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Sequence Number: 04-13-19
Rule ID(s): 8895
File Date: 4/24/19
Effective Date: 7/23/19

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to Tenn. Code Ann. §§ 4-5-202, 4-5-207, and 4-5-229 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within ninety (90) days of the filing of the proposed rule with the Secretary of State. To be effective, the petition must be filed with the Agency and be signed by ten (10) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of ten (10) or more members, or any standing committee of the General Assembly. The agency shall forward such petition to the Secretary of State.

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Technological University
Division:	
Contact Person:	Dr. Claire Stinson, Vice President for Planning and Finance
Address:	1 William L. Jones Drive, Cookeville, TN
Zip:	38505
Phone:	931-372-3311
Email:	cstinson@tntech.edu

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that ALL new rule and repealed rule numbers are listed in the chart below. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0240-09-07	Rental of Tennessee Tech Property
Rule Number	Rule Title
0240-09-07-.01	Purpose and Implementation
0240-09-07-.02	Scope
0240-09-07-.03	Definitions
0240-09-07-.04	General Policy
0240-09-07-.05	Priority of Use and Frequency of Rental
0240-09-07-.06	Rental Requirements
0240-09-07-.07	Application and Agreement Process
0240-09-07-.08	Payment by Renter
0240-09-07-.09	Penalties
0240-09-07-.10	Exceptions

Rules
Of
Tennessee Technological University, Cookeville

Chapter 0240-09-07
Rental of Tennessee Tech Property

New Chapter

Table of Contents is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.01 Purpose and Implementation
0240-09-07-.02 Scope
0240-09-07-.03 Definitions
0240-09-07-.04 General Policy
0240-09-07-.05 Priority of Use and Frequency of Rental
0240-09-07-.06 Rental Requirements
0240-09-07-.07 Application and Agreement Process
0240-09-07-.08 Payment by Renter
0240-09-07-.09 Penalties
0240-09-07-.10 Exceptions

0240-09-07-.01 Purpose and Implementation is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.01 Purpose and Implementation

- (1) The purpose of this rule is to provide a uniform basis upon which Tennessee Tech can regulate and facilitate the rental of its Property.
- (2) This rule is intended to operate consistently with Tennessee Tech's educational and research purpose and mission through the implementation of reasonable and viewpoint-neutral restrictions related to rented Property.
- (3) This rule shall be implemented and construed so as to preserve the primacy of Tennessee Tech's educational and research purpose and mission, to protect the safety of persons and security of Property, and to prevent the use of Tennessee Tech's Property contrary to federal or state laws, rules, regulations, or Tennessee Tech policies.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.02 Scope is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.02 Scope

- (1) This rule does not apply to use of Tennessee Tech Property by affiliated users for Official Tennessee Tech Purposes or for free speech activities. Such use is subject to Tennessee Technological University Rules, Chapter 0240-09-06.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.03 Definitions is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.03 Definitions

- (1) Official Tennessee Tech Purpose: Use of Tennessee Tech Property by student groups/organizations,

administrative offices, and/or departments for events, programs, activities, etc. that primarily support Tennessee Tech's purpose and mission and/or are planned primarily for members of the Tennessee Tech community.

- (2) Renter: A person or entity who has received the appropriate approvals and has received a fully executed agreement for the rental of Tennessee Tech Property.
- (3) Tennessee Tech Property or Property: All facilities and property owned, leased, or controlled by Tennessee Tech.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.04 General Policy is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.04 General Policy

- (1) Tennessee Tech dedicates its Property primarily for use by its students and employees for purposes that promote its educational and research purpose and mission.
- (2) Consistent with its purpose and mission, priority of use, and pursuant to this rule, Tennessee Tech may make certain portions of its Property available for rent to students, employees, or the public for purposes other than for Official Tennessee Tech Purposes.
- (3) Tennessee Tech may establish and modify, in its sole discretion, rental fees and charges for use of Property and will publish those rates to the public.
- (4) Tennessee Tech may, in its sole discretion, deny or limit the use of any Property if:
 - (a) The requested Property has not been designated as available for rental;
 - (b) The requested Property has been previously reserved by another user or Renter with equal or higher priority;
 - (c) The requested Property is not available for rental during the time requested;
 - (d) The rental would be impractical due to scheduled usage prior to or following the requested rental;
 - (e) The applicant has knowingly provided inaccurate or false information in the rental application;
 - (f) The applicant or the applicant's invitees or guests violated federal or state law(s), rule(s), regulation(s), or Tennessee Tech policy or policies during a previous use;
 - (g) The use would constitute an immediate and actual danger to Tennessee Tech students and/or employees, or to the peace or security of Tennessee Tech that available law enforcement officials could not control with reasonable effort;
 - (h) The anticipated size or attendance of the activity or event exceeds building/fire codes, established safety standards, and/or the physical or other limitations of the Property;
 - (i) The anticipated nature or duration of the activity or event cannot be reasonably accommodated in the requested Property;
 - (j) The anticipated size and/or location of the activity or event would cause disruption or interference with normal Tennessee Tech activities, the educational use of other Property or services, or the flow of vehicular or pedestrian traffic;
 - (k) The rental conflicts with existing Tennessee Tech contractual obligations;

- (l) Tennessee Tech does not have sufficient institutional resources available for the proposed use as determined by the appropriate Tennessee Tech official(s);
 - (m) The rental would be contrary to federal or state law(s), rule(s), regulation(s), or Tennessee Tech policy or policies; or
 - (n) Other extenuating circumstances exist that, in the sole determination of Tennessee Tech, prevent or limit rental of the Property.
- (5) Renter must abide by all terms and conditions stated in the rental agreement, in addition to any requirements in federal or state laws, rules, regulations, or in Tennessee Tech policies.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.05 Priority of Use and Frequency of Rental is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.05 Priority of Use and Frequency of Rental

- (1) Tennessee Tech will establish priority of use of Property that is consistent with its educational and research purpose and mission.
- (2) Tennessee Tech may set reasonable limitations on the frequency of rental, intermittent rental, or repeated rental of Tennessee Tech Property.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.06 Rental Requirements is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.06 Rental Requirements

- (1) Renter and Renter's use of Property shall comply with federal and state laws, rules, regulations, and Tennessee Tech policies, including, but not limited to, applicable fire and safety codes and Tennessee Tech policies related to the safety of minors on campus.
- (2) Use of Tennessee Tech Property is limited to the declared purpose in the rental agreement.
- (3) Renters must comply with applicable Tennessee Tech contractual obligations, including but not limited to use of Tennessee Tech's contracted dining service vendor, beverage pouring rights exclusivity, etc.
- (4) Renter is solely responsible for ensuring that invitees and guests comply with federal and state laws, rules, regulations, and Tennessee Tech policies.
- (5) Tennessee Tech may assign and charge for additional services that Tennessee Tech determines, in its sole discretion, are necessary for any event considering the event's nature, size, location, or anticipated attendance.
- (6) To the extent allowed by federal or state law, Renter must agree to indemnify Tennessee Tech and hold it harmless from any and all liabilities arising out of Renter's use of Property, including, but not limited to, personal injury, property damage, court costs, attorney's fees, and any other damage, whether caused by Renter, invitees, guests, or by Renter's employees, agents, or contractors.
- (7) Renter must provide, upon request, proof of insurance of the types and coverages determined by Tennessee Tech to be appropriate for the intended use. Tennessee Tech may, in its sole discretion, require Renter to include the State of Tennessee, the Tennessee Tech Board of Trustees, and/or Tennessee Tech as additionally insured entities on Renter's insurance policy.

- (8) If requested, all persons on Property in conjunction with Renter's use shall provide adequate identification to appropriate officials and security personnel of Tennessee Tech. Persons who refuse to provide such identification may be subject to immediate removal from Tennessee Tech Property and/or arrest, as appropriate.
- (9) Renters and their invitees and guests are restricted to the area(s) approved for their use.
- (10) Renter may not have overnight access to or use of Property unless specifically requested and approved by Tennessee Tech in the rental agreement or other written agreement.
- (11) Renter may not use Property to conduct profit-making activities unless specifically agreed upon in the rental agreement or in a separate agreement specifically addressing the profit-making activities.
- (12) Renter must return Property in the same condition it was in when made available to the Renter. Renter will be responsible for all expenses incurred by Tennessee Tech to remedy the condition of damaged Tennessee Tech Property.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.07 Application and Agreement Process is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.07 Application and Agreement Process

- (1) Tennessee Tech will establish and publish an application process, which will result in an estimate of fees and charges for the rental of the requested Property.
- (2) Any such estimated amount is subject to change if the actual conditions related to the activity or event differ from those presented in the application. Renter will be responsible for all such charges.
- (3) Rental of Tennessee Tech Property is not approved until Renter and Tennessee Tech have fully executed a rental agreement.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.08 Payment by Renter is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.08 Payment by Renter

- (1) All rentals are subject to applicable rental fees and charges for required services, including, but not limited to, maintenance, custodial, utilities, set-up, audio-visual, and security.
- (2) If rental includes the use of Tennessee Tech equipment, Tennessee Tech may limit the operation of that equipment to Tennessee Tech employees and may assess an additional charge for the use of such equipment and for the associated labor.
- (3) Renter must make payment as described in the rental agreement.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.09 Penalties is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.09 Penalties

- (1) Tennessee Tech may immediately terminate Renter's permission to use Tennessee Tech Property and may deny future requests for rental if Renter or Renter's invitees or guests violate any provision of the rental agreement or any federal or state law, rule, regulation, or Tennessee Tech policy.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.10 Exceptions is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.10 Exceptions

- (1) The President or the President's designee may grant exceptions to this rule when, in his/her sole discretion, the requested exception is in furtherance of Tennessee Tech's educational and research purpose and mission.

Authority: T.C. A. § 49-8-203(a)(4)

* If a roll-call vote was necessary, the vote by the Agency on these rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Tom Jones	X				
Trudy Harper	X				
Melissa Geist	X				
Rhedona Rose	X				
Purna Saggurti	X				
Johnny Stites	X				
Teresa Vanhooser	X				
Barry Wilmore	X				

I certify that this is an accurate and complete copy of proposed rules, lawfully promulgated and adopted by the Tennessee Tech Board of Trustees on 03/21/2019, and is in compliance with the provisions of T.C.A. § 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for proposed rules being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of ninety (90) days of the filing of the proposed rule with the Secretary of State.

Date: 3/22/2019

Signature: *Claire Stinson*

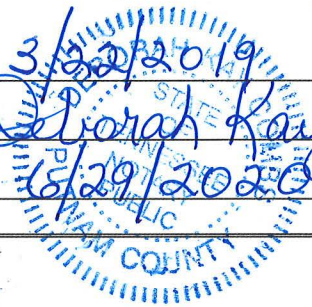
Name of Officer: Claire Stinson

Title of Officer: Vice President for Planning & Finance

Subscribed and sworn to before me on: 3/22/2019

Notary Public Signature: *Delorah Kay Combs*

My commission expires on: 6/29/2020



Agency/Board/Commission: Tennessee Tech Univ

Rule Chapter Number(s): 0290-09-07

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Herbert H. Slatery III
Attorney General and Reporter

4/15/2019
Date

Department of State Use Only

Filed with the Department of State on: 4/24/19

Effective on: 7/23/19

Tre Hargett
Tre Hargett
Secretary of State

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Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

The rule is not anticipated to have an impact on small business.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://publications.tnsosfiles.com/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The rule is not anticipated to have an impact on local government.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The rule establishes the general conditions and terms on which it will makes its property available to the public for rent or for purposes unrelated to its education and research purpose and mission. Tennessee Tech has not previously promulgated a rule on this matter.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

T.C.A. § 4-5-102(12)(A) defines a rule as "an agency regulation, standard, statement, or document of general applicability that [d]escribes the procedure or practice requirements of an agency." Tennessee Tech's statements related to rental of its property appear to fall within the terms of this definition.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Any person or entity that wishes to rent space on Tennessee Tech's property is affected by this rule. Because Tennessee Tech has had a similar policy in place since 2012, Tennessee Tech does not believe affected persons or individuals would urge rejection of the rule. The Tennessee Tech Board of Trustees urges adoption of this rule.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

None of which Tennessee Tech is aware.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

No impact

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Dr. Claire Stinson, Vice President for Planning and Finance

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Dr. Claire Stinson, Vice President for Planning and Finance

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

1 William L. Jones Drive, Cookeville, TN 38505; 931-372-3311; cstinson@tntech.edu

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

N/A

Rules
Of
Tennessee Technological University, Cookeville

Chapter 0240-09-07
Rental of Tennessee Tech Property

New Chapter

Table of Contents is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.01 Purpose and Implementation
0240-09-07-.02 Scope
0240-09-07-.03 Definitions
0240-09-07-.04 General Policy
0240-09-07-.05 Priority of Use and Frequency of Rental
0240-09-07-.06 Rental Requirements
0240-09-07-.07 Application and Agreement Process
0240-09-07-.08 Payment by Renter
0240-09-07-.09 Penalties
0240-09-07-.10 Exceptions

0240-09-07-.01 Purpose and Implementation is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.01 Purpose and Implementation

- (1) The purpose of this rule is to provide a uniform basis upon which Tennessee Tech can regulate and facilitate the rental of its Property.
- (2) This rule is intended to operate consistently with Tennessee Tech's educational and research purpose and mission through the implementation of reasonable and viewpoint-neutral restrictions related to rented Property.
- (3) This rule shall be implemented and construed so as to preserve the primacy of Tennessee Tech's educational and research purpose and mission, to protect the safety of persons and security of Property, and to prevent the use of Tennessee Tech's Property contrary to federal or state laws, rules, regulations, or Tennessee Tech policies.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.02 Scope is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.02 Scope

- (1) This rule does not apply to use of Tennessee Tech Property by affiliated users for Official Tennessee Tech Purposes or for free speech activities. Such use is subject to Tennessee Technological University Rules, Chapter 0240-09-06.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.03 Definitions is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.03 Definitions

- (1) Official Tennessee Tech Purpose: Use of Tennessee Tech Property by student groups/organizations, administrative offices, and/or departments for events, programs, activities, etc. that primarily support

Tennessee Tech's purpose and mission and/or are planned primarily for members of the Tennessee Tech community.

- (2) Renter: A person or entity who has received the appropriate approvals and has received a fully executed agreement for the rental of Tennessee Tech Property.
- (3) Tennessee Tech Property or Property: All facilities and property owned, leased, or controlled by Tennessee Tech.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.04 General Policy is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.04 General Policy

- (1) Tennessee Tech dedicates its Property primarily for use by its students and employees for purposes that promote its educational and research purpose and mission.
- (2) Consistent with its purpose and mission, priority of use, and pursuant to this rule, Tennessee Tech may make certain portions of its Property available for rent to students, employees, or the public for purposes other than for Official Tennessee Tech Purposes.
- (3) Tennessee Tech may establish and modify, in its sole discretion, rental fees and charges for use of Property and will publish those rates to the public.
- (4) Tennessee Tech may, in its sole discretion, deny or limit the use of any Property if:
 - (a) The requested Property has not been designated as available for rental;
 - (b) The requested Property has been previously reserved by another user or Renter with equal or higher priority;
 - (c) The requested Property is not available for rental during the time requested;
 - (d) The rental would be impractical due to scheduled usage prior to or following the requested rental;
 - (e) The applicant has knowingly provided inaccurate or false information in the rental application;
 - (f) The applicant or the applicant's invitees or guests violated federal or state law(s), rule(s), regulation(s), or Tennessee Tech policy or policies during a previous use;
 - (g) The use would constitute an immediate and actual danger to Tennessee Tech students and/or employees, or to the peace or security of Tennessee Tech that available law enforcement officials could not control with reasonable effort;
 - (h) The anticipated size or attendance of the activity or event exceeds building/fire codes, established safety standards, and/or the physical or other limitations of the Property;
 - (i) The anticipated nature or duration of the activity or event cannot be reasonably accommodated in the requested Property;
 - (j) The anticipated size and/or location of the activity or event would cause disruption or interference with normal Tennessee Tech activities, the educational use of other Property or services, or the flow of vehicular or pedestrian traffic;
 - (k) The rental conflicts with existing Tennessee Tech contractual obligations;
 - (l) Tennessee Tech does not have sufficient institutional resources available for the proposed use as

determined by the appropriate Tennessee Tech official(s);

- (m) The rental would be contrary to federal or state law(s), rule(s), regulation(s), or Tennessee Tech policy or policies; or
 - (n) Other extenuating circumstances exist that, in the sole determination of Tennessee Tech, prevent or limit rental of the Property.
- (5) Renter must abide by all terms and conditions stated in the rental agreement, in addition to any requirements in federal or state laws, rules, regulations, or in Tennessee Tech policies.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.05 Priority of Use and Frequency of Rental is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.05 Priority of Use and Frequency of Rental

- (1) Tennessee Tech will establish priority of use of Property that is consistent with its educational and research purpose and mission.
- (2) Tennessee Tech may set reasonable limitations on the frequency of rental, intermittent rental, or repeated rental of Tennessee Tech Property.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.06 Rental Requirements is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.06 Rental Requirements

- (1) Renter and Renter's use of Property shall comply with federal and state laws, rules, regulations, and Tennessee Tech policies, including, but not limited to, applicable fire and safety codes and Tennessee Tech policies related to the safety of minors on campus.
- (2) Use of Tennessee Tech Property is limited to the declared purpose in the rental agreement.
- (3) Renters must comply with applicable Tennessee Tech contractual obligations, including but not limited to use of Tennessee Tech's contracted dining service vendor, beverage pouring rights exclusivity, etc.
- (4) Renter is solely responsible for ensuring that invitees and guests comply with federal and state laws, rules, regulations, and Tennessee Tech policies.
- (5) Tennessee Tech may assign and charge for additional services that Tennessee Tech determines, in its sole discretion, are necessary for any event considering the event's nature, size, location, or anticipated attendance.
- (6) To the extent allowed by federal or state law, Renter must agree to indemnify Tennessee Tech and hold it harmless from any and all liabilities arising out of Renter's use of Property, including, but not limited to, personal injury, property damage, court costs, attorney's fees, and any other damage, whether caused by Renter, invitees, guests, or by Renter's employees, agents, or contractors.
- (7) Renter must provide, upon request, proof of insurance of the types and coverages determined by Tennessee Tech to be appropriate for the intended use. Tennessee Tech may, in its sole discretion, require Renter to include the State of Tennessee, the Tennessee Tech Board of Trustees, and/or Tennessee Tech as additionally insured entities on Renter's insurance policy.
- (8) If requested, all persons on Property in conjunction with Renter's use shall provide adequate identification

to appropriate officials and security personnel of Tennessee Tech. Persons who refuse to provide such identification may be subject to immediate removal from Tennessee Tech Property and/or arrest, as appropriate.

- (9) Renters and their invitees and guests are restricted to the area(s) approved for their use.
- (10) Renter may not have overnight access to or use of Property unless specifically requested and approved by Tennessee Tech in the rental agreement or other written agreement.
- (11) Renter may not use Property to conduct profit-making activities unless specifically agreed upon in the rental agreement or in a separate agreement specifically addressing the profit-making activities.
- (12) Renter must return Property in the same condition it was in when made available to the Renter. Renter will be responsible for all expenses incurred by Tennessee Tech to remedy the condition of damaged Tennessee Tech Property.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.07 Application and Agreement Process is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.07 Application and Agreement Process

- (1) Tennessee Tech will establish and publish an application process, which will result in an estimate of fees and charges for the rental of the requested Property.
- (2) Any such estimated amount is subject to change if the actual conditions related to the activity or event differ from those presented in the application. Renter will be responsible for all such charges.
- (3) Rental of Tennessee Tech Property is not approved until Renter and Tennessee Tech have fully executed a rental agreement.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.08 Payment by Renter is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.08 Payment by Renter

- (1) All rentals are subject to applicable rental fees and charges for required services, including, but not limited to, maintenance, custodial, utilities, set-up, audio-visual, and security.
- (2) If rental includes the use of Tennessee Tech equipment, Tennessee Tech may limit the operation of that equipment to Tennessee Tech employees and may assess an additional charge for the use of such equipment and for the associated labor.
- (3) Renter must make payment as described in the rental agreement.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.09 Penalties is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.09 Penalties

- (1) Tennessee Tech may immediately terminate Renter's permission to use Tennessee Tech Property and may deny future requests for rental if Renter or Renter's invitees or guests violate any provision of the rental agreement or any federal or state law, rule, regulation, or Tennessee Tech policy.

Authority: T.C. A. § 49-8-203(a)(4)

0240-09-07-.10 Exceptions is added to Chapter 0240-09-07 Rental of Tennessee Tech Property and shall read as follows:

0240-09-07-.10 Exceptions

- (1) The President or the President's designee may grant exceptions to this rule when, in his/her sole discretion, the requested exception is in furtherance of Tennessee Tech's educational and research purpose and mission.

Authority: T.C. A. § 49-8-203(a)(4)