Description of Fee

1. This is an additional fee charged to students classified as non-residents who are enrolled for credit courses, including audit courses. This fee is in addition to the mandatory fees.
2. Out-of-state tuition fee rates are established by the Board of Trustees and are incorporated in the annual fee schedule.
3. A separate hourly rate for out-of-state tuition will be set for undergraduate and graduate students.
 - a. While the per-hour rate for graduate students will be higher, the rates will be set so that a full-time graduate student and a full-time undergraduate student will pay approximately the same amount for out-of-state tuition.
 - b. A full-time student is defined as an undergraduate enrolled in 12 hours or a graduate student enrolled in 10 hours.
4. Applicability of out-of-state tuition is determined pursuant to APSU Policy 1:014. Student Account Services will collect fees based upon student classification as determined by the appropriate authority within the University.

Recruitment Focus Area Plan (250-R)

Description of Fee

- ~~1. The 250-R rate is available to students who graduate from a high school located in a county within a 250-mile radius of APSU.~~
- ~~2. The out-of-state tuition rate charges to students eligible for 250-R will pay a reduced rate based on the state subsidy per full-time equivalent for the prior fiscal year. This rate will be capped at 12 hours for undergraduate and 10 hours for graduate students.~~
- ~~3. This plan does not impact students who otherwise qualify for the border county classification or other in-state residency qualifications.~~

eRate

Description of Fee

1. The eRate is available to students who enroll at APSU, who are classified as non-residents of Tennessee, and who are enrolled exclusively in online courses.
2. The eRate is 150% of the University's approved undergraduate or graduate mandatory fees.
3. The hourly rate will not be discounted for students receiving the eRate and enrolling in greater than 12 undergraduate hours or 10 graduate hours.
4. To qualify for an eRate, students must:
 - a. Meet all University admission requirements and must be verified as an online out-of-state student enrolled exclusively in courses delivered online by a procedure documented by the institution.
 - b. Qualify as out-of-state students in item 2 above refers to geographic location and does not include undocumented students living in Tennessee.
5. Students enrolled in any type courses other than online (on-ground, telecourse, hybrid, distance education, etc.) will not be eligible for the eRate specified in this policy and will instead incur traditional non-resident fees and charges.
 - a. Students who enroll in both online courses and other type courses and subsequently drop the other type courses will not then become eligible for the eRate.
6. The University enrolling eRate students as defined in this policy must provide a method to mitigate any negative impact on the opportunity for Tennessee student enrollment in online courses.

Specialized Academic Fees

- A. Certain academic programs require expensive maintenance/updating of equipment and software and the

employment of highly qualified staff. The high costs of instruction for these programs can be offset by establishing specialized academic fees, with the Board's approval. To receive approval for a specialized academic fee, a program will be required to meet criteria 1. High Cost of Instruction as defined below. Additionally, the program should document meeting criteria 2.-7., as applicable.

1. High Cost of Instruction. Programs qualifying for charging specialized academic fees must demonstrate that they are more costly than other programs offered by the University. If appropriate, the extraordinary cost of the program must be validated including benchmarking with similar programs in the region and nation.
2. High Demand. The number of students enrolled in the program and the student credit hours generated are sufficient to justify additional fees.
3. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for charging specialized academic fees are expected to be those that require extensive maintenance and regular updating of equipment and/or software, all of which are very expensive. An average hardware/software cost per student credit hour serves as the basis for determining the amount of the fee.
4. Accreditation. Meeting standards of specific accrediting agencies may also qualify a specialized program for charging specialized academic fees. The accrediting standards that justify a fee are those that specify the possession and use of certain equipment and unique software that are extraordinarily costly and/or the employment of faculty with specific credentials that demand high salaries.
5. High Recognition and Quality. The programs approved for specialized academic fees are expected to be distinctive and with a regional or national reputation. The program must demonstrate that it has achieved exceptional recognition in its particular enterprise.
6. High Value to Tennessee. The program must demonstrate that it is a good investment for the State of Tennessee to justify charging extra fees to the student. The program should be distinctive and not one duplicated in other State institutions and should be of integral value to Tennessee. The graduates' earning potential and the associated benefit to the state economy should be projected, as well as the efforts taken by the University to aid graduates in finding appropriate employment in Tennessee.

7. Impact on Affected Students. Through surveys, questionnaires, or other suitable means, the program must demonstrate that the charging of additional fees will not diminish enrollment. The program should demonstrate that enrolled students realize that the potential earning power in the work force justifies their additional investment.
- B. The University must submit documentation of the above applicable criteria when requesting approval of a specialized academic fee. Specialized academic course fee revenues are limited to funding related costs accumulated in the instruction function.

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

Incidental Fees and Charges Incidental fees will be uniformly charged (or, if applicable, to the extent that they remain within the set range) at the University both as to the amount and condition of assessment. Charges are subject to approval by the President.

- Deposits**
- A. A deposit may be established by the University for rent or lease of buildings and facilities or for the issuance of other institutional property or equipment. Deposits should be subject to a 100% refund if no damage or loss occurs. The amount of such deposits should be related to the value of the facilities or equipment subject to loss and the general ability of the University to secure reimbursement should loss or damage occur.
 - B. Pursuant to APSU Policy on Student Residence Regulations and Agreements (No. 3:004), the University is authorized to require a security deposit for residence hall facilities which may be forfeited by the student for failure to enter into a residence agreement or non-compliance with applicable agreement terms.

- Room and Board**
- A. All regular and special rental rates for student residence halls and student apartments will be approved by the Board of Trustees upon the recommendation of the University. All meal plan rates will be approved by the President. The University may recommend special rates for non-student

groups during summer periods, etc.

- B. Pursuant to APSU Policies on Student Resident Regulations and Agreements (No. 3:004) and this policy, rental for residence halls and student apartments shall be payable in full in advance of the beginning of a term. However, the University offers an optional payment plan under which a prorated amount of the rental shall be payable monthly in advance during the term. Specific provisions for the payment plan must comply with those cited in Policy No. 3:004. A monthly service charge and a late payment charge may be assessed. Residence Hall students can participate in either the deferred installment plan or the optional monthly housing payment plan. The University has the option of allowing students to participate in both the deferred installment plan and the optional monthly housing payment plan.

Other Fee and Charge Considerations

The University may submit for Board of Trustees approval fees and charges not specifically covered by this policy when the establishment of a fee or charge is justified by the University.

1. Fees may be established to control the utilization of facilities and services or to offset the cost of extraordinary requirements as a result of specific programs or activities. [Reference APSU Policy on Access to and Use of Campus Property and Facilities (No. 1:019).]
2. When fees and charges are incorporated in agreements with outside contractors and vendors, specific rates, refunds and conditions must be clearly stated.
3. Fees for auxiliary services must take into consideration that Auxiliary Enterprises should be a break-even operation with rates and charges generating revenue sufficient to cover all expenses as defined in operating budget guidelines.
4. Fees established for non-credit courses and activities shall be sufficient to cover the total costs incurred in providing instruction plus a minimum of 25% of the annual instructional salary costs including contractual salary costs or personal services contracts.
5. Students enrolled for six or more hours are eligible for full-time privileges, i.e., access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.

Refunds and Fee Adjustments

- A. Adjustments to all fees and charges must be in accordance with the following provisions except as previously stated, or when required by federal law or regulation to be otherwise.

- B. Pursuant to T.C.A. §§ 49-7-2301 and 49-7-2302, students called to active military or National Guard service during the semester are entitled to a 100% adjustment or credit of mandatory fees. Housing and meal ticket charges may be prorated based on usage.
- C. Mandatory Fees Refunds and Adjustment procedures will be posted appropriately on the website.

Revision Dates

[APSU Policy 1:021 – Rev.: June 7, 2019](#)

APSU Policy 1:021 – Rev.: November 30, 2018

APSU Policy 1:021 – Rev.: September 15, 2017

APSU Policy 1:021 (previously 4:011) – Rev.: March 30, 2017

APSU Policy 1:021 – Rev.: September 14, 2015

APSU Policy 1:021 – Rev.: May 23, 2011

APSU Policy 1:021 – Rev.: February 8, 2006

APSU Policy 1:021 – Rev.: June 28, 2001

APSU Policy 1:021 – Rev.: September 26, 1994

APSU Policy 1:021 – Issued: August 1, 1986

Subject Areas:

Academic	Finance	General	Human Resources	Information Technology	Student Affairs
	<input checked="" type="checkbox"/>				

Approved

President: signature on file

Agenda Item: F.

Date: June 6, 2019

Subject: Use of University Property Rule

Action Recommended: Approval by Roll Call Vote

Background Information:

State entities are required to promulgate rules and regulations when the subject of those rules and regulations affects the rights of third parties. The Use of University Property Rule falls into this category. These rules mirror the University's policy on Use of University Property and were reviewed by APSU's Office of Legal Affairs. The rule also requires approval by the attorney general, secretary of state, and is subject to final approval by the Government Operations Committee of the Tennessee General Assembly. The promulgation process is enumerated in the Tennessee Uniform Procedures Act at T.C.A. § 4-5-201, et. seq.

Proposed Implementation Date: At the conclusion of the rule promulgation process.

Item Details: See attachment.

**Rules
of
Austin Peay State University**

**Chapter 0240-05-03
Use of University Property**

A Table of Contents is added to Chapter 0240-05-03 and shall read as follows:

Table of Contents

0240-05-03-.01	Dedication of University Property
0240-05-03-.02	Definitions
0240-05-03-.03	Access to Facilities and Prioritized Users
0240-05-03-.04	Use by Non-affiliated Individuals/Entities
0240-05-03-.05	Denial of the Use of Facilities or Property
0240-05-03-.06	General Conditions for Use of Property or Facilities
0240-05-03-.07	Distribution of Leaflets, Literature, Pamphlets
0240-05-03-.08	No-Trespass Notices

Rule 0240-05-03-.01 Dedication of University Property is added to Chapter 0240-05-03 Use of University Property and shall read as follows:

0240-05-03-.01 Dedication of University Property. Austin Peay State University (“APSU” or “**University**”) dedicates its property exclusively to the advancement of the University’s principal missions of teaching, research, and service. The University regulates its property to preserve it for the advancement of the University’s principal missions.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64.

0240-05-03-.02 Definitions is added to Chapter 0240-05-03 Use of University Property and shall read as follows:

0240-05-03-.02 Definitions.

- (1) The term “University Property” means all land, grounds, structures, facilities, and any other physical property owned, controlled, or operated by Austin Peay State University.
- (2) The term “University Unit” means any academic, administrative, or auxiliary department or division of the University or any other official entity of the University, functioning through University employees acting within the scope of their University employment.
- (3) The term “Unmanned Aircraft” means a device that is used or is intended to be used for flight in the air without an individual in or on the device (including but not limited to drone, model aircraft).
- (4) The term “Affiliated Entities” means an officially registered student, student group or student organization.

- (5) The term “Affiliated Individuals” means persons officially connected with the University including students, faculty, and staff.
- (6) The term “Non-affiliated individual or Entity” means any person who is not an “Affiliated Individual” or “Affiliated Entity” as defined in paragraph (45) or (56).
- (7) The term “Student” means a person who is currently registered for a credit course or courses, non-credit course or program at the University, including but not limited to reciprocal study abroad programs and clinical placements, including any such person during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period.
- (8) The term “University Facilities” means any structures or outdoor or indoor properties owned, controlled, or operated by Austin Peay State University.
- (9) The term “University Official” means an individual employed by the institution with the authority to make decisions on behalf of the University.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64.

0240-05-03-.03 Access to Facilities and Prioritized Users is added to Chapter 0240-05-03 Use of University Property and shall read as follows:

0240-05-03-.03 Access to Facilities and Prioritized Users

- (1) Access to and use of APSU’s campuses, facilities, and property are restricted to the University, the University administration for official functions, affiliated individuals/entities, and the University’s invited or sponsored guests, or when part or all of a campus, its buildings or facilities are open to the general public for a designated period of time and purpose, or when access/use by Non-Affiliated Entities or Individuals has been allowed pursuant to the provisions of this rule.
- (2) Denial of a request to access/use campus facilities and/or University Property shall be based solely on factors related to reasonable regulations in light of the University’s educational mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner.
- (3) Priority for the use of University Facilities is in the following order: 1) credit and non-credit classes and programs, 2) University-sponsored activities, 3) all other requests for usage. When considering requests for use, priority shall be given to affiliated individual/entities whose proposed use is consistent with the University’s educational mission, with highest priority for use of University buildings, facilities, and/or property always being reserved for administrative and educational uses. Educational and administrative uses include, but are not limited to: classes, university wide events, commencement, awards programs, and recruitment and/or registration events.
- (4) All requests for use of University Facilities must be made via APSU’s website, where there is an online list of the facilities/areas available for use/rental by affiliated and/or non-affiliated entities and individuals. Applications will be evaluated and processed in the order they are

received. Facilities use requests not related to class scheduling are reviewed and approved/denied in the University Facilities Office, except for the following:

- (a) All Athletic spaces (Dunn Center and associated athletic fields) approved by the Office of Athletic Director.
- (b) Music/Mass Communications Concert Hall approved by Office of the School of Music.
- (c) Foy Recreation Center and Intramural Field approved by the Office of University of Recreation.
- (5) Applications to reserve facility space for priority use (administrative and educational) should be submitted prior to April 1 for the following academic year. After that date, facility space scheduling for the following academic year will be open to affiliated entities/individuals for all other uses. After the Spring Semester is concluded, scheduling will open to non-affiliated entities/individuals. However, the scheduling or the rescheduling of classes, no matter the time of the year, takes priority over all other scheduling.
- (6) Notification of approval or denial of an application to reserve University/facility-Facilities/Spspace will be provided by email.
- (7) All approved users of campus-University Facilities or University Property are subject to all Austin-PeayAPSU rules, policies, and procedures and federal, state and local laws. Further, they must adhere to any conditions of facility usage as outlined in this policy-rule or stated by the approving body.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64

0240-05-03-.04 Use by Non-affiliated Individuals/Entities is added to Chapter 0240-05-03 Use of University Property and shall read as follows:

0240-05-03-.04 Use by Non-affiliated Individuals/Entities.

- (1) Non-affiliated Individuals/Entities may apply for use or access to designated University Property.
- (2) The University has designated the Morgan University Center as the main location on campus for use by Non-affiliated Individuals/Entities to request. Campus auditoriums and gyms may be available for rent on a space available basis if the event does not interfere with the educational mission of the University.
- (3) The University Center Plaza is the designated space on campus, where access may be granted to Non-affiliated Individuals/Entities without an associated fee. A fee may be assessed should the requesting party require fees including but not limited to additional set up, security, cleanup or audio visual (AV) support. All other assignable University space will have, at a minimum, a rental fee associated with the space.
- (4) Long term use of (more than once and less than four (4) months) assignable University Facilities and/or Property is subject to a review of request and the impact of the ongoing operations of APSU.

- (5) A contract may be required based on the nature of the requested event. Non-affiliated Individuals/Entities will be required to submit a deposit for the space equal to half (1/2) of their total estimated costs.
- (6) A forfeiture of a deposit will be applied to non-affiliated individuals/entities based on the following:
 - (a) Cancellation one hundred and twenty (120) days before the start of their event- 100% refund;
 - (b) Cancellation ninety (90) to one hundred and twenty (120) days before the start of their event- 75% refund;
 - (c) Cancellation thirty (30) to sixty (60) days before the start of their event- 25% refund; and
 - (d) Cancellation less than thirty (30) days- no refund.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64.

0240-05-03-.05 Denial of the Use of Facilities or Property. Denial of a request to access/use University Property and/or Facilities shall be based solely on factors related to reasonable regulations in light of the University's educational mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner. Such reasons may include, but are not limited to, the following:

- (1) The Property or Facilities have been previously reserved by another group, organization or individual with equal or higher priority;
- (2) Frequency of previous use during an academic period in comparison to that of a contemporaneous applicant;
- (3) Use of the Property or Facilities requested would be impractical due to scheduled usage prior to or following the requested use, or due to other extenuating circumstances;
- (4) The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration;
- (5) The applicant or sponsor of the activity has been responsible for violation of University policy during a previously registered use of campus Property or Facilities;
- (6) The applicant has previously violated any conditions or assurances specified in a previous registration application;
- (7) The Facility or Property requested has not been designated as available for use for the time/date;
- (8) The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the physical or other limitations for the Facility or Property requested;

- (9) The activity is of such nature or duration that it cannot reasonably be accommodated in the Facility or area for which application is made;
- (10) The size and/or location of the requested use would cause substantial disruption or interference with the normal activities of the University, the educational use of other facilities or services on campus or the flow of vehicular or pedestrian traffic;
- (11) The activity conflicts with existing contractual obligations of the University;
- (12) The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of the University's officials, faculty members, or students, the damage or destruction, or seizure and subversion, of the University's or school's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the responsible official may consider all relevant factors; or
- (13) The requested use would be contrary to local, state, or federal law, and regulation, or the University's rules, policies, regulations, procedures, or mission.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64.

0240-05-03-.06 General Conditions for Use of Property or Facilities is added to Chapter 0240-05-03 Use of University Property and shall read as follows:

0240-05-03-.06 General Conditions for Use of Property or Facilities. Once an Affiliated Individual or Entity or a Non-Affiliated Individual or Entity has permission to use University Property or Facilities, including open access areas, the requirements outlined in this section, as well as all other requirements put forth in this rule, must be met. Violation of, or failure to comply with, the requirements set forth in this rule or other University policies may result in the immediate revocation of previously granted approval for access/use of Campus-University Property or Facilities.

- (1) Applicable building, fire codes, and safety standards applicable to a particular facilities and/or property must be met.
- (2) All Austin-PeayAPSU rules and/or policies must be followed.
- (3) Sound amplification equipment may be used only when prior approval has been requested and approved by the appropriate official taking into account the University's educational mission and the nature of the facility or property requested, location, and time of day.
- (4) Any rental of University equipment must follow the University Facilities guidelines as defined in .02.
- (5) All persons operating motor vehicles in conjunction with an approved use/access of University Facilities and/or Property shall be subject to University rules, regulations, policies and procedures regarding traffic and parking.
- (6) Users of University Facilities or Property and/or their sponsor(s) are responsible for all activities associated with the event.

- (7) Use of the requested University Facility and/or Property shall be limited to the declared purpose in the application for use/access to ~~campus~~-University Facilities and/or Property.
- (8) Access to, or use of, University Facilities shall not be permitted overnight unless specifically requested and approved pursuant to the requirements of this ~~policy~~-rule and/or other applicable University ~~policies~~rules and guidelines. Such use shall be limited to the specific time and location set forth in the notice of approval/registration document.
- (9) All persons on campus in conjunction with an approved application for use/access shall provide adequate identification upon request to appropriate officials and security personnel of the ~~institution~~University. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution.
- (10) Austin Peay State University has the right to terminate the use of University Property or Facilities by any group, organization or individual that violates any provision of this rule, University policy, local, state, or federal law or regulation. Failure to comply with the requirements set forth in this rule or other University- ~~rules~~. Guidelines, and policies may result in the immediate revocation of previously granted approval for access/use of ~~campus~~-University ~~F~~facilities or Property, and student disciplinary sanctions, if appropriate.
- (11) Non-affiliated Entities/Individuals using APSU facilities, shall indemnify the institution. In certain circumstances or events, the University reserves the right to require:
 - (a) Adequate bond or other security for damage to ~~campus~~-University property;
 - (b) Personal injury and property damage insurance coverage;
 - (c) A performance bond or other insurance guaranteeing or insuring performance of its obligations under the contract; and/or
 - (d) Other types of insurance, if approved by APSU.
- (12) Insurance policies must list APSU as additionally insured and be for \$1 million. See APSU website for a matrix for when additional insurance maybe required.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64.

0240-05-03-.07 Distribution of Leaflets, Literature, Pamphlets.

- (1) Distribution of leaflets, literature, pamphlets is not permitted within:
 - (a) Classroom, library or other academic buildings or facilities;
 - (b) Administrative and employee offices and work areas; or
 - (c) Student residence halls, dormitories or apartment buildings.
- (2) No obscene literature or material, as defined by law, shall be distributed on any University Property or Facility.

- (3) Placement of flyers, leaflets, literature, etc., is not permitted on motor vehicles parked on the Austin Peay State University campus.
- (4) University Property and Facilities may not be used for commercial or profit-making activities except when engaged in a business relationship, pursuant to a contract, with the University and/or when a rental/or lease agreement or facilities reservation is in place specifically for such temporary purpose.
- (5) The University will not establish permitting requirements that prohibit spontaneous outdoor assemblies or outdoor distribution of literature, although it may maintain a policy that grants members of the University community the right to reserve certain outdoor spaces in advance.
- (6) Any literature which is distributed or sold and any advertisement shall comply with all applicable laws policies, regulations, and rules of APSU. Requests to distribute or sell literature shall be included with the underlying application to use University Facilities and/or Property through the online reservation system. Literature and/or advertisements may only be sold or distributed in conjunction with an approved application for use of Facilities.
- (7) The University has designated the University Center Post Office area and the outdoor campus bulletin boards as the posting locations for the Non-affiliated Individuals/Entities.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64

0240-05-03-.08 No-Trespass Notices.

- (1) A No-Trespass Notice ("Notice") is a written directive requiring a Non-affiliated Individual to leave and/or not enter all or part of University Property or Facilities.
- (2) A sworn law enforcement officer employed by the University may issue a Notice to a Non-affiliated Individual:
 - (a) who is not authorized to use University Property as defined in Section .03(1), and who has refused to leave University Property, or a specified part of University Property, within a reasonable time after the person has received an oral request to leave by a University official;
 - (b) who has engaged in a use of University Property that is prohibited by Section .03(2), and who has refused to cease the prohibited conduct within a reasonable time after receiving an oral request to do so from a University official;
 - (c) who, in the good faith judgment of the law enforcement officer issuing the Notice, poses an unreasonable threat to the health, safety, or welfare of a person(s) affiliated with the University while on University property; or
 - (d) who, in the good faith judgment of the law enforcement officer issuing the Notice, has engaged in conduct that substantially disrupts or interferes with University operations, events, or activities, or is likely to cause such a disruption or interference.
- (3) A Notice must specify: the reason for the Notice; the geographical scope of the restriction; the duration of the restriction, which may be for an indefinite period; the potential consequences of

a violation of the Notice; and the process for appealing the issuance of the Notice. The scope and duration of the restriction imposed must be proportional to the underlying misconduct. In appropriate circumstances, with respect to conduct on University Property, a Notice also may prohibit a non-affiliated person from contacting or being within a certain distance from a person affiliated with the University.

(4) Appeals.

(a) A Non-affiliated Individual to whom a Notice has been issued may appeal the decision to the chief of police for the University's ~~campus/institute~~.

(b) A Non-affiliated Individual must submit the appeal in writing. The written appeal must be received by the ~~C~~chief of ~~P~~police within twenty (20) calendar days of the date on which the Notice was provided to the Non-affiliated Individual. Any Notice mailed (or e-mailed) to a Non-affiliated Individual shall be deemed to have been provided on the date on which it was mailed (or e-mailed). The written appeal should include the Non-affiliated Individual's reason for being on University property, the Non-affiliated Individual's future need to be on University Property, and any other information the Non-affiliated Individual wishes the University official who issued the Notice to consider.

(c) Upon receipt of a written appeal, the chief of police will consult as needed with other University officials to verify the Non-affiliated Individual's need for access to University property, to gather additional information or advice, or to review the impact that granting the appeal may have on persons affiliated with the University.

(d) Within twenty (20) calendar days of the receipt of an appeal submitted in accordance with this Chapter, the Chief of Police will sustain, rescind or modify the Notice in a written decision that will be mailed to the address provided by the Non-affiliated Individual. The decision of the Chief of Police is final and not appealable within the University.

(e) The restrictions set forth in the Notice will remain in effect while an appeal of the Notice is pending.

(f) If the Chief of Police issued the Notice, then the Non-affiliated Individual may appeal to the supervisor of the Chief of Police.

(5) The law enforcement officer who issued the Notice (or, if the Notice is appealed, the Chief of Police or the Chief of Police's Supervisor), with the approval of the Chief of Police or his/her supervisor, may rescind or modify the Notice at any time. Notification of any such rescission or modification shall be provided to the Non-affiliated Individual to whom the Notice was issued.

(6) Failure to comply with a Notice may result in issuance of a citation or an arrest for trespassing pursuant to applicable state criminal trespass statutes or local ordinances. Nothing in this section shall limit or be construed to limit the exercise of the statutory authority of sworn law enforcement officers of ~~a campus~~the University's police department to arrest in accordance with the laws of this state or local ordinances. Nor shall anything in this rule limit or be construed to limit the authority of sworn law enforcement officers of ~~a campus~~the University's police department to issue an oral request instructing a person to leave and/or not enter all or part of University Property.

Authority: T.C.A. § 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; and Public Acts of Tennessee, 1807, Chapter 64.

Agenda Item: G.

Date: June 6, 2019

Subject: Approval of Classifying Students In-State and Out-of-State Rule

Action Recommended: Approval by Roll Call Vote

Background Information:

State entities are required to promulgate rules and regulations when the subject of those rules and regulations affects the rights of third parties. Approval of Classifying Students In-State and Out-of-State Rule falls into this category. These rules mirror the University's Policy on the classification of in-state and out-of-state students. The rules were reviewed by APSU's Office of Legal Affairs. The rule also requires approval by the attorney general, secretary of state, and is subject to final approval by the Government Operations Committee of the Tennessee General Assembly. The promulgation process is enumerated in the Tennessee Uniform Procedures Act at T.C.A. § 4-5-201, et. seq.

Proposed Implementation Date: At the conclusion of the rule promulgation process.

Item Details: See attachment.

**RULES
OF
AUSTIN PEAY STATE UNIVERSITY**

**CHAPTER 0240-05-05
CLASSIFYING STUDENTS IN-STATE AND OUT-OF-STATE**

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0240-05-05-.04	Out-of-state Students Who Are Not Required to Pay Out-of-State Tuition	0240-05-05-.08	Effective Date for Reclassification
0240-05-05-.05	Presumption		

0240-05-05-.01 Intent. It is the intent that Austin Peay State University (APSU or University) shall apply uniform rules, as described in these regulations and not otherwise, in determining whether students shall be classified “in-state” or “out-of-state” for fees and tuition purposes and for admission purposes.

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64; and Tenn. Code Ann. § 49-9-105.

0240-05-05-.02 Definitions. Wherever used in these regulations:

- (1) “Continuous ~~E~~enrollment” or “~~C~~ontinuously ~~E~~enrolled” shall mean enrollment at a public higher educational institution or institution of this State as a full-time student, as such term is defined by the governing body of said ~~P~~ublic ~~H~~igher ~~E~~ducational ~~I~~nstitution or ~~I~~nstitutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such person need not enroll in summer sessions or other such inter-sessions beyond the normal academic year in order that his or her enrollment be deemed continuous, notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the ~~P~~ublic ~~H~~igher ~~E~~ducational ~~I~~nstitutions in which such person enrolls.
- (2) “Domicile” shall mean a person’s true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish or having established a new domicile elsewhere. Undocumented immigrants cannot establish domicile in Tennessee, regardless of length of residence in Tennessee.
- (3) “Emancipated ~~P~~erson” shall mean a person who has attained the age of eighteen (18) years and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and are no longer under any legal obligation to support or maintain such person.
- (4) “Parent” shall mean a person’s father or mother. If there is a non-parental guardian or legal custodian of an unemancipated person, then “parent” shall mean such guardian or legal custodian; provided, that there are not circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on such emancipated person.

- (5) "Public Higher Education Institution" shall mean a university or community college supported by appropriations made by the Legislature of this State.
- (6) "Residence" shall mean continuous physical presence and maintenance of a dwelling place within this State, provided that absence from the State for short periods of time shall not affect the establishment of a residence.
- (7) "U.S. Armed Forces" shall mean the U.S. Army, Navy, Air Force, Marine Corps, and Coast Guard.
- (8) "Veteran" means:
 - (a) a former member of the U.S. Armed Forces; or
 - (b) a former or current member of a reserve or Tennessee national guard unit who was called into active military service of the United States, as defined in Tennessee Code Annotated § 58-1-102.

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64; and Tenn. Code Ann. § 49-8-104.

0240-05-05-.03 Rules for Determination of Status.

- (1) Every person having his or her domicile in Tennessee shall be classified "in-state" for fee and tuition purposes and for admission purposes.
- (2) Every person not having his or her domicile in Tennessee shall be classified "out-of-state" for fee and tuition purposes and for admission purposes.
- (3) The domicile of an unemancipated person is that of his or her parent, except as provided in paragraph (4) of this Section .03. Unemancipated students of divorced parents shall be classified "in-state" when one (1) parent, regardless of custodial status, is domiciled in Tennessee, except as provided in paragraph (4) of this Section .03.
- (4) A student shall be classified as "in-state" for fee and tuition purposes if the student is a citizen of the United States, has resided in Tennessee for at least one (1) year immediately prior to admission, and has:
 - (a) Graduated from a Tennessee public secondary school;
 - (b) Graduated from a private secondary school that is located in Tennessee; or
 - (c) Earned a Tennessee high school equivalency diploma.
- (5) The spouse of a student classified as "in-state" shall also be classified "in-state."
- (6) All classifications shall be subject to the Eligibility Verification for Entitlements Act, Tennessee Code Annotated § 4-58-101 *et seq.*

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee 1807, Chapter 64; and Tenn. Code Ann. § 49-8-104.

0240-05-05-.04 Out-of-State Students Who Are Not Required to Pay Out-of-State Tuition.

- (1) An unemancipated, currently enrolled student in a higher educational institution shall be reclassified out-of-state should his or her parent, having theretofore been domiciled in ~~the State~~ Tennessee, ~~remove from the State~~ relocate out-of-state. However, such student shall not be required to pay out-of-state tuition nor be treated as an out-of-state student for admission purposes so long as his or her enrollment at a Public Higher Educational Institution or institutions shall be continuous.
- (2) An unemancipated person whose parent is not domiciled in ~~this State~~ Tennessee but is a member of the armed forces and stationed at Fort Campbell pursuant to military orders shall be classified out-of-state, but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently enrolled, shall not be required to pay out-of-state tuition if his or her parent thereafter is transferred on military orders.
- (3) A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Austin Peay State University shall be classified out-of-state but shall not be required to pay out-of-state tuition at Austin Peay State University.
- (4) A person, who is not domiciled in Tennessee, but has a bona fide place of residence in a county which is adjacent to the Tennessee state line and which is also within a 30 mile radius (as determined by THEC) of a city containing a two-year institution, shall be classified out-of-state, but admitted at in-state tuition rate.
 - (a) The waiver of out-of-state tuition granted to a border county student at an admitting institution will follow the student only from a community college to the University if the student transfers from the community college after successfully completing an associate's degree unless this condition is waived by the community college as being in the student's best interest; provided, in any case the student must complete the general education requirement at the TBR community college.
- (5) Part-time students who are not domiciled in ~~this State~~ Tennessee but who are employed full-time in the ~~s~~State, or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall not be required to pay out-of-state tuition. This shall apply to part-time students who are employed in the State by more than one employer, resulting in the equivalent of full-time employment.
- (6) Military personnel and their spouses stationed in the State of Tennessee who would be classified out-of-state in accordance with other provisions of these regulations will be classified out-of-state but shall not be required to pay out-of-state tuition. This provision shall not apply to military personnel and their spouses who are stationed in ~~this State~~ Tennessee primarily for educational purposes.
- (7) Dependent children who qualify and are selected to receive a scholarship because their parent is a law enforcement officer, fireman, or emergency medical service technician who was killed or totally and permanently disabled while performing duties within the scope of their employment shall not be required to pay out-of-state tuition.
- (8) Active-duty military personnel who begin working on a college degree at a the University while stationed in Tennessee or at Fort Campbell, Kentucky, and who are transferred or deployed

prior to completing their degrees, can continue to completion of the degrees at the University without being required to pay out-of-state tuition, as long as he/she completes at least one (1) course for credit each twelve (12) month period after the transfer or deployment. Exceptions may be made in cases where the service member is deployed to an area of armed conflict for periods exceeding twelve (12) months.

- (9) Students who participate in a study abroad program, when the course/courses in the study abroad program is/are the only course/courses for which the student is registered during that term, shall not be required to pay out-of-state tuition.
- (10) Students who are awarded tuition waiver scholarships for participation in bona fide campus performance-based programs, according to established guidelines, shall not be required to pay out-of-state tuition.
- (11) A Vveteran enrolled at the University shall not be required to pay out-of-state tuition or any out-of-state fee, if the Vveteran:
 - (a) Has not been dishonorably discharged from a branch of the United States armed forces or the national guard;
 - (b) Is eligible for Post-9/11 GI Bill benefits or Montgomery GI Bill benefits; and
 - (c) Enrolls in the University, after satisfying all admission requirements, within three (3) years from the date of discharge as reflected on the veteran's certificate of release or discharge from active duty, Form DD-214, or an equivalent document.

1. To continue to qualify for in-state tuition and fees, a Vveteran shall:

- (i) Maintain continuous enrollment as defined by the University; and
- (ii) Demonstrate objective evidence of established residency in ~~this state~~Tennessee by presenting at least two (2) of the following:
 - (I) Proof of voter registration in the state;
 - (II) A Tennessee driver license;
 - (III) A Tennessee motor vehicle registration;
 - (IV) Proof of established employment in ~~Tennessee~~the state; or
 - (V) Other documentation clearly evidencing domicile or residence in ~~Tennessee~~the state, as determined by the Tennessee Higher Education Commission.

Authority: Tenn. Code Ann. §§ 49-4-704, 49-7-1304, 49-7-1305, 49-9-105, and 49-9-209(e); Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64I; 20 U.S.C. § 1015d; and 38 U.S.C. § 3679.

0240-05-05-05 Presumption. Unless the contrary appears from clear and convincing evidence, it shall be presumed that an emancipated person does not acquire domicile in ~~this State~~Tennessee while enrolled as a full-time student at the University, as such status is defined by APSU.

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64; and Tenn. Code Ann. § 49-9-105.

0240-05-05-.06 Evidence to Consider for Establishment of Domicile. If a person asserts that he or she has established domicile in ~~this State~~Tennessee he or she has the burden of proving that he or she has done so. Such a person is entitled to provide to APSU by which he/she seeks to be classified or reclassified in-state, any and all evidence which he or she believes will sustain his or her burden of proof. APSU will consider any and all evidence provided to it concerning such claim of domicile but will not treat any particular type or item of such evidence as conclusive evidence that domicile has or has not been established.

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64; and Tenn. Code Ann. § 49-9-105.

0240-05-05-.07 Appeal. Initially, the Office of Admissions clerk is responsible for classifying applicants for admission or readmission as either "in-state" or "out-of-state." A decision by the Office of Admission clerk may be appealed in writing to the residency classification officer in the Office of Admissions on an Application for Residency Classification form.

Students currently/continually enrolled may appeal in writing to the residency classification officer in the Office of the Registrar on an Application for Residency Classification form. An appeal of the decision made by either office may be taken to the Residency Appeals Committee. Appointments for students to appear before the committee and copies of written appeals for committee members will be made by the Office of the Registrar. Appeals from students who appear will be heard before the committee. Appeal applications made in abstantia will be considered by the committee after consideration of in-person appeal appointments. Unless additional guests are requested in advance and approved by the committee chair, only the student may appear before the committee. Students may bring additional material to support their appeal at the committee meeting. The committee shall include five (5) faculty representatives (including the chair), two staff representatives, two (2) student representatives, as well as up to three (3) ex-officio members currently made up of the Coordinator of Graduate Admissions, the Director of Admissions, and the Registrar. The committee chair will prepare a record of the student appeals including the name of the student, the date of the committee meeting, the committee members present, name(s) of any other guest(s) and a statement of the resulting decision of the committee. A copy of this record will be kept in the student's permanent file. The appealing student will be contacted by the Office of the Registrar and informed of the committee's recommendation. A decision by the Residency Appeals Committee may be appealed in writing to the associate provost for enrollment management and academic support. All appeals must be received within five (5) class days of receipt by the student of the committee's decision. The decision of the associate provost will be final.

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64; and Tenn. Code Ann. § 49-9-105.

0240-05-05-.08 Effective Date for Reclassification. If a student classified out-of-state applies for in-state classification and subsequently is classified thusly, his or her in-state classification shall be effective as of the date on which reclassification was sought. However, out-of-state tuition will be charged for any term or semester during which reclassification is sought and obtained unless application for reclassification is made on or before the last day of registration prior to classes.

Authority: Public Acts of Tennessee, 1839-1840, Chapter 98, Section 5; Public Acts of Tennessee, 1807, Chapter 64; and Tenn. Code Ann. § 49-9-105.

Agenda Item: H.

Date: June 6, 2019

Subject: Traffic and Parking Regulations

Action Recommended: Approval by Roll Call Vote

Background Information:

State entities are required to promulgate rules and regulations when the subject of those rules and regulations affects the rights of third parties. Traffic and Parking Regulations fall into this category. The rules were reviewed by APSU's Office of Public Safety. The rule also requires approval by the attorney general, secretary of state, and is subject to final approval by the Government Operations Committee of the Tennessee General Assembly. The promulgation process is enumerated in the Tennessee Uniform Procedures Act at T.C.A. § 4-5-201, et. seq.

Proposed Implementation Date: At the conclusion of the rule promulgation process.

Item Details: See attachment.

**Rules
of
Austin Peay State University**

**Chapter 0240-05-01
Traffic and Parking Regulations**

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0240-05-01-.01 Introduction.

- (1) The purpose of these regulations is to facilitate the safe and orderly operation of Austin Peay State University ("The University") business and to provide parking facilities for this operation within the limits of available space.
- (2) The Office of Public Safety is responsible for implementation and enforcement of these regulations.
- (3) Any person operating a motor vehicle on the University campus is required to obey these regulations as a condition to parking or operating the vehicle on the campus.
- (4) The responsibility for locating a legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse for violating any parking regulations.
- (5) The University shall have no responsibility for loss or damage to any vehicle or its contents operated or parked on the APSU or on lots leased by APSU.

Authority: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64, 40 C.F.R. §85.1703 (defining motor vehicles).

0240-05-01-.02 Registration of Vehicles.

- (1) All motor vehicles parked on APSU property between 7:30 a.m. and 4:00 p.m. or on lots leased by APSU must have a current APSU permit and be registered with APSU. Housing lots require a valid parking permit twenty-four (24) hours a day, seven (7) days a week.
- (2) Permits are available for pickup/purchase at Parking Services. Students receive a permit as part of their access fee. Faculty and staff must purchase a parking permit.
- (3) The permit must be hung on the rear view mirror of the vehicle. If the mirror prevents the permit from hanging, the permit must be displayed near the rear view mirror.
- (4) Expired permits should be removed (or covered) so that only the current permit is displayed.

- (5) Permits must be renewed at the beginning of each Fall semester and will be valid until the beginning of the following Fall semester so long as the registrant remains a student or an APSU employee.
- (6) Hanging parking permits are issued to persons, not vehicles, and are required to be affixed to a vehicle. Permit holders are responsible for citations incurred with their permit and/or vehicle. Persons will also be held liable for a violation incurred by a vehicle, when that vehicle is reasonably shown to be associated to that person.
- (7) Persons are entitled to only one (1) category of parking permit at a time. Persons will be identified by their primary affiliation with APSU. Graduate assistants and part-time student workers are eligible for student parking permits only.
- (8) Permit holders are only eligible for one (1) parking permit at a time. This permit can be moved from one (1) vehicle to another. A second parking permit may be issued to students who live in married housing. Faculty/Staff/Students who present extraordinary circumstances may be authorized to have a second parking permit with the approval of the Director of Public Safety/Chief of Police. The cost of a second permit, if authorized, will be equal to the APSU access fee for parking. This fee will be prorated if purchased after the first month of the Fall semester.
- (9) Permits are not transferable to any person other than the registrant, particularly to a person in a different parking category.
- (10) Only persons who are neither students, nor faculty/staff are entitled to a visitor parking permit.
- (11) Lost or stolen permits will be replaced for \$10.00 upon making a report to Parking Services.

Authority: Public Acts of Tennessee 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

0240-05-01-.03 Parking Zones

- (1) Parking is permitted only in marked areas with painted control lines. Parking is not permitted in seeded areas or gravel service areas utilized by Physical Plant.
- (2) Faculty or Staff – Zone Color Red – Full-time faculty, staff, contract service employees, and adjunct instructors are authorized for this zone. Valid permits must be displayed between 7:30 a.m. and 4:030 p.m., Monday through Friday ~~when APSU is in session.~~
- (3) Resident Student – Zone Color Silver – Students who reside in the on-campus residence halls are authorized for this zone. Valid permits must be displayed twenty-four (24) hours a day, seven (7) days a week.
- (4) Commuter Student and Married Housing – Zone Color Green – Students who reside off campus and students who reside in married housing are authorized for this zone. Valid permits must be displayed between 7:30 a.m. and 4:30 p.m., Monday through Friday ~~when APSU is in session.~~
- (5) Overflow – Zone Color Black – Any valid APSU permit is authorized for this zone. Valid permits must be displayed between 7:30 a.m. and 4:30 p.m., Monday through Friday ~~when APSU is in session.~~

- (6) ADA Accessible Parking – Zone Color Light-Blue – Persons utilizing ADA spaces on campus must have a placard issued by any state. Students, faculty, and staff who have a state issued placard must be registered with APSU Parking Services. APSU Parking checks to ensure the state issued placard is issued to the registrant and issues an APSU ADA Accessible parking permit. ADA Accessible Permit holders are authorized to park in any parking space on campus, except those spaces specifically reserved with a sign (example: Electric Vehicle Charging). Valid permits or state issued placards for ADA Accessible parking spaces must be displayed twenty-four (24) hours a day, seven (7) days a week.
- (7) Visitor Parking Spaces – Visitor parking permits are issued by Parking Services. Areas where visitors can park will be listed on the parking permit provided. Visitor parking permits are available twenty-four (24) hours a day, seven (7) days a week at the Shasteen Building. APSU Departments may request visitor permits in advance by contacting Parking Services. Marked visitor spaces are enforced between 7:30 a.m. and 4:00 p.m., Monday through Friday, ~~when APSU is in session.~~
- (8) Yellow curbs, yellow or white striped areas, and yellow bumper blocks. No parking is permitted in these areas. These areas are enforced twenty-four (24) hours a day, seven (7) days a week.
- (9) Temporary Parking Permits– Temporary permits are issued to community members who qualify for zoned parking but do not have their permit in their possession at the time they need to park. Temporary permits are available twenty-four (24) hours a day, seven (7) days a week.
- (10) Motorcycle Parking –
 - (a) All motorcycles are to be parked in a parking space in their designated zone or in motorcycle only parking spaces.
 - (b) Motorcycles are not to block stairways, sidewalks, or pedestrian access.

Authority: Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee, 1807, Ch. 64.

0240-05-01-.04 Vehicle Operation.

- (1) All persons operating a motor vehicle on APSU property or in the campus area, which includes City streets running through APSU property, must be properly licensed operators.
- (2) Pedestrians have the right-of-way at established pedestrian crossings, except where regulated by traffic control lights or police officers.
- (3) The maximum speed limit on the APSU campus and city streets are clearly marked. Streets interior to APSU campus are limited to twenty (20) mph. However, ~~motor vehicles~~ may not be operated at any speed which is excessive for the conditions which may exist as a result of weather, traffic congestion, pedestrians, etc.
- (4) Traffic control signs, devices, and directions of police officers must be obeyed.
- (5) All persons operating motor vehicles are responsible for maintaining control of the vehicle, safe operation, and observance of traffic control signs, barriers and devices.

- (6) Operating a motor vehicle in any area other than a street or a roadway intended for motor vehicles is prohibited.
- (7) All accidents must be reported to APSU Police immediately (931-221-7786). All motor vehicle break-ins or incidents should also be reported immediately.

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

0240-05-01-.05 Violations. The following non-exhaustive examples constitute classifications for violations of these regulations:

(1) Parking Violations

- (a) Out of Zone;
- (b) Not a Parking Space;
- (c) Loading Zone;
- (d) Parking on Yellow Curb/No Parking Zone;
- (e) Blocking Traffic;
- (f) Parked Facing Traffic;
- (g) Occupying Two (2) (or more) Spaces;
- (h) Outside of Designated Space;
- (i) Within Fifteen (15) feet of Fire Hydrant;
- (j) Within Twenty (20) feet of entrance/exit/intersection;
- (k) On Seeded Areas;
- (l) Failure to Display Permit;
- (m) No Permit or Improper Display of Permit;
- (n) Altered, Lost, or Stolen Permit;
- (o) Reserved – Visitor;
- ~~(e)~~(p) Reserved – Electric Vehicle Charging Only
- ~~(p)~~(q) Reserved – ADA Accessible Parking Only; and
- ~~(q)~~(r) Warning Only.

(2) Moving Violations

- (a) Failure to obey stop sign or traffic signal;

- (b) Failure to yield to pedestrian in crosswalk;
 - (c) Traveling wrong way on one-way street;
 - (d) Operating a motor vehicle off a marked roadway;
 - (e) Speeding;
 - (f) Failure to yield right of way;
 - (g) Failure to obey lawful directions of a police officer;
 - (h) Failure of motorcycle operator or rider to wear required headgear; and
 - (i) Failure to yield to emergency vehicle.
- (3) Impounded Vehicle/Towed Vehicle
- (a) APSU may tow without advance notice those motor vehicles parked in a fire lane, designated ADA accessible parking space, spaces reserved for designated vehicles or in such a manner as to impede the flow of traffic or to disrupt the orderly affairs of APSU.
 - (b) If a motor vehicle has unpaid parking citations, APSU may impound/tow the vehicle, if advance notice and opportunity to contest have been given. Windshield notices and/or other methods of notification will be used to provide the operator of the vehicle with advance notice of APSU's intent to tow and the operator's right to a hearing.

Authority: §49-9-209(e) and Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee, 1807, Ch. 64.

0240-05-01-.06 Enforcement.

- (1) The Office of Public Safety and Campus Police are tasked with enforcement of the parking regulations. The Director/Chief of Police is authorized to selectively enforce or not enforce certain regulations and parking categories based on special events and circumstances that require special accommodations.
- (2) A motor vehicle parked in a manner which blocks a fire zone, emergency exit, flow of traffic, designated ADA accessible parking space, spaces reserved for designated vehicles, or otherwise poses a danger or disrupts the orderly affairs of APSU may be impounded, immobilized, or towed.
- (3) A motor vehicle which has accumulated one hundred dollars (\$100.00) or more in unpaid citations may be immobilized or towed.

Authority: §49-9-209(e), Public Acts of Tennessee, 1839-1840, Ch. 98, Section 5 and Public Acts of Tennessee 1807, Ch. 64.

0240-05-01-.07 Penalties.

- (1) Parked in Visitor, maintenance, or emergency vehicle space: \$35.00

~~(2)~~ Parked in ADA Accessible Space: \$200.00 - The fine for this parking violation is set by State law, T.C.A. §55-21-108. As of July 1, 2008, the fine was set at \$200. The fine imposed under these regulations will increase or decrease automatically when increased or decreased by State law.

~~(2)(3)~~ Boot Removal Fee - \$75.00 for first violation in an academic year. \$125.00 for subsequent violations.

~~(3)(4)~~ All other parking violations: \$25.00

~~(4)(5)~~ All moving violations when written as an APSU citation: \$35.00

~~(5)(6)~~ Other Penalties

- (a) Students who fail to pay violation fines or penalties will not be permitted to register for course work, to continue as a student, to receive credit, to receive a degree, or to obtain a transcript until the fines or penalties are paid.
- (b) Repeated violations of parking regulations will be grounds for towing away, impoundment or immobilization in accordance with regulations under enforcement.
- (c) Students who persist in violating these regulations or commit a single violation under extreme circumstances will be referred to the Dean of Students' office for disciplinary action which may lead to suspension or dismissal from APSU.
- (d) Once a motor vehicle or owner has accumulated one hundred dollars (\$100.00) of unpaid fines, his or her motor vehicle, if found parked upon APSU property or lots leased by APSU, will be immobilized or towed in accordance with regulations under 0240-05-01-.06 Enforcement.
- (e) Any individual (student, faculty or staff) with outstanding citations will not be allowed to register a motor vehicle or purchase a parking permit until indebtedness is cleared.
- (f) Repeated violations may result in the loss of parking privileges.

Authority: T.C.A. §49-9-209(e).

0240-05-01-.08 Appeals.

- (1) Upon receipt of a citation, persons have three (3) class days to submit an appeal.
- (2) Appeal forms are completed and submitted electronically through the parking management software.
- (3) Issuing officers will be afforded the opportunity to comment on appeals before they are presented to the appeal authority.
- (4) The Student Tribunal shall hear and decide all student appeals.
- (5) Students may further appeal the Tribunal's decision to the Vice President of Student Affairs, or designee, within three (3) class days of the finding by Student Tribunal.

- (6) When APSU is not in session, the Dean of Students will hear and decide appeals.
- (7) Staff and visitors' appeals shall be heard by a committee consisting of the Faculty Senate Chair or designee, Staff Council Chair or designee, and the Dean of Students.
- (8) Anyone failing to appeal within three (3) class days of issuance of citation loses the right to appeal.

Authority: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

0240-05-01-.09 Restrictions. APSU streets or grounds may not be used by any firm, corporation or person for advertising or commercial purposes.

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

0240-05-01-.10 Special Occasion and Emergencies. On special occasions, for example: athletic events, concerts, graduation exercises, etc., and in emergencies, parking and traffic limitation may be imposed by the Office of Public Safety and Campus Police as required by the conditions which prevail.

Authority: §49-9-209(e), Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

0240-05-01-.11 Pedestrian Regulations.

- (1) Students and staff members must not endanger their safety or constitute an unreasonable impediment to lawful vehicular traffic by crossing streets at other than authorized lanes or by willfully walking or congregating in the streets.
- (2) Violations of these regulations will be cited through appropriate channels for disciplinary action.

Authority: Public Acts of Tennessee, 1839-1840, chapter 98, Section 5 and Public Acts of Tennessee, 1807, chapter 64.

Information Item: A

Date: June 6, 2019

Subject: Review of the University's Organizational Chart

Action Recommended: Informational Item

Background Information:

In April, during the University's budget cycle, the University's organizational chart is reviewed and updated as appropriate.

Proposed Implementation Date: July 1, 2019

Item Details:

See attached.

AUSTIN PEAY STATE UNIVERSITY • ORGANIZATIONAL CHART
Effective July 1, 2019

