



JUSTIN P. WILSON  
*Comptroller*

JASON E. MUMPOWER  
*Deputy Comptroller*

The Honorable Randy McNally, Lieutenant Governor  
The Honorable Glen Casada, Speaker of the House  
Members of the 111<sup>th</sup> General Assembly  
Cordell Hull Building  
425 Fifth Avenue North  
Nashville, Tennessee 37243

Ladies and Gentlemen,

In April 2018, legislative leadership requested that the Comptroller's Office research the use of state funds for Sex Week at the University of Tennessee-Knoxville.

This report provides a comprehensive analysis of Sex Week, policies governing student organizations and activity fee allocations at the university, and related actions taken by the legislature, University of Tennessee, and others. Also included is an overview of Sex Weeks that have occurred at other public universities as well as an examination of policies and practices governing student organizations and activities at all public universities in Tennessee.

The report presents a range of policy options for consideration. Some options may have legal implications.

We hope you find this report useful in understanding the controversy surrounding Sex Week at the University of Tennessee-Knoxville and considering possible future actions on this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Justin P. Wilson".

Justin P. Wilson  
Comptroller of the Treasury

A handwritten signature in blue ink, appearing to read "Jason E. Mumpower".

Jason E. Mumpower  
Deputy Comptroller







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## Executive Summary

In April 2018, legislative leadership requested that the Comptroller’s Office research Sex Week at the University of Tennessee–Knoxville (UTK), and determine whether state resources, direct or indirect, are used in the production of the event. The full report includes an overview of the event at UTK, actions taken by various stakeholders relevant to Sex Week, information on sex-related programming and the structure and allocations of student activity fees at all public universities in Tennessee, and policy considerations.

Sex Week, a week-long event that includes a variety of sex-related programs that are often promoted using provocative titles, has been hosted on the campus of UTK each spring semester since 2013 by Sexual Empowerment and Awareness at Tennessee (SEAT), a registered student organization (RSO). From 2013 through the present day, some legislators have expressed their concerns and disapproval of the event to the administrators of the University of Tennessee, using words such as “outrageous behavior,” “disgusting,” and “a national embarrassment” to describe it.

As a direct result of Sex Week, legislation has been passed, university policy has been changed, legislative hearings focused on the event have been held, and some gubernatorial appointees to the university’s Board of Trustees failed to receive the necessary votes from state legislators for confirmation. Amid the ongoing controversy, SEAT has continued to host the event annually, operating within the policies and criteria set by the university for RSOs. The student group, which has an average membership representing less than one-tenth of 1 percent of the total enrollment at UTK, has been unwilling to compromise with university administrators who have asked it annually to “tone it down” and to consider the impact of its language choices.

**“Human sexuality is a legitimate academic field of inquiry and should be approached in a scholarly manner. It is not a circus by which the dignity of the human person is denigrated and besmirched.”**

Chairman Dolores Gresham  
Senate Education Committee  
April 11, 2018

In written correspondence and during interviews conducted by the Comptroller’s Office, top university administrators repeatedly stated that the university has done all that can be done – and all that the legislature has asked them to do – without violating free speech protections guaranteed by the First Amendment. Top university administrators indicated that if the legislature wants to ban the event then lawmakers should pass a law explicitly stating that Sex Week shall no longer occur at UTK, but officials also warn that a First Amendment lawsuit will surely follow.

In 2016, the General Assembly passed a law, Public Chapter (PC) 1066, that does not ban the event but does prohibit the expenditure of “state funds” to “fund or support Sex Week.” University officials say that PC 1066 does not define terms such as “state funds,” “fund,” or “support” and that the law is vaguely worded. Therefore, the university says it cannot knowingly take action (i.e., to prohibit the occurrence of Sex Week on campus) that it says will result in a



lawsuit. UTK sought guidance from the Attorney General’s office on how to interpret the 2016 law. (The guidance is protected by attorney-client privilege and is not public.)

On April 17, 2018, Senator Richard Briggs sent a letter to the Attorney General requesting an opinion on the constitutionality of PC 1066, outlining nine scenarios that may qualify as examples of the university indirectly funding or supporting Sex Week, and the legal responsibility of university employees to enforce the statute. The Attorney General’s office declined to provide an opinion for several reasons, including that its advice would be more effective if provided directly to the university and the possibility that the Attorney General would be required to defend the constitutionality of the statute should it become the subject of litigation.

During interviews in fall 2018, the Comptroller’s Office asked five top University of Tennessee (UT) officials and a former Board of Trustee member if the university has been “tone deaf” (i.e., insensitive) in its response to legislators’ concerns about Sex Week. All five officials and the former trustee responded that the university has not been tone deaf, each giving examples of what the university has done in response to Sex Week (namely, creating the opt-in/-out process for student activity fees) and reiterating that the university has done all that it can legally do. Former UT System<sup>A</sup> President Joe DiPietro added, “Maybe it’s best for us to get into a legal suit, to show people that we aren’t being tone deaf.”

In fall 2018, the Comptroller’s Office interviewed five top UT officials and a former board of trustee member and asked each of them if the university has been tone deaf in its response to legislator concerns about Sex Week.

**All five officials and the former trustee responded that the university has not been tone deaf concerning its response to Sex Week.**

Through interviews and a review of policies and practices at other public universities in Tennessee, the Comptroller’s Office has concluded that the University of Tennessee has not exhausted every option and has identified other courses of action the university may pursue to address the controversy. See pages xii through xvi for policy considerations.

Since the first event in April 2013, Sex Week has been organized by the registered student organization, SEAT, using the following resources: student activity fees, private donations (through sponsorships and crowdsource funding campaigns), indirect benefits (through use of university facilities), and gift funds (i.e., philanthropic donations made to the university).

As a registered student organization, SEAT is eligible for certain privileges, including the ability to request student activity fee funding and the use of most campus facilities at no cost. For each of the past seven years, SEAT has received an average annual allocation of about \$15,000 in student activity fee funds for Sex Week. (Amounts range from \$6,175 in 2014-15 to \$22,700 in 2016-17.) SEAT has also requested and been allocated student activity fee funds for events outside of Sex Week in the 2014-15 through 2017-18 academic years. In total, SEAT’s annual average allocation of student activity fee funding is about \$18,400 (including funds for both Sex Week and non-Sex Week events). In the current school year, 2018-19, SEAT requested and

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<sup>A</sup> In the University of Tennessee System, the President presides over the entire system and each university is overseen by a Chancellor.



was allocated about \$12,000 for Sex Week, which represents over a 50 percent reduction in the organization's requests and allocations from previous years.

In 2013, the first year of the event, university departments and programs committed \$11,145 in nonstudent activity fee funds for Sex Week, some of which were derived from state tax and tuition dollars. Ultimately, SEAT did not receive those funds as they were withdrawn by former UTK Chancellor Jimmy Cheek prior to the event. The university then conducted an internal review on the process of student organizations requesting and receiving funds from nonstudent activity fee sources, concluded that RSOs should not receive funding derived from state appropriations, and identified the need for more oversight of gift funding allocations. For Sex Week 2013, SEAT received \$6,700 in student activity funds, and launched an online crowdsourcing funding campaign, raising at least \$4,000 in private donations. SEAT has used online crowdsourcing fundraising efforts for Sex Week at least two other times, though neither the organization nor the university track private donations, so exact figures are unavailable.

In addition to requesting student activity fee funds, RSOs can solicit gift funds from various university departments that may be interested in the organization's initiatives (e.g., the psychology department may allocate gift funds for a relationship workshop). Gift funds are allocated by the senior leader of each department and are not considered to be state tax or tuition dollars. SEAT has received unrestricted gift funds (i.e., donations made to the university without a specific purpose indicated by the donor) for Sex Week events in 2014 and 2015 and for one non-Sex Week event in the 2017-18 academic year.

Exhibit 1 shows the funding received by SEAT annually for Sex Week and non-Sex Week events.

**Exhibit 1: Funding received by SEAT for Sex Week and non-Sex Week events at UTK**

Academic year	Student activity fee funds received for Sex Week	Gift funds received for Sex Week	Private donations received for Sex Week	Sex Week funds	Student activity fee funds received for non-Sex Week events	Gift funds received for non-Sex Week events	Non-Sex Week funds
2012-13	\$6,700	\$0	At least \$4,140	\$10,840	\$0	\$0	\$0
2013-14	\$20,000	\$2,603	Unknown	\$22,603	\$0	\$0	\$0
2014-15	\$6,175	\$5,700	Unknown	\$11,875	\$2,500 (1 event)	\$0	\$2,500
2015-16	\$16,525	\$0	Unknown	\$16,525	\$6,850 (5 events)	\$0	\$6,850
2016-17	\$22,700	\$0	At least \$1,225	\$23,925	\$7,100 (3 events)	\$0	\$7,100
2017-18	\$21,700	\$0	At least \$120	\$21,820	\$6,690 (4 events)	\$700	\$7,390
2018-19	\$12,090	--	Unknown	--	\$0	--	--

Notes: Private donations are not tracked by UTK or SEAT; these figures were determined by reviewing crowdsourcing funding pages. It is unknown if SEAT has received private donations for non-Sex Week events in any year. SEAT's 2018-19 funding has been intentionally left blank for certain categories; final numbers are not available until the end of the academic year.

Sources: The Comptroller's Office analysis of data provided by UTK Division of Student Life. Indiegogo.

Since 2014-15, RSOs at UTK, including SEAT, have received student activity fee funds that students have chosen to allocate to student-organized programming, also known as opt-in



funds.<sup>B</sup> Opt-in funds are allocated to RSOs by the Student Programming Allocation Committee (SPAC), a 17-member, majority-faculty and staff committee; the SPAC uses a set of criteria, outlined in board policy, to make allocation decisions. The creation of the opt-in/-out process and the SPAC resulted from university negotiations with some legislators who wanted more transparency in the allocation of student activity funds, and to give students the option whether to allocate a portion of their mandatory student activity fee to student-organized programming that may be controversial in nature, such as Sex Week. The Senate adopted Senate Joint Resolution (SJR) 626 in March 2014, directing changes to the student activity fee allocation process in the UT System, and the university's Board of Trustees adopted the new policy the following June.

In 2017-18, there were nearly 600 RSOs at UTK. On average, about 10 percent of the RSOs request funding from student activity fees annually, and about 7.5 percent receive an allocation. Considering the last five years (2013-14 through 2017-18), an average of five registered student organizations (including SEAT) received about 50 percent of the total funding allocated to RSOs, while the remaining 50 percent of funding was allocated among 30 organizations. Over the same time frame (2013-14 through 2017-18), SEAT has been among the small number of registered student organizations that request and receive the most student activity fee funding annually. SEAT requested the most student activity fee funding in 2017-18 and received the highest allocation of student activity fee funding in four of the last five years, with total allocations ranging from \$8,675 to \$29,800. Exhibit 2 includes SEAT's student activity fee funding requests and allocations compared to the average for other RSOs.

**Exhibit 2: SEAT's student activity fee funding requests and allocations compared to other registered student organizations (RSOs)**

Academic year	Total number of RSOs	Number of RSOs requesting funds	Average request amount	Amount requested by SEAT	SEAT's rank by funds requested	Number of RSOs receiving funds	Average allocation amount	Amount allocated to SEAT	SEAT's rank by funds received
2013-14	438	25	\$7,824	\$24,325	2	21	\$5,579	\$20,000	1
2014-15	452	45	\$4,532	\$17,070	4	31	\$3,325	\$8,675	5
2015-16	471	56	\$5,077	\$25,595	2	43	\$3,539	\$23,375	1
2016-17	537	59	\$5,752	\$29,676	3	48	\$4,508	\$29,800	1
2017-18	591	57	\$6,074	\$28,331	1	44	\$5,486	\$28,390	1

Notes: RSO = registered student organization. The opt-in/-out process and the SPAC were implemented as of the 2014-15 academic year. SEAT received student activity funds for non-Sex Week events in 2014-15 through 2017-18.

Source: The Comptroller's Office analysis of data provided by the UTK Division of Student Life.

Like all other events hosted by RSOs, Sex Week events are open to all UTK students (though students who "opt out" concerning the allocation of their student activity fee may have to pay an admission fee if one is charged to members of the public) and according to SEAT, all Sex Week events are also open the general public.

<sup>B</sup> Opt-in funds are derived from the "student-organized programming" portion of the Student Programs and Services Fee (SPSF). In this report, the "student-organized programming" portion of the SPSF is frequently referred to as the student activity portion of the fee.



## Sex Week Funding and Benefits Received

**1. Student activity fees** are derived from the Student Programs and Services Fee (SPSF), a mandatory fee paid by students each semester to fund nonacademic programs, services, and facilities. After a change to board policy in 2014, students have been able to choose if the student activity fee portion of their SPSF goes to student-organized programming (such as Sex Week) or to nonstudent-organized programming (i.e., another area supported by the SPSF). This is known as the opt-in or opt-out policy. Student activity fees are allocated to registered student organizations by the Student Programming Allocation Committee (SPAC; a 17-member, majority-faculty and staff panel) and are not considered to be state tax or tuition dollars. SEAT has received student activity fees for Sex Week annually beginning with the first event in April 2013.

**2. Gift funds** are derived from philanthropic donations made to the university. There are two types of gift funds: restricted, with donations given for a specific purpose as defined by the donor, and unrestricted, with donations given without a specific purpose. Registered student organizations (such as SEAT) may solicit gift funds from various university departments that may be interested in the organization's initiatives (i.e., the psychology department may allocate gift funds for a relationship workshop). Gift funds are allocated by the senior leader of each department and are not considered to be state tax or tuition dollars. SEAT received unrestricted gift funds for Sex Week events in 2014 and 2015.

**3. Private donations** are derived from registered student organization fundraising efforts, including those from individual contributions and sponsorships. SEAT has used an online crowdfunder funding campaign for Sex Week in at least three years. Because private donations have not been tracked by either the university or SEAT in previous years, it is not possible to determine exact amounts or sources of private donations for Sex Week.

**4. Indirect benefits** include privileges conferred to all registered student organizations (RSOs) by the university. At UTK, all RSOs (including SEAT) can apply for student activity fee funding, reserve campus facilities at no cost, include information about their organization and events on a university website that features all registered student organizations, use the university's name following the organization and/or event name, and request a student organization email account.

In 2016, the Tennessee General Assembly passed Public Chapter (PC) 1066, prohibiting the use of state funds to fund or support Sex Week, and there are conflicting opinions concerning whether the indirect benefits SEAT receives as an RSO are considered "state funds." A letter signed by 33 legislators was sent to the university in April 2018 questioning SEAT's continued use of campus facilities for Sex Week, following the passage of PC 1066. In the same month, Senator Richard Briggs asked the Attorney General to issue an opinion on the 2016 law; the Attorney General declined for several reasons. The University of Tennessee-Knoxville sought legal advice from the Attorney General on how to interpret the 2016 law. (The legal advice received by UTK is protected under attorney-client privilege and is not publicly available.) As a registered student organization, SEAT continues to use indirect benefits, including the use of campus facilities, for Sex Week.

*For events occurring outside of Sex Week, SEAT has received student activity fees each year from 2014-15 through 2017-18 and unrestricted gift funds in 2017-18. Because neither the university nor the organization tracks private donations, it is unclear if SEAT has received private donations for non-Sex Week events in any year. As a registered student organization, SEAT has received indirect benefits each year since 2012-13.*



Attendance at Sex Week events is self-reported by SEAT and the collection process has not been comprehensive, but based on the available data, Sex Week is not widely attended considering the university's overall enrollment. Since 2013, Sex Week has included from 26 to 35 individual events, with an average overall attendance of 2,800. (Attendance data is largely missing for 2015 and 2016, and unique attendees, as well as student and general public attendees, were not tracked until 2018.) SEAT reported the lowest overall attendance for Sex Week 2018, with 1,649 attendees, of which there were 694 unique attendees (i.e., attendees who go to more than one event). As reported by SEAT, the majority of the 694 attendees at Sex Week 2018 were students.

### Exhibit 3: Sex Week attendance

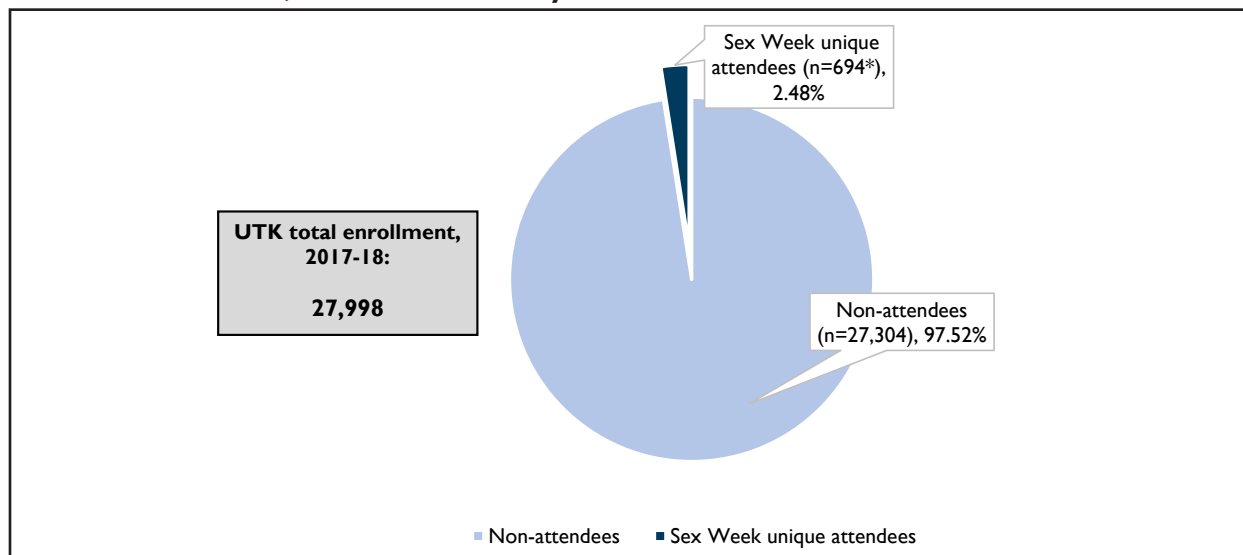
Sex Week dates	Number of events	Overall attendance	Unique attendees	Students	General public
April 7-12, 2013	27	2,979	**	**	**
March 2-7, 2014	35	3,522	**	**	**
April 4-10, 2015	34	*	**	**	**
April 4-8, 2016	26	*	**	**	**
April 2-7, 2017	35	3,038	**	**	**
April 6-12, 2018	28	1,649	694	1,326	180

Notes: \*No reliable attendance data is available for 2015 or 2016. \*\*2018 was the first year that attendance was tracked by unique attendee as well as type of attendee (i.e., student, general public).

Source: The Comptroller's Office analysis of data provided by SEAT and event schedules.

Considering the total enrollment at UTK in the 2017-18 academic year and the unique number of attendees of Sex Week 2018, no more than 2.5 percent of students at UTK attended Sex Week in 2018.

### Exhibit 4: Attendance at Sex Week compared to total enrollment at the University of Tennessee-Knoxville, 2017-18 academic year



Note: \*Some unique attendees are members of the general public. Based on the available data, it is not possible to determine the exact number of unique student attendees.

Source: The Comptroller's Office analysis of data provided by SEAT and THEC.



The membership of SEAT represents less than one-tenth of 1 percent of the overall enrollment at UTK. The organization's membership is open to students, faculty, and staff, though a representative from the university's Center for Student Engagement believes that SEAT's roster, averaging 21 members, includes only students. Based on SEAT's average annual membership of 21 students and the university's average annual enrollment of 27,429, about one out of every 1,300 UTK students is a member of SEAT.<sup>c</sup>

Despite the small size of the organization and the small percentage of students who attend Sex Week events in comparison to the overall enrollment at UTK, the university and legislature have spent countless hours debating and negotiating over Sex Week.

## Key Conclusions

**SEAT has received direct funding from student activity fees, gift funds, and private donations for Sex Week.** For the first Sex Week in 2013, SEAT requested funding from student activity fees and from university programs and departments. Prior to the event, the university funding (some of which was derived from state tax and tuition dollars) was rescinded, though SEAT retained its allocation of student activity fees. For Sex Week events in 2014 and 2015, SEAT received gift funds (i.e., philanthropic donations made to the university) and student activity fees. In the fall 2014 semester, a new board policy went into effect, allowing students to allocate a portion of their mandatory student activity fee either to student-organized programming (opt in) or to nonstudent-organized programming (opt out). As of the 2014-15 academic year, student-organized programming, including Sex Week, has been funded with student activity fees from opt-in funds. Additionally, registered student organizations can solicit private donations; SEAT has received private donations in at least three years.

**Since 2013, SEAT has received an average annual allocation of about \$15,000 from student activity fees for Sex Week.** Additionally, SEAT has requested and received student activity fee funds for events occurring outside of Sex Week each year from 2014-15 through 2017-18. In total, SEAT's annual average allocation of student activity fee funding is about \$18,400. In the current school year, 2018-19, SEAT requested and was allocated about \$12,000, which represents over a 50 percent reduction in the organization's requests and allocations from previous years. Since 2013-14, SEAT has received about \$9,000 in gift funds, most of which was allocated for Sex Week events.

**SEAT receives indirect benefits from the university for which all registered student organizations at UTK are eligible.** Registered student organizations at UTK are eligible to apply for student activity fee funding from the SPAC, reserve most campus facilities at no cost, include information about their organization and events on a university website that features all registered student organizations, use the university's name following the organization and/or event name, and request a student organization email account. In 2016, the legislature passed PC 1066, prohibiting the use of state funds to fund or support Sex Week. Following the law's passage, a letter signed by 33 legislators was sent to the university, questioning whether UTK is in violation of the law since SEAT continues to receive indirect benefits (including the use of

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<sup>c</sup>Student organizations were not required to report their rosters until the 2014-15 academic year. SEAT's average roster of 21 members includes membership numbers from 2014-15 through 2018-19. UTK's average enrollment was calculated for the 2014-15 through 2017-18 academic years using the most recent available data provided by THEC.



facilities) for Sex Week. The university sought guidance from the Attorney General's office in its interpretation of the law and whether these indirect benefits meet the definition of the law's key terms ("state funds," "fund," or "support"). The Comptroller's Office has quantified the use of campus facilities for Sex Week events in the two years since PC 1066 became law, estimating that SEAT's use of facilities for Sex Week was about \$4,500 annually in 2017 and 2018.

**The university has taken some actions to address the controversy surrounding Sex Week, but the most significant policy change, making it optional for students to allocate their mandatory activity fee to student-organized programming (such as Sex Week), was made reluctantly.** Prior to the first Sex Week, former Chancellor Jimmy Cheek pulled academic department funding that had been committed for the event. Following the first Sex Week in 2013, the university conducted internal reviews regarding student organizations requesting and receiving funds from student activity fees and other sources, determined that RSOs should not receive funding derived from state appropriations, identified the need for more oversight of gift funding allocations, and concluded that any major change to current policy should be initiated by the university and studied thoroughly by students, faculty, and staff in the UT System.

In at least one year, the university proactively emailed all legislators ahead of the event to reiterate the position that the student organizers are within their constitutionally protected right of free speech. Each year, administrators have met with SEAT and asked them to "tone it down." In 2018, Chancellor Davenport specifically asked the students to consider the impact of their language choices.

The only board policy change made in direct response to Sex Week occurred in 2014 after the Senate directed changes to the collection and allocation of student activity fee funding with the adoption of SJR 626. Dr. DiPietro said that the university made the changes in "record setting time," and it did so to show the legislature that UT is "responsive." Through a review of written correspondence, reports, and board meeting minutes during the time leading up to the board policy adoption, it is apparent that the university adopted and implemented the changes reluctantly.

In February 2014, after several pieces of legislation had been filed that would restrict the use of student activity fees, Dr. DiPietro issued a press release about the proposed legislation, stating, "I have confidence that our campus leadership and our students, faculty, and staff will . . . suggest to our elected officials that it is the role of our Board of Trustees to address and monitor these issues with us on behalf of the University."

In March 2014, the Senate adopted SJR 626, directing the UT Board of Trustees to develop a policy allowing students to opt in, allocating a portion of their mandatory student activity fee to student-organized programming (such as Sex Week), along with other provisions intended to provide more transparency surrounding the allocation of student activity fees.

During the Board of Trustees meeting on June 18, 2014, when the board policy was discussed and approved, several comments were made indicating the university and board's reluctance to adopt the policy. A few trustees praised Dr. DiPietro for his work to maneuver around the many



conflicts that arose during the legislative session. One trustee stated his objection to the policy, adding that “when funding is conditioned on a behavior, it is the beginning of censorship,” and that adopting the policy “doesn’t mean that we are endorsing this in any other way than it is the least objectionable of the options that have been given.” In responding to the trustee’s comments, Dr. DiPietro said, “The alternatives to this policy were horrific in comparison.” The policy was adopted unanimously, though no board member went on the record in support of the policy, as reflected in the meeting minutes.

**UTK has not adopted all recommendations from its own internal reviews of student activity funding.** Following the first Sex Week in 2013, the university commissioned an internal review of policies surrounding nonstudent activity fee funding for registered student organizations and identified the need for more oversight of gift funding allocations. UTK adopted most of the report’s recommendations, though the university continues to allow registered student organizations to mix gift funds with student activity fee funding, a practice the report recommended against. SEAT has funded events in at least three years with both gift funds and student activity fee funds.

Following the adoption of SJR 626, UTK appointed an internal task force to assist in implementing changes to the student activity fee allocation process that were directed by the resolution. Some, but not all, of the task force’s recommendations were incorporated into the resulting board policy and/or campus processes. For example, the task force recommended that UTK publicly provide information about student activity fee funding requests, allocations, and denials. Currently, the university publishes only a list of programs funded with student activity fees annually; details about funding amounts, denied requests, or the organizations requesting funds, are not included.

**In four of the past five years, SEAT received the highest allocation of student activity fee funds, including about \$29,000 in both 2016-17 and 2017-18; SEAT requested the most funding in one of the last five years.** SEAT is one of about 600 registered student organizations at the University of Tennessee-Knoxville and all registered student organizations can request student activity fee funding. On average, about 10 percent of registered student organizations at UTK request funding from student activity fees annually, and about 7.5 percent receive an allocation. On average, fewer than 10 registered student organizations request and receive an annual allocation of student activity fee funds that is greater than \$10,000. In the past five years, SEAT has been among the top five registered student organizations that request and receive the most funds.

After the first Sex Week in 2013, UTK studied the allocation of student activity fee funding at the request of the Senate Higher Education Subcommittee. The subcommittee expressed concerns about how student activity fee funding allocation decisions are made, noting a perceived lack of diversity in approved programming and potential bias in funding decisions. The subcommittee also recommended that the university explore policy changes to ensure a fair assessment of funding requests and look into funding models that consider student participation and membership. The internal study found “no evidence of potential bias” but recommended that UTK should take steps to ensure that all students know how to apply for funding. As part of UTK’s registration process for student organizations, RSOs are required to attend an



information session, during which they are informed of funding opportunities. Additionally, all RSOs are notified when the funding application process is open.

In 2013-14 (the academic year following the internal study), about 5.7 percent of RSOs at UTK applied for funding; for each of the next four years, about 10 percent of RSOs at UTK applied for funding. From 2013-14 through 2017-18, nine registered student organizations, including SEAT, requested funds in each of the five years, while 67 registered student organizations requested funds in just one of the last five years.

**Efforts have been made to increase the transparency of student activity fee allocations, but the information, as currently reported, is not detailed.** In 2013, the legislature passed PC 429, requiring the Tennessee Higher Education Commission (THEC) to compile an annual report of student activity fee collection and use at each of the public universities, community colleges, and technical colleges in the state. This report has been produced annually since 2014, though the information included in the report is not detailed, and the Comptroller's Office has identified misreported information by at least one university. Additionally, the Senate adopted SJR 626 in 2014, which dictated several changes to UT's board policy on student activity fees, and specifically directed the trustees to increase transparency and accountability of student activity fee allocations. In response to the directive, the university began posting a list of activities funded with opt-in student activity fees, though the listing does not indicate the amount of funding allocated per event, the organizing group for each event (i.e., a registered student organization or the Campus Events Board), or any denied funding requests.

Upon request, UTK provided the Comptroller's Office with a list of student activity funding requests made by registered student organizations from 2012-13 through 2017-18, including the amount allocated and reasons that some requests were denied or reduced. Due to the limited details provided in the data, it was not possible to draw conclusions regarding the reasons for denied or approved funding in all cases, though some funding decisions may serve to increase the perception of bias. For example, in 2016-17, the registered student organization, Volunteers for Christ, requested a total of \$5,515 for 10 different events. The SPAC did not allocate any funds to the organization, stating that each of the 10 proposed events were public relations events and that the SPAC does not fund organization expenses. It should be noted that the SPAC's formal allocation criteria, as outlined in board policy, does not include this specific criterion.<sup>D</sup> In the same year, SEAT received all the funds it requested, totaling \$29,800 for 17 individual events. The lack of details prevented the Comptroller's Office from making any further determinations.

**SEAT has been unwilling to compromise with university administrators who have asked it annually to "tone it down" and consider the impact of its language choices.** In recounting a specific example from 2014, university administrators said that after asking SEAT to "tone it down," the student organization leased a billboard on Interstate 40 in Knoxville to advertise Sex Week. SEAT has also been critical of the university administration and legislature on social media and crowdsource funding websites, posting statements such as, "UT

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<sup>D</sup> After reviewing a preliminary draft of this report, administrators at UTK told the Comptroller's Office that RSOs are informed of this criterion when applying for funding and during the mandatory information sessions.



Administration refused to stand up for sexual education for students . . .” and “Tennessee State Legislature . . . [please] stop trying to censor student run and student funded programming.”

Through a review of other public universities where a student-organized Sex Week has occurred, the Comptroller’s Office learned that students at other universities have shown a willingness to compromise with campus administration. For example, a registered student organization at the University of North Carolina-Charlotte altered event names for its February 2018 Sex Week after the university received complaints from constituents. Additionally, a registered student organization at East Tennessee State University (ETSU) changed the name of its event from Sex Week in 2015 to Sexual Health Week in 2017 to better reflect the purpose of the event.

**UT has maintained the position that there is nothing else it can do about Sex Week without violating the First Amendment, but former President Joe DiPietro has said that the university’s communications about the event could have been handled differently.** During a September 2018 interview with the Comptroller’s Office, Dr. DiPietro said that in hindsight, the university could have done a better job getting out in front of the issue by making a public statement that while the university does not condone the activities of Sex Week, the students have legal protection of free speech under the First Amendment. For example, he said that the university made proactive statements to this effect ahead of a white supremacist rally that was scheduled to take place on the UTK campus in February 2018. Dr. DiPietro said that this shortcoming in the university’s communications about Sex Week did not become clear to him until April 2018, when the trustees from the previous board were not confirmed to serve on the new board.

**The Comptroller’s Office has identified policies and practices at public universities in Tennessee that could be applied at UTK to help address the controversy.** Some public universities in Tennessee, including UTK, charge registered student organizations for the use of campus facilities (under certain circumstances) and limit the amount of funding registered student organizations may request, among other practices. See related policy considerations below.

**Sex Week at UTK is not the only such event that occurs on the campuses of public universities in Tennessee, though it generates the most controversy.** A review of the timeline of events (see page 57) shows that the controversy surrounding Sex Week at UTK has been more intense in some years than others. For example, there was little attention paid to Sex Week at UTK in 2015 and 2017, and little attention paid to Sex Week events occurring on other Tennessee public university campuses in any year.

In an interview with the Comptroller’s Office in September 2018, the current student leaders of SEAT characterized the large amount of attention Sex Week has received from the legislature and media outlets as “free advertising.”

**Registered student organizations have hosted Sex Week events at other public universities in Tennessee with and without a direct allocation of student activity fee funding.** A registered student organization at ETSU has hosted a Sex Week twice: in 2015 without a direct funding allocation (organizers used private donations after their funding request was denied by the Student Government Association) and in 2017 with an allocation of



student activity fee funding. A registered student organization at the University of Tennessee-Chattanooga (UTC) hosted a Sex Week in 2017 without a direct funding allocation from the university; the event was supported by private donations. Registered student organizations at ETSU, UTC, and all other public universities in Tennessee receive indirect benefits, including the use of facilities at little to no cost and use of the university's name. Cutting funding from registered student organizations is not a guarantee of eliminating student-organized events.

**UTK provides year-round sex-related programming (e.g., consent, STI prevention, etc.) to its students, as does every public university in Tennessee, and one university hosts a Sexual Responsibility Week annually.** As stated in part of SJR 626, the university, rather than a registered student organization, is responsible for providing students with sexual health programming. According to board policy, the SPAC is required to consider if a registered student organization's proposed event duplicates, in whole or in part, a program offered by the university, when making allocation decisions. No university, including UTK, has denied funding to a registered student organization for duplicating university-provided sex-related programming.

## Policy Considerations

The Comptroller's Office presents the following policy considerations as options, ranging from minor changes to campus policy to an outright ban on the event, that different parties may consider. Some policy options may have potential legal implications, and the Comptroller's Office is not in a position to provide a legal determination on those potential implications.

**1. The Tennessee General Assembly could pass a law stating that Sex Week shall not occur at the University of Tennessee-Knoxville.** University administrators have said this is the only remaining option, they will not take this step without explicit legislation, and it will likely result in a First Amendment lawsuit. This policy consideration would only apply to UTK, though Sex Weeks have occurred at other public universities in Tennessee. Some legislators considered an outright ban of Sex Week at UTK in 2016, were advised that such action would be unconstitutional, and instead settled on the language in PC 1066 which prohibits the use of state funds to fund or support Sex Week. In April 2018, a legislator requested the Attorney General to opine on the constitutionality of PC 1066. The Attorney General's office declined to issue an opinion, stating in part that the office cannot issue opinions on matters in which it may become involved, adding that the Attorney General may be required to defend the constitutionality of the statute should it become the subject of litigation.

If this policy consideration were adopted, the resulting legislation should include language that provides explicit legal protection to university employees and trustees, should litigation ensue.

**2. The Tennessee General Assembly could direct the University of Tennessee-Knoxville to declare itself the sole provider of sex-related programming on campus.** As expressed in SJR 626, the university, rather than a registered student organization, is responsible for providing students with sexual health programming. UTK provides year-round sex-related programming (e.g., consent, STI prevention, etc.) to its students, as does every public university in Tennessee. Other universities in and outside of Tennessee host weeklong



events focused on sex education programming. UTK could conduct a similar event as part of the sex-related programming it already offers. If the legislature directed the university to declare itself the sole provider of sex-related programming, registered student organizations would not be able to plan sex-related events.

It is unclear if this consideration would be subject to a First Amendment lawsuit. If this policy consideration were adopted, the resulting legislation should include language that provides explicit legal protection to university employees and trustees, should litigation ensue.

**3. The Tennessee General Assembly may wish to require that University of Tennessee-Knoxville provide more detailed and transparent information to students, legislators, and Tennesseans about funding for registered student organizations including the amounts requested and allocated, and the reasons that some requests are denied or reduced.** If the legislature would like more detailed information about student activity fee allocations at all public institutions of higher education in Tennessee, it may wish to amend the requirements in PC 429 (2013). Currently, student activity fee expenditures are reported in general categories to the Tennessee Higher Education Commission (THEC), and it is difficult to compare expenditures from one campus to another.

**4. The Tennessee General Assembly may wish to require that the University of Tennessee review the Comptroller’s report, carefully consider all policy options, state its current position given the university’s new leadership, and report any actions taken or future actions planned to the legislature by a specific date.**

**5. The Tennessee General Assembly may choose to ignore Sex Week at the University of Tennessee-Knoxville as it has in some years and as it has with similar events at other Tennessee universities.** As the General Assembly has recognized in passing the Campus Free Speech Protection Act, the value of freedom of speech for students is one the state, as well as the university, seeks to uphold. Reducing the amount of attention given to an event involving small numbers of students (both in its planning and attendance), would arguably help lessen the controversy. In an interview with the Comptroller’s Office in September 2018, the current student leaders of SEAT characterized the large amount of attention Sex Week has received from the legislature and media outlets as “free advertising.”

**6. The University of Tennessee-Knoxville should adopt a more consistent and proactive communication strategy for students, parents, and Tennessee citizens regarding controversial events.** Some legislators have frequently relayed concerns from parents and other constituents to the university about Sex Week, and in some years, the university has proactively communicated to the General Assembly ahead of the event. The university has been more proactive in communicating about other controversial events on campus to the public at large; for example, in February 2018, the university issued a press release ahead of a white supremacist rally scheduled to take place on campus.

**7. The University of Tennessee-Knoxville should take additional actions to reduce the perception of bias in the student activity fee funding allocation process.** In 2013, the Senate Higher Education Subcommittee studied the student activity fee funding allocation



process at UTK and expressed concerns to the university about a perceived lack of diversity and potential bias in funding decisions.

At the subcommittee's request, the university conducted an internal review and concluded that bias was not evident in funding decisions but suggested that it could do a better job ensuring that all registered student organizations (RSOs) know how to apply for funding. RSOs are informed about how to apply for funding as part of their registration process. Currently, about 10 percent of RSOs request funding annually, and only nine RSOs have requested funding in each of the last five years. UTK should evaluate the 90 percent of RSOs that do not request funding to determine what, if anything, could be done to increase the percentage and diversity of organizations that request funds. Additionally, in 2014, an internal UTK task force recommended that more information could be made publicly available about funding decisions, including information about denied funding requests. Currently, the university posts a list of events that were funded with student activity fees online; details about funding amounts, or denied requests, are not included.

More transparency in the student activity fee funding allocation process and increasing the number and diversity of RSOs that request funding annually could alleviate the perceptions of bias.

**A review of policies and practices at public universities in Tennessee shows that registered student organizations (RSOs) are given varying amounts of latitude to plan events, depending on the amount of funding and resources made available to student groups by the university. One university gives RSOs considerably fewer resources by not allocating funding directly to them.**

**The University of Tennessee-Knoxville could implement policies used at other public universities in Tennessee, though such policy changes would apply to all RSOs at the university. (UTK had nearly 600 RSOs in 2017-18, of which about 10 percent typically request student activity funding in any given year.)**

**8. The University of Tennessee-Knoxville could stop allocating funding directly to registered student organizations,** and retain the responsibility for organizing nonacademic student activities. Such programming could be planned by an institution-sponsored student council or by a university department or staff member with input from students. This is the current practice at the University of Tennessee-Martin (UTM), where student activity funding is allocated to the Student Activities Council (SAC), but not to registered student organizations. The SAC plans nonacademic student activities and is advised by a professional staff member. The Assistant Vice Chancellor for Student Affairs makes the final decision on nonacademic programming offered at UTM. Registered student organizations at UTM cannot request funding, though they can use private donations to plan events, and are still eligible for indirect benefits, such as the use of campus facilities at no cost and the use of a university-maintained webpage.

**9. The University of Tennessee-Knoxville could limit the amount of funding registered student organizations can request annually.** At least two public universities in Tennessee limit the amount of funding registered student organizations can request annually.



Registered student organizations can request up to \$2,000 annually at Tennessee State University. Tennessee Technological University (TTU) puts a cap on funding request amounts based on the number of organizations expected to apply and reassesses the cap each semester. In 2018-19, RSOs at TTU could request a total of \$4,500 (\$1,500 in fall 2018, \$2,500 in spring 2019, and \$500 in summer 2019).

If UTK applied this policy, it could divide the total amount of money available for registered student organizations by the number of organizations that received funding in the previous year. For example, in 2017-18, a total of \$241,370 was allocated to 44 RSOs, which equals an average allocation of about \$5,500. In that year, 12 registered student organizations received more than the average allocation of \$5,500 and 32 organizations received less than \$5,500. Adoption of this policy would ensure a more balanced distribution of funding to registered student organizations.

**10. UTK could charge registered student organizations for the use of all facilities.**

At least four public universities in Tennessee, including UTK, charge RSOs some type of fee to use campus resources and facilities. UTK charges RSOs to rent tables and chairs if the event requires over a certain amount of either; additionally, certain facilities on campus charge rental and/or other fees to RSOs. The University of Memphis (UM) charges a rental fee to RSOs if an event is income-producing. This is also the practice at ETSU where RSOs are charged if an event requires an extraordinary amount of set up, clean up, or audio/visual assistance. Middle Tennessee State University (MTSU) charges RSOs for certain items such as custodial services, building and parking attendants, audio/visual assistance, and security based on the type of event and venue.

If UTK begins charging RSOs facility rental fees, it is likely that more RSOs would request student activity fee allocations. (Currently, only about 10 percent of the nearly 600 RSOs request funding annually.) If more RSOs request funding, the previous policy option to limit the amount of funding available per organization should be considered as well. Additionally, if this policy option were adopted, SEAT (and all other RSOs at UTK) would be reimbursing the university for the use of facilities with student activity fees, which are not considered to be state tax or tuition dollars.

**The University of Tennessee-Knoxville could add to the criteria used by the Student Programming Allocation Committee (SPAC) in making funding allocations; the current allocation criteria is outlined in the board policy that was adopted in 2014. During an interview with the Comptroller's Office, the university said it has been considering making changes to the allocation criteria currently used by the SPAC to "better meet the needs of the campus community."**

**11. The SPAC could be required to consider the benefit of the student body and the entire university when making funding decisions.** This standard is included in the allocation criteria used by RSO funding boards at four public universities in Tennessee (Austin Peay State University (APSU), ETSU, MTSU, and UM). At ETSU, the Student Government Association (SGA), an all-student, 30-member committee, considered its constitutional purpose "[to] always [keep] in mind the welfare of the entire student body" in making the decision to



deny a registered student organization's funding request for a Sex Week planned for February 2015. According to an administrator at ETSU, the SGA determined that awarding funds for Sex Week would not benefit the student body given the legislative backlash UTK received for Sex Week.

If the SPAC were required to "consider the benefit of the student body and the entire university" when making allocation decisions, it could decide not to fund certain events that have the potential to not benefit the student body or university.

**12. The SPAC could be formally prohibited from allocating funds for income-producing events.** UM policy prohibits the allocation of funds to RSOs for "fundraising events" and APSU policy states that student activity fee funding will not be allocated for "profit making ventures" for student organizations. Based on a review of the UTK SPAC funding decisions, this practice appears to be applied informally and inconsistently at the university. The SPAC has denied at least three organizations' allocation requests for a fundraising event, though the criterion is not included in the committee's formal list of allocation criteria. SEAT has received a funding allocation from the SPAC for an event in each of the past four years during which the organization collected donations from attendees.<sup>E</sup>

**13. The SPAC could be formally required to consider event attendance when making funding decisions.** No public university has a formal policy explicitly requiring that attendance be considered when allocating funds, though most universities, UTK included, require that events funded by student activity fees be planned and offered so that the majority of students are able to attend. An administrator in UTK's Division of Student Life said that the university is considering making anticipated event attendance part of its formal allocation criteria; the SPAC has denied funding for at least one event because a similar event offered the previous year was poorly attended. A 2013 letter sent to Dr. DiPietro by Senator Joey Hensley, who was then serving as Chair of the Senate Higher Education Subcommittee, recommended that the university explore a funding model that would take into consideration student participation.

If UTK implemented this allocation criterion, the university would need to adopt a more thorough method of tracking attendance at events funded by student activity fees. Currently, attendance is not tracked consistently (i.e., event attendance is largely reported by RSOs and attendance data provided to the Comptroller's Office for this report is inconsistently reported across events and years).

**14. SEAT should reflect on how student organizations at other universities have offered week-long sex-related programs.** Student organizers of Sex Week events at public universities in and outside of Tennessee have shown a willingness to compromise with campus administrators regarding language used to advertise the event. The current student cochair of SEAT told the Comptroller's Office that it is not their intention to "stir the pot," though the organization demonstrated a lack of willingness to compromise during six years of controversy. A different marketing strategy for Sex Week at UTK might generate different results.

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<sup>E</sup> After reviewing a preliminary draft of this report, administrators at UTK informed the Comptroller's Office that though the criterion is not included in the board policy outlining the SPAC's allocation criteria, "the university prohibits SPAC funding to be used for charitable causes," RSOs are informed that revenues raised from admission fees must be deposited back to the SPSF, and "the university was not aware of the fundraising done by SEAT."



## OFFICE OF THE PRESIDENT

The Honorable Justin P. Wilson  
Comptroller of the Treasury  
State Capitol  
Nashville, TN 37243

Dear Comptroller Wilson:

Ensuring student success is the greatest responsibility we have at the University of Tennessee. As university leaders, we value, support, and trust our students, the majority of whom are Tennesseans. They are bright individuals who will lead Tennessee, the nation, and our world to greater heights. One core value that our students and the university share is that of learning—from each other, our successes, and our failures.

While we want to support students, we also recognize that ‘Sex Week’ has caused frustration and embarrassment for legislators, alumni, many Tennessee citizens, and for us as administrators at UT, and we and the Board are committed to rectifying this. This student-led program on the UT Knoxville campus has generated such attention due to the explicit nature of some of its events. Over the past six years, various UT administrators and trustees have taken actions to address issues related to the event; however, we recognize that their approach, while focused on handling the issues, did not fix the problem and that too many events have been more about sensationalism than education.

We are grateful for the hard work of the Comptroller’s staff in assembling this report, which is fair and accurate, including the assessment that the University has not considered all of the potential actions to remove itself from the event. We are committed to learning from the report.

Accordingly, we will implement the following actions immediately:

- We will share copies of the Comptroller’s report with the UT Board of Trustees and engage in a public discussion of the Comptroller’s policy considerations with the Board at its next meeting on March 1.
- We will work with the Board to make the policy change necessary to cease future allocations of funds directly to registered student organizations and eliminate the Student Programming Allocation Committee (SPAC) [*Comptroller Policy Consideration #8*]. We also will work with the Board to develop a process in which the administration decides what programming to fund, including sex education programming, with input from students. Making this change will address the issue of potential bias in the allocation process [*Comptroller Policy Consideration #7*].

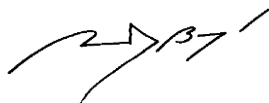


- We will adopt a more consistent and proactive communication strategy for students, parents, and Tennessee citizens regarding Sex Week [*Comptroller Policy Consideration #6*].
- As part of our transparency initiative, we will publish detailed information on funding for registered student organizations for spring 2019 programming [*Comptroller Policy Consideration #3*].
- We will study the possibility of charging registered student organizations for the use of facilities that are not funded by the student activity fee [*Comptroller Policy Consideration #10*].

These steps likely will not prevent negative publicity and public displeasure of Sex Week 2019, a portion of which has already been funded with student activity fees under the current SPAC process. We are continuing to engage with the leaders of the student organization (SEAT) that organizes Sex Week, urging them to focus on “human sexuality as a legitimate academic field of inquiry” as noted in page 1 of the Comptroller’s report, and alter the descriptions and promotion of the programs to be more educational in nature. However, as the Comptroller’s report recognizes, previous campus discussions to that effect have not been successful.

It is our sincere hope that our actions to utilize the Comptroller’s report and policy considerations will help us address this issue more effectively and use all of our resources to achieve student success.

Sincerely,



Randy Boyd  
Interim President



Wayne T. Davis  
Interim Chancellor



## Introduction

In April 2018, legislative leadership requested that the Comptroller’s Office research Sex Week at the University of Tennessee–Knoxville (UTK), and determine whether state resources, direct or indirect, are used in the production of the event. The full report includes an overview of the event at UTK, actions taken by various stakeholders relevant to Sex Week, information on sex-related programming and the structure and allocations of student activity fees at all public universities in Tennessee, and policy considerations.

## History of Sex Week

### Overview

Sex Week at UTK is a week-long event that includes a variety of programs on sexual health, love, gender identity, relationships, sexual assault prevention, sexual orientation, and sex. The event has been organized at UTK annually since 2013 by a registered student organization, Sexual Empowerment and Awareness at Tennessee (SEAT). The first college Sex Week in the U.S. took place at Yale University in 2002, and similar events have been organized on other college campuses including Harvard University, the University of North Carolina–Charlotte, and the University of Kentucky.

### Sex Week at the University of Tennessee–Knoxville

Since 2013, Sex Week at UTK has taken place in the spring semester and has included from 26 to 35 individual events that feature speakers, roundtable discussions, performances, film screenings, and workshops. From 2013 through the present day, some legislators have expressed their concerns and disapproval of the event to the administrators of the University of Tennessee, using descriptive terms such as “national embarrassment,” “disgusting,” and “outrageous behavior.” Through verbal testimony and written communications, some legislators expressed the concerns brought to them by their constituents, parents of UTK students, as well as community groups who object to the events offered at Sex Week.

### Attendance at Sex Week events

Attendance for the events is tracked by SEAT but the collection process has not been comprehensive in past years. For example, attendance data is largely missing for 2015 and 2016, and 2018 was the first year that attendance was tracked by unique attendee (i.e., individuals attending more than one event) as well as type of attendee (e.g., student, general public). Overall attendance of Sex Week has ranged from 3,522 in 2014 to 1,649 in 2018. In 2018, there were 694 unique attendees, the majority of whom were students. See Exhibit 1.

In the 2017–18 academic year, the total enrollment (including full-time, part-time, and graduate students) at UTK was 27,998. Considering the total enrollment at the university and the number of unique attendees of Sex Week 2018, no more than 2.5 percent of students at UTK attended Sex Week during the 2018 event.<sup>F</sup> See Exhibit 2. Because unique attendees were not tracked prior to 2018, it is not possible to determine the ratio of enrolled students to Sex Week attendees for previous years.

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<sup>F</sup> Some unique attendees are members of the general public. Based on the available data, it is not possible to determine the exact number of unique student attendees.

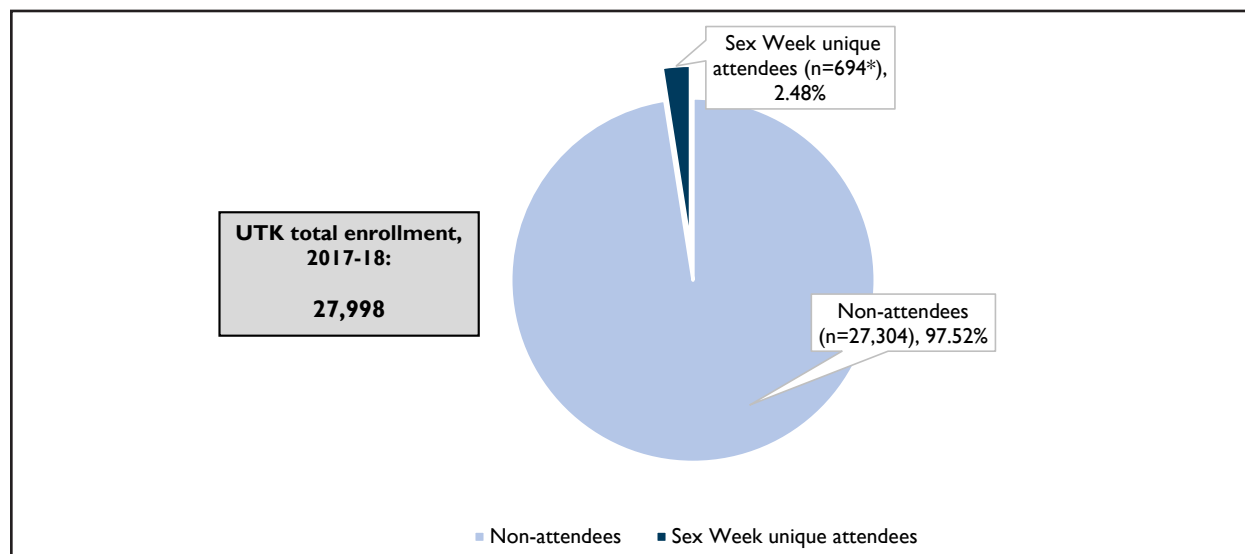


**Exhibit 1: Sex Week attendance**

Sex Week dates	Number of events	Overall attendance	Unique attendees	Students	General public
April 7-12, 2013	27	2,979	**	**	**
March 2-7, 2014	35	3,522	**	**	**
April 4-10, 2015	34	*	**	**	**
April 4-8, 2016	26	*	**	**	**
April 2-7, 2017	35	3,038	**	**	**
April 6-12, 2018	28	1,649	694	1,326	180

Notes: \*No reliable attendance data is available for 2015 or 2016. \*\*2018 was the first year that attendance was tracked by unique attendee as well as type of attendee (i.e., student, general public).

Source: The Comptroller's Office analysis of data provided by SEAT and event schedules.

**Exhibit 2: Attendance at Sex Week compared to total enrollment at the University of Tennessee-Knoxville, 2017-18 academic year**

Note: \*Some unique attendees are members of the general public. Based on the available data, it is not possible to determine the exact number of unique student attendees.

Source: The Comptroller's Office analysis of data provided by SEAT and THEC.

A recurrent point of controversy regarding Sex Week at UTK are the event titles. In September 2018, the Comptroller's Office interviewed the two current student cochairs of SEAT. When asked about the event titles, the students said that the provocative titles increase attendance. Based on a review of event attendance data provided by SEAT, the events with the highest attendance numbers include the Art Show, Drag Show, and Cabaret. See Appendix B, Exhibit 4 for a list of event titles and attendance from 2013 through 2018.

**Sexual Empowerment and Awareness at Tennessee (SEAT)**

Sexual Empowerment and Awareness at Tennessee (SEAT) is the registered student organization at UTK that has organized Sex Week at the university since 2013. The mission of SEAT is to "[foster] a comprehensive and intellectual discussion on sex, sexuality, and relationships with the purpose of educating the University of Tennessee student body and the

Knoxville community through innovative, captivating, and entertaining methods."<sup>1</sup> According to its constitution, SEAT's stated purpose is to organize a Sex Week at UTK.



Students, faculty, and staff may join SEAT by completing an application and interview process; interviews are conducted by at least one member each from the executive and general boards.<sup>6</sup> After the interview process, prospective members are admitted for a one-month probationary period during which they are required to attend weekly meetings. At the end of the month, prospective members must receive a three-fifths majority vote of the general board to gain full membership. According to its constitution, SEAT accepts membership applications year-round, but it advertises to prospective members most publicly at the beginning of each semester.

Since 2014, SEAT's average membership has been 21 students.

Over the same time frame, UTK's average enrollment has been 27,429 students.

**About one out of every 1,300 UTK students is a member of SEAT.**

Exhibit 3 shows the membership of SEAT, as reported to UTK's Center for Student Engagement, from the 2014-15 through the 2018-19 academic years. Student organizations submit their rosters to the Center for Student Engagement annually as part of their registration process; prior to fall 2014, RSOs were not required to submit their rosters. The rosters serve as a snapshot of student organization membership at the time of reporting; membership numbers may fluctuate throughout the school year. Based on the rosters submitted by SEAT, the organization's membership has varied from 14 in 2014-15 to 39 members in 2015-16. A representative in the Center for Student Engagement said that to their knowledge, the membership numbers submitted by SEAT reflect only student members (i.e., no faculty or staff).

Based on an average membership of 21 students and an average overall enrollment at UTK of 27,429, about one student out of every 1,300 is a member of SEAT.

SEAT is led by two student cochairs, who are elected by the organization's general board, serve a one-year term, and are responsible for applying for student activity fee funding for SEAT's events, among other duties.

**Exhibit 3: SEAT membership numbers, 2014-15 to present**

Academic year	Number of SEAT members**
2012-13	unavailable*
2013-14	unavailable*
2014-15	14
2015-16	39
2016-17	20
2017-18	17
2018-19	15

Note: \*Student organizations were not required to report membership rosters prior to the 2014-15 academic year. \*\*It is unknown if SEAT's membership numbers include nonstudents.

Source: UTK Center for Student Engagement.

## Funding Sex Week

As a registered student organization (RSO), SEAT can request student activity funding for student activities. Since the 2012-13 academic year, SEAT has requested student activity fees to fund Sex Week and has received an annual average allocation of about \$15,000 for the event. Registered student organizations can also request gift funds (i.e., philanthropic donations made to the university) from academic programs and departments that may have an interest in the organization's initiatives. SEAT has received a total of \$8,303 in gift funds for Sex Week events.

<sup>6</sup>The general board includes all individuals who are a part of SEAT, including members who are and are not members of the executive board. The executive board includes the organization's officers: two cochairs, chief of staff, external affairs coordinator, and two chairs of the design and marketing committee.



For the first Sex Week at UTK in 2013, academic programs and departments at the university committed \$11,145 to SEAT for Sex Week; SEAT also requested and received a \$6,700 cosponsorship with the Central Programming Committee (now known as the Campus Events Board) for the event. The \$6,700 was derived from student activity fees. On March 20, 2013, about two weeks before Sex Week was scheduled to begin, former Chancellor Jimmy Cheek withdrew the \$11,145 in academic and departmental funding; SEAT retained \$6,700 in student activity fees. In response, the university conducted an internal review on the process of student organizations requesting and receiving funds from nonstudent activity fee sources, concluded that RSOs should not receive funding derived from state appropriations, and identified the need for more oversight of gift funding allocations. See pages 39-41 for more information on the report.

In the 2013-14 academic year, SEAT received \$20,000 in student activity fee funds and \$2,603 in unrestricted gift funds (i.e., gift fund donations without a designated purpose) for Sex Week. Gift funds are allocated by the senior leader of each department and are not considered to be state tax or tuition dollars. See Exhibit 4 for a listing of gift funds received by SEAT.

In response to legislation passed in March 2014 by the General Assembly, the Board of Trustees adopted a new policy in June 2014 that changed the structure of the student activity fee. The policy, still in effect, allows students to opt in if they want a portion of their student activity fee to be allocated for student-organized programming.<sup>H</sup> If a student opts out, that portion of their student activity fee is allocated to programs and services that are not planned by students.<sup>I</sup> (See pages 47-48 for more details on the board policy.) Since the 2014-15 academic year, SEAT and all other RSOs at UTK have received student activity fee funding from students who opt in to allow a portion of their fee to go to student-organized programming.

As of fall 2014, registered student organizations have been able to request funding only from opted-in student activity fees. This change was mandated by the Board of Trustees policy adopted in June 2014.

In the 2014-15 academic year, SEAT received \$6,175 in opt-in student activity fee funding and \$5,700 in unrestricted gift funds for Sex Week.

For 2015-16 through 2017-18, SEAT received between \$16,525 and \$22,700 from opt-in student activity funds for Sex Week. In the current academic year, 2018-19, SEAT requested and was allocated about \$12,000 for Sex Week, which represents over a 50 percent reduction in the organization’s student activity funding requests from previous years.

According to the university, gift funds have not been allocated for Sex Week since the 2014-15 academic year, though SEAT did receive \$700 in unrestricted gift funds for one event occurring outside of Sex Week in 2017-18. Additionally, SEAT received an annual average allocation of about \$5,900 in student activity fee funds for events outside of Sex Week from 2014-15 through 2017-18.

<sup>H</sup> Opted-in dollars fund activities planned by a registered student organization (including SEAT), the Campus Events Board, and the Black Cultural Programming Committee.  
<sup>I</sup> Opted-out dollars fund activities such as student ticket subsidies to the Clarence Brown Theatre, the Knoxville Symphony, and the UT Opera, or other areas supported by the SPSF.



In addition to student activity fee funding, SEAT has received private donations to supplement funding for Sex Week for at least three of the past six years. The university does not track private donations to registered student organizations and SEAT has not kept documentation of fundraising in previous years. The current cochairs of SEAT said they have implemented measures to maintain records of private funds going forward.

Exhibit 5 outlines the amount of student activity fee funding and gift funds allocated to SEAT for Sex Week, the amount of student activity fee funding and gift funds allocated to SEAT for non-Sex Week events, as well as any known private funding obtained by the organization from 2012 through 2019. (See pages 21-27 for analysis of SEAT's student activity fee funding relative to all registered student organizations at UTK and pages 59-62 for discussion of indirect funds.)

#### Exhibit 4: Gift funds received by SEAT

Academic year	Source	Amount	Supported programs
2012-13	n/a	n/a	n/a
2013-14	Ready for the World Fund	\$2,603	General support of Sex Week
2014-15	Arts and Sciences College Fund	\$5,000	<u>Sex Week events:</u> Batteries Not Included: Sex Toys and Pleasure; Getting Wordy and Talking Dirty; We've Got Chemistry: The Science of Orgasm; Enabling Pleasure: Disability and Sex
	Modern Foreign Languages Enrichment Fund	\$360	General support of Sex Week
	UTK Fund – Provost	\$200	<u>Sex Week events:</u> Your Hair Down There; Can't Measure Up: A Body Image Workshop
	Psychology Alumni Support Fund	\$140	<u>Sex Week events:</u> We Can Work It Out: Relationship Workshop; Gay, Straight, or Lying: Biphobia and Bi-Erasure
2015-16	n/a	n/a	n/a
2016-17	n/a	n/a	n/a
2017-18	Women's Studies Project	\$700	<u>Non-Sex Week event:</u> Porn and Feminist Theory
2018-19	--	--	--
<b>TOTAL</b>		<b>\$9,003</b>	<b>= \$8,303 for Sex Week events + \$700 for non-Sex Week event</b>

Note: SEAT's gift funding allocation has been intentionally left blank for 2018-19; final numbers are not available until the end of the academic year.

Source: UTK Division of Student Life.



**Exhibit 5: Funding received by SEAT for Sex Week and non-Sex Week events at UTK**

Academic year	Student activity fee funds received for Sex Week	Gift funds received for Sex Week	Private donations received for Sex Week	Sex Week funds	Student activity fee funds received for non-Sex Week events	Gift funds received for non-Sex Week events	Non-Sex Week funds
2012-13	\$6,700	\$0	At least \$4,140	\$10,840	\$0	\$0	\$0
2013-14	\$20,000	\$2,603	Unknown	\$22,603	\$0	\$0	\$0
2014-15	\$6,175	\$5,700	Unknown	\$11,875	\$2,500 (1 event)	\$0	\$2,500
2015-16	\$16,525	\$0	Unknown	\$16,525	\$6,850 (5 events)	\$0	\$6,850
2016-17	\$22,700	\$0	At least \$1,225	\$23,925	\$7,100 (3 events)	\$0	\$7,100
2017-18	\$21,700	\$0	At least \$120	\$21,820	\$6,690 (4 events)	\$700	\$7,390
2018-19	\$12,090	--	Unknown	--	\$0	--	--

Notes: Private donations are not tracked by UTK or SEAT; these figures were determined by reviewing crowdsourcing pages. It is unknown if SEAT has received private donations for non-Sex Week events in any year. SEAT's 2018-19 funding has been intentionally left blank for certain categories; final numbers are not available until the end of the academic year.

Sources: The Comptroller's Office analysis of data provided by UTK Division of Student Life. Indiegogo.

***SEAT's student activity fee funding requests compared to allocations***

From 2013-14 through 2015-16, SEAT received less student activity fee funding than requested; in 2012-13, 2016-17, and 2017-18, SEAT received the full amount of student activity fee funding requested. It should be noted that from 2014-15 through 2017-18, part of SEAT's student activity fee funding request and allocation included events outside of Sex Week. See Exhibit 6.

In 2013-14, \$4,325, or about 18 percent of SEAT's total request, was denied due to a lack of available funds.

In 2014-15, \$8,395, or about half of SEAT's total request, was denied for several reasons including:

- the amount of funding requested for 22 events was too small (i.e., amounts under \$200 were deemed too small to warrant oversight),
- funding was denied for speakers who had been to campus for each of the previous four years,
- funding was denied for an event duplicated by another organization, and
- funding for one event was denied due to lack of available funding.

In November 2014, SEAT appealed the denial of funding with the Vice Chancellor of Student Life who upheld the decision.

In 2015-16, \$2,220, or about 9 percent of SEAT's total request was denied for several reasons including:

- the allocation was reduced for eight events due to overestimated costs, and for another event to account for anticipated revenues,
- funding was denied for one event because the event topic was unclear, and
- funding was denied for another event because the program would not be open to all students.



In 2012-13, SEAT received the full amount of student activity fee funding it requested, and in 2016-17 and 2017-18, SEAT received slightly more than the amount requested. According to an administrator in the Division of Student Life, SEAT received more than requested due to rounding. SEAT was one of 26 organizations to receive all the student activity fee funding it requested in 2016-17, and one of 22 organizations to receive all the student activity fee funding it requested in 2017-18.

See pages 21-27 for analysis of all UTK registered student organization requests and allocations of student activity fee funding, and pages 19-21 for more information on the process by which student activity fee funds are allocated at UTK. Appendix E includes a listing of the student activity fee requests and allocations by registered student organizations, including information on denied requests for funding.

**Exhibit 6: Student activity fee funds requested by SEAT and reasons for denied funding requests**

Academic year	Total student activity fee funds requested by SEAT*	Total student activity fees funds received by SEAT*	Difference	Reason for denied funding
2012-13	\$6,700	\$6,700	\$0	n/a
2013-14	\$24,325	\$20,000	(\$4,325)	<b>Lack of funds**</b>
2014-15	\$17,070	\$8,765	(\$8,395)	Funding denied for 3 events: • <b>speaker had been to campus each of the previous 4 years</b>  Funding denied for 2 events: • <b>duplicated event held by another organization</b> • <b>lack of available funds</b>  Funding denied for 22 events: • <b>requested amount was too small (under \$200) to warrant efforts needed to track</b>
2015-16	\$25,595	\$23,375	(\$2,220)	Funding reduced for 8 events: • <b>cost overestimated</b>  Funding reduced for 1 event: • <b>adjusted for anticipated revenues</b>  Funding denied for 2 events: • <b>not open to all students</b> • <b>topic was unclear</b>
2016-17	\$29,626	\$29,800	\$124^	n/a
2017-18	\$28,331	\$28,390	\$59^	n/a

Note: \*SEAT's student activity fee funding request and allocation includes events outside of Sex Week in 2014-15 through 2017-18. \*\*SEAT did not request funding per event for 2013-14. ^SEAT was one of 26 organizations to receive all the student activity fee funding it requested in 2016-17 and one of 22 organizations to receive all the student activity fee funding it requested in 2017-18.

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.



## Sex Week Funding and Benefits Received

**1. Student activity fees** are derived from the Student Programs and Services Fee (SPSF), a mandatory fee paid by students each semester to fund nonacademic programs, services, and facilities. After a change to board policy in 2014, students have been able to choose if the student activity fee portion of their SPSF goes to student-organized programming (such as Sex Week) or to nonstudent-organized programming (i.e., another area supported by the SPSF). This is known as the opt-in or opt-out policy. Student activity fees are allocated to registered student organizations by the Student Programming Allocation Committee (SPAC; a 17-member, majority-faculty and staff panel) and are not considered to be state tax or tuition dollars. SEAT has received student activity fees for Sex Week annually beginning with the first event in April 2013.

**2. Gift funds** are derived from philanthropic donations made to the university. There are two types of gift funds: restricted, with donations given for a specific purpose as defined by the donor, and unrestricted, with donations given without a specific purpose. Registered student organizations (such as SEAT) may solicit gift funds from various university departments that may be interested in the organization's initiatives (i.e., the psychology department may allocate gift funds for a relationship workshop). Gift funds are allocated by the senior leader of each department and are not considered to be state tax or tuition dollars. SEAT received unrestricted gift funds for Sex Week events in 2014 and 2015.

**3. Private donations** are derived from registered student organization fundraising efforts, including those from individual contributions and sponsorships. SEAT has used an online crowdsourcing funding campaign for Sex Week in at least three years. Because private donations have not been tracked by either the university or SEAT in previous years, it is not possible to determine exact amounts or sources of private donations for Sex Week.

**4. Indirect benefits** include privileges conferred to all registered student organizations (RSOs) by the university. At UTK, all RSOs (including SEAT) can apply for student activity fee funding, reserve campus facilities at no cost, include information about their organization and events on a university website that features all registered student organizations, use the university's name following the organization and/or event name, and request a student organization email account.

In 2016, the Tennessee General Assembly passed Public Chapter (PC) 1066, prohibiting the use of state funds to fund or support Sex Week, and there are conflicting opinions concerning whether the indirect benefits SEAT receives as an RSO are considered "state funds." A letter signed by 33 legislators was sent to the university in April 2018 questioning SEAT's continued use of campus facilities for Sex Week, following the passage of PC 1066. In the same month, Senator Richard Briggs asked the Attorney General to issue an opinion on the 2016 law; the Attorney General declined for several reasons. The University of Tennessee-Knoxville sought legal advice from the Attorney General on how to interpret the 2016 law. (The legal advice received by UTK is protected under attorney-client privilege and is not publicly available.) As a registered student organization, SEAT continues to use indirect benefits, including the use of campus facilities, for Sex Week.

*For events occurring outside of Sex Week, SEAT has received student activity fees each year from 2014-15 through 2017-18 and unrestricted gift funds in 2017-18. Because neither the university nor the organization tracks private donations, it is unclear if SEAT has received private donations for non-Sex Week events in any year. As a registered student organization, SEAT has received indirect benefits each year since 2012-13.*



## Key Conclusions

**SEAT has received direct funding from student activity fees, gift funds, and private donations for Sex Week.** For the first Sex Week in 2013, SEAT requested funding from student activity fees and from university programs and departments. Prior to the event, the university funding (some of which was derived from state tax and tuition dollars) was rescinded, though SEAT retained its allocation of student activity fees. For Sex Week events in 2014 and 2015, SEAT received gift funds (i.e., philanthropic donations made to the university) and student activity fees. In the fall 2014 semester, a new board policy went into effect, allowing students to allocate a portion of their mandatory student activity fee either to student-organized programming (opt in) or to nonstudent-organized programming (opt out). As of the 2014-15 academic year, student-organized programming, including Sex Week, has been funded with student activity fees from opt-in funds. Additionally, registered student organizations can solicit private donations; SEAT has received private donations in at least three years.

**Since 2013, SEAT has received an average annual allocation of about \$15,000 from student activity fees for Sex Week.** Additionally, SEAT has requested and received student activity fee funds for events occurring outside of Sex Week each year from 2014-15 through 2017-18. In total, SEAT's annual average allocation of student activity fee funding is about \$18,400. In the current school year, 2018-19, SEAT requested and was allocated about \$12,000, which represents over a 50 percent reduction in the organization's requests and allocations from previous years. Since 2013-14, SEAT has received about \$9,000 in gift funds, most of which was allocated for Sex Week events.

**UTK has not adopted all recommendations from its own internal reviews of student activity funding.** Following the first Sex Week in 2013, the university commissioned an internal review of policies surrounding nonstudent activity fee funding for registered student organizations and identified the need for more oversight of gift funding allocations. UTK adopted most of the report's recommendations, though the university continues to allow registered student organizations to mix gift funds with student activity fee funding, a practice the report recommended against.<sup>j</sup> SEAT has funded events in at least three years with both gift funds and student activity fee funds.

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<sup>j</sup> See pages 39-41 for more information on the report.







## Registered Student Organizations and Activity Fees at the University of Tennessee–Knoxville

The following sections include an explanation of policies and procedures surrounding registered student organizations and activity fees at the University of Tennessee–Knoxville (UTK), and an analysis of SEAT in the context of all registered student organizations at UTK. See pages 65-72 for more details on student organization and activity fee policies and practices at Tennessee’s other public universities.

### Registered student organizations at UTK

According to the university’s policy on registered student organizations, such organizations are an important part of the educational process. As such, the university encourages the formation of registered student organizations, but “in doing so, neither endorses nor disclaims any particular idea, system of thought or point of view.”<sup>2</sup>

Since 2013-14, the number of registered student organizations at UTK has increased annually, from 438 organizations in 2013-14 to 591 in 2017-18. Across the same time frame, the university has experienced increased overall enrollment by about 1,500 students, though the growth in the number of registered student organizations has outpaced the increased enrollment. In 2013-14, there was one registered student organization for about every 61 students; in 2017-18, the ratio was one registered student organization for about every 47 students. See Exhibit 7.

**Exhibit 7: Number of registered student organizations (RSOs) at UTK**

Academic year	Number of RSOs	Overall enrollment*	Number of students per RSO
2013-14	438	26,564	60.65
2014-15	452	26,897	59.51
2015-16	471	27,182	57.71
2016-17	537	27,638	51.47
2017-18	591	27,998	47.37

Notes: The number of registered student organizations was unavailable for the 2012-13 academic year (the first year SEAT was a registered student organization). \*Enrollment figures include all students including undergraduate, graduate, full-time, and part-time students.

Source: The Comptroller’s Office analysis of data provided by UTK and THEC.

### Registration process for registered student organizations at UTK

A student organization may apply for registration throughout the academic year, except during the last two weeks of a semester. The Center for Student Engagement within the Division of Student Life oversees the registration process for student organizations. To become registered with the university, a student organization must complete the following tasks:

- **Attend an information session.** The session covers the registration process, policies and procedures associated with being a registered student organization, available resources, and an overview of the online system used for registration and other data tracking.
- **Find at least one faculty or staff member to serve as an advisor.** Advisors are expected to be familiar with the organization’s constitution and stated purposes, as well



as university policies regarding registered student organizations. Advisors do not have the authority to control the organization, though they may provide guidance and suggestions.

- **Submit a roster with the names and titles of all officers, and the names of at least eight petitioning members.** Registered student organizations are required to be open to all students, unless the organization meets certain exemptions set by the USDOE, Office for Civil Rights, such as being a fraternity or sorority.
- **Submit a constitution.** An organization’s constitution must include the name of the organization, a statement of purpose, membership eligibility requirements, officers (including a statement of the terms and method of election), frequency of meetings, a financial statement, and the provision for selection of a faculty/staff advisor.

The Advisory Committee on Student Organizations (ACSO), a four-member student panel,<sup>κ</sup> reviews student organization applications for registration, and reports its recommendations for approval or disapproval to the Dean of Students. According to university policy, a student organization may be denied registration for two reasons:

1. the organization’s stated purpose is illegal under local, state, or federal laws, or it does not follow university regulation; and/or
2. the organization would “constitute a danger to the continued or proper functioning of the University,”<sup>3</sup> in the opinion of the ACSO or Dean of Students.

According to the Division of Student Life, no student organization has been denied registration in the past five years. However, if a student organization is denied registration, it may appeal the decision to the Dean of Students, who makes the final decision on all appeals.

Registered student organizations are required to reregister annually with the Center for Student Engagement. In order to reregister, student organizations must:

- submit the names of members, the names and titles of officers, and the name of the faculty advisor,
- submit an updated constitution,
- submit an agreement to the University Policies and Procedures related to Student Organizations, and
- attend a Renewal Workshop, which includes information on leading an organization, funding opportunities, and campus policies.

**A four-member student panel, the Advisory Committee on Student Organizations (ACSO), reviews student organization applications for registration, and makes recommendations for approval or disapproval to the Dean of Students.**

*Per policy, there are two reasons a student organization may be denied registration:*

1. The organization’s stated purpose is illegal under local, state, or federal laws, or it does not follow university regulation; and/or
2. The organization would “constitute a danger to the continued or proper functioning of the University,” in the opinion of the ACSO or Dean of Students.

*Student organizations may appeal a denial of registration with the Dean of Students.*

**No student organization has been denied registration at UTK in the past five years.**

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<sup>κ</sup> The four student members of the ASCO are appointed by the Student Government Association.



Staff within the Center for Student Engagement review information provided during the reapplication process. A student organization may have its registration status revoked if one or more of the following occur:

1. the student organization fails to complete the reregistration process by the designated deadline, and/or
2. the student organization violates local, state, or federal laws, or university regulations.

### **Benefits available to registered student organizations at UTK**

According to the university's policy on registered student organizations, all such organizations are eligible for the same benefits, including:

- the ability to apply for student activity fee funding for events from the Student Programming Allocation Committee (SPAC),
- the ability to reserve most campus facilities at no cost,
- an organization webpage on Vol Link, a website that features all registered student organizations at UTK, including information about the organization, meeting dates and locations, contact information, documents (e.g., constitution), and past and upcoming events,
- the ability to use the university's name following the name of the organization (e.g., Canoe Club at the University of Tennessee); registered student organizations may also request an official student organization logo created by the Office of Communications and Marketing, and
- the ability to request a student organization email account.

### **Registered student organization events**

Registered student organizations at UTK can reserve most facilities on campus at no cost, though events occurring outdoors or in a building outside of normal business hours may incur a fee for facilities staff; student organizations may also be charged for tables and chairs if they require an excessive number of either.

Prior to a policy change that went into effect February 2019, organizations worked with individual venues to secure facility reservations. In other words, there was no centralized process by which registered student organizations could reserve facilities on campus. As of February 2019, RSOs will be required to reserve space on campus through a centralized system.

Registered student organizations are required to file an event form with the Center for Student Engagement for any event they host outdoors on campus; this form is not required for events taking place indoors.

Additionally, registered student organizations are required to request approval from the Center for Student Engagement for any form of solicitation at least seven days prior to the event. It is important to note that while this policy is in the university's student handbook, in practice, it does not apply to online fundraising

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According to UTK, it will begin using a centralized facility reservation system for RSOs in February 2019.

Prior to this change in practice, there was no centralized process for RSOs to reserve campus facilities.

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(such as online crowdsource funding that has been utilized by SEAT), nor does it require registered student organizations to report the amount of private funds they raise.

UTK policy requires registered student organizations to request approval for any form of solicitation, though, in practice, this does not apply to online fundraising.

**Program and service fees at UTK**

Program and service fees, sometimes referred to as student activity fees, are used to pay for noninstructional activities, services, programs, and buildings. The University of Tennessee has charged its students an activity fee at least since 1927, though it was discontinued from 1934 until 1964 when the Board of Trustees reinstated a mandatory student activity fee. In 1970, the Board of Trustees created a Special Committee to Study the Student Activities and Service Fee in response to concerns that not all students may participate in or approve of the activities and programs funded with the mandatory fee. As a result of the special committee’s report and recommendations, the Board of Trustees adopted a policy in August 1971 maintaining the mandatory University Programs and Services Fee (UPSF) for the University of Tennessee (UT) System.

The board policy on the UPSF remained unchanged until 2014 when the Board of Trustees adopted a new policy, creating the Student Programs and Services Fee (SPSF) for the UT System. In part, the new policy maintained that the fee should be mandatory but made it possible for students to choose where the student activity portion of the fee is spent and created a centralized committee, the Student Programming Allocation Committee (SPAC), to oversee the allocation of student activity funds to student organizations.

See below for more details on the SPSF and pages 47-48 for information on the related board policy.

***The Student Programs and Services Fee (SPSF)***

The University of Tennessee-Knoxville’s student activity fee is referred to as the Student Programs and Services Fee (SPSF). The purpose of the SPSF is to fund noninstructional services, activities, programs, and facilities at the university. For the SPSF, full-time students are charged \$506 per semester; part-time students are charged a prorated amount based on the number of hours in which they enroll.

Exhibit 8 outlines the allocation of the SPSF among various noninstructional areas, including athletics, the student health and counseling centers, and debt service for noninstructional buildings. Of the \$506 per semester SPSF, \$15.46 is allocated to student-organized programming. When students register for classes each semester, they are given the opportunity to decide if the \$15.46 portion of the fee that is allocated to student-organized programming is given to student organizations to plan activities, or if it is allocated to programming not planned by

**Student Programs and Services Fee (SPSF)**

The SPSF is a mandatory fee charged to all students at the University of Tennessee-Knoxville and is used to fund noninstructional services, activities, programs, and facilities.

A portion of the SPSF is allocated to student activities. Each semester, students must choose if the student activity portion of their fee goes to student-planned activities or to another area supported by the SPSF.



students. This is known as the “opt-in” or “opt-out” process and was established by a change to board policy in response to legislation passed by the Tennessee General Assembly in 2014.

See page 33 for more information.

**Exhibit 8: Breakdown of the Student Programs and Services Fee at UTK, 2018-19 academic year**

Breakdown of the SPSF	
Recreational sports	\$75.00
International House	\$1.50
Athletics	\$20.00
<b>Student organized programming</b>	<b>\$15.46</b> <i>(this portion of the fee is applicable to the opt-in/-out provision)</i>
Student organization travel	\$4.00
Student Life departmental support	\$33.75
Student Health Center	\$94.00
Student Counseling Center	\$39.00
Center for Health Education and Wellness	\$12.50
Other miscellaneous program/service support	\$10.00
Debt service and reserves	\$200.79
<b>TOTAL</b>	<b>\$506.00 per semester</b>

Source: UTK.

If a student opts in, the \$15.46 portion of the SPSF is allocated to the Black Cultural Programming Committee (BCPC), the Campus Events Board (CEB), and registered student organizations (RSO). The Student Programming Allocation Committee (SPAC) oversees the allocation of opt-in funds to the BCPC, CEB, and RSOs. See pages 19-20 for more information on the SPAC.

If a student opts out, the \$15.46 portion of the fee is allocated to another area funded by the SPSF (but not student-organized programming). According to an administrator in the Division of Student Life, opt-out fees have been used to fund student ticket subsidies for the Clarence Brown Theater, Knoxville Symphony, and UT Opera, as well as other programs and services funded by the SPFS.

Students who opt in can attend events planned by the BCPC, CEB, and RSOs at no charge. Students who opt out must pay an admission fee to attend events, unless the events are free for everyone (i.e., some events charge admission for public attendees, in which case an opt-out student would have to pay the public admission rate). Students are eligible for tickets to football or other athletic events at the same rate, regardless of their choice to opt in or out.



### Groups that receive opt-in student activity funds from the Student Programming Allocation Committee

#### **Black Cultural Programming Committee (BCPC)**

The BCPC receives an annual allocation of \$137,000 to provide programs and activities that enhance public awareness of African Americans and their accomplishments within international society, to foster an atmosphere of interaction and unity of African American students within the university community, and to serve as a catalyst for African American students' self-development, discovery, and esteem during their educational career at UTK. Examples of events hosted by the BCPC include Legend's Lectures, MLK Day and Kwanzaa celebrations, the Caribbean Splash Jam, and Homecoming Comedy Show.

#### **Campus Events Board (CEB)**

The CEB receives an annual allocation of \$570,000 to provide diverse events aiming to engage students and cultivate an inclusive campus culture. There are 130 students on the CEB and, of those, 15 serve on the executive council. Registered student organizations may request a cosponsorship of funds to plan events with the CEB. SEAT requested a cosponsorship with the CEB's predecessor (the Central Programming Council) for Sex Week 2013, receiving \$6,700 in student activity fee funding, but has not requested a cosponsorship in any other year. Examples of events hosted by the CEB include concerts, lectures, movies, and themed weeks.

#### **Registered Student Organizations (RSO)**

In the past five years, an average of \$166,000 has been allocated to individual RSOs, which can apply to the SPAC for opt-in funding to plan events. In 2017-18, UTK had nearly 600 RSOs, including SEAT. SEAT has requested funding as an individual registered student organization (not as part of a cosponsorship with the CEB) each year starting in 2013-14. See Appendix E for a list of events hosted by RSOs using student activity fee funds.

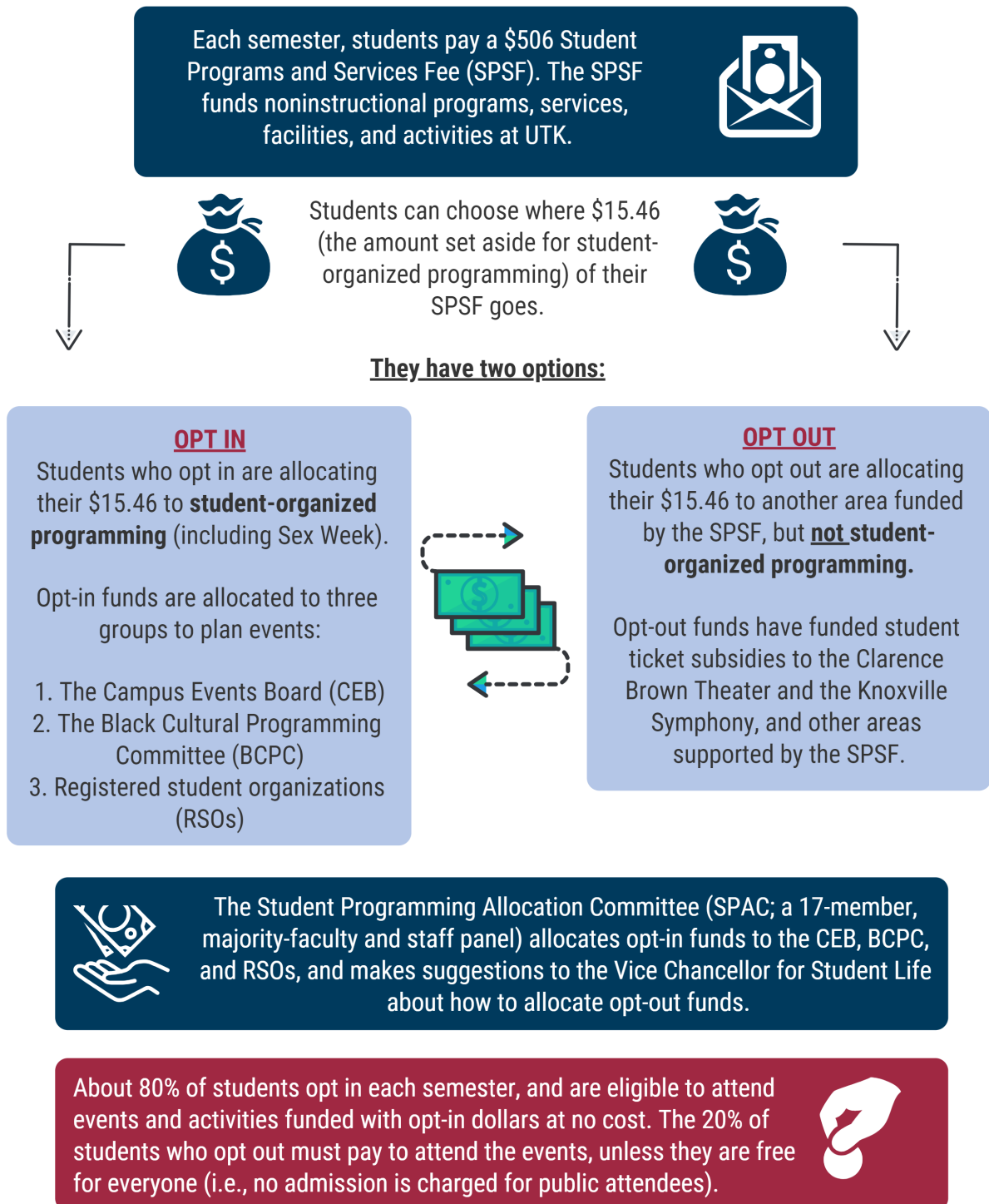
Exhibit 9 outlines the amount of funding allocated to student-organized programming at UTK from the 2012-13 through the 2017-18 academic years. The opt-in/-out process went into effect in the fall 2014 semester; funds displayed from the 2014-15 academic year forward represent the allocation of opt-in funds. The Campus Events Board and Black Cultural Programming Committee have received a standing annual allocation of \$570,000 and \$137,000 respectively, while the money allocated to registered student organizations has fluctuated based on the projected amount of opt-in funds.

#### **Exhibit 9: Distribution of the student-organized programming portion of the SPSF**

Academic Year	Registered Student Organizations	Campus Events Board	Black Cultural Programming Committee
2012-13	\$107,775	\$570,000	\$137,000
2013-14	\$117,150	\$570,000	\$137,000
<i>The opt-in/-out provision went into effect in the fall 2014 semester. The amounts below represent funds from students who opted in to fund student-organized programming with their student activity fee.</i>			
2014-15	\$103,087	\$570,000	\$137,000
2015-16	\$152,170	\$570,000	\$137,000
2016-17	\$216,360	\$570,000	\$137,000
2017-18	\$241,370	\$570,000	\$137,000

Source: UTK Division of Student Life.







Students have until the first day of each semester to select whether to opt in or out, and they may change their selection through that date. If no option is selected, then opt out is selected

**Opt-in funds**

Funds from students who chose to allocate the “student activity” portion of their SPSF to student-organized programming.

**Opt-out funds**

Funds from students who chose NOT to allocate the “student activity” portion of their SPSF to student-organized programming. Opt-out funds go to another area supported by the SPSF.

by default. When selecting whether to opt in or out, students are presented with a few examples of events that are funded with opt-in fees and are given the option to follow a link to view a list of student-organized programming supported by opt-in funds. Students are also informed, in writing, that some student-organized programming may be controversial or personally objectionable. See Exhibit 11 to read the text displayed to students relative to the opt-in/-out process.

On average, a little over 80 percent of students have opted in each semester since the implementation of the policy. See Exhibit 10.

**Exhibit 10: Percentage of students at UTK who opt in and out, fall 2014 through spring 2018**

Semester	Percent opt in	Percent opt out
Fall 2014	81.79%	18.21%
Spring 2015	79.98%	20.02%
Fall 2015	82.20%	17.80%
Spring 2016	81.54%	18.46%
Fall 2016	83.30%	16.70%
Spring 2017	83.42%	16.58%
Fall 2017	83.16%	16.84%
Spring 2018	83.57%	16.43%

Source: UTK Division of Student Life.

**Exhibit 11: Language displayed when students opt in or out**

**Student Programs and Services Fee Option for Spring 2019**

An integral part of any university education involves exposure to diverse ideas, subjects, and speakers. In order to provide the best education for our students, the University of Tennessee supports a diversity of programming organized by student organizations and student programming boards (“Student-Organized Programming”). The University allocates a portion (\$15.46 for full-time students – [part-time Fee Table](#)) of the Student Programs and Services Fee to Student-Organized Programming such as Volapalooza, Vol Night Long, Sustainability Week, speakers, and more. A complete list of Student-Organized Programming supported by the Student Programs and Services Fee during the preceding academic year may be seen by [clicking here](#).

Student-Organized Programming may be considered by some to be controversial or personally objectionable. As such, if you are asked to specifically authorize the allocation of this portion of the fee to Student-Organized Programming. If you choose not to have a portion of the fee allocated to Student-Organized Programming you will not be eligible for free or discounted student tickets to events funded by this portion of the fee.

☒ Option 1: I authorize the University to allocate a portion of the Student Programs and Services Fee (\$15.46 for full-time students) for Student-Organized Programming.

☐ Option 2: I do not authorize the University to allocate a portion of the Student Programs and Services Fee (\$15.46 for full-time students) to Student-Organized Programming. However, I understand that this portion of the fee will be reallocated for another use that benefits students.

NOTE: You may change your selection through the first day of the semester by logging on to myUTK and updating your selection. After that date, your selection is final and cannot be changed until the next semester.

Source: UTK Division of Student Life.



### ***Student Programming Allocation Committee (SPAC)***

The Student Programming Allocation Committee (SPAC) is the sole entity responsible for allocating the student-organized programming portion of the Student Programs and Services Fee (SPSF) (i.e., the \$15.46 portion of the \$506 fee that students can choose to allocate to student-organized programming).

The SPAC is involved in both the opt-in and opt-out portions of the fee, though its primary responsibility is the allocation of opt-in funds to registered student organizations (RSO), the Campus Events Board (CEB), and the Black Cultural Programming Committee (BCPC). The SPAC makes recommendations to the Vice Chancellor of Student Life regarding how to use opt-out funds.

The SPAC was established by a change to board policy in response to legislation passed by the Tennessee General Assembly in 2014. See page 33 for more information.

According to board policy, the membership of SPAC is required to include a faculty/staff majority and at least 40 percent students. The SPAC currently has 17 members: four faculty, five staff, and eight students. The faculty members are appointed to serve on the SPAC by the university Chancellor and the student members are appointed by the Vice Chancellor of Student Life. The board policy governing the SPAC does not specify term lengths for members, but an administrator in the Division of Student Life explained that student membership turns over when students transfer or graduate, and staff members' ability to serve is based on their workload and other responsibilities. A university administrator confirmed that neither a member of SEAT nor a faculty advisor to SEAT have served on the SPAC.

### ***Allocation of opt-in funds and appeal process***

The SPAC meets several times each semester to review funding applications from student organizations for events taking place the following semester. The criteria the SPAC must follow in approving or denying requests for funding is outlined by board policy. In general, the criteria focus on the completion of the application documents, fiscal responsibility of the student organization and/or funding request, whether the event/activity is duplicated by another organization or academic department, whether the organization has requested funding for a similar program in the last two years, and the amount of available funds.

The Comptroller's Office asked about the SPAC allocation criterion concerning potential program duplication: "whether the proposed program duplicates, in whole or in part, services or programs offered by an academic, administrative, or auxiliary department or division of the University." The Vice Chancellor of Student Life said that such a program would not be automatically ineligible for funding, but the fact that the program is duplicated by another entity would "move the program down on the funding scale when allocation decisions are being made."

#### **Student Programming Allocation Committee (SPAC)**

The SPAC allocates opt-in funds to the Campus Events Board, the Black Cultural Programming Committee, and registered student organizations, and is composed of

#### **17 members:**

**4 faculty**

**5 staff**

**8 students**

The SPAC also makes recommendations regarding how to use opt-out funds.



See Exhibit 12 for the SPAC allocation criteria as outlined in the board policy.

According to board policy, registered student organizations, the CEB, or BCPC may appeal a denied funding request on two grounds:

- the SPAC denied a funding request based on the viewpoint of an RSO or a speaker included in a proposed program; and/or
- the SPAC failed to follow its procedures in making a funding decision.

The organization must appeal the SPAC's decision within five business days to the Vice Chancellor of Student Life, who has 10 days to issue a decision on the appeal. The Vice Chancellor's decision is final and may not be appealed.

**Exhibit 12: Allocation criteria for student-organized programming outlined in the board policy on the Student Programs and Services Fee (SPSF)**

**SECTION 8. CRITERIA FOR ALLOCATING SPSF FUNDS FOR STUDENT-ORGANIZED PROGRAMMING**

- A. The SPAC shall consider the following criteria exclusively in evaluating requests for Student-Organized Programming:
1. Whether, and to what degree, the program would advance the University's educational mission by promoting student satisfaction and retention and/or by promoting the intellectual, physical, emotional, social, cultural, or leadership development of students;
  2. Whether the request complied with the procedures established the Chief Student Affairs Officer for the submission of funding requests to the SPAC, including whether the request was timely submitted to the SPAC;
  3. Whether the program will be held on campus, and, therefore, will be easily accessible to students (priority shall be given to programs held on campus, unless ongoing construction to University facilities funded by the SPSF substantially impairs the ability of students to hold programs on campus);
  4. The clarity of the request;
  5. The amount of the request;
  6. The total amount of SPSF funds available for allocation by the SPAC;
  7. Whether, and to what degree, the request demonstrates that the Campus Student Programming Board or Registered Student organization has been diligent in determining the anticipated costs of the program;
  8. Whether, and to what degree, the funding proposal is fiscally responsible;
  9. If applicable, how effectively and efficiently the Campus Student Programming Board or Registered Student Organization used SPSF funds in the past;
  10. If applicable, whether the Campus Student Programming board or Registered Student Organization complied with University policies concerning SPSF funds in the past;
  11. If a Registered Student Organization, whether, and to what degree, the program is relevant to the Registered Student Organization's purpose, as described in the Registered Student Organization's constitution on-file with the University;
  12. Whether the proposed program is substantially similar to a program that was funded by the SPSF (or the former fee known as University Programs and Services Fee at the University of Tennessee, Knoxville) and organized by any Registered Student Organization within the past two (2) years;
  13. Whether the proposed program duplicates, in whole or in part, separate services or programs offered by other Registered Student Organizations, but this criterion shall not prohibit Registered Student Organizations from collaborating and submitting a joint funding request to the SPAC; and
  14. Whether the proposed program duplicates, in whole or in part, services or programs offered by an academic, administrative, or auxiliary department or division of the University.
- B. The viewpoint of a Registered Student Organization or of the speaker(s) included in a proposed program shall not be considered by the SPAC when making a funding decision.
- C. Student-Organized Programming funded by the SPAC must be open to attendance by all students who opted in to directing that a portion of their SPSF funds be allocated for Student-Organized Programming or who are exempt from payment of the SPSF by campus policy or law.

Source: University of Tennessee Board of Trustees, Policy on a Student Programs and Services Fee.



UTK provided the Comptroller's Office with a list of student activity funding requests made by registered student organizations from 2012-13 through 2017-18, including the amount allocated and the reasons some requests were denied or reduced. Due to the limited details provided in the data, it was not possible to draw conclusions regarding the reasons for denied or approved funding in all cases.

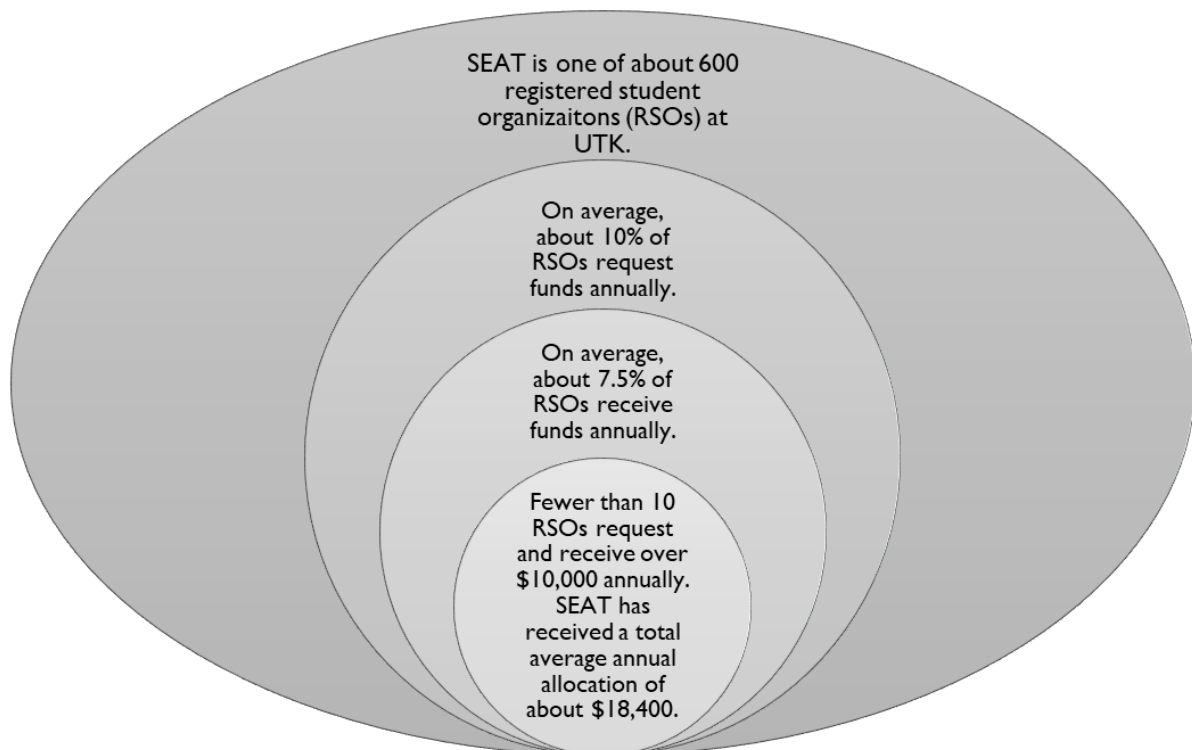
See Appendix E for a comprehensive list of student activity fee funding requests by registered student organizations at UTK, the amount of funding allocated to each organization, and the reasons for denied funding, from 2012-13 through 2017-18.

### SEAT in comparison to other student organizations at UTK

SEAT is one of nearly 600 registered student organizations at the University of Tennessee-Knoxville (UTK) and is among the small percentage of organizations that request and receive funding from student activity fees annually. As a registered student organization, SEAT and all other RSOs at UTK may request an allocation of funding from student activity fees from the SPAC.

For the first Sex Week in 2013, SEAT requested a cosponsorship for student activity fee funds with the Central Programming Committee (now known as the Campus Events Board) and did not request funds individually as a registered student organization. For this reason, the comparison of SEAT's funding requests and allocations to those of other registered student organizations includes data from the past five years (2013-14 through 2017-18) when SEAT made requests for funding as an individual organization.

#### Exhibit 13: Number of registered student organizations (RSOs) receiving an allocation of funds from student activity fees<sup>L</sup>



Source: The Comptroller's Office analysis of data provided by the UTK Division of Student Life.

<sup>L</sup> SEAT's average allocation includes all student activity funding allocations received from 2012-13 through 2018-19.



On average, about 10 percent of registered student organizations request student activity fee funds each year, and about 7.5 percent receive an allocation. Additionally, SEAT is one of a handful of RSOs that request over \$10,000 in funding annually. SEAT requested over \$10,000 in each of the past five years, and received an allocation over \$10,000 in four of the five years. See Exhibit 14.

During the last five years (2013-14 through 2017-18), an average of five registered student organizations (including SEAT) received about 50 percent of the total funding allocated to RSOs, while the remaining 50 percent of funding was allocated among 30 organizations.

From 2013-14 through 2017-18, only nine registered student organizations (SEAT included) requested funds each year; six organizations requested funds in four of the last five years, 13 organizations requested funds in three of the last five years, 33 organizations requested funds in two of the last five years, and 67 organizations requested funds once in the last five years. The nine organizations that requested funds in each of the last five years requested and received an average allocation that was over 50 percent greater than the organizations that requested funds in four years or less. See Exhibit 15.

**Exhibit 14: SEAT's student activity fee funding requests and allocations compared to the average of other registered student organizations (RSOs)**

Number of RSOs	Number and percent of RSOs requesting funds	Average request amount	Amount requested by SEAT*	Number and percent of RSOs receiving funds	Average allocation amount	Amount allocated to SEAT*	Number of RSOs requesting \$10,000 or more	Number of RSOs receiving \$10,000 or more
<b>2013-14</b>								
438	25 (5.71%)	\$7,824	\$24,325	21 (4.79%)	\$5,579	\$20,000	7	3
<b>2014-15</b>								
452	45 (9.96%)	\$4,532	\$17,070	31 (6.86%)	\$3,325	\$8,675	6	2
<b>2015-16</b>								
471	56 (11.89%)	\$5,077	\$25,595	43 (9.13%)	\$3,539	\$23,375	8	6
<b>2016-17</b>								
537	59 (10.99%)	\$5,752	\$29,676	48 (8.94%)	\$4,508	\$29,800	8	6
<b>2017-18</b>								
591	57 (9.64%)	\$6,074	\$28,331	44 (8.29%)	\$5,486	\$28,390	11	7

Notes: RSO = registered student organization. \*SEAT's student activity fee funding request and allocation includes events outside of Sex Week in 2014-15 through 2017-18.

Source: The Comptroller's Office analysis of data provided by the UTK Division of Student Life.

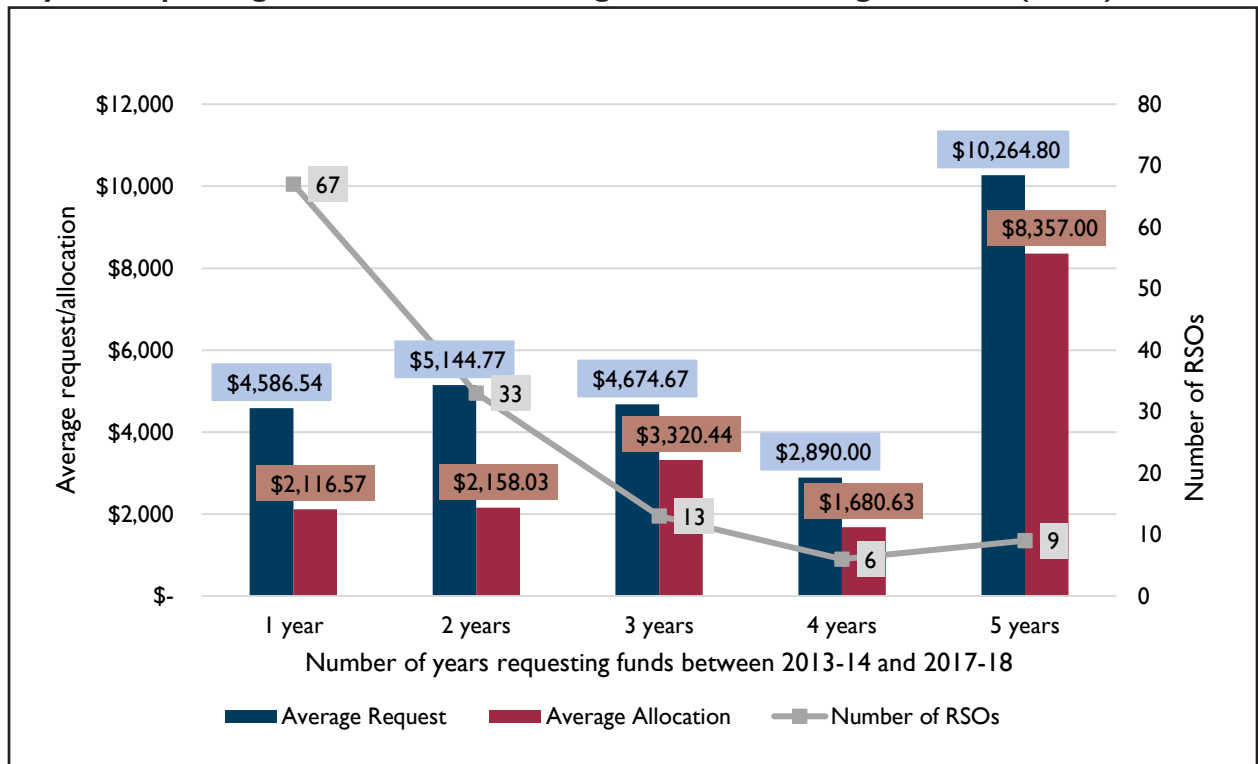
In the past five years, SEAT has been among the top five registered student organizations in terms of the amount of student activity fee funding requested, with annual requests between \$17,070 and \$29,676. SEAT requested more funding than any other RSO in 2017-18. See Exhibit 16.

Though the SPAC is not required by policy to take a student organization's membership into consideration when making allocation decisions, the Comptroller's Office obtained and analyzed



organization membership numbers and the amount of funding requested for 2014-15 through 2017-18. (Registered student organizations were not required to report their rosters until 2014-15, so membership numbers for 2013-14 are not available.) Comparing the ratio of organization members to the amount of funding requested in the past four years with available data, SEAT has requested the highest amount of funding per member in three of four years, with requests ranging from \$656.28 to \$1,666.53 per member. See Exhibit 16.

**Exhibit 15: Average request/allocation of student activity fee funding compared to number of years requesting funds and number of registered student organizations (RSOs)**



Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.

In the past five years, SEAT has been among the top five registered student organizations in terms of the amount of student activity fee funding allocations, with annual allocations between \$8,675 and \$29,800. SEAT received more funding than any other registered student organization in four of the past five years. See Exhibit 17.

Comparing the ratio of organization members to the amount of student activity fee funding allocated in the past four years with available data, SEAT has received the highest amount of funding per member in three of four years, with allocations ranging from \$599.36 and \$1,670 per member. See Exhibit 17.



**Exhibit 16: Top five registered student organizations by amount of student activity fee funding request, 2013-14 through 2017-18**

2013-14							
Rank by funds requested	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	
1	Middle Eastern Student Association	\$32,850	\$ 5,400	\$(27,450)	16.44%	Unavailable*	
2	SEAT	\$24,325	\$ 20,000	\$(4,325)	82.22%		
3	Master's Social Work Organization	\$16,500	\$ 8,000	\$(8,500)	48.48%		
4	Dance Society	\$16,249	\$ 16,000	\$(249)	98.47%		
5	Native American Student Association	\$15,800	\$ 12,500	\$(3,300)	79.11%		
2014-15							
Rank by funds requested	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of request per member
1	Project V.E.G.G.I.E.	\$20,500	\$ --	\$(20,500)	0.00%	Unavailable**	n/a
2	Muslim Student Association	\$18,070	\$8,150	\$(9,920)	45.10%	83	\$217.71
3	Dance Society	\$17,320	\$17,000	\$(320)	98.15%	82	\$211.22
4	SEAT	\$17,070	\$8,675	\$(8,395)	50.82%	14	\$1,219.29
5	NAACP	\$14,320	\$10,000	\$(4,320)	69.83%	24	\$596.67
2015-16							
Rank by funds requested	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of request per member
1	She's the First	\$55,020	\$ 3,050	\$(51,970)	5.54%	92	\$598.04
2	SEAT	\$25,595	\$23,375	\$(2,220)	91.33%	39	\$656.28
3	NAACP	\$19,820	\$13,000	\$(6,820)	65.59%	43	\$460.93
4	Dance Company	\$17,320	\$17,000	\$(320)	98.15%	104	\$166.54
5	Tech CarniVOL	\$16,375	\$1,400	\$(14,975)	8.55%	28	\$584.82
2016-17							
Rank by funds requested	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of request per member
1	Global Zero	\$39,700	\$ --	\$(39,700)	0.00%	Unavailable**	n/a
2	NAACP	\$33,140	\$23,800	\$(9,340)	71.82%	74	\$447.84
3	SEAT	\$29,676	\$29,800	\$124	100.42%	20	\$1,483.80
4	African Student Association	\$22,245	\$2,550	\$(19,695)	11.46%	99	\$224.70
5	Dance Company	\$18,820	\$18,800	\$(20)	99.89%	116	\$162.24



2017-18							
Rank by funds requested	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of request per member
1	SEAT	\$28,331	\$28,390	\$59	100.21%	17	\$1,666.53
2	National Association of Black Journalists	\$27,310	\$3,700	\$(23,610)	13.55%	13	\$2,100.77
3	NAACP	\$25,120	\$25,000	\$(120)	99.52%	82	\$306.34
4	BOSS Dance Company	\$20,820	\$18,800	\$(2,020)	90.30%	146	\$142.60
5	Minority Association of Pre-Health Students	\$18,250	\$18,250	\$ --	100.00%	14	\$1,303.57

Notes: \*Registered student organizations were not required to submit their membership rosters prior to the 2014-15 academic year. \*\*When a registered student organization becomes inactive (i.e., it does not complete the reregistration process or does not meet the criteria to be considered a registered student organization), its historical membership rosters are deleted.

Source: The Comptroller's Office analysis of data provided by the UTK Division of Student Life.

**Exhibit 17: Top five registered student organizations ranked by amount of student activity fee funding allocation, 2013-14 through 2017-18**

2013-14							
Rank by funds received	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	
1	SEAT	\$24,325	\$20,000	\$(4,325)	82.22%	Unavailable*	
2	Dance Society	\$16,249	\$16,000	\$(249)	98.47%		
3	Native American Student Association	\$15,800	\$12,500	\$(3,300)	79.11%		
4	NAACP	\$9,600	\$9,000	\$(600)	93.75%		
5	Master's Social Work Organization	\$16,500	\$8,000	\$(8,500)	48.48%		
2014-15							
Rank by funds received	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of allocation per member
1	Dance Society	\$17,320	\$17,000	\$(320)	98.15%	82	\$207.32
2	NAACP	\$14,320	\$10,000	\$(4,320)	69.83%	24	\$416.67
3	Love United Gospel Choir	\$9,975	\$9,975	\$ --	100.00%	Unavailable**	n/a
4	Master's Social Work Organization	\$12,907	\$9,732	\$(3,175)	75.40%	76	\$128.05
5	SEAT	\$17,070	\$8,675	\$(8,395)	50.82%	14	\$619.64



2015-16							
Rank by funds received	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of allocation per member
1	SEAT	\$25,595	\$23,375	\$(2,220)	91.33%	39	\$599.36
2	Dance Company	\$17,320	\$17,000	\$(320)	98.15%	104	\$163.46
3	NAACP	\$19,820	\$13,000	\$(6,820)	65.59%	43	\$302.33
4	Darwin Day	\$11,775	\$11,775	\$ --	100.00%	12	\$981.25
5	Master's Social Work Organization	\$14,625	\$11,600	\$(3,025)	79.32%	79	\$146.84
2016-17							
Rank by funds received	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of allocation per member
1	SEAT	\$29,676	\$29,800	\$124	100.42%	20	\$1,490.00
2	NAACP	\$33,140	\$23,800	\$(9,340)	71.82%	74	\$321.62
3	Dance Company	\$18,820	\$18,800	\$(20)	99.89%	116	\$162.07
4	Diaspora Student Association	\$13,050	\$13,100	\$50	100.38%	Unavailable**	n/a
5	Darwin Day Tennessee	\$10,750	\$10,600	\$(150)	98.60%	15	\$706.67
2017-18							
Rank by funds received	Registered Student Organization	Request	Allocation	Difference	Percent of request received	Membership	Amount of allocation per member
1	SEAT	\$28,331	\$28,390	\$59	100.21%	17	\$1,670.00
2	NAACP	\$25,120	\$25,000	\$(120)	99.52%	82	\$304.88
3	BOSS Dance Company	\$20,820	\$18,800	\$(2,020)	90.30%	146	\$128.77
4	Minority Association of Pre-Health Students	\$18,250	\$18,250	\$ --	100.00%	14	\$1303.57
5	Psychology Graduate Student Association	\$16,615	\$17,000	\$385	102.32%	12	\$1,416.67

Notes: \*Registered student organizations were not required to submit their membership rosters prior to the 2014-15 academic year. \*\*When a registered student organization becomes inactive (i.e., they do not complete the reregistration process or do not meet the criteria to be considered a registered student organization), their historical membership rosters are deleted.

Source: The Comptroller's Office analysis of data provided by the UTK Division of Student Life.

On average, SEAT has received about 13.3 percent of the total allocation of student activity fee funds to registered student organizations, with annual allocations ranging from 8.5 to 17.1 percent of the total allocation of funds to registered student organizations. See Exhibit 18. As the highest recipient of student activity funds in four of five years (2013-14, 2015-16, 2016-17, and 2017-18), SEAT received the largest portion of funds allocated to RSOs in those four years.

See Appendix E for a list of UTK registered student organizations that requested student activity fee funding for events, the allocation of funds, and reason for denied funding where applicable, from 2012-13 through 2017-18.



**Exhibit 18: Student activity funding available, requested, and awarded to SEAT**

Academic year	Total student activity funding allocated to RSOs	Amount requested by SEAT	Amount received by SEAT	Percent received by SEAT of total student activity funding allocated to RSOs
2012-13	n/a*	\$6,700**	\$6,700	n/a*
2013-14	\$117,150	\$24,325	\$20,000	17.1%
2014-15	\$103,087	\$17,070	\$8,675	8.5%
2015-16	\$152,170	\$25,595	\$23,375	15.4%
2016-17	\$216,360	\$29,676	\$29,800	13.8%
2017-18	\$241,370	\$28,331	\$28,390	11.8%

Notes: RSO = registered student organization. \*In the 2012-13 academic year, SEAT requested and received student activity fee funding via a cosponsorship with the Central Program Council (now known as the Campus Events Board). \*\*For Sex Week 2013, SEAT requested \$17,845: \$11,145 from academic programs/departments and \$6,700 from student activity fees; SEAT only received student activity fee funds for Sex Week 2013. See pages 37-38 for more information.

Source: The Comptroller's Office analysis of data provided by the UTK Division of Student Life.

## Key Conclusions

**SEAT receives indirect benefits from the university for which all registered student organizations at UTK are eligible.** Registered student organizations at UTK are eligible to apply for student activity fee funding from the SPAC, reserve most campus facilities at no cost, include information about their organization and events on a university website that features all registered student organizations, use the university's name following the organization and/or event name, and request a student organization email account. In 2016, the legislature passed Public Chapter (PC) 1066, prohibiting the use of state funds to fund or support Sex Week. Following the law's passage, a letter signed by 33 legislators was sent to the university, questioning whether UTK is in violation of the law since SEAT continues to receive indirect benefits (including the use of facilities) for Sex Week. The university sought guidance from the Attorney General's office in its interpretation of the law and whether these indirect benefits meet the definition of the law's key terms ("state funds," "fund," or "support"). The Comptroller's Office has quantified the use of campus facilities for Sex Week events in the two years since PC 1066 became law, estimating that SEAT's use of facilities for Sex Week was about \$4,500 annually in 2017 and 2018.<sup>M</sup>

**In four of the past five years, SEAT received the highest allocation of student activity fee funds, including about \$29,000 in both 2016-17 and 2017-18; SEAT requested the most funding in one of the last five years.** SEAT is one of about 600 registered student organizations at the University of Tennessee-Knoxville and all registered student organizations can request student activity fee funding. On average, about 10 percent of registered student organizations at UTK request funding from student activity fees annually, and about 7.5 percent receive an allocation. On average, fewer than 10 registered student organizations request and receive an annual allocation of student activity fee funds that is greater than \$10,000. In the past five years, SEAT has been among the top five registered student organizations that request and receive the most funds.

<sup>M</sup> See pages 59-62 for discussion of indirect benefits.



After the first Sex Week in 2013, UTK studied the allocation of student activity fee funding at the request of the Senate Higher Education Subcommittee.<sup>N</sup> The subcommittee expressed concerns about how student activity fee funding allocation decisions are made, noting a perceived lack of diversity in approved programming and potential bias in funding decisions. The subcommittee also recommended that the university explore policy changes to ensure a fair assessment of funding requests and look into funding models that consider student participation and membership. The internal study found “no evidence of potential bias” but recommended that UTK should take steps to ensure that all students know how to apply for funding. As part of UTK’s registration process for student organizations, RSOs are required to attend an information session, during which they are informed of funding opportunities. Additionally, all RSOs are notified when the funding application process is open.

In 2013-14 (the academic year following the internal study), about 5.7 percent of RSOs at UTK applied for funding; for each of the next four years, about 10 percent of RSOs at UTK applied for funding. From 2013-14 through 2017-18, nine registered student organizations, including SEAT, requested funds in each of the five years, while 67 registered student organizations requested funds in just one of the last five years.

**Efforts have been made to increase the transparency of student activity fee allocations, but the information, as currently reported, is not detailed.** In 2013, the legislature passed PC 429, requiring the Tennessee Higher Education Commission to compile an annual report of student activity fee collection and use at each of the public universities, community colleges, and technical colleges in the state. This report has been produced annually since 2014, though the information included in the report is not detailed.<sup>O</sup> Additionally, the Senate adopted SJR 626 in 2014, which dictated several changes to UT’s board policy on student activity fees, and specifically directed the trustees to increase transparency and accountability of student activity fee allocations.<sup>P</sup> Following the adoption of SJR 626, UTK appointed an internal task force to assist in implementing changes to the student activity fee allocation process that were directed by the resolution. Some, but not all, of the task force’s recommendations were incorporated into the resulting board policy and/or campus processes. For example, the task force recommended that UTK publicly provide information about student activity fee funding requests, allocations, and denials. Currently, the university publishes only a list of programs funded with student activity fees annually; details about funding amounts, denied requests, or the organizations requesting funds, are not included.

Upon request, UTK provided the Comptroller’s Office with a list of student activity funding requests made by registered student organizations from 2012-13 through 2017-18, including the amount allocated and reasons that some requests were denied or reduced. Due to the limited details provided in the data, it was not possible to draw conclusions regarding the reasons for denied or approved funding in all cases, though some funding decisions may serve to increase the perception of bias. For example, in 2016-17, the registered student organization, Volunteers for Christ, requested a total of \$5,515 for 10 different events. The SPAC did not allocate any funds to the organization, stating that each of the 10 proposed events were public relations events and that the SPAC does not fund organization expenses. It should be noted that the

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<sup>N</sup> See pages 41-42 for more information on the university’s report.

<sup>O</sup> See page 31 for more information on PC 429.

<sup>P</sup> See page 33 for more information on SJR 626.



SPAC's formal allocation criteria, as outlined in board policy, does not include this specific criterion.<sup>9</sup> In the same year, SEAT received all the funds it requested, totaling \$29,800 for 17 individual events. The lack of details prevented the Comptroller's Office from making any further determinations.

## Policy Considerations

**The Tennessee General Assembly may wish to require that UTK provide more detailed and transparent information to students, legislators, and Tennesseans about funding for registered student organizations including the amounts requested and allocated, and the reasons that some requests are denied or reduced.** If the legislature would like more detailed information about student activity fee allocations at all public institutions of higher education in Tennessee, it may wish to amend the requirements in PC 429 (2013). Currently, student activity fee expenditures are reported in general categories to the Tennessee Higher Education Commission (THEC), and it is difficult to compare expenditures from one campus to another.

**UTK should take additional actions to reduce the perception of bias in the student activity fee funding allocation process.** Currently, about 10 percent of RSOs request funding annually, and only nine RSOs have requested funding in each of the last five years. UTK should evaluate the 90 percent of RSOs that do not request funding to determine what, if anything, could be done to increase the percentage and diversity of organizations that request funds. The university posts a list of events that were funded with student activity fees online; details about funding amounts, or denied requests, are not included. More transparency in the student activity fee funding allocation process and increasing the number and diversity of RSOs that request funding annually could alleviate the perceptions of bias.

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<sup>9</sup> After reviewing a preliminary draft of this report, administrators at UTK told the Comptroller's Office that RSOs are informed of this criterion when applying for funding and during the mandatory information sessions.







## **Actions Related to Sex Week**

As a direct result of Sex Week, legislation has been passed, university policy has been changed, legislative hearings focused on the event have been held, and some gubernatorial appointees to the university's Board of Trustees failed to receive the necessary votes from state legislators for confirmation. Amid the ongoing controversy, SEAT has continued to host the event annually, operating within the policies and criteria set by the university for registered student organizations. The student group, which has an average membership representing less than one-tenth of 1 percent of the total enrollment at University of Tennessee-Knoxville (UTK), has been unwilling to compromise with university administrators who have asked it annually to “tone it down” and to consider the impact of its language choices.

See information on page 57 for a consolidated timeline of events.

### **Legislative action**

#### ***Public Chapter 429 (2013)***

To provide transparency to the collection and allocation of student activity fees at all public institutions of higher education in Tennessee, the General Assembly passed Public Chapter (PC) 429 in April 2013, requiring the Tennessee Higher Education Commission (THEC) to compile an annual report of student activity fee collection and use at each of the public universities, community colleges, and technical colleges in the state. This report has been produced annually since 2014 as an addendum to the Tennessee Higher Education Fact Book, though the information included in the report is not detailed (i.e., institutions report student activity fee expenditures to THEC in general categories), and the Comptroller's Office has identified misreported information by at least one university. See pages 70-72 for more details on student activity fee collection and allocation at Tennessee's public colleges and universities. PC 429 passed both the House and the Senate unanimously. See Appendix G, Exhibit 1 to read PC 429.

#### ***Senate Higher Education Oversight Subcommittee***

On May 16, 2013, the Senate Higher Education Oversight Subcommittee met to discuss the use of student activity fees in the University of Tennessee (UT)<sup>R</sup> and the Tennessee Board of Regents (TBR)<sup>S</sup> Systems, among other items. Administrators from UT and TBR presented information and answered legislators' questions at the hearing. Though it was not the specific purpose for the subcommittee meeting, much of the discussion centered on Sex Week and policies at UTK, including how student organizations request and receive funding for events, how they use the university's name in promoting student organization events, and the ideologies of speakers invited to campus by student organizations. UT administrators maintained the position that while they may not agree with Sex Week on a personal level, the university has an obligation to uphold the free speech provisions of the First Amendment.

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<sup>R</sup> The UT System consists of the University of Tennessee-Chattanooga, the University of Tennessee-Knoxville, the University of Tennessee-Martin, and the University of Tennessee Health Science Center.

<sup>S</sup> At the time of the subcommittee hearing, the TBR System consisted of all community colleges, colleges of applied technology, and the following four-year public universities: Austin Peay State University, East Tennessee State University, Middle Tennessee State University, Tennessee State University, Tennessee Technological University, and the University of Memphis.



On the day of the hearing, the UT System issued a press release announcing that it was studying the processes used to allocate funding for student activities at all UT campuses to identify how to better monitor state funding that is used for student programming.

The press release closed by stating:

Universities are places for free expression and discussion of ideas – inside and outside of the classroom – and we encourage that. It also is the job of public institutions to be good stewards of the resources given to us from the state, and in times of scarce resources, it is paramount for us to be vigilant about the uses of the funding and ensure it supports the core mission of the University.

The resulting study, the *Student Activity Fee Review Team Report*, was submitted to the University of Tennessee Chancellors on November 18, 2013. See pages 39-41 for information on the report.

Following the hearing, the Chair of the Senate Higher Education Oversight Subcommittee, Senator Joey Hensley, requested that the University of Tennessee System conduct a thorough review of the policies surrounding student activity fee collection and allocation. In the request letter dated October 11, 2013, Senator Hensley indicated “a perceived lack of diversity in viewpoints expressed by speakers that have been funded by student activity fees raises questions of potential bias.” The letter recommended that the UT System consider policy changes that would “ensure a fair assessment of funding requests” and take student membership and participation into consideration when making activity funding decisions.

The resulting report, *Review of Allocation of Student Activity Fee Funds for Student Programs*, was submitted to Senator Hensley on November 26, 2013. See pages 41-42 for information on the report.

### **House Joint Resolution 661 (2014)**

In February 2014, the House of Representatives formally condemned the organizers of Sex Week with the passage of House Joint Resolution (HJR) 661. As originally filed, HJR 661 “[condemned] the administration of the University of Tennessee for permitting ‘Sex Week’ to be held on the UT-Knoxville campus for a second consecutive year” but was later amended by the House Education Committee to condemn “the organizers of sex week.” The resolution also states that “the funding of ‘Sex Week’ at UT-Knoxville is an outrageous misuse of student fees and grant monies,” and “‘Sex Week’ fits nowhere within the mission of the University of Tennessee, nor should it ever.”

HJR 661 passed on the House floor by a vote of 69 to 17 with three abstentions (i.e., members present but not voting); the Senate did not vote on the joint resolution. See Appendix G, Exhibit 2 to read the resolution.

The language of HJR 661 was printed on a t-shirt and sold by SEAT during Sex Week 2018. See Appendix C.



### ***Senate Joint Resolution 626 (2014)***

In March 2014, the Senate adopted Senate Joint Resolution (SJR) 626 directing the University of Tennessee’s administration and Board of Trustees to “implement changes to the assessment and allocation of student activity fees within the University of Tennessee system.” The resolution states that “the content of Sex Week is offensive to many parents, students, and citizens of the state of Tennessee” and “even if the First Amendment provides the organizers of Sex Week with the right to hold the event on the campus of the University of Tennessee-Knoxville, students and parents should have the right to not fund such a despicable event.”

SJR 626 directed the administration and Board of Trustees of the University of Tennessee to do the following:

- Allow students to opt in to allocating a portion of their student activity fee to programs and events planned by student organizations,
- Provide students with a written acknowledgment that if they opt in, thus allowing their student activity fee to go toward student organization-planned programming, a portion of their fee may be allocated to programming that may be controversial or objectionable in nature,
- Publish a list of programs funded by the portion of the student activity fee that is allocated to student organizations for student programming,
- Increase the transparency and accountability in the process by which student activity fee funds are allocated to student organizations for student programming, and
- Restructure the University Programs and Services Fee Board at the Knoxville campus to ensure a majority of nonstudent representation.

The Senate adopted SJR 626 by a vote of 23 to six, with three abstentions (i.e., members present but not voting); the House did not vote on the joint resolution. See Appendix G, Exhibit 3 to read the resolution.

On June 18, 2014, the University of Tennessee Board of Trustees adopted Board Policy BT0011, Policy on a Student Programs and Services Fee, in response to SJR 626. See pages 47-48 for information on the board policy.

### ***Public Chapter 1066 (2016)***

In April 2016, the Tennessee General Assembly passed Public Chapter (PC) 1066, which stated that “state funds shall not be expended by the University of Tennessee to promote the use of gender neutral pronouns, to promote or inhibit the celebration of religious holidays, or to fund or support sex week.” The legislation also defunded the Office of Diversity and Inclusion at University of Tennessee-Knoxville for the 2016-17 fiscal year, reallocating the office’s budget to a scholarship fund.<sup>T</sup>

PC 1066 passed the House by a vote of 63 to 21, with one member present but not voting, and passed the Senate by a vote of 22 to three. The public chapter went into effect on May 20, 2016. See Appendix G, Exhibit 4 to read PC 1066. See pages 59-62 for discussion of indirect funds.

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<sup>T</sup> PC 1066 redirected the budget for the Office of Diversity and Inclusion for the 2016-17 fiscal year to a minority engineering scholarship program.



***The Campus Free Speech Protection Act, Public Chapter 336 (2017)***

In May 2017, the Tennessee General Assembly passed Public Chapter (PC) 336, enacting the Campus Free Speech Protection Act, which reaffirmed First Amendment protections for free speech at public colleges and universities in Tennessee. Though PC 336 may not have been passed in direct response to Sex Week, the legislation provides explicit free speech protections to individuals at Tennessee's public colleges and universities (including registered student organizations like SEAT) regardless of belief or ideology.

As written, PC 336 applies to every public institution of higher education in Tennessee. The following statements are included in the law:

- “The public institutions of higher education embrace a commitment to the freedom of speech and expression for all students and all faculty,”
- “Public institutions of higher education, including their faculty, shall not require students or other faculty to adopt or to indicate their adherence to beliefs or orthodoxies on any particular political, philosophical, religious, social, or other such subject, although institutions may require students and faculty to conform their conduct to the requirements of law and policy,” and
- “Public institutions of higher education [shall] not stifle freedom of speech and expression by implementing vague or overbroad speech codes, establishing free speech zones, imposing unconstitutional prior restraints on speech, or disinviting speakers based on the anticipated reaction or opposition of others to the content of speech.”

PC 336 requires the governing body of each institution of higher education in Tennessee to adopt a policy affirming the principles of free speech, which in part includes:

- “Students have a fundamental constitutional right to free speech,”
- “It is for an institution’s individual students and faculty to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose,”
- “An institution shall be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who shall always remain free to inquire, to study and to evaluate, and to gain new understanding,”
- “An institution shall not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates,”
- “An institution shall allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers,” and
- “An institution shall not disinvite a speaker invited by a student, student organization, or faculty member because the speaker’s anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or member of the public.”

PC 336 passed the House by a vote of 85 to seven, passed the Senate unanimously, and went into effect on January 1, 2018. See Appendix G, Exhibit 5 to read PC 336.



In November 2017, the UT Board of Trustees adopted a policy affirming principles of free speech for students and faculty, as required by the law; see page 48 for information on the board policy.

***Board of Trustees appointees not confirmed (2018)***

In April 2018, the Tennessee General Assembly passed Public Chapter (PC) 657, enacting the University of Tennessee Focusing on Campus and University Success (FOCUS) Act. PC 657 restructured the University of Tennessee’s Board of Trustees, reducing its size from 27 to 12 members, and created advisory boards. The 12-member Board of Trustees includes 11 voting members: 10 appointed by the Governor, the commissioner of agriculture as an ex officio member, and one nonvoting student member. PC 657 passed the House by a vote of 51 to 41, and passed the Senate by a vote of 24 to seven.

After PC 657 went into effect on April 6, 2018, the joint resolutions for the Governor’s 10 board appointees were filed in both the House and Senate. Of the 10 appointees, four had served previously on the UT Board of Trustees. Prior to the committee confirmation hearings, one nominee (a member of the previous board) withdrew from consideration, leaving nine appointees to be confirmed.

The remaining nine appointees were approved by the House Education Administration and Planning Committee and were then confirmed by the House.

The Senate Education Committee considered the Board of Trustee appointees on April 11 and 12, 2018. At the hearing, the following opening remarks<sup>4</sup> were made by Chairman Dolores Gresham:

This is really an important day in the historical landscape of Tennessee’s higher education institutions. The Tennessee General Assembly recently passed and the Governor signed legislative reform of the Board of Trustees of the University of Tennessee, in order to bring new leadership to this most worthy enterprise that is the preparation of our young adults for a prosperous future life, not only for themselves, but for our great state. . . But you don’t go to school to learn to get a job. You go to school to get an education. Sometimes it’s about making a living, but more importantly, it’s about learning, especially in these formative years, it’s about learning how to live. A university education is much more than a mere transmission of knowledge. At its best, a university education instills in its students a capacity for deep, rigorous, and creative thought.

But see, that’s why there’s such an uproar in our state about the scandalous events being supported by the leadership of the University of Tennessee. Tennesseans are blessed with bedrock foundational values for life, for family, for freedom. These events on the UT campus fly in the face of those values. Email after email, phone call after phone call reflecting the outrage of our constituencies are not to be ignored, not by us, and certainly not by the leadership of the institution. And, heretofore, these Tennesseans have held the love and loyalty of the university, and so they are saying to themselves, “What a betrayal.”



So this committee is keenly aware of the Campus Free Speech Protection Act that we passed in recent years and take no issue with its provisions. But what we have seen in the conduct, for example, of Sex Week on the UTK campus, is not education. It's not even the free exchange of ideas. It seeks nothing more than to glorify depravity, and it takes the name of the university and drags it through the trash that we have seen touted as educational in lofty phrases and terms. Human sexuality is a legitimate academic field of inquiry and should be approached in a scholarly manner. It is not a circus by which the dignity of the human person is denigrated and besmirched. What a betrayal.

Thus, we are here where the sequence of events from divergent paths cross. This Governor and this legislature seek new leadership and new perspectives in the governance of the University of Tennessee. And the events on the flagship campus made us a spectacle and a national embarrassment again. . .

So, for those candidates for confirmation here, present, heed my words. We expect better. And we expect lots better.

The Senate Education Committee sent three of the nine resolutions to the general subcommittee (an action that effectively stops further consideration of the resolution); those three resolutions were for appointees who were previous members of the UT Board of Trustees. One resolution failed to receive the necessary number of votes for passage. Five appointees were approved by the Senate Education Committee and later confirmed by the Senate.

Of the Governor's original 10 appointees to the UT Board of Trustees, five were confirmed by both the House and Senate. No appointee from the previous UT Board of Trustees was confirmed to serve on the new board.

### ***Attorney General opinion request***

On April 17, 2018, Senator Richard Briggs submitted an opinion request to Attorney General Herbert Slatery. The request included several questions about PC 1066, which prohibits the expenditure of state funds to fund or support Sex Week at UTK, and any conflicts with constitutional free speech provisions.

On April 26, 2018, Solicitor General Andrée Blumstein responded to Senator Briggs' request stating that the Attorney General's office was not able to provide an opinion. The response explained that the Attorney General's legal advice would be more effective if it were provided directly to UTK because it would be subject to attorney/client privilege rather than available to the public in the form of an Attorney General opinion. Additionally, the letter said that the Attorney General's office "cannot issue opinions related to litigation in which it . . . may become involved," meaning the office may be required to defend the constitutionality of the 2016 law.

See Appendix F, Exhibits 6 and 8, to read the full language of the Attorney General opinion request and response letter, and pages 59-62 for more on indirect funds.



### ***Correspondence from legislators to University of Tennessee administration***

Since the first Sex Week took place at UTK in 2013, some legislators have expressed their concerns and disapproval of the event to the administrators of the University of Tennessee, using descriptors such as “national embarrassment,” “disgusting,” and “outrageous behavior.” Through verbal testimony and written communications, some legislators expressed the concerns brought to them by their constituents, parents of UTK students, as well as community groups who object to the events offered at Sex Week.

During the March 13, 2014, Senate floor discussion of SJR 626, the sponsor of the resolution, Senator Mike Bell, read an email he received from a constituent who identified herself as the parent of a freshman at UTK. The constituent wrote that the organizers of Sex Week have people dressed in genitalia costumes “attacking students as they walk on campus,” and said that a teacher’s assistant decorated his classroom with condoms to “celebrate” the week. The constituent asked why the senator had not taken funding away from the university and why her daughter was paying student fees for Sex Week.

Furthermore, some legislators have specifically expressed their disapproval with the events of Sex Week taking place in campus facilities and being “advertised” and “tagged”<sup>5</sup> on the university website, with UT faculty members speaking at or participating in events, and with the university sending advocacy alerts encouraging stakeholders to contact their legislators in opposition to Sex Week-related legislation.

Some legislators have also stated that “this is not a First Amendment issue” and expressed the opinion that the events of Sex Week are obscene.<sup>U</sup>

An April 2018 letter sent to UT administrators and signed by 33 legislators cited the legislation passed in 2016 that prohibits the university from using “state funds” to “fund or support” Sex Week. The letter stated “in spite of this, the University of Tennessee allowed SEAT to use campus facilities for ‘Sex Week’ again this year. This is a clear violation of this law, as well as its intent.”<sup>6</sup>

See a discussion of indirect funds, pages 59–62. See pages 42–45 for information on the university’s responses to legislator correspondence. See Appendix F to read correspondence between legislators and UT.

### **University of Tennessee action<sup>V</sup>**

#### ***Chancellor Cheek pulled state and university funding from Sex Week 2013***

On March 20, 2013, then University of Tennessee–Knoxville (UTK) Chancellor Jimmy Cheek announced that Sexual Empowerment and Awareness at Tennessee (SEAT), the registered student organization that hosts Sex Week, would not receive funding from university departments or academic programs to fund the event, but that it would retain student activity fee funding. (Some university department and academic program funding is derived from state tax and tuition dollars while student activity fee funds are not.) Prior to the announcement,

<sup>U</sup> See page 45 for discussion on obscenity.

<sup>V</sup> In the University of Tennessee System, the President presides over the entire system and each university is overseen by a Chancellor.



SEAT had been allocated about \$18,000 in total for Sex Week 2013: \$11,145<sup>w</sup> from UTK academic programs and departments and \$6,700 in student activity fees. SEAT retained the student activity fees for Sex Week 2013.

As early as August 2012, the Chancellor and his cabinet were aware of SEAT's intent to plan a Sex Week and solicit funding from university departments and academic programs. The Chancellor and his cabinet concluded that the students "had the absolute right to organize the event. They did not question whether academic units/programs had the authority to fund the event."<sup>7</sup> After reviewing the Sex Week program agenda released by SEAT on January 30, 2013, the Chancellor determined that the event should not be funded from state tax or tuition dollars. In a press release issued by the university, Chancellor Cheek stated, "We support the process and the students involved, but we should not use state funds in this manner."

After the announcement, SEAT launched an online crowdsourcing funding campaign and raised a little over \$4,000 in private donations.

### ***Reports released by the University of Tennessee<sup>x</sup>***

In response to legislative and internal inquiries, the University of Tennessee has released several reports pertaining to Sex Week and student activity fees.

#### ***Report of Findings on "Sex Week"***

On March 25, 2013, the *Report of Findings on "Sex Week"* was submitted to the UT Board of Trustees. The report was prepared by then UTK Chancellor Jimmy Cheek in response to questions raised by then UT System President Dr. Joe DiPietro. The report concluded that:

- SEAT was properly registered as a student organization, noting that registration by the university does not constitute endorsement of the organization's purposes or activities by the university;
- SEAT properly followed policies and procedures to reserve campus facilities;
- "The First Amendment and the Speaker Policy require that the University allow Sex Week to proceed with student activity fee funds,"<sup>8</sup> noting that a registered student organization inviting a speaker to campus does not infer approval or endorsement of the speaker's views by the university;
- The Central Program Council (the student programming board that allocates student activity fees) properly followed policies and procedures in approving student activity fee funding to SEAT for Sex Week; and
- No policies or procedures were in place to specifically govern the commitment of academic programming and departmental dollars to registered student organizations.

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<sup>w</sup> SEAT received funding commitments from Child and Family Studies (\$300), Chancellor's Honors Program (\$2,000), Psychology (\$100), Cinema Studies (\$395), Sociology (\$350), Ready for the World (\$5,000), History (\$500), Law (\$1,500), and College Scholars (\$1,000).

<sup>x</sup> The Comptroller's Office reached out to UT to follow up on several points made in the reports outlined in this section, though the requested information was not available due to a lack of institutional knowledge on the reports (i.e., several key individuals who worked on the reports are no longer at the university).



In an email sent to the Board of Trustees, Dr. DiPietro stated,

UT Knoxville administrators could have done a better job proactively questioning, understanding and preparing for a campus-wide student organization event billed as “Sex Week.”<sup>9</sup>

Following the report, Dr. DiPietro stated that he would commission a system-wide study to determine if academic programs and departments should be authorized to commit funding for registered student organization events.

#### *Student Activity Fee Review Team Report*

On April 11, 2013, Dr. DiPietro appointed a review team<sup>y</sup> to carry out a UT system-wide study to determine which academic programs and departments fund student organization programming, research national best practices on funding student organization events, and develop recommendations based on findings.

The report found that using university funds (i.e., funding derived from state tax and tuition dollars, not student activity fees) to support student organization events does not occur often. For example, during the review period (2012-13 academic year), the review team found four instances of a student organization event being funded by both student activity fee funds and academic or administrative departments. The review team also determined that no institution within the UT System had policies, procedures, or oversight mechanisms in place to govern the allocation of academic or administrative department funds to registered student organization events.

Reviewing the practices of five national peer universities<sup>z</sup> showed that the practice of supplementing student activity fee funds with academic and administrative department funding for registered student organization events is common, as it occurred at all five of the reviewed universities. Additionally, at the time of reporting, none of the five peer universities maintained policies or procedures to govern this practice; as such, academic and administrative departments at these institutions were not required to practice “viewpoint neutrality” in the allocation of funds to registered student organization events. (Viewpoint neutrality means the opinion or position of the requestor(s) may not be taken into consideration when funding decisions are made.) The review of best practices noted that institutions may “alter or cancel events funded through tuition or state appropriations based upon content.”<sup>10</sup> For example, administrators at the University of Maryland-College Park (UMD) cancelled an on-campus screening of a pornographic film because the event was financed by state money; administrators at UMD said that they would not have cancelled the event if it were funded solely by student activity fees.

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<sup>y</sup> The review team included Katie High, Vice President of Academic Affairs and Student Success, Sandy Jansen, Executive Director of Audit and Consulting Services, Catherine Mizell, General Counsel, Butch Peccolo, Chief Financial Officer, and Matthew Scoggins, Assistant General Counsel.

<sup>z</sup> The review team commissioned the Education Advisory Board (a research and data-analytics firm) to research the allocation of nonstudent activity fee funds to student organization events at peer institutions. Practices were reviewed at the following institutions: University of Georgia, University of Colorado-Boulder, University of North Carolina-Chapel Hill, University of Maryland-College Park, and University of Massachusetts-Amherst.



The *Student Activity Fee Review Team Report* stated:

Unless a University unit is allocating funds to advance a particular message of the University unit, the First Amendment likely requires a University unit to allocate funds for a student organization event on a viewpoint-neutral basis. Although it does not appear to be a common practice at other universities to impose viewpoint-neutrality requirements on units that fund student organization events, the failure to do so is not a best practice from a constitutional perspective.<sup>11</sup>

Based on a review of current practices within the UT System, best practices at peer institutions, and First Amendment considerations, the review team made the following recommendations for the UT System institutions:

- **Restrict the sources and types of funding for student organization events.** Gift funds (i.e., philanthropic donations made to the university) should be the only nonstudent activity fee funding allocated for student organization events and should only be allocated by academic units for events directly related to the educational purpose of the academic unit. Student organization events should be funded by either student activity fee funds or gift funds, not a mixture of both.
- **Ensure viewpoint neutrality.** This requirement must be communicated to all academic units; a policy could be implemented system-wide to ensure viewpoint-neutrality criteria are met prior to the allocation of gift funds by an academic unit.
- **Implement additional oversight of the gift funds allocated to student organization events** by requiring each academic unit to designate an employee who will be responsible for monitoring the use of gift funds after they are allocated to registered student organizations.
- **Reserve the right to withdraw or recover a gift funding commitment** if the student organization misrepresented the nature of the event when it requested gift funding, the nature of the student organization event changed after the request for gift funding was approved, or the student organization also received student activity fee funding for the event.
- **Consider other models of student organization oversight.** “The review team received feedback from one of the campuses that the current model of oversight of student organizations is inconsistent with the desire of many academic units to provide support for student organizations that are closely related to the academic unit because of their student membership and/or organization mission. Through informal research, the review team has observed that some universities have a tiered student organization oversight model, which allows a university to provide more resources to “sponsored” student organizations whose mission is tied to the mission of a university academic or administrative unit. The University may need to consider changing the structure of its oversight of student organizations, but additional research needs to be done on this topic before recommending such a change to the Board of Trustees.”<sup>12</sup>

The *Student Activity Fee Review Team Report* was submitted to the UT System Chancellors on November 18, 2013, directing each university to review and revise its relevant operating procedures, being mindful of the report’s recommendations. Chancellors were asked to report the results of their institution’s policy review by January 10, 2014.



Upon review of the report's recommendations, each institution within the UT System responded to Dr. DiPietro with its assessment of the recommendations and plans, if any, for implementation. In a letter dated January 31, 2014, UTK informed Dr. DiPietro that the campus had modified operating procedures regarding nonstudent activity fee funding of student organizations, as follows:

- **Process for requesting funds:** All requests for funds are to be made in writing, the registered student organization (RSO) must inform the funding unit at least 10 days prior to the event if any details have changed, and the funding unit may withdraw funding at any time prior to the event.
- **Criteria for approving requests:** All approvals are made by the funding unit, only events that advance the university's mission should be funded, and approvals should be "viewpoint neutral."
- **Sources of funds:** Student organization events should not receive funding from sources derived from state appropriations.

It should be noted that UTK did not adopt the report's recommendation to prohibit the commingling of student activity fee funding with other sources of funding. For example, registered student organizations may receive event funding from both student activity fees and gift funds.

#### *Review of Allocation of Student Activity Fee Funds for Student Programs*

Following the May 16, 2013, Senate Higher Education Oversight Subcommittee meeting, Chairman Hensley requested that the University of Tennessee System conduct a thorough review of the policies surrounding student activity fee collection and allocation. In the request letter dated October 11, 2013, the chairman stated that "a perceived lack of diversity in viewpoints expressed by speakers that have been funded by student activity fees raises questions of potential bias." The letter recommended that the UT System consider policy changes that would "ensure a fair assessment of funding requests" and take student membership and participation into consideration when making activity funding decisions. (See pages 31-32 for more information on the subcommittee hearing.)

The resulting report, *Review of Allocation of Student Activity Fee Funds for Student Programs*, was sent to Chairman Hensley on November 26, 2013, and included a background of the student activity fee, an explanation of policies and practices at the three UT campuses (Chattanooga, Knoxville, and Martin), conclusions, and recommendations.

The report included in part the following key conclusions:

- "Very few" requests for student activity fee funding were denied during the review period (2012-13 academic year);
- "No evidence of potential bias was found in either the process by which students are selected to programming boards or the decision making process of the boards themselves;"
- Each UT campus uses its own application process for student activity fee funding requests and allows students to participate in funding decisions; all students can apply to serve on the programming boards and the selection process includes clear criteria;



- The UT campuses use “formal or informal mechanisms” to determine the level of interest students have in events;
- Any major changes to the student activity fee have always been preceded by “considerable study” by students, faculty, and staff, and the Student Government Associations of each campus have been involved in the decisions; and
- Upon reinstatement in 1965, students requested that the student activity fee be mandatory; “the University is not aware of a significant student desire for that to change.”

The report included the following recommendations:

- Campuses should make sure all students and registered student organizations are aware of how to apply for funds and how to be a part of making funding decisions;
- The student affairs staff and programming boards of each campus should develop more specific criteria used to determine the allocation of funds, present the criteria to the board of trustees for approval, and once approved, display the criteria prominently on the student affairs website; additionally, any denied funding request should contain a detailed explanation of the denial;
- Each campus should develop a training program for advisors of student organizations; and
- “The student activity fee should remain mandatory. Any proposal to change the mandatory nature of the student activity fee should be initiated by the campus Student Government Associations and thoroughly studied by students, faculty, and staff in the UT system.”

Currently, at the University of Tennessee-Knoxville, all registered student organizations are required to attend an information session at which time they are informed about available resources for their organization (including information on how to apply for funding). The board policy on the Student Programs and Services Fee, adopted in response to Senate Joint Resolution (SJR) 626, outlines the criteria used in the allocation of funds to registered student organizations, and authorizes campuses to collect the fee from students. The Center for Student Engagement offers online training modules for registered student organization advisors, though they are not required.

It is unclear which of the report’s recommended changes, if any, were made by the university prior to changes directed by the Senate with adoption of SJR 626 in March 2014. The report was submitted to Chairman Hensley on November 26, 2013, about four months prior to the adoption of SJR 626, which directed the Board of Trustees to make changes to the allocation of student activity fees in the UT System.

### ***Communications from University of Tennessee administration***

The Comptroller’s Office reviewed letters and emails sent from the university to legislators, the Board of Trustees, and UT System Chancellors, and interviewed university officials at the University of Tennessee-Knoxville in September 2018. Based on the review of historical correspondence and information gathered during the September 2018 interviews, university administrators have maintained the position that while they may have personal objections to the event, they have done everything they can do – and everything the legislature has asked them to do – without violating the First Amendment. (The Comptroller’s Office has identified additional options the university and General Assembly may wish to pursue regarding Sex Week; see



pages xii-xvi in the Executive Summary for policy considerations.)

Even though the legislature passed Public Chapter (PC) 1066 in 2016 prohibiting the expenditure of “state funds” to “fund or support Sex Week,” the university says that the law as written is vague and does not define “state funds,” “fund,” or “support,” therefore it cannot knowingly take action (i.e., prohibiting the occurrence of Sex Week on campus) that university officials say will result in a lawsuit. In a letter responding to a legislator who asked about the continued use of university facilities for Sex Week despite the passage of PC 1066, the university’s general counsel stated,

If University employees are going to get sued for violating actions they take to comply with [PC 1066], then I do not want there to be any dispute about whether they had discretion in the actions that they took to “shut down” Sex Week (i.e., if First Amendment liability results, I want it to be clear that a University employee did not have any choice but to violate the Constitution).<sup>13</sup>

See pages 59-62 for discussion on indirect funds.

University administrators said in interviews, and have stated in correspondence to legislators, that the only remaining option is for the state legislature to pass a bill explicitly prohibiting Sex Week at UTK (because PC 1066 is vague and does not define key terms) but warn that such action will likely result in a First Amendment lawsuit. In an April 2018 email sent to a state legislator, then UT System President Dr. Joe DiPietro said,

The bottom line is (1) while I believe sex education for students is needed, I am sorely disappointed in the judgment of the students and faculty, who came up with these titles/talks, (2) we have implemented all the things the General Assembly has requested in dealing with sex week over the years – opt-in payment, reports of what student activity fees are spent on to students and their families, etc., and (3) dealing with the issue is complicated by First Amendment rights. The only other thing that could be done is that the legislature enacts a law that says we cannot have it? In turn it will be ruled unconstitutional, and likely lead to a law suit that we will lose.<sup>14</sup>

In September 2018, the Comptroller’s Office interviewed five top UT officials and asked each of them if the university has been tone deaf in its response to legislator concerns about Sex Week.

**All five officials responded that the university has not been tone deaf concerning its response to Sex Week.**

Administrators at the University of Tennessee have maintained the position that they have done all they can do without violating the First Amendment and have stated that the only remaining option is for the legislature to pass a bill prohibiting Sex Week at UTK.

**The Comptroller’s Office has identified additional options the General Assembly and university may wish to pursue. See pages xii-xvi in the Executive Summary for policy considerations.**

During interviews at UTK in September 2018, The Comptroller’s Office asked five top UT officials if the university has been “tone deaf” (i.e., insensitive) in its response to legislators’ concerns about Sex Week. All five officials responded that the university has not been tone deaf, some giving examples of what the university has done in response to Sex Week (namely,



creating the opt-in/-out process for student activity fees) and reiterating that the university has done everything that the legislature has asked of it that it can legally do. Dr. DiPietro added,

“Maybe it’s best for us to get into a legal suit, to show people that we aren’t being tone deaf.”

“Going forward, I hope those responsible for planning speakers and events are sensitive as well as mindful of the diverse opinions of others as to what is or may not be offensive regarding presentations on our campuses. **I have confidence that our campus leadership and our students, faculty, and staff will take this to heart and suggest to our elected officials that it is the role of our Board of Trustees to address and monitor these issues with us on behalf of the University**” (emphasis added).

Press release from the Office of the UT System President,  
February 12, 2014

Using the example of the board policy on the student programs and services fee, some of the administrators who were interviewed lauded the university’s and board’s efforts in developing, adopting, and implementing the policy in such a short time frame (the policy was changed about three months after the adoption of SJR 626). Dr. DiPietro said that the university made the changes in “record setting time,” and it did so to show the legislature that UT is “responsive.”

During the 2014 legislative session, several pieces of legislation were filed aiming to curtail funding for Sex Week, including a measure to prohibit the expenditure of institution and student activity funds for external speakers, and another that would have required the amount of funding a student group receives be proportional to its membership. Those two bills did not pass, but the House and Senate each passed a resolution in direct response to Sex Week: HJR

661 condemned the organizers of Sex Week, and SJR 626 directed the Board of Trustees to restructure the policy on student activity fees.

In direct response to the legislation proposed in the 2014 legislative session, Dr. DiPietro issued a press release indicating that it was the board’s responsibility, not the legislature’s, to handle issues with student-planned activities, calling on campus leadership, students, faculty, and staff to “suggest to our elected officials that this is the role of our Board of Trustees to address and monitor these issues with us on behalf of the University.”<sup>15</sup>

In a March 2014 email sent to the board regarding the proposed legislation, Dr. DiPietro asked the trustees to join him in “encouraging others to contact their elected officials and ask them to strongly oppose any legislation that has the effect of dictating the collection or use of student activity fees or the content of student programming in any way. [SJR] 626 is sufficient to do all that can be done by the University to address the . . . concerns without running afoul of the First Amendment.”<sup>16</sup>

Following the adoption of SJR 626, Dr. DiPietro sent a letter to both speakers, confirming that the board would make the changes outlined in the resolution, and closed by stating, “I trust that no further legislative or budgetary action will be taken with respect to this matter.”<sup>17</sup>

In June 2014, the university’s Board of Trustees adopted a new policy as directed by SJR 626. At the board meeting, one trustee went on the record objecting to the policy, stating that adoption of the policy should not be perceived as an endorsement, but that it was the least objectionable of the legislative proposals. See pages 45-48 for more on the Board of Trustees.



During a September 2018 interview, Dr. DiPietro said that in hindsight, the university could have done a better job getting out in front of the issue by making a public statement that while the university does not condone the activities of Sex Week, the students have legal protection of free speech under the First Amendment, giving the example that the university made proactive statements that effect ahead of a white supremacist rally that took place at UTK in February 2018. He said that this oversight did not become clear to him until the General Assembly did not approve the members from the previous Board of Trustees to serve on the new board, adding, “We could have done more of that preparation with Sex Week, we didn’t get out in front of it.”

### *The university’s position on the First Amendment*

The university has stated in at least two different letters, sent to legislators in March 2014 and May 2018, that,

It is the University’s position, based on the advice of legal counsel, that the First Amendment prohibits the University from:

- denying registration to a student organization because of the organization’s viewpoint;
- denying a student organization the use of University facilities because of the organization’s viewpoint;
- or denying student activity fee funding available for allocation to student organizations because of an organization’s viewpoint.<sup>18</sup>

Because of this, any action the university takes against registered student organizations must apply to all (there were about 600 registered student organizations at UTK in the 2017-18 academic year), or else the university would face a lawsuit for violating students’ First Amendment rights.

Some legislators have also challenged the university on the obscene nature of some Sex Week events. In response, the university has stated that:

- “Personal notions of decency and propriety do not establish the standard for obscenity.”<sup>19</sup> This is according to a legal precedent set by several court cases which have been outlined in letters to legislators.
- “The determination of whether material is obscene under the criminal law is made by a jury,”<sup>20</sup> (i.e., the university is not in a position to determine if Sex Week events are obscene; a complaint would have to be filed with local law enforcement and a determination would be made through the criminal justice system).
- The university is “not aware of any action initiated by local law enforcement authorities to prosecute anyone under the obscenity laws for speech or other expression during Sex Week.” (The university made this statement in both 2014 and 2018.)<sup>21</sup>

See Appendix F to read related correspondence.

### ***The Board of Trustees***

The Board of Trustees of the University of Tennessee adopts policies that apply to all campuses within the UT System to provide university employees with guidance to ensure compliance with



state and federal laws and regulations, maintain adequate internal controls to safeguard the university system's assets, provide consistent management of resource transactions across the system, and understand the expectations for conducting university business.

In April 2018, the Tennessee General Assembly passed Public Chapter (PC) 657, enacting the University of Tennessee Focusing on Campus and University Success (FOCUS) Act. PC 657 restructured the UT Board of Trustees, reducing its size from 27 to 12 members, and created advisory boards for each campus. The 12-member board includes 11 voting members, 10 who are appointed by the Governor, the commissioner of agriculture as an ex officio member, and one nonvoting student member.

The Governor's 10 appointees to the new Board of Trustees included four members of the previous Board of Trustees; the four trustees from the previous board were not confirmed by the legislature. Some legislators and university administrators have inferred that this occurred due to the perceived inaction by the board regarding Sex Week. See pages 35-36.

In August 2018, the Comptroller's Office interviewed a former member of the Board of Trustees. The former trustee explained that the board was reassured by university administrators that UTK had done all it could do without getting into litigation over the First Amendment rights of the students, and that university administrators told the board that its "hands are tied," adding that the board had to defer to the administrators' expertise. In a separate interview, the Comptroller's Office asked the secretary and special counsel to the Board of Trustees about the former trustee's statement. The administrator said that most trustees communicate their concerns directly to the president, and that for the most part, trustees do not engage in "executive matters." The administrator also said that the board thought the administration was doing all it could do, "but the board still had the expectation that Sex Week gets managed properly."

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*Most trustees communicate their concerns directly to the president, and for the most part, trustees do not "engage into executive matters." The board thought the administration was doing all they could do, "but the board still had the expectation that Sex Week gets managed properly."*

Secretary and Special Counsel to the  
UT Board of Trustees

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The Comptroller's Office asked the former trustee if the board or UT administration has been tone deaf in its response to legislator concerns about Sex Week. In response, the former trustee said that neither the university nor the board have been tone deaf, and that the only other thing they could have done was to ban the event which would result in a costly lawsuit, adding "Is that being the best stewards of the taxpayers' money?"

The former trustee also made the point that the board is faced with many different issues, such as graduation and tuition rates, raising funds for new buildings, among other controversial matters (such as changing the name of the Lady Vols), and Sex Week is just one item among many that vie for the board's attention. This sentiment was echoed in a separate interview with Dr. Jimmy Cheek, who served as UTK Chancellor from 2009 through 2017.

The board adopted two new policies in direct response to legislation passed in the General Assembly; one board policy was adopted in direct response to Sex Week, the other provides



additional free speech protections for individuals planning events on campus. Details on the two policies are included below.

*BT0011 (2014): Policy on a Student Programs and Services Fee*

In 2014, the board adopted a policy on a student programs and services fee (SPSF) in response to SJR 626, which directed the university to implement changes to the assessment and allocation of student activity fees. (See page 33 for more information on SJR 626.) The SPSF policy replaced the previous board policy governing the university programs and services fee, which had been in place since August 1971.

In reflecting the direction of SJR 626, the policy's most significant features include:

- allowing students to opt in or out concerning where a portion of their SPSF goes (the SPSF fee would remain mandatory, but students would be given a choice as to where a portion of their fee goes); as part of the opt-in/-out process, students are informed in writing that student-organized programming may be controversial in nature, and students are also able to access a list of activities that have received SPSF funding;
- creating the Student Programming Allocation Committee (SPAC), the board that allocates funds to student organizations, guaranteeing a majority membership of faculty and staff, but no fewer than 40 percent students; and
- stipulating criteria to be used when allocating funds to student organizations.

Through a review of written correspondence, reports, and board meeting minutes during the time leading to the SPSF policy adoption, it is apparent that the university adopted and implemented the changes reluctantly.

In a report sent to the Chair of the Senate Higher Education Oversight Subcommittee in November 2013, *Review of Allocation of Student Activity Fee Funds for Student Programs*, the conclusions and recommendations indicated that changes to the collection and allocation of student activity fee funds were unnecessary, and if any changes were to be developed, those changes should be initiated by students. For example, the report stated that students have requested that the student activity fee be mandatory, and that “the University is not aware of a significant student desire for that to change.” The same report included a policy recommendation stating that “any proposal to change the mandatory nature of the student activity fee should be initiated by the campus Student Government Associations and thoroughly studied by students, faculty, and staff in the UT system.” See pages 41-42 for more details on the report.

A press release issued by Dr. DiPietro on February 12, 2014, indicated that the board, not the legislature, should be responsible for making changes to student fees. (During a time of heated negotiations between the university and legislature over the allocation of student activity fees, several pieces of legislation, including SJR 626, had been filed to that effect.) In part, the press release stated,

Going forward, I hope those responsible for planning speakers and events are sensitive as well as mindful of the diverse opinions of others as to what is or may not be offensive



regarding presentations on our campuses. I have confidence that our campus leadership and our students, faculty, and staff will take this to heart and suggest to our elected officials that this is the role of our Board of Trustees to address and monitor these issues with us on behalf of the University.

During the Board of Trustees meeting on June 18, 2014, when the SPSF policy was discussed and approved unanimously, several comments were made indicating the university and board's reluctance to adopt the policy. Some trustees praised Dr. DiPietro for his work to maneuver around the many conflicts that arose during the legislative session. One trustee commented that UT was dealt a bad hand and stated his objection to the policy, adding that "when funding is conditioned on a behavior, it is the beginning of censorship," and that adopting the policy "doesn't mean that we are endorsing this in any other way than it is the least objectionable of the options that have been given." In responding to the trustee's comments, Dr. DiPietro said, "The alternatives to this policy were horrific in comparison." Though the policy was adopted unanimously, no board member went on the record in support of the policy, as reflected in the meeting minutes.

See Appendix H, Exhibit 1, to read the policy on an SPSF.

***BT0021 (2017): Policy Affirming Principles of Free Speech for Students and Faculty***

In November 2017, the board adopted a policy affirming principles of free speech for students and faculty, as was required of all public institutions of higher education in Tennessee by Public Chapter (PC) 336 (2017), the Campus Free Speech Protection Act. (See pages 34-35 for more information on PC 336.) Though the policy was not adopted in direct response to Sex Week, it provides additional protections to all groups that plan events on campus, including registered student organizations such as SEAT. In part, the policy includes the following statements:

- The university must not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates;
- The university must not disinvite a speaker invited by a student, student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public; and
- The university must be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who shall always remain free to inquire, to study and to evaluate, and to gain new understanding.

See Appendix H, Exhibit 2, to read the policy affirming principles of free speech for students and faculty.

***The University of Tennessee-Knoxville is considering changes to the allocation process for student activity fee funding***

Until November 6, 2018, UTK was not accepting requests or allocating student activity fee funds for events occurring in March through May 2019, a period that includes Sex Week 2019 as the event typically occurs in April. According to the Vice Chancellor of Student Life, the university is



considering making changes to the allocation process used by the SPAC to allocate opt-in funds to registered student organizations.

During interviews conducted by the Comptroller's Office in September 2018, university administrators said that they have asked SEAT to "tone it down" annually.

In 2014, after being asked to "tone it down," SEAT responded by leasing a billboard on Interstate 40 in Knoxville to advertise Sex Week at UT.

During an October 2018 phone interview, the Vice Chancellor explained that the current policy<sup>AA</sup> (which allows students to opt in or out of where a portion of their student activity fee is allocated, and outlines approval criteria used by the SPAC), was created in 2014 through negotiations with some legislators who were concerned about the use of funds for events like Sex Week. Now that the university has operated under the policy for several years, it may need to be adjusted to better meet the needs of the campus community. Additionally, he said that questions have been raised about the evaluation criteria for funding proposals and cost per attendee (for example, a speaker who costs \$20,000 drawing a crowd of only 200 students).

The Vice Chancellor stated that UTK was hopeful to "glean insights" from the Comptroller's report regarding the "pertinent issues" related to the process, and take into consideration any forthcoming policy considerations before reopening the allocation process, but the timing did not work out.

### **Action taken by Sexual Empowerment and Awareness at Tennessee (SEAT)<sup>BB</sup>**

Amid the conflict between the University of Tennessee administration and some members of the state legislature, the registered student organization, Sexual Empowerment and Awareness at Tennessee (SEAT), hosted a Sex Week on the campus of the University of Tennessee-Knoxville (UTK) for each of the past six years. SEAT has operated within the policies and criteria set by the university for registered student organizations, though the student group, which has an average membership representing less than one-tenth of 1 percent of the total enrollment at UTK, has been unwilling to compromise with university administrators.

The Comptroller's Office interviewed top administrators at UTK in September 2018 and asked if any members of the administration asked SEAT to "tone it down." Dr. Jimmy Cheek, who served as UTK Chancellor from 2009 through 2017, said that he talked with SEAT and their faculty advisors every year and requested that they "tone it down." In doing so, he said he received nothing but opposition from the students who told him that he did not have the power to control what they say. Dr. Cheek recounted that after a request to "tone it down" was made of the group in 2014, SEAT leased<sup>CC</sup> a billboard on Interstate 40 in Knoxville to call greater public attention to Sex Week. (See Exhibit 19.) It should be noted that this specific incident occurred during a time of heated negotiations between the state legislature and UT administrators; several bills had been proposed aiming to restrict or limit the allocation of funds to student groups. (See page 44.)

<sup>AA</sup> See pages 19-21 for more information on the current allocation processes and policies.

<sup>BB</sup> The leaders and membership of SEAT changes annually, so the actions taken by the organization in one particular year may not accurately reflect the ideologies and intentions of the organization in other years.

<sup>CC</sup> It is unknown what funding source was used to lease the billboard advertising Sex Week at UT.



In a letter sent to the Lieutenant Governor and Speaker of the House on April 11, 2018, Dr. Beverly Davenport (who served as UTK Chancellor in 2017 and 2018), said she met with the student organizers of Sex Week and their faculty advisors and asked them to “consider the impact of their language choices.”<sup>22</sup> In a September 2018 interview with the Comptroller’s Office, SEAT’s faculty advisor said that both Chancellors Cheek and Davenport asked SEAT to “tone it down,” but with Chancellor Davenport, it was more of a “mandate.”

**Exhibit 19: Billboard advertising Sex Week at the University of Tennessee-Knoxville in 2014**



Source: VVIR-Knoxville.

SEAT has criticized the UT administration and the General Assembly on social media and in its petitions for donations on crowdfunder funding platforms.<sup>DD</sup> For example, after the university pulled about \$11,000 in funding from the organization in 2013, SEAT posted the following message on its crowdfunder funding page:

UT Administration refused to stand up for sexual education for students, and Sex Week’s budget was cut due to political intimidation. Help us fund it anyway.

In 2018, SEAT’s crowdfunder funding page displayed, in part, the following message:

Legislators have consistently belittled the work that we do, which in turn, belittles all students. SEAT’s presence has benefited the UT family, as numerous students and faculty can attest to. Our actions range from advocacy for minority students on campus to enacting change in campus sexual assault policies. We want to see the University of Tennessee’s administration take an active voice in sexual assault prevention and support victims of sexual assault. We also want to bring comprehensive sex education to all students, as well as sexual empowerment and pleasure.

<sup>DD</sup> SEAT has utilized crowdfunder funding sites at least three years to raise private donations: 2013, 2017, and 2018.



Despite legislators' and the university's actions, you can help lift us back up to a position where we can better serve and advocate for students being informed. SEAT is a campus organization that frequently changes and saves lives; therefore, this is an opportunity to be a helpful influence at UT, Knoxville, Tennessee, and the world as a whole.

The leaders and membership of SEAT changes annually, therefore the actions taken by the organization in one particular year may not accurately reflect the ideologies and intentions of the organization in other years.

We ask that you graciously donate to our campaign so that we can sustain ourselves through the upcoming Sex Week. Any and all donations are greatly appreciated because, without your help, we cannot provide a comprehensive and academically informed sex education program. Even if you cannot donate please remember to always be an ally, speak up, and be an active bystander. We hope to see you at Sex Week this year! Go Vols!

SEAT's official Twitter account, @SexWeekUTK, tweeted the following messages in April 2018:

Tennessee State Legislature . . . [please] stop trying to censor student run and student funded programming.

When will [people] stop pretending like Sex Week is in any way endorsed or protected by the university. . . [Y]'all we have to beg for our pennies every single year. Faculty and students love us [though] and that's who we're for.

It should be noted that SEAT received the highest allocation of student activity fee funds of all registered student organizations in four of the last five years.

As a registered student organization, SEAT is required to have a faculty advisor. The Comptroller's Office interviewed SEAT's faculty advisor, who has been advising the group since it first became a registered student organization in 2012. The advisor explained that the ebb and flow of outspoken opposition and provocation by the organization is dependent on the ideologies of the student cochairs. Regarding her role with Sex Week, she explained that as a faculty advisor, she is not involved in helping the students plan the event, but she does review items such as SPAC funding requests (which require an advisor's signature). Regarding the provocative event titles, the advisor said that she has had conversations with the students about changing the titles, but that she stands by the students, who know they are walking a thin line, she added. In a separate interview with a UTK administrator, it was explained that SEAT previously had a second faculty advisor who may have added "gasoline" to the organization's provocative nature.

A recurrent point of controversy regarding Sex Week at UTK is the provocative nature of the event titles, as they have been mentioned by some legislators during hearings and emphasized in media reports. In September 2018, The Comptroller's Office conducted in-person interviews with the two current student cochairs of SEAT.<sup>EE</sup> When asked about the event titles, the students responded that the provocative titles increase attendance. The students also said that they don't want to make people mad or "stir the pot," but that the goal of the titles is to increase attendance, and the goal of increased attendance is to educate more people. The students



explained that they do not purposefully try to sensationalize the event names but discuss titles that are funny or make a good play on words for marketing purposes. The students also added that some titles are dictated by the speaker of the event.

See Appendix B, Exhibit 4 to view the event titles and attendance numbers, where available, for Sex Week.

The Comptroller’s Office also asked the student cochairs about their thoughts on the large amount of attention Sex Week has received from the legislature and media outlets, and the effect that the attention has had on the university (i.e., the changes to the student activity fee allocation process, the amount of time university administrators have spent negotiating with legislators, and that some of the Governor’s appointees to the Board of Trustees were not confirmed due to their perceived lack of inaction regarding Sex Week). In response, one of the cochairs said, “It’s free advertising.” In a separate interview, SEAT’s faculty advisor said that “SEAT feels really bad about the fallout,” though that sentiment was not expressed by the current student cochairs during their interview.

See Appendix C for a sample of marketing materials used by SEAT to promote Sex Week and non-Sex Week events.

When asked their opinion as to why Sex Week is so controversial, the students said that Tennesseans do not like to talk about sex (or consider that sex occurs that is not hetero in nature), and that is a reflection on the lack of comprehensive sex education in K-12 public schools. The students said that Sex Week is necessary to provide the comprehensive sex education Tennessee students are not getting in public schools. When asked if SEAT’s time would be better spent advocating for comprehensive sex education in public schools, the students responded by saying that there would still be a void because their definition of “comprehensive” sex education does not match with many policy makers’ definition of “comprehensive.”

Key Conclusions

**The university has taken some actions to address the controversy surrounding Sex Week, but the most significant policy change, making it optional for students to allocate their mandatory activity fee to student-organized programming (such as Sex Week), was made reluctantly.** Prior to the first Sex Week, former Chancellor Jimmy Cheek pulled academic department funding that had been committed for the event. Following the first Sex Week in 2013, the university conducted internal reviews regarding student organizations requesting and receiving funds from student activity fees and other sources, determined that RSOs should not receive funding derived from state appropriations, identified the need for more oversight of gift funding allocations, and concluded that any major change to current policy should be initiated by the university and studied thoroughly by students, faculty, and staff in the UT System.

<sup>EE</sup> The current student cochairs are juniors at UTK and have been members of SEAT since they were freshman; this is both students’ first year to serve in the cochair role.



In at least one year, the university proactively emailed all legislators ahead of the event to reiterate the position that the student organizers are within their constitutionally protected right of free speech. Each year, administrators have met with SEAT and asked them to “tone it down.” In 2018, Chancellor Davenport specifically asked the students to consider the impact of their language choices.

The only board policy change made in direct response to Sex Week occurred in 2014 after the Senate directed changes to the collection and allocation of student activity fee funding with the adoption of Senate Joint Resolution (SJR) 626. Dr. Joe DiPietro, former UT System President, said that the university made the changes in “record setting time,” and it did so to show the legislature that UT is “responsive.” Through a review of written correspondence, reports, and board meeting minutes during the time leading up to the board policy adoption, it is apparent that the university adopted and implemented the changes reluctantly.

In February 2014, after several pieces of legislation had been filed that would restrict the use of student activity fees, Dr. DiPietro issued a press release about the proposed legislation, stating, “I have confidence that our campus leadership and our students, faculty, and staff will . . . suggest to our elected officials that it is the role of our Board of Trustees to address and monitor these issues with us on behalf of the University.”

In March 2014, the Senate adopted SJR 626, directing the UT Board of Trustees to develop a policy allowing students to opt in, allocating a portion of their mandatory student activity fee to student-organized programming (such as Sex Week), along with other provisions intended to provide more transparency surrounding the allocation of student activity fees.

During the Board of Trustees meeting on June 18, 2014, when the board policy was discussed and approved, several comments were made indicating the university and board’s reluctance to adopt the policy. A few trustees praised Dr. DiPietro for his work to maneuver around the many conflicts that arose during the legislative session. One trustee stated his objection to the policy, adding that “when funding is conditioned on a behavior, it is the beginning of censorship,” and that adopting the policy “doesn’t mean that we are endorsing this in any other way than it is the least objectionable of the options that have been given.” In responding to the trustee’s comments, Dr. DiPietro said, “The alternatives to this policy were horrific in comparison.” The policy was adopted unanimously, though no board member went on the record in support of the policy, as reflected in the meeting minutes.

**UTK has not adopted all recommendations from its own internal reviews of student activity funding.** Following the first Sex Week in 2013, the university commissioned an internal review of policies surrounding nonstudent activity fee funding for registered student organizations and identified the need for more oversight of gift funding allocations. UTK adopted most of the report’s recommendations, though the university continues to allow registered student organizations to mix gift funds with student activity fee funding, a practice the report recommended against. SEAT has funded events in at least three years with both gift funds and student activity fee funds.



Following the adoption of SJR 626, UTK appointed an internal task force to assist in implementing changes to the student activity fee allocation process that were directed by the resolution. Some, but not all, of the task force's recommendations were incorporated into the resulting board policy and/or campus processes. For example, the task force recommended that UTK publicly provide information about student activity fee funding requests, allocations, and denials. Currently, the university publishes only a list of programs funded with student activity fees annually; details about funding amounts, denied requests, or the organizations requesting funds, are not included.

**Efforts have been made to increase the transparency of student activity fee allocations, but the information, as currently reported, is not detailed.** In 2013, the legislature passed PC 429, requiring the Tennessee Higher Education Commission (THEC) to compile an annual report of student activity fee collection and use at each of the public universities, community colleges, and technical colleges in the state. This report has been produced annually since 2014, though the information included in the report is not detailed, and the Comptroller's Office has identified misreported information by at least one university. Additionally, the Senate adopted SJR 626 in 2014, which dictated several changes to UT's board policy on student activity fees, and specifically directed the trustees to increase transparency and accountability of student activity fee allocations. In response to the directive, the university began posting a list of activities funded with opt-in student activity fees, though the listing does not indicate the amount of funding allocated per event, the organizing group for each event (i.e., a registered student organization or the Campus Events Board), or any denied funding requests.

Upon request, UTK provided the Comptroller's Office with a list of student activity funding requests made by registered student organizations from 2012-13 through 2017-18, including the amount allocated and reasons that some requests were denied or reduced. Due to the limited details provided in the data, it was not possible to draw conclusions regarding the reasons for denied or approved funding in all cases, though some funding decisions may serve to increase the perception of bias. For example, in 2016-17, the registered student organization Volunteers for Christ requested a total of \$5,515 for 10 different events. The SPAC did not allocate any funds to the organization, stating that each of the 10 proposed events were public relations events and that the SPAC does not fund organization expenses. It should be noted that the SPAC's formal allocation criteria, as outlined in board policy, does not include this specific criterion.<sup>FF</sup> In the same year, SEAT received all the funds it requested, totaling \$29,800 for 17 individual events. The lack of details prevented the Comptroller's Office from making any further determinations.<sup>GG</sup>

**UT has maintained the position that there is nothing else it can do about Sex Week without violating the First Amendment, but former President Joe DiPietro has said that the university's communications about the event could have been handled differently.** During a September 2018 interview with the Comptroller's Office, Dr. DiPietro said that in hindsight, the university could have done a better job getting out in front of the issue by making a public statement that while the university does not condone the activities of Sex Week, the students have legal protection of free speech under the First Amendment. For

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<sup>FF</sup> After reviewing a preliminary draft of this report, administrators at UTK informed the Comptroller's Office that RSOs are informed of this criterion when applying for funding and during the mandatory information sessions.

<sup>GG</sup> See pages 19-21 for more information on the SPAC allocation process, and Appendix E for a list of SPAC funding decisions.



example, he said that the university made proactive statements to this effect ahead of a white supremacist rally that was scheduled to take place on the UTK campus in February 2018. Dr. DiPietro said that this shortcoming in the university's communications about Sex Week did not become clear to him until April 2018, when the trustees from the previous board were not confirmed to serve on the new board.

**SEAT has been unwilling to compromise with university administrators who have asked it annually to “tone it down” and consider the impact of its language choices.**

In recounting a specific example from 2014, university administrators said that after asking SEAT to “tone it down,” the student organization leased a billboard on Interstate 40 in Knoxville to advertise Sex Week. SEAT has also been critical of the university administration and legislature on social media and crowdsource funding websites, posting statements such as, “UT Administration refused to stand up for sexual education for students . . .” and “Tennessee State Legislature . . . [please] stop trying to censor student run and student funded programming.”

Through a review of other public universities where a student-organized Sex Week has occurred, the Comptroller's Office learned that students at other universities have shown a willingness to compromise with campus administration. For example, a registered student organization at the University of North Carolina-Charlotte, altered event names for its February 2018 Sex Week after the university received complaints from constituents. Additionally, a registered student organization at East Tennessee State University changed the name of its event from Sex Week in 2015 to Sexual Health Week in 2017 to better reflect the purpose of the event.

## Policy Considerations

**The Tennessee General Assembly may wish to require that the University of Tennessee review the Comptroller's report, carefully consider all policy options, state its current position given the university's new leadership, and report any actions taken or future actions planned to the legislature by a specific date.**

**The Tennessee General Assembly may wish to require that UTK provide more detailed and transparent information to students, legislators, and Tennesseans about funding for registered student organizations including the amounts requested and allocated, and the reasons that some requests are denied or reduced.** If the legislature would like more detailed information about student activity fee allocations at all public institutions of higher education in Tennessee, it may wish to amend the requirements in PC 429 (2013). Currently, student activity fee expenditures are reported in general categories to THEC, and it is difficult to compare expenditures from one campus to another.

**UTK should take additional actions to reduce the perception of bias in the student activity fee funding allocation process.** In 2013, the Senate Higher Education Subcommittee studied the student activity fee funding allocation process at UTK and expressed concerns to the university about a perceived lack of diversity and potential bias in funding decisions.



At the subcommittee's request, the university conducted an internal review and concluded that bias was not evident in funding decisions, but suggested that it could do a better job ensuring that all registered student organizations (RSOs) know how to apply for funding. RSOs are informed about how to apply for funding as part of their registration process. Currently, about 10 percent of RSOs request funding annually, and only nine RSOs have requested funding in each of the last five years. UTK should evaluate the 90 percent of RSOs that do not request funding to determine what, if anything, could be done to increase the percentage and diversity of organizations that request funds. Additionally, in 2014, an internal UTK task force recommended that more information could be made publicly available about funding decisions, including information about denied funding requests. Currently, the university posts a list of events that were funded with student activity fees online; details about funding amounts, or denied requests, are not included.

More transparency in the student activity fee funding allocation process and increasing the number and diversity of RSOs that request funding annually could alleviate the perceptions of bias.

**UTK should adopt a more consistent and proactive communication strategy for students, parents, and Tennessee citizens regarding controversial events.**

Some legislators have frequently relayed concerns from parents and other constituents to the university about Sex Week, and in some years, the university has proactively communicated to the General Assembly ahead of the event. The university has been more proactive in communicating about other controversial events on campus to the public at large; for example, in February 2018, the university issued a press release ahead of a white supremacist rally scheduled to take place on campus.

**SEAT should reflect on how student organizations at other universities have offered week-long sex-related programs.** Student organizers of Sex Week events at public universities in and outside of Tennessee have shown a willingness to compromise with campus administrators regarding language used to advertise the event. The current student cochair of SEAT told the Comptroller's Office that it is not their intention to "stir the pot," though the organization demonstrated a lack of willingness to compromise during six years of controversy. A different marketing strategy for Sex Week at UTK might generate different results.



## Timeline: Outside Influence

Aside from actions taken by the legislature, University of Tennessee, and student organizers of Sex Week, others, including the media, have influenced the controversy surrounding the week-long event. Media outlets have published articles about Sex Week, sometimes highlighting provocative titles and the nature of individual events, and other times focusing on the controversy between some legislators and the university.

Sex Week at UTK is not the only such event that occurs on the campuses of public universities in Tennessee, but it generates the most attention, although that attention has ebbed and flowed over the past six years. A review of the timeline of events surrounding Sex Week shows that the controversy surrounding the event at UTK has been more intense in some years than others. For example, there was little attention paid to the event by the media or legislature in 2015 and 2017.

In September 2018, the Comptroller's office interviewed SEAT's faculty advisor who has a historical perspective of the controversy surrounding Sex Week since she has advised SEAT since 2012. (The first Sex Week took place in April 2013.) The advisor said that "outside forces" add to the variability in negative attention Sex Week receives, and specifically noted "misreporting about speakers and funding sources" in the media as influencing the amount of attention.

In a separate interview, a former member of the UT Board of Trustees said that Sex Week receives a disproportionate amount of attention because it gets media coverage and it matters to constituents. Because it matters to constituents, it matters to the legislature, "especially if it reflects poorly on the state's flagship [university]." The former trustee referenced media attention from Fox News and a social media post about the event by Franklin Graham as adding to the controversy.

See pages 77-86 for more information on Sex Week events at other Tennessee public universities.

## Key Conclusion

**Sex Week at UTK is not the only such event that occurs on the campuses of public universities in Tennessee, though it generates the most controversy.**<sup>HH</sup> A review of the timeline of events shows that the controversy surrounding Sex Week at UTK has been more intense in some years than others. For example, there was little attention paid to Sex Week at UTK in 2015 and 2017, and little attention paid to Sex Week events occurring on other Tennessee public university campuses in any year.

In an interview with the Comptroller's Office in September 2018, the current student leaders of SEAT characterized the large amount of attention Sex Week has received from the legislature and media outlets as "free advertising."

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<sup>HH</sup> See pages 77-86 for more information on Sex Weeks at other public universities in Tennessee.



## Policy Consideration

**The Tennessee General Assembly may choose to ignore UTK's Sex Week events, as it has in some years and as it has with similar events at other Tennessee universities.** As the General Assembly has recognized in passing the Campus Free Speech Protection Act, the value of freedom of speech for students is one the state, as well as the university, seeks to uphold.<sup>11</sup> Reducing the amount of attention given to an event involving small numbers of students (both in its planning and attendance), would arguably help lessen the controversy.

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<sup>11</sup> See pages 34-35 for more information on the Campus Free Speech Protection Act.



## The Question of Indirect Funds

In April 2016, the Tennessee General Assembly passed Public Chapter (PC) 1066 which says, “**state funds shall not be expended by the University of Tennessee** to promote the use of gender neutral pronouns, to promote or inhibit the celebration of religious holidays, or **to fund or support sex week**” (emphasis added). Following passage of this law, SEAT hosted Sex Week on the campus of the University of Tennessee-Knoxville in April 2017 and 2018.

On April 10, 2018, legislative leadership requested that the Comptroller’s Office look into state resources, direct or indirect, used in the promotion of Sex Week at UTK. The request specifically cited while the events no longer use state funds (i.e., SEAT, along with the other registered student organizations at the university can obtain only opted-in student activity fees for events), the events take place in state buildings.

On April 24, 2018, a letter from Representative Micah Van Huss (also signed by 32 other legislators) was sent to UT President Joe DiPietro stating that “in spite of [PC 1066], the University of Tennessee allowed SEAT to use campus facilities for ‘Sex Week’ again this year. This is a clear violation of this law, as well as its intent.”

Some legislators have mentioned other examples of indirect funding of Sex Week in correspondence sent to the university, including the use of the university website to “advertise” Sex Week events.

In written correspondence to legislators and during September 2018 interviews with the Comptroller’s Office, university officials explained that the law as written is vague and does not define “state funds,” “fund,” or “support,” therefore they cannot knowingly take action (i.e., prohibit the occurrence of Sex Week on campus) that they say will result in a lawsuit. In responding to Representative Van Huss in a letter dated May 15, 2018, the university’s general counsel said,

If University employees are going to get sued for violating actions they take to comply with [PC 1066], then I do not want there to be any dispute about whether they had discretion in the actions that they took to “shut down” Sex Week (i.e., if First Amendment liability results, I want it to be clear that a University employee did not have any choice but to violate the Constitution).<sup>23</sup>

Because of this, university officials expressed the need for a legal opinion on the definitions of “state funds,” “fund,” and “support” as they pertain to PC 1066, or for the terms to be defined in statute.

On April 17, 2018, Senator Richard Briggs sent a letter to the Attorney General’s office requesting an opinion on the constitutionality of PC 1066, outlining nine scenarios that may qualify as examples of the university indirectly funding or supporting Sex Week, and the legal responsibility of university employees to enforce the statute. The Attorney General’s office responded to Senator Briggs’ opinion request, stating that it would be unable to provide an opinion on the requested subject matter because its advice would be more effective if provided directly to the university (in which case the advice would be subject to attorney-client privilege).



## **Examples of indirect funding sources from Attorney General opinion request**

Senator Briggs' Attorney General opinion request letter outlines nine specific examples that may be considered a use of "state funds" to "fund" or "support" Sex Week by the university. The Comptroller's Office is not providing a legal determination on the scenarios but has included them below to serve as examples of potential sources of indirect funding:

1. Ten registered student organizations apply for funding for events they are organizing and will conduct in campus buildings or using campus outdoor spaces. The university provides funds derived from student activity fees to all 10 registered student organizations for those events. One of the organizations receiving funding is SEAT, and SEAT uses the student activity fee funds for Sex Week events.
2. An auditorium in a particular building on campus is available for reservation by any registered student organization for organizational events. SEAT does not receive any direct funding for Sex Week events from the university from any funding source. However, the university allows SEAT to use the building for a Sex Week event, and the university pays for the costs of all utilities in the building that are used during the time that the Sex Week event takes place. Utilities costs are paid for using Education and General funds appropriated by the General Assembly (which include funds derived from state tax dollars).
3. An outdoor green space is available for reservation by any registered student organization for organizational events. SEAT does not receive any direct funding for Sex Week events from the university from any funding source. However, the university allows SEAT to use the outdoor green space for a Sex Week event. Prior to the day of the Sex Week event, as part of regularly scheduled maintenance, university employees mowed the grass on the green space on which the Sex Week event occurred. The employees used equipment purchased with, and are compensated from, Education and General funds appropriated by the General Assembly (which include funds derived from state tax dollars).
4. Using education and general funds appropriated by the General Assembly (which include funds derived from state tax dollars), the university maintains a website that contains a campus event calendar. The event calendar lists a variety of campus activities including student activities that have not been organized or funded by the university. Any student or employee may log in to the website and post an event to the calendar. The university allows SEAT to list Sex Week on the campus event calendar.
5. The purpose of SEAT, as stated in the organization's constitution, is to organize and present Sex Week each year at UTK. SEAT complies with all steps required for being a registered student organization. The university continues to allow SEAT to be a registered student organization and to receive all of the benefits of being a registered student organization. Such benefits include the privilege of renting space in university buildings and borrowing laptop computers, tables,<sup>JJ</sup> and tents.
6. Using a university-provided email account and a university network, SEAT sends an email to all students advertising Sex Week events.

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<sup>JJ</sup> UTK charges registered student organizations for the use of some buildings, and for the delivery of tables and chairs if the amount used is excessive. See pages 13 and 61.



7. A 98-ton chunk of Knox dolomite known as “The Rock” serves as an outdoor, designated public forum on the UTK campus. SEAT paints a message on “The Rock” that advertises Sex Week. University employees are paid to maintain the grounds surrounding “The Rock.”
8. A university faculty member serves as an advisor to SEAT while being paid by the University.
9. A university faculty member serves as a panelist for a Sex Week program while being paid by the university.

See page 36 for more information, and Appendix F, Exhibits 6 and 8 to read related correspondence.

### **SEAT’s use of campus facilities**

Though the Comptroller’s Office is unable to provide a legal determination on the nine scenarios, it is possible to quantify the use of campus facilities by SEAT in the two years since PC 1066 became law.

As a registered student organization (RSO), SEAT can reserve most campus facilities, such as classrooms and other spaces, for events at no cost. All RSOs are required to pay a rental fee for the use of certain facilities, such as the McClung Museum and Howard H. Baker Jr. Center for Public Policy (Baker Center); RSOs pay a discounted rate to use the McClung Museum compared to nonuniversity affiliated groups, while the Baker Center is only open to university affiliated groups, and the same rental fee is charged of all groups. Other facilities on campus may charge RSOs rental and other fees for their use. For example, RSOs may be charged if their event occurs outside regular operating hours, which would require the presence of a building attendant.

For Sex Week events in 2017 and 2018, SEAT used some campus facilities that charge rental and other fees to RSOs. In 2017, SEAT hosted events in the Baker Center, though they were not charged a rental fee. A university administrator explained that this is because charges are waived for students who are Haslam Scholars and several members of SEAT participate in that scholarship program. In both years, SEAT hosted Sex Week events in the Clarence Brown Theatre which does not charge RSOs rental fees, though other fees may be assessed. SEAT paid a total of \$2,639 in labor, equipment, and materials fees for events taking place in the theatre in 2017 and 2018.

Nonuniversity affiliated organizations and groups may reserve facilities at UTK for a fee. If SEAT were not a registered student organization, it would be considered a nonaffiliated organization and would be required to pay a rental fee to use any campus facilities that are open for public use (e.g., the Baker Center is only open to university affiliated groups).

Based on the number of Sex Week events in 2017 and 2018, the size of the room used for each event (i.e., small lecture, such as a classroom, or large auditorium), and rental rates provided by UTK, SEAT would have been charged \$4,336 in 2017 and \$4,752 in 2018 for the use of campus facilities during Sex Week if it were not a registered student organization. See Exhibit 20.



**Exhibit 20: Approximate value of space rental for Sex Week in 2017 and 2018**

2017			
Type of event space	Number of events	Approximate rate	Cost
Small lecture (1 hour)	32	\$73 per hour	\$2,336
Large auditorium (rented on daily basis)	2	\$1,000 per day	\$2,000
<b>Total approximate cost for 2017</b>			<b>\$4,336</b>
2018			
Type of event Space	Number of events	Approximate rate	Cost
Small lecture (1 hour)	24	\$73 per hour	\$1,752
Large auditorium (rented on daily basis)	3	\$1,000 per day	\$3,000
<b>Total approximate cost for 2018</b>			<b>\$4,752</b>

Source: The Comptroller's Office analysis of data provide by UTK.

During September 2018 interviews,<sup>KK</sup> university administrators expressed that the use of utilities in buildings by SEAT is considered “de minimis” (i.e., too trivial to merit consideration), and have said that electricity is used in campus buildings whether someone walks into the building or not.

## Key Conclusion

**SEAT receives indirect benefits from the university for which all registered student organizations at UTK are eligible.** Registered student organizations (RSO) at UTK are eligible to apply for student activity fee funding from the Student Programming Allocation Committee (SPAC), reserve most campus facilities at no cost, include information about their organization and events on a university website that features all RSOs, use the university's name following the organization and/or event name, and request a student organization email account.<sup>LL</sup> In 2016, the legislature passed PC 1066, prohibiting the use of state funds to fund or support Sex Week. Following the law's passage, a letter signed by 33 legislators was sent to the university, questioning whether UTK is in violation of the law since SEAT continues to receive indirect benefits (including the use of facilities) for Sex Week. The university sought guidance from the Attorney General's office in its interpretation of the law and whether these indirect benefits meet the definition of the law's key terms (“state funds,” “fund,” or “support”). The Comptroller's Office has quantified the use of campus facilities for Sex Week events in the two years since PC 1066 became law, estimating that SEAT's use of facilities for Sex Week was about \$4,500 annually in 2017 and 2018.

## Policy Considerations

**The Tennessee General Assembly could pass a law stating that Sex Week shall not occur at the University of Tennessee-Knoxville.** University administrators have said this is the only remaining option, they will not take this step without explicit legislation, and it will likely result in a First Amendment lawsuit. This policy consideration would apply only to UTK,

<sup>KK</sup> The administrators were not presented with the figures from Exhibit 20 during the September 2018 interviews and were characterizing the use of overhead expenses such as electricity, water, and the university website.

<sup>LL</sup> See pages 11-14 for more information on UTK's policies for registered student organizations.



though Sex Weeks have occurred at other public universities in Tennessee.<sup>MM</sup> Some legislators considered an outright ban of Sex Week at UTK in 2016, were advised that such action would be unconstitutional, and instead settled on the language in PC 1066 which prohibits the use of state funds to fund or support Sex Week. In April 2018, a legislator requested the Attorney General to opine on the constitutionality of PC 1066. The Attorney General's office declined to issue an opinion, stating in part that the office cannot issue opinions on matters in which it may become involved, adding that the Attorney General may be required to defend the constitutionality of the statute should it become the subject of litigation.

If this policy consideration were adopted, the resulting legislation should include language that provides explicit legal protection to university employees and trustees, should litigation ensue.

**UTK could charge registered student organizations for the use of all facilities.** At least four public universities in Tennessee, including UTK, charge RSOs some type of fee to use campus resources and facilities.<sup>NN</sup> UTK charges RSOs to rent tables and chairs if the event requires over a certain amount of either; additionally, certain facilities on campus charge a rental fee to RSOs. The University of Memphis (UM) charges a rental fee to RSOs if an event is income-producing. This is also the practice at ETSU where RSOs are charged if an event requires an extraordinary amount of set up, clean up, or audio/visual assistance. Middle Tennessee State University (MTSU) charges RSOs for certain items such as custodial services, building and parking attendants, audio/visual assistance, and security based on the type of event and venue.

If UTK begins charging RSOs facility rental fees, it is likely that more RSOs would request student activity fee allocations. (Currently, only about 10 percent of the nearly 600 RSOs request funding annually.) Additionally, if this policy option were adopted, SEAT (and all other RSOs at UTK) would be reimbursing the university for the use of facilities with student activity fees, which are not considered to be state tax or tuition dollars.

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<sup>MM</sup> See pages 77-86 for more information on Sex Weeks occurring at other public universities in Tennessee.

<sup>NN</sup> See pages 65-72 for more information on policies at other public universities in Tennessee.







## Registered Student Organizations and Activity Fees at Tennessee’s Public Universities

The following sections include information on policies and practices for registered student organizations and student activity fees at Tennessee’s public universities. The Comptroller’s Office conducted a thorough review of written policies and guidance for each university, conducted in-person interviews at the University of Tennessee-Knoxville (UTK), and gathered information through phone interviews and email correspondence from administrators at Austin Peay State University (APSU), East Tennessee State University (ETSU), Middle Tennessee State University (MTSU), Tennessee State University (TSU), Tennessee Technological University (TTU), the University of Memphis (UM), the University of Tennessee-Chattanooga (UTC), and the University of Tennessee-Martin (UTM). See Appendix A for a list of individuals who were interviewed by the Comptroller’s Office.

*This section outlines policies and practices at Tennessee’s public universities:*

Austin Peay State University (APSU)  
 East Tennessee State University (ETSU)  
 Middle Tennessee State University (MTSU)  
 Tennessee State University (TSU)  
 Tennessee Technological University (TTU)  
 University of Memphis (UM)  
 University of Tennessee-Chattanooga (UTC)  
 University of Tennessee-Knoxville (UTK)  
 University of Tennessee-Martin (UTM)

See pages 11-21 for more detailed information on policies and procedures at UTK.

### Registered student organizations (RSOs)

All public universities in Tennessee have registered student organizations (RSOs). Exhibit 21 outlines the number of registered student organizations at each institution relative to the five-year average enrollment. Based on a five-year average enrollment and average number of RSOs, TTU has the smallest ratio of students to registered student organizations (47 students per organization) and TSU has the largest ratio (131 students per organization). UTM does not record the number of registered student organizations annually and was therefore unable to provide an annual count of RSOs.

### Process to become a registered student organization (RSO)

To allow groups to become registered student organizations, each university develops requirements they must complete, such as filling out an application, meeting with a staff member in the Division of Student Life, and attending a training workshop. The requirements at each institution vary, but all universities require student organizations to have a written constitution and faculty advisor. TSU requires each RSO to have three advisors: one primary advisor who is a full-time faculty or staff member, and two secondary advisors who can be faculty/staff or community members.

Universities require that RSOs have between five and 10 members to apply for registered status. Exhibit 22 outlines the minimum number of students required at each university to form a registered student organization relative to the institution’s five-year average enrollment.



**Exhibit 21: Number of registered student organizations at Tennessee's public four-year universities, 2013-14 through 2018-19**

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Average enrollment <sup>^</sup>	Number of students per RSO <sup>^^</sup>
<b>APSU</b>	119	127	125	161	136	*	10,392	77.45
<b>ETSU</b>	223	249	224	200	245	*	13,981	60.72
<b>MTSU</b>	302	255	241	217	215	205*	23,251	92.63
<b>TSU</b>	59	51	85	82	62	69*	8,871	130.82
<b>TTU</b>	190	224	255	252	233	*	11,055	47.44
<b>UM</b>	231	211	243	262	260	201*	21,489	88.34
<b>UTC</b>	110	130	100	100	140	*	11,553	99.49
<b>UTK</b>	438	452	471	537	591	*	27,111	54.75
<b>UTM</b>	**	**	**	**	**	136*	7,075	51.01

Notes: \*Institutions were still reregistering student organizations for the fall semester at the time of reporting. \*\*UTM does not record the number of registered student organizations annually. <sup>^</sup>A five-year average enrollment (fall 2013 through fall 2017) was calculated for each institution. <sup>^^</sup>A five-year average number of registered student organizations for each institution (except for UTM) was used in the calculation.

Sources: The number of registered student organizations was provided by each institution. Enrollment figures were provided by THEC.

The review and approval process for RSO applications varies at each institution. Depending on the institution's policy, the approval process may be conducted by:

- **an all student panel**, such as the Advisory Committee on Student Organizations at UTK, the Student Government Association at UTC, or the Student Organization Council at APSU; an administrator who works with student organizations may also review applications at these institutions;
- **administrators only**, which is done at ETSU and MTSU; or
- **a combination of students and administrators**, such as TTU's Student Affairs Committee, composed of 15 staff members and eight students, and UTM's Student Organization Review Board, composed of five staff members and two students.

**Exhibit 22: Minimum number of students required to form a registered student organization**

University	Minimum number of students required to form an RSO	Average enrollment <sup>^</sup>
<b>APSU</b>	10	10,392
<b>ETSU</b>	5	13,981
<b>MTSU</b>	5	23,251
<b>TSU</b>	10	8,871
<b>TTU</b>	10	11,055
<b>UM</b>	10	21,489
<b>UTC</b>	5	11,553
<b>UTK</b>	8	27,111
<b>UTM</b>	10	7,075

Note: <sup>^</sup>A five-year average enrollment (fall 2013 through fall 2017) was calculated for each institution. Sources: The minimum number of students was provided by each institution. Enrollment figures were provided by THEC.



### Grounds for denial

Each institution also outlines grounds for denial of registered status to student organizations. Generally, a student organization will not be approved for registration if it has a purpose that would violate local, state, federal, or university policy, or if it fails to meet one of the outlined criteria for approval (i.e., not having the minimum number of required members or failing to attend a required informational session).

*UM, UTC, and UTK have policies stating that they will deny registration to a student organization that disrupts the work or prevents the proper functioning of the university.*

*This policy has not been used to deny registration to a student organization at UM, UTC, or UTK.*

At least three universities have a policy that student organizations will not be granted registered status if they disrupt the work or prevent the proper functioning of the institution. UM's policy states that registration will not be granted if the organization "materially and substantially disrupt[s] the work and discipline of the institution."<sup>24</sup> Policies at UTC and UTK state that a student organization may be denied registration "if the organization would . . . constitute a clear and present

danger to the continued or proper functioning of the University."<sup>25</sup> Administrators at UM, UTC, and UTK confirmed that no student organization has been denied registration for this reason.

All universities require student organizations to reregister annually with the office or department that oversees registered student organizations.

### **Benefits available to registered student organizations**

RSOs are eligible for certain privileges, such as the ability to reserve campus facilities for events, the opportunity to apply for funding, and the use of the university's name. The benefits provided to registered student organizations vary slightly among Tennessee's public universities.

### Use of facilities

Registered student organizations may reserve campus facilities at each university, and some universities charge fees for the use of facilities. For example, RSOs at ETSU are charged a facility rental fee if the event is income-producing, or is very large (i.e., the event will require an extraordinary use of AV support, custodial, or set-up services). At UM, registered student organizations are required to pay facility rental fees if they charge admission for their events, and MTSU charges RSOs if events require building attendants, custodians, parking attendants, additional security, etc. At UTK, most campus facilities are available for reservation by registered student organizations at no cost, though events occurring outdoors or in a building outside of normal business hours may incur a fee for facilities staff; RSOs at UTK may also be charged for tables and chairs if they require an excessive number of either.

*Registered student organizations at some universities may be charged a rental fee for facilities, based on the size, type, and location of the event.*

### Funding

All universities, with the exception of UTM, give registered student organizations the opportunity to apply for funding. At UTM, registered student organizations may not apply for nor are they allocated funding, though they may use campus facilities at no cost, and may also plan events using private funding. All events funded by student activity fees at UTM are planned



by the Student Activities Council (SAC), a university-sponsored student programming board.

*The University of Tennessee-Martin is the only public university in Tennessee that does not allocate funding to registered student organizations.*

Additionally, at least two universities limit the amount of funding a registered student organization may request. TSU limits RSO funding requests to \$2,000 per organization per year. TTU puts a cap on funding request amounts based on the number of organizations expected to apply and reassesses the cap each semester. This academic year, registered student organizations at TTU may request up to \$4,500 (\$1,500 in fall 2018, \$2,500 in spring 2019, and \$500 in summer 2019).

*TSU and TTU limit the amount of funding a registered student organization may request.*

In addition to event funding, UM allows registered student organizations to apply for up to \$400 per semester in operational assistance funds for administrative expenses.

Use of the university's name

Some universities explicitly allow registered student organizations to use the university's name in their organization's name or in advertising events, though common practice is that the university name must follow the name of the organization or event (e.g., Chess Club at APSU or Sex Week at UTK).

*When an RSO uses the university's name, it must come after the organization's name or event.*

Other benefits

Most universities host a specific website where registered student organizations can create and maintain a page with information about their organization. This can include contact information, regular meeting dates and times, and upcoming events. Universities may also list registered student organizations in institution publications.

Some universities provide registered student organizations with additional benefits, such as access to office space and supplies, including free copies, use of equipment (e.g., sound system, tables, etc.), professional development workshops, and a university email address for the organization.

**Registered student organization events**

Registered student organizations (RSO) at all universities may host events on campus, but the policies governing events and resources available to organizations varies among universities.

Some universities use a centralized application process for RSO events, which allows for additional oversight of organizations' use of campus facilities for events. A new policy at UTK, effective February 2019, will require RSOs to submit facility reservation requests for all events via a centralized system; prior to that, the process was decentralized as RSOs were required to submit an application only for a fundraising event or an event occurring outdoors.

Fundraising events

All universities allow RSOs to host fundraising events on campus, though some require a specific application to do so for the purposes of oversight, preventing competition with a campus vendor



(i.e., an RSO wishing to sell food items may conflict with an on-campus food vendor), and avoiding soliciting contributions from the same sources. For example, RSOs may be asked to not request donations from the same sources (e.g., alumni, local businesses, etc.) as the university's development office. Additionally, some universities require RSOs to pay for security personnel if cash is being collected at the event.

No university has a specific policy applicable to online fundraising efforts, such as the online sale of merchandise (e.g., t-shirts) or crowdsource fundraising (e.g., GoFundMe, Indiegogo, etc.). During a phone interview in October 2018, an administrator from TTU said that while its fundraising policy does not specifically apply to online fundraising, RSOs are supposed to fill out an application for any type of fundraising activities so they should be doing so for online fundraisers.

*While on-campus fundraising is regulated by most universities, no university formally regulates online fundraising.*

As previously mentioned, at least two universities (ETSU and UM) charge RSOs for the use of facilities if the organization's event is income-producing.

#### Inviting external speakers to campus

All universities allow RSOs to invite external speakers to campus. The Campus Free Speech Protection Act (Public Chapter 336, 2017) applies to all public institutions of higher education in Tennessee and includes several provisions specific to external speakers. In part, the law states:

- “Although all students and all faculty are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the institution's campus, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, an institution has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom.”
- “An institution shall not charge students security fees based on the content of their speech, the content of the speech of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech.”
- “An institution shall allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers.”
- “An institution shall not disinvite a speaker invited by a student, student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public.”

*The Campus Free Speech Protection Act (2017) includes several protections specifically for speakers invited to campus.*

At some universities, the committee that allocates funding to RSOs is formally prohibited from denying funding based on the viewpoint of the organization or its invited speaker. For example, UT board policy (which applies at UTC, UTK, and UTM) states that “the viewpoint of a Registered Student Organization or of the speaker(s) included in a proposed program shall not be considered . . . when making a funding decision.”



## Program service fees

All universities charge students a program service fee to pay for noninstructional services, programs, and activities. The name, amount, and distribution of the fee vary by institution, but in general, the fee is allocated to noninstructional programs and activities, such as student activities, student health centers, campus recreation centers, student athletics, environmental sustainability, parking/campus access, and debt service on noninstructional facilities.

For examples, see Exhibit 23, which outlines the distribution of the program service fee at APSU, or Exhibit 8 on page 15, which outlines the breakdown of the fee at UTK.

### Exhibit 23: Program service fee at APSU, 2018-19 academic year

Breakdown of the Program Service Fee	
Parking/Campus access	\$61.00
Health services	\$38.00
Student activity fee	\$124.00
Athletics fee	\$225.00
Recreation center fee	\$75.00
Debt service	\$137.00
Technology access fee	\$112.50
Student government fee	\$5.00
Sustainable campus fee	\$10.00
Graduation fee	\$4.00
<b>Total</b>	<b>\$791.50</b>

Source: Austin Peay State University.

As a rule, the program service fee is mandatory for all full-time students; students enrolled part-time generally pay a prorated fee based on the number of hours in which they are enrolled.

### The portion of the fee allocated to student activities

The portion of the student activity fee that is allocated to student activities is generally split between two areas: activities planned by registered student organizations and activities planned by university-sponsored student councils.

Some exceptions exist:

- UTM does not allocate funds to registered student organizations, so the student activity portion of the fee at UTM is allocated to a university-sponsored student programming council, the Student Activities Council.
- At UTC and UTK, students can choose (or opt in) if the student activity portion of their fee is allocated to student-planned activities, or to nonstudent planned activities (i.e., another area supported by the fee).

### **Allocation committee for registered student organization funding requests**

Each university, with the exception of UTM, utilizes a committee to allocate student activity fee funding to registered student organizations.



Some universities have more than one pool of funds for RSOs and, as such, also have multiple committees that allocate student activity fee funds to RSOs. For example, ETSU has one committee that allocates funding for individual RSO events and travel expenses, while another committee allocates funding for registered student organizations' annual budgets. At TTU, one committee allocates funding for RSO travel expenses to conferences and for equipment purchases, and another committee allocates funding for RSO events.

The structure of these committees at Tennessee's public universities can be categorized as follows:

- **All-student committees** review and approve RSO funding applications at APSU (nine students), ETSU (30 students allocate funding for individual events and travel expenses), TSU (15 students), TTU (54 students allocate funding for events), and UM (15 students).
- **Majority-student committees** review and approve RSO funding applications at MTSU (six students/four faculty) and TTU (13 students/two staff allocate funding for RSO travel expenses and equipment purchases).
- **Committees with equal number of students and faculty:** At ETSU, a committee of four students and four faculty review applications and allocate funding for registered student organizations' annual budgets.
- **Majority-faculty committees**, known as the Student Programming Allocation Committee (SPAC), review and approve RSO funding applications at UTC and UTK. According to board policy, the SPAC is required to be majority-faculty and staff with no less than 40 percent student representation. A total of 11 members (five students/six faculty) serve on UTC's SPAC and 17 members (eight students/four faculty/five staff) serve on UTK's SPAC.

*All-student committees allocate funding to registered student organizations at five universities.*

*A majority-faculty and staff committee allocates funding to registered student organizations at UTC and UTK.*

### Allocation criteria

The funding boards at each institution use a set of criteria to make decisions regarding registered student organization requests for student activity fees. The criteria used by the funding board at most universities requires that funding be allocated for events that are available and accessible to all students. A specific criterion used at four universities (APSU, ETSU, MTSU, and UM) requires that funding be allocated for the good of the student body or for the benefit of all students. Policies at APSU, ETSU, and within the UT System require that funds be allocated for the purpose of advancing each university's mission and promoting general student development.

The funding boards at some universities prioritize allocations for events that appear well planned (as shown by a thorough application, efforts made to estimate costs, etc.) and an organization's history of successful events. Additionally, some funding boards may prioritize cosponsored programs (e.g., the RSO is planning the event with another campus organization).



Common requests that funding boards will not approve include those made for prizes, food or beverages, alcohol, partisan political events, and activities that provide academic credits. The criteria used by the funding boards at APSU and UM prohibit the allocation of student activity fee funds for profit-making events.

### ***University-sponsored student programming councils***

Most universities have some form of an institution-sponsored student programming council that plans extracurricular social, cultural, and educational events. These student councils are not considered to be registered student organizations. The size and composition of the councils vary, though most are primarily made up of students and may also include faculty advisors.

Some universities have multiple student councils. For example, MTSU and TTU have several student programming councils that plan different types of events. Additionally, most of the student councils are funded through a portion of the student activity fee, though at least one university funds its student programming councils with a portion of tuition.

The student programming councils at UTK (Campus Events Board) and UTC (Campus Activities Board) receive funding from activity fees that students have chosen to allocate to student-organized programming (i.e., opt-in funds), according to board policy.

At UTM, the Student Activities Council (SAC) is the only student group that receives an allocation of student activity fees to plan extracurricular events on campus. (Registered student organizations at UTM cannot apply for nor are they allocated student activity fee funding.) The SAC, made up of seven students and advised by a professional staff member, suggests ideas for campus activities to the Assistant Vice Chancellor for Student Affairs who makes the final decision on programming.

## **Key Conclusion**

**The Comptroller's Office has identified policies and practices at public universities in Tennessee that could be applied at UTK to help address the controversy.** Some public universities in Tennessee, including UTK, charge registered student organizations for the use of campus facilities (under certain circumstances) and limit the amount of funding registered student organizations may request, among other practices. See related policy considerations below.

## **Policy Considerations**

**A review of policies and practices at public universities in Tennessee shows that registered student organizations (RSOs) are given varying amounts of latitude to plan events, depending on the amount of funding and resources made available to student groups by the university. One university gives RSOs considerably fewer resources by not allocating funding directly to them.**

**UTK could implement policies used at other public universities in Tennessee, though such policy changes would apply to all RSOs at the university. (UTK had**



**nearly 600 RSOs in 2017-18, of which about 10 percent typically request student activity funding in any given year.)**

**UTK could stop allocating funding directly to registered student organizations,** and retain the responsibility for organizing nonacademic student activities. Such programming could be planned by an institution-sponsored student council or by a university department or staff member with input from students. This is the current practice at the University of Tennessee–Martin (UTM), where student activity funding is allocated to the Student Activities Council (SAC), but not to registered student organizations. The SAC plans nonacademic student activities and is advised by a professional staff member. The Assistant Vice Chancellor for Student Affairs makes the final decision on nonacademic programming offered at UTM. Registered student organizations at UTM cannot request funding, though they can use private donations to plan events, and are still eligible for indirect benefits, such as the use of campus facilities at no cost and the use of a university-maintained web page.

**UTK could limit the amount of funding registered student organizations can request annually.** At least two public universities in Tennessee limit the amount of funding registered student organizations can request annually. Registered student organizations can request up to \$2,000 annually at Tennessee State University (TSU). Tennessee Technological University (TTU) puts a cap on funding request amounts based on the number of organizations expected to apply and reassesses the cap each semester. In 2018-19, RSOs could request a total of \$4,500 (\$1,500 in fall 2018, \$2,500 in spring 2019, and \$500 in summer 2019). If UTK applied this policy, it could divide the total amount of money available for registered student organizations by the number of organizations that received funding in the previous year. For example, in 2017-18, a total of \$241,370 was allocated to 44 RSOs, which equals an average allocation of about \$5,500. In that year, 12 registered student organizations received more than the average allocation of \$5,500 and 32 organizations received less than \$5,500.<sup>00</sup> Adoption of this policy would ensure a more balanced distribution of funding to registered student organizations.

**UTK could charge registered student organizations for the use of all facilities.** At least four public universities in Tennessee, including UTK, charge RSOs some type of fee to use campus resources and facilities. UTK charges RSOs to rent tables and chairs if the event requires over a certain amount of either; additionally, certain facilities on campus charge rental or other fees to RSOs. The University of Memphis (UM) charges a rental fee to RSOs if an event is income-producing. This is also the practice at East Tennessee State University (ETSU) where RSOs are charged if an event requires an extraordinary amount of set up, clean up, or audio/visual assistance. Middle Tennessee State University (MTSU) charges RSOs for certain items such as custodial services, building and parking attendants, audio/visual assistance, and security based on the type of event and venue.

If UTK begins charging RSOs facility rental fees, it is likely that more RSOs would request student activity fee allocations. (Currently, only about 10 percent of the nearly 600 RSOs request funding annually.) If more RSOs request funding, the previous policy option to limit the amount

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<sup>00</sup> See pages 19-27 for more information on student activity fee funding allocations at UTK, and Appendix E for a list of funding requests made by RSOs at UTK, the allocation amount, and the reason for denied or reduced allocations.



of funding available per organization should be considered as well. Additionally, if this policy option were adopted, SEAT (and all other RSOs at UTK) would be reimbursing the university for the use of facilities with student activity fees, which are not considered to be state tax or tuition dollars.

**UTK could add to the criteria used by the Student Programming Allocation Committee (SPAC) in making funding allocations; the current allocation criteria is outlined in the board policy that was adopted in 2014. During an interview with the Comptroller's Office, the university said it has been considering making changes to the allocation criteria currently used by the SPAC to "better meet the needs of the campus community."**

**The SPAC could be required to consider the benefit of the student body and the entire university when making funding decisions.** This standard is included in the allocation criteria used by RSO funding boards at four public universities in Tennessee (Austin Peay State University (APSU), ETSU, MTSU, and UM). At ETSU, the Student Government Association (SGA), an all-student, 30-member committee, considered its constitutional purpose "[to] always [keep] in mind the welfare of the entire student body" in making the decision to deny a registered student organization's funding request for a Sex Week planned for February 2015.<sup>PP</sup> According to an administrator at ETSU, the SGA determined that awarding funds for Sex Week would not benefit the student body given the legislative backlash UTK received for Sex Week.

If the SPAC were required to "consider the benefit of the student body and the entire university" when making allocation decisions, it could decide not to fund certain events that have the potential to not benefit the student body or university.

**The SPAC could be formally prohibited from allocating funds for income-producing events.** UM policy prohibits the allocation of funds to RSOs for "fundraising events" and APSU policy states that student activity fee funding will not be allocated for "profit making ventures" for student organizations. Based on a review of the UTK SPAC funding decisions, this practice appears to be applied informally and inconsistently at the university. The SPAC has denied at least three organizations' allocation requests for a fundraising event, though the criterion is not included in the committee's formal list of allocation criteria.<sup>QQ</sup> SEAT has received a funding allocation from the SPAC for an event in each of the past four years during which the organization collected donations from attendees.<sup>RR</sup>

**The SPAC could be formally required to consider event attendance when making funding decisions.** No public university has a formal policy explicitly requiring that attendance be considered when allocating funds, though most universities, UTK included, require that events funded by student activity fees be planned and offered so that the majority

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<sup>PP</sup> See pages 77-86 for information on Sex Weeks occurring at other public universities in Tennessee.

<sup>QQ</sup> See page 20 to read the SPAC allocation criteria.

<sup>RR</sup> After reviewing a preliminary draft of this report, administrators at UTK told the Comptroller's Office that though the criterion is not included in the board policy outlining the SPAC's allocation criteria, "the university prohibits SPAC funding to be used for charitable causes," RSOs are informed that revenues raised from admission fees must be deposited back to the SPSF, and "the university was not aware of the fundraising done by SEAT."



of students are able to attend. An administrator in UTK's Division of Student Life said that the university is considering making anticipated event attendance part of its formal allocation criteria; the SPAC has denied funding for at least one event because a similar event offered the previous year was poorly attended. A 2013 letter sent to then UT System President Dr. Joe DiPietro by Senator Joey Hensley, who was then serving as Chair of the Senate Higher Education Subcommittee, recommended that the university explore a funding model that would take into consideration student participation.

If UTK implemented this allocation criterion, the university would need to adopt a more thorough method of tracking attendance at events funded by student activity fees. Currently, attendance is not tracked consistently (i.e., event attendance is largely reported by RSOs and attendance data provided to the Comptroller's Office for this report is inconsistently reported across events and years).







## Sex-related Programming at Tennessee’s Public Universities

The following section includes information about institution-sponsored, sex-related programming offered to students at Tennessee’s public universities. The information on programming was provided to the Comptroller’s Office through phone interviews and email correspondence by administrators at Austin Peay State University (APSU), East Tennessee State University (ETSU), Middle Tennessee State University (MTSU), Tennessee State University (TSU), Tennessee Technological University (TTU), the University of Memphis (UM), the University of Tennessee-Chattanooga (UTC), the University of Tennessee-Knoxville (UTK), and the University of Tennessee-Martin (UTM). See Appendix A for a list of individuals who were interviewed by the Comptroller’s Office.

*This section outlines policies and practices at Tennessee’s public universities:*

Austin Peay State University (APSU)  
East Tennessee State University (ETSU)  
Middle Tennessee State University (MTSU)  
Tennessee State University (TSU)  
Tennessee Technological University (TTU)  
University of Memphis (UM)  
University of Tennessee-Chattanooga (UTC)  
University of Tennessee-Knoxville (UTK)  
University of Tennessee-Martin (UTM)

Based on a review of the provided information, all nine of Tennessee’s public universities provide students with some form of sex-related programming. Most universities are required to provide some form of sexual-assault prevention training to comply with Title IX requirements. Some universities offer presentations on various topics such as healthy relationships, consent, and STI prevention by request through the campus health center. No university requires that students take a sex-education course, though most universities include a section on safe and consensual sex practices in freshman orientation or University 1010 (a college success course required of first-year

students at most universities).

See Appendix D for a full list of institution-sponsored, sex-related programming provided by public universities in Tennessee.

Administrators at each university confirmed that registered student organizations at their institution can offer similar programming, even with the university providing institution-sponsored, sex-related programming.

*See Appendix D for a full list of institution-sponsored, sex-related programming provided by public universities in Tennessee.*

## Sex Week at Other Public Universities in Tennessee

Week-long events featuring sex-related programming have occurred on the campuses of at least five public universities in Tennessee, including the University of Tennessee-Knoxville. The events occur with varying regularity and are planned by several types of groups including registered student organizations (RSOs), a standing student council that plans campus-wide activities, and a university department. The following section includes information on events at East Tennessee State University (ETSU), Middle Tennessee State University (MTSU), the University of Memphis (UM), and the University of Tennessee-Chattanooga (UTC).

See Exhibit 25 for consolidated information on the events.



Registered student organization-planned events

East Tennessee State University

A week-long event of sex-related programming was hosted on East Tennessee State University’s (ETSU) campus in the spring semester of 2015 and 2017. The event was titled Sex Week in 2015 and Sexual Health Week in 2017. Both events were planned by a registered student organization. According to administrators at ETSU, 2015 and 2017 were the only years when such an event took place at the university. The following sections detail both events.

2015 Sex Week

The 2015 Sex Week was planned by a registered student organization, the Feminist Majority Leadership Alliance (FMLA). The FMLA requested \$9,386 in student activity fee funds from the Student Government Association (SGA) to host Sex Week in spring 2015. At the October 7, 2014, student senate meeting, the SGA denied the funding request, citing potential legislative pushback against ETSU similar to what was experienced by the University of Tennessee. During a phone interview between the Comptroller’s Office and ETSU, the Associate Vice President for Student Affairs said that the SGA considered its constitutional purpose to “always [keep] in mind the welfare of the entire student body”<sup>26</sup> in making the decision to deny the funding request, and determined that awarding funds for Sex Week would not benefit the student body as a whole. At the same October 2014 student senate meeting, the SGA passed a resolution urging that all ETSU organizations not participate in Sex Week, “the welfare of the student body requiring it.” (See Exhibit 24.)

ETSU’s SGA, an all student panel, denied funding to a registered student organization that wanted to plan a Sex Week on campus in 2015. The funding request was denied by the SGA, which is required by its constitution to consider the “benefit of the student body and the entire university” when making funding allocation decisions.

Exhibit 24: Resolution passed by the SGA on October 7, 2014, in response to a proposed Sex Week at ETSU

**A RESOLUTION TO URGE THE AFFILIATES OF EAST TENNESSEE STATE UNIVERSITY TO PULL OUT OF SEX WEEK**

WHEREAS, Sex Week is dangerous to the shared governance system that is currently established at our university, and;

WHEREAS, due to previous universities’ Sex Weeks, the Tennessee Legislature has punished many universities throughout the state because of this week, and;

WHEREAS, this punishment can destroy the BucFund process as we know it, and rob this university of tremendous events that BucFund provides for.

NOW THEREFORE BE IT RESOLVED BY THE 2014-2015 STUDENT GOVERNMENT ASSOCIATION SENATE OF THE EAST TENNESSEE STATE UNIVERSITY THAT:

Section 1. The Students of East Tennessee State University urge all organizations related to Sex Week to withdraw from this event, the welfare of the student body requiring it.

Source: ETSU Student Senate Resolution, SSR-14-006.



During the September 22, 2014, Faculty Senate meeting (two weeks prior to the SGA meeting), ETSU President Brian Noland said that he supports the students' decision to plan a Sex Week, "does not feel it is appropriate for the university to infringe on their [F]irst [A]mendment rights," and that "if Sex Week is an opportunity for us to bring issues related to domestic violence, women's health, public health, to the front and center of the campus, it is good for us." He also said that the university should be prepared for protests from community groups and politicians, and that the controversy could be a "rich opportunity for dialogue."<sup>27</sup>

The 2015 Sex Week took place at ETSU for three days, February 10 through February 12, and included 16 individual events. According to ETSU, attendance was not tracked. (See Appendix B, Exhibit 1 for a list of events.) To fund Sex Week, students solicited private donations using an online crowdsource funding campaign, raising a little over \$3,000, and hosted at least one fundraising event. The total amount raised in private donations is unknown.

### 2017 Sexual Health Week

The Feminist Majority Leadership Alliance (FMLA), the same student organization that planned Sex Week at ETSU in 2015, planned an event titled Sexual Health Week at ETSU for spring 2017. When asked about the name change from Sex Week to Sexual Health Week, an administrator at ETSU said the organization decided that Sexual Health Week better expressed what the week was about.

FMLA's request for \$4,700 in student activity fee funding was approved by the SGA at the October 4, 2016, student senate meeting.

Sexual Health Week took place at ETSU for five days, February 6 through February 10, and included 10 individual events. According to ETSU, attendance was not tracked. (See Appendix B, Exhibit 1 for a list of events.)

### ***University of Tennessee-Chattanooga: Sex Week***

There have been events that students have labeled as Sex Week at the University of Tennessee-Chattanooga in 2015, 2016, and 2017. In 2015 and 2016, a group of students and nonstudents that refused to become a registered student organization attempted to organize and host events on campus, though it was asked to cease once university officials realized it was not an RSO. An administrator at UTC said that no university or student activity funds were used by the group.

In 2017, a registered student organization, The Women's Action Council (WAC), hosted a Sex Week that included eight events over five days. An administrator at UTC said that the WAC funded the event using private donations (i.e., the students sold handmade buttons), and confirmed that the group did not request or receive student activity funds. At least five of the events were hosted in campus facilities. (Registered student organizations at UTC can reserve campus facilities at no cost.) Attendance was not tracked for any of the events. See Appendix B, Exhibit 3 for a list of events.

Administrators at UTC said that the WAC was planning to host another Sex Week in 2018 but was unable to organize the events in time to advertise them. The WAC did not request funding for Sex Week 2018.



## Student programming council-planned events

### ***The University of Memphis: S.E.X. Week***

In October 2006, the Student Activities Council (SAC) at The University of Memphis (UM) hosted a weeklong event of sex-related programming called Sexual Education Xperience (S.E.X.) Week. The SAC is a standing council at UM made up of 17 students who apply, interview, and receive training; the council plans a variety of campus-wide events, such as concerts, films, and speakers using student activity fee funding. S.E.X. Week events occurred over five days and included a health fair, film screening, and presentation on dating and healthy relationships. The total budget for S.E.X. Week was \$3,392. According to the university, this event occurred only in 2006.

## University-planned events

### ***Middle Tennessee State University: Sexual Responsibility Week***

Since 2009, Sexual Responsibility Week has taken place at Middle Tennessee State University (MTSU), and is sponsored by Health Promotions, a division of Student Affairs. The event is typically offered in February (during the week of Valentine's Day), and offers a variety of information on contraception, abstinence, talking to partners, sexually transmitted infections, and healthy relationships. On average, Sexual Responsibility Week includes two to three workshops (with about 250 students attending annually), and two to three days of information tables. According to administrators at the university, the annual cost for Sexual Responsibility Week is approximately \$200. See Appendix B, Exhibit 2 for a list of events.

## **Sex Week at UTK in comparison to similar events at other universities**

Sex Week at the University of Tennessee-Knoxville is not the only such event that occurs on public university campuses in Tennessee, as week-long events featuring sex-related programming have occurred on the campus of at least four other public universities, including East Tennessee State University (ETSU), Middle Tennessee State University (MTSU), the University of Memphis (UM), and the University of Tennessee-Chattanooga (UTC). There are similarities and differences among the events; key points of comparison include the scope, language used to advertise the events, amount of funding, and the organizing group. See Exhibit 25 for a side-by-side comparison of events planned at each university.

Of all the week-long sex-related events planned at public universities in Tennessee, SEAT at UTK receives the most student activity fee funding (averaging about \$15,000 over the last seven years), while student groups at other universities have received a smaller allocation (for example, the FMLA received \$4,700 in 2017), or no allocation of student activity fee funding (as was the case at UTC and for one year at ETSU).

Not all week-long events are titled Sex Week as some events have been given other names that more accurately reflect the week's purpose. Attendance is not tracked for events at each university, so it is not possible to draw comparisons regarding event attendance.



**Exhibit 25: Sex Week at public universities in Tennessee**

	<b>ETSU</b>	<b>MTSU</b>	<b>UM</b>	<b>UTC</b>	<b>UTK</b>
<b>Event name</b>	Sex Week (2015) and Sexual Health Week (2017)	Sexual Responsibility Week	Sexual Education Xperience (S. E. X.) Week	Sex Week	Sex Week
<b>When</b>	February 2015 and 2017	February, annually since 2009	October 2006	October 2017	March or April, annually since 2013
<b>Scope</b>	2015: 3 days, 16 events 2017: 5 days, 10 events	On average, 2-3 workshops and 2-3 days of information tables	5 days; the number of events is unavailable	5 days; 8 events	On average, 6 days, 30 events
<b>Attendance*</b>	Unavailable	On average, about 250 attendees annually	Unavailable	Unavailable	On average, about 2,800 attendees annually
<b>Funding**</b>	2015: requested \$9,386, received \$0 in student activity fees; FMLA used private fundraising. 2017: requested and received \$4,700 in student activity fees	On average, \$200 annually (budgeted)	\$3,392 (budgeted)	The WAC did not request or receive student activity fee funding; private donations supported the week	On average, about \$15,000 annually in student activity fees, and \$8,303 total in gift funds; SEAT has used private donations in at least 3 years
<b>Sponsor</b>	<b>Registered student organization</b> (Feminist Majority Leadership Alliance, FMLA)	<b>University department</b> (Health Promotions, a division of Student Affairs)	<b>Student programming board</b> (Student Activities Council, SAC)	<b>Registered student organization</b> (The Women's Action Collective, WAC)	<b>Registered student organization</b> (Sexual Empowerment and Awareness at Tennessee, SEAT)

Notes: \*Attendance numbers represent overall attendance, not unique attendees. Attendance data for Sex Week at UTK is largely unavailable for 2015 and 2016. \*\*The funding for Sex Week at ETSU, UTC, and UTK is based on how much money the student organizations requested/received from their respective student activity fee allocation committees. SEAT, FMLA, and WAC have solicited private donations for their respective events; private fundraising amounts have not been tracked methodically by the universities or student organizations, and therefore are not included in this table, though estimates are provided in other sections of the report. The costs for S.E.X. Week at UM and Sexual Responsibility Week at MTSU are based on the event budgets provided by each university.

Source: The Comptroller's Office analysis of information provided by each institution.

To compare the language used in advertising individual events (which has often been cited as a point of controversy for Sex Week at UTK), Exhibits 26, 27, and 28 include the individual event titles for Sex Week events hosted on public university campuses in Tennessee in the three years when multiple universities were the site of such events: 2015, 2016, and 2017. See Appendix B for a listing of individual event titles at each university for all years.







**READER ADVISORY**

**Some of the content presented in the following section is explicit in nature and may not be appropriate for all readers.**



**Exhibit 26: 2015 event titles for Sex Weeks at Tennessee public universities**

<b>Sex Week at UTK</b>	<b>Sex Week at ETSU</b>
(S)express Yourself: Poetry Slam with I.N.K.	R.U.F. – The Bible and Sex
Batteries Not Included: Sex Toys and Pleasure	Belief in Sexuality: A Trans-religious Discussion of Sexuality Inside Religion
Can't Measure Up: A Body Image Workshop	Forced Sterilization of Women of Color
Creating a Healthy Sexuality	Gateway Sexual Education: Sex Ed Policy and Politics in Tennessee
Cross Cultural (S)explorations: Japan and Sexuality	Healthy vs. Unhealthy Masculinity: Where do I fit In?
Defining Blurred Lines: Sexual Assault Roundtable	Let's Talk About Sex: Personally, Culturally, and Globally
Enabling Pleasure: Disability and Sex	Local Organization Tabling and Free STI Testing
Fighting the System: Trans Legal Issues	One Billion Rising
For Your Eyes Only: Revenge Porn and the Law	Raising Awareness About Cervical Cancer in Nicaragua: Working with Health Promoters to Increase Pap Smear Uptake
Gay, Straight, or Lying: the Impacts of Biphobia and Biersure	Relationships and Communication
Getting Wordy and Talking Dirty: Consent and Communication in the Bedroom	Reproductive Justice 101
Loosening Up the Bible Belt? Change and Inclusivity in Southern Christian Churches	Say Bi to Non-Monosexual Stereotypes
Love is Patient: Abstinence and Virginity	Sex, Art, and Everything In Between
On the Air: Sex and the Media	Sex: Am I Normal?
Owner's Guide to Your Package: Penis Edition	The Stigma of Sexuality: Gender, Shame, Purity, and Fluidity
Owner's Guide to Your Package: Vagina Edition	Where Does it Hurt?: What to Discuss with Your Provider When it Comes to Sex
Partition, Please: Secret Fantasies	<b>Sexual Responsibility Week at MTSU</b>
Queering Medicine: LGBTQ+ Health	Battle of the Sexes
Racing Sex and Sexing Race: Construction of Race, Gender, and Sexuality	Mr. or Mrs. Right, Right Now, or Wrong?
Road Head: The Role of the Automobile in American Sexuality	
SafeZone Training	
Selling Sex: Ethics of Sex Work	
Sex and the Sinner: Religion Roundtable	
Shake it Off: Sexy Hip Hop Class	
Singing the Body Poetic: Poetry with Dr. Marilyn Kallet	
STI Testing	
Stimulating Studies: Sex and Gender Research Poster Session	
Symptoms of Stigma: HIV/AIDS	
Textual Healing: Sexuality and Literature	
The Naked Truth: The History of Beauty, Nudity, and Censorship	
We Can Work It Out: Relationship Workshop	
We've Got Chemistry: The Science of Orgasm	
You Better Work: Drag Show with volOUT	
Your Hair Down There: Pubic Hair Removal and Genital Self-Image	

Source: Event schedules.



**Exhibit 27: 2016 event titles for Sex Weeks at Tennessee public universities**

Sex Week at UTK	Sex Week at UTC
50 Shades of Orange: BDSM 101	Consent 101
After “I Do”: Beyond Marriage Equality	Dil’dos and Don’ts
Butt Stuff	Erotic Writing
Drag Show	Gender and Pancakes
Drag Theory	Open Closet Open Mic
Erotica: Telling Your Sexual Story	Queer Mixer
Facing the Future Together: Supporters and Survivors	Sexual Empowerment Through the Art of Burlesque
Famous Feminists	The Sex Ed You Didn’t Get in Highschool
FTM: Scouting the Unknown	Sexual Responsibility Week at MTSU
How to Drive a Vulva	Connecting Strong
I Woke Up Like This: Body Image Workshop	Five Love Languages
Kegel for a Bagel	Netflix and Chill
Let’s Talk About Sex, UT	
Male Sexual Fluidity	
Men’s Health	
Netflix and Chill: College Relationships Workshop	
Ohh La La: French Sexuality	
On My Own Terms: Abstinence and Virginity	
Orgasme: Art Show	
Religion and Sexuality	
Sex Trivia and Pizza	
Sexual Selections: Gender and Sexuality in Nature	
STI Testing	
Straight Edge: Power and Pleasure	
Tinder Lovin Care	
Tongue in Cheek: Oral Pleasure	
Trans Health	
Women’s Health	

Source: Event schedules.



**Exhibit 28: 2017 event titles for Sex Weeks at Tennessee public universities**

<b>Sex Week at UTK</b>	<b>Sexual Health Week at ETSU</b>
Abortion in TN	Ask a Sexpert
All of Me	Bi, Bi, Bi: Bisexuality, Pansexuality, and Queerness
Art Show: Fluid	Consent Workshop
Be Prepared: HIV Prevention	Let's Talk about Sex: Communicating with your Partner
Born This Way?	LGBTQ+ Crash Course
Contraceptives 101	LGBTQ+ Specific Sex Talk
Crossroads: Identities Within Feminism	Pizza and Periods
Drag Show	Religion and Sexuality Panel
Erotic Mormon Image	Sex and Society: A Round Table Dialogue
F*ing the Patriarchy	Sex, Jesus, and the Bible
Gender Exposed	<b>Sex Week at UTC</b>
Having An Affair With Yourself	Consent and Cookies
HIST 69: History of Sex Week	Cunts, Cops, Cocks, Consent: Oh My!
History of Rape and Resistance	Dildo's and Don'ts
How's Your Head?	Go Down, Get Down
I Am, I Was	The Art of Seduction: Burlesque
International Aphrodisiacs Cooking Workshop	The Binary in Bed
Leveraging Privilege for Reproductive Health	The Sex Ed. You Didn't Get in Highschool
Living in a Toxic Culture: Empowerment Dialogue	Who's your Daddy?
My Body, My Boundaries: Virginity	<b>Sexual Responsibility Week at MTSU</b>
Ode to the Big O: Orgasm and Pop Music	Be the Power of One!
Open Hearts, Open Minds	Kiss and Tell
OUTspoken Workshop	Sexual Responsibility Olympics
Playtime	
Pop, Pussies, and Politics	
Positively Positive	
Religion and Sexuality	
Sex Educator Showdown	
Sex Week Cabaret	
Sex Week Carnival	
Sexual Liberation?: At the Intersections of Gender, Sex, Race and Class	
Stripping Away Female Sexuality	
Title IX Panel	
Trans Bathroom Access	
You Like That? Consent and Communication in the Bedroom	

Source: Event schedules.



## Sex Week at public universities outside of Tennessee

The Comptroller's Office surveyed some non-Tennessee public universities where a Sex Week has been hosted to learn more about the organizers, scope of the event, funding sources, and any related controversies. Sex Weeks have occurred at other universities that were not surveyed by the Comptroller's Office. Information was provided by administrators at Indiana University (IU), the University of Kentucky (UK), and the University of North Carolina-Charlotte (UNCC). The National Conference of State Legislatures (NCSL) was also asked to provide information on any legislative action relative to a Sex Week occurring at a public university in other states.

*This section includes information about Sex Weeks occurring on the campuses of some public universities outside of Tennessee:*

Indiana University (IU)  
University of Kentucky (UK)  
University of North Carolina-Charlotte (UNCC)

### Indiana University

#### Sexploration Week and Sexploration Events

Indiana University (IU) hosted a Sexploration Week in 2008 and, based on campus feedback about the event, determined that one week was not satisfactory. The university has since hosted Sexploration Events multiple times a year. Events have focused on safe sex, sex in the context of politics and religion, health and sexuality, women's sexuality and sex trafficking, and sex in the arts (including a cabaret show).

**Sexploration** at IU is sponsored by the university in conjunction with student groups. Funding sources include donations from non-profit organizations and the IU medical center, student organization and student government funds, and grants. The event has received little to no pushback from stakeholders.

Sexploration Week and the subsequent Sexploration Events are hosted by the University Health Center in conjunction with student organizations (e.g., the Sexual Health Advocacy Group), university departments and programs (e.g., the Center for Sexual Health, the School of Public Health), and occasionally, outside funders who sponsor guest speakers (e.g., Pure Romance, an adult toy distributor, sponsored the author of America's War on Sex who spoke on campus about his book).

The events primarily rely on work time of the employees within the supporting departments, though funding is provided through a variety of sources including nonprofit organizations, student organizations, grants, the university's student government, and the IU medical center.

An administrator in the Indiana University Health Center said that the university has received very few complaints about the events since they began in 2008. The most notable complaint came from an out-of-state parent (whose child does not attend IU) who reportedly attempts to stop sexual health education in higher education everywhere. The administrator also said that IU administrators have not requested changes in the programming.



**The University of Kentucky**

Sex Week

According to administrators at the University of Kentucky (UK), a Sex Week was hosted once in 2009. The event was initiated by a human sexuality professor who worked with a student organization that formed specifically to organize the week. The event was funded at least in part by academic programs and departments at the university, as well as the publisher of the textbook used in the organizing professor’s human sexuality course. The event received pushback from the Heritage Foundation (a conservative think tank) and the university, though the professor said most of the feedback was positive. Sex Week at UK’s purpose was to promote “sexual literacy” and included several panels, including one on religion and sexuality (featuring various clergy) and a debate between an abstinence-only group and the author of the human sexuality textbook.

Safer Sex Week and the Sexperts

UK’s University Health Service hosts a Safer Sex Week annually in February; the event features information tables and events to educate students about birth control, consent, STI testing, and sexual health. The 2018 Safer Sex Week featured events called “Condom Sense” and “Bedside(r) Manners.” Administrators in the University Health Service also advise a student organization, the UK Sexperts. The Sexperts are a student group of peer health educators who provide “honest, accurate, and inclusive” sexual health education, give presentations when requested by various organizations (e.g., residence halls, sports teams, student organizations, etc.), and cosponsor events (such as Safer Sex Week and HIV Awareness Days) with the University Health Service.

**Sex Week at UK** occurred once in 2009, was initiated by a university professor, and organized by a student group that formed specifically to plan the event. Sex Week was funded by academic programs and departments and received pushback from a conservative think tank and the university. The event occurred only once because the professor who initially organized Sex Week has not had the capacity to organize subsequent events, and no one else has taken the lead.

UK’s University Health Service hosts a **Safer Sex Week** annually in February. The University Health Service also sponsors the **Sexperts**, a student group of peer educators who give presentations to various groups on campus about sexual health education.

**The University of North Carolina-Charlotte**

Sex Week

According to a university administrator, the first Sex Week at the University of North Carolina-Charlotte (UNCC) occurred in February 2018, and was organized by a registered student organization. The event included 21 individual events occurring in campus facilities, was attended by about 325 people, and was funded through student activity fees. The only expense for Sex Week 2018 was related to the showing of *The Rocky Horror Picture Show*. The student group recruited faculty, staff, and community members to speak at events

Students at UNCC hosted a **Sex Week** at the university in February 2018. The event was attended by 325 people and received student activity fee funding, though the event’s only expense was for a film screening. Event speakers participated on a volunteer basis. The Vice Chancellor for Student Affairs said that the student organizers compromised by changing some provocative event titles when complaints were expressed by constituents.



on a volunteer basis (i.e., no speakers were compensated for their appearance). Notably, UNCC received inquiries from a few constituents regarding the provocative workshop titles. A university administrator said that in response, the student organizers worked with the speakers and altered the titles in response. Exhibit 29 displays the event titles as advertised by the student group.

**Exhibit 29: Event titles for Sex Week 2018 at the University of North Carolina, Charlotte**

Sex Week Events at UNCC	
<b>Sunday, February 18</b>	Talk Dirty To Me: A Student Conversation About Sex
<b>Monday, February 19</b>	Right In Front of You: Bystander Intervention Training
	Religion, Sex, and You
	It Happened Here (movie screening)
	Tales From Down There
<b>Tuesday, February 20</b>	Check Yourself...For STDs
	Come As You Are: A Discussion of Slut Shaming
	The Little Blue Pill
	Sultry Poetry Night
<b>Wednesday, February 21</b>	Friendly Peer Training and Queer Q&A
	What They Don't Write Home About
	Not In My City Project: College Students Combating Sex Trafficking
	Tales from Down There
<b>Thursday, February 22</b>	"She's Gotta Have What?": Black Women and Sexuality in Literature
	SlutWalk
	Title IX Panel
	Speed Date: Painting and Mocktails
<b>Friday, February 23</b>	Safe Alliance and Sexual Assault
	Healthy Is Sexy, But Is Sexy Healthy?
	Cookies and Condoms
	Rocky Horror Picture Show
<b>TOTAL ATTENDANCE: 325</b>	

Source: Event schedule and <https://www.sexweekuncc.org> (accessed Dec. 11, 2018).

According to the student group's website, it plans to host another Sex Week at UNCC in February 2019.

### **Legislative action regarding Sex Week outside of Tennessee**

The Comptroller's Office asked the National Conference of State Legislatures (NCSL) if any other state legislature has passed legislation in direct response to a Sex Week occurring at a public university in their state. (See pages 31-37 for legislative actions taken by the Tennessee General Assembly.) A research analyst within NCSL's education program said that to the best of their knowledge, no other state legislatures have passed laws prohibiting the expenditure of funds for or regulating student activities related to a Sex Week occurring in their state.

NCSL is unaware of any other state legislature passing laws directly related to a Sex Week occurring at a public university in their state.



## Key Conclusions

**The University of Tennessee-Knoxville (UTK) provides year-round sex-related programming (e.g., consent, STI prevention, etc.) to its students, as does every public university in Tennessee, and one university hosts a Sexual Responsibility Week annually.** As stated in part of Senate Joint Resolution (SJR) 626, the university, rather than a registered student organization, is responsible for providing students with sexual health programming.<sup>ss</sup> According to board policy, the Student Programming Allocation Committee (SPAC) is required to consider if a registered student organization's proposed event duplicates, in whole or in part, a program offered by the university, when making allocation decisions.

<sup>tt</sup> No university, including UTK, has denied funding to a registered student organization for duplicating university-provided sex-related programming.

**Sex Week at UTK is not the only such event that occurs on the campuses of public universities in Tennessee, though it generates the most controversy.** A review of the timeline of events (see page 57) shows that the controversy surrounding Sex Week at UTK has been more intense in some years than others. For example, there was little attention paid to Sex Week at UTK in 2015 and 2017, and little attention paid to Sex Week events occurring on other Tennessee public university campuses in any year. In an interview with the Comptroller's Office in September 2018, the current student leaders of SEAT characterized the large amount of attention Sex Week has received from the legislature and media outlets as "free advertising."

**Registered student organizations have hosted Sex Week events at other public universities in Tennessee with and without a direct allocation of student activity fee funding.** A registered student organization at East Tennessee State University (ETSU) has hosted a Sex Week twice: in 2015 without a direct funding allocation (organizers used private donations after their funding request was denied by the SGA) and in 2017 with an allocation of student activity fee funding. A registered student organization at the University of Tennessee–Chattanooga (UTC) hosted a Sex Week in 2017 without a direct funding allocation from the university; the event was supported by private donations. Registered student organizations at ETSU, UTC, and all other public universities in Tennessee receive indirect benefits, including the use of facilities at little to no cost and use of the university's name. Cutting funding from registered student organizations is not a guarantee of eliminating student-organized events.

## Policy Considerations

**The Tennessee General Assembly could direct UTK to declare itself the sole provider of sex-related programming on campus.** As expressed in SJR 626, the university, rather than a registered student organization, is responsible for providing students with sexual health programming. UTK provides year-round sex-related programming (e.g., consent, STI prevention, etc.) to its students, as does every public university in Tennessee. Other universities in and outside of Tennessee host week-long events focused on sex education programming. UTK could conduct a similar event as part of the sex-related programming it already offers. If the legislature directed the university to declare itself the sole provider of sex-

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<sup>ss</sup> See page 33 for more information on SJR 626.

<sup>tt</sup> See pages 19-21 for more information on the SPAC's allocation criteria.



related programming, registered student organizations would not be able to plan sex-related events.

It is unclear if this consideration would be subject to a First Amendment lawsuit. If this policy consideration were adopted, the resulting legislation should include language that provides explicit legal protection to university employees and trustees, should litigation ensue.

**The Tennessee General Assembly may choose to ignore UTK’s Sex Week events, as it has in some years and as it has with similar events at other Tennessee universities.** As the General Assembly has recognized in passing the Campus Free Speech Protection Act, the value of freedom of speech for students is one the state, as well as the university, seeks to uphold. Reducing the amount of attention given to an event involving small numbers of students (both in its planning and attendance), would arguably help lessen the controversy.

**SEAT should reflect on how student organizations at other universities have offered week-long sex-related programs.** Student organizers of Sex Week events at public universities in and outside of Tennessee have shown a willingness to compromise with campus administrators regarding language used to advertise the event. The current student cochairs of SEAT told the Comptroller’s Office that it is not their intention to “stir the pot,” though the organization demonstrated a lack of willingness to compromise during six years of controversy. A different marketing strategy for Sex Week at UTK might generate different results.







## Endnotes

<sup>1</sup> Sexual Empowerment and Awareness at Tennessee (SEAT), registered student organization at University of Tennessee-Knoxville, Constitution, 2018, p. 1.

<sup>2</sup> Rules of the University of Tennessee-Knoxville, Chapter 1720-4-02, Types of Registered Student Organizations, March 2001 (revised), p. 1.

<sup>3</sup> Rules of the University of Tennessee-Knoxville, Chapter 1720-4-02, Types of Registered Student Organizations, March 2001 (revised), p. 4.

<sup>4</sup> Senate Education Committee, April 11, 2018.

<sup>5</sup> Representative Andy Holt, email to UT Vice President Anthony Haynes, “Re: Message from UT Vice President Anthony Haynes,” April 5, 2016.

<sup>6</sup> Representative Micah Van Huss, et al., letter to UT System President Dr. Joe DiPietro, April 24, 2018.

<sup>7</sup> University of Tennessee-Knoxville, Office of the Chancellor, *Report of Findings on Sex Week*, March 25, 2013.

<sup>8</sup> University of Tennessee-Knoxville, Office of the Chancellor, *Report of Findings on Sex Week*, March 25, 2013, p. 5.

<sup>9</sup> UT System President Dr. Joe DiPietro, email: “Report,” to UT Board of Trustees, March 25, 2013.

<sup>10</sup> *Governance of Supplemental Student Activities Funding: Policies and Practices for Non-Student Activity Fee Funding Sources*, report compiled by the Education Advisory Board at the request of the Student Activity Fee Review Team, 2013, p. 6.

<sup>11</sup> University of Tennessee System, *Student Activity Fee Review Team Report*, Oct. 14, 2013, p. 3.

<sup>12</sup> University of Tennessee System, *Student Activity Fee Review Team Report*, Oct. 14, 2013, p. 5.

<sup>13</sup> University of Tennessee, General Counsel Matthew Scoggins, letter, re: Sex Week, to Representative Van Huss, et al., May 15, 2018.

<sup>14</sup> UT System President Dr. Joe DiPietro, email: re: Todd Starnes: “University’s ‘Sex Week’ sounds like a porn film title -- But unbelievably, it’s real,” Fox News, to Senator Mark Pody, April 7, 2018.

<sup>15</sup> University of Tennessee, Office of the President, press release, University Speakers and Events, Feb. 12, 2014.

<sup>16</sup> UT System President Dr. Joe DiPietro email: “Legislative Update,” to the University of Tennessee Board of Trustees, March 6, 2014.

<sup>17</sup> UT System President Dr. Joe DiPietro, letter to Lt. Governor Ron Ramsey, Speaker Beth Harwell, Senator Dolores Gresham, and Senator Mike Bell, March 20, 2014.

<sup>18</sup> UT System President Dr. Joe DiPietro, letter to Lt. Governor Ron Ramsey, Speaker Beth Harwell, Senator Dolores Gresham, and Senator Mike Bell, March 20, 2014; University of Tennessee, General Counsel Matthew Scoggins, letter re: Sex Week to Representative Van Huss, et al., May 15, 2018.

<sup>19</sup> UT President Dr. Joe DiPietro, letter to Senator Mike Bell and Senator Dolores Gresham, March 10, 2014.

<sup>20</sup> UT President Dr. Joe DiPietro, letter to Senator Mike Bell and Senator Dolores Gresham, March 10, 2014.



<sup>21</sup> UT President Dr. Joe DiPietro, letter to Senator Mike Bell and Senator Dolores Gresham, March 10, 2014; University of Tennessee, General Counsel Matthew Scoggins, letter, re: Sex Week, to Representative Van Huss, et al., May 15, 2018.

<sup>22</sup> UTK Chancellor Beverly Davenport, letter to Lt. Gov. Randy McNally and Speaker Beth Harwell, April 11, 2018.

<sup>23</sup> University of Tennessee, General Counsel Matthew Scoggins, letter re: Sex Week, to Representative Van Huss, et al., May 15, 2018.

<sup>24</sup> University of Memphis, RSO Registration Checklist.

<sup>25</sup> Rules of the University of Tennessee-Chattanooga, Chapter 1720-2-4, Types of Registered Student Organizations, July 1999 (revised), p. 5. Rules of the University of Tennessee-Knoxville, Chapter 1720-4-02, Types of Registered Student Organizations, March 2001 (revised), p. 4.

<sup>26</sup> East Tennessee State University Student Government Association Constitution and Code of Laws, version current as of Sept. 9, 2014.

<sup>27</sup> East Tennessee State University Faculty Senate Meeting Minutes, Sept. 22, 2014.



## **Appendix A: Interviews**

### **Public universities in Tennessee**

#### ***Austin Peay State University***

A phone interview was conducted with the following individuals:

Kelly Carpenter, Coordinator for Leadership and Student Organizations, Student Organization Council Advisor  
Victor Felts, Associate Dean of Students and Director of Student Life and Engagement

#### ***East Tennessee State University***

A phone interview was conducted with the following individuals:

Leah Adinolfi, Assistant Dean of Students  
Dr. Jeff Howard, Associate Vice President for Student Affairs  
Dr. Joe Sherlin, Vice President for Student Affairs

#### ***Middle Tennessee State University***

A phone interview was conducted with the following individuals:

Dr. Danny Kelley, Assistant Vice President for Student Affairs  
Lisa Schrader, Director, Health Education Programming  
Sarah Sudak, Associate Vice President for Student Affairs and Dean of Students  
Jackie Victory, Director, Student Organizations and Service

#### ***Tennessee State University***

Information was provided through email from the following individual:

Dr. Tracey Ford, Vice President for Student Affairs

#### ***Tennessee Technological University***

A phone interview was conducted with the following individuals:

Gregory Holt, Compliance Officer and Clery Coordinator  
Katie Williams, Dean of Students

#### ***University of Memphis***

A phone interview was conducted with the following individuals:

Kenneth Anderson, Director of Office for Institutional Equity and Title IX Coordinator  
Jennie Verner, Senior Director of Government Relations and Policy



### **University of Tennessee-Chattanooga**

A phone interview was conducted with the following individuals:

Yancy Freeman, Vice Chancellor of Enrollment Management and Student Success,  
Interim Vice Chancellor for Student Affairs  
Yousef Hamadeh, Assistant General Counsel  
James Hicks, Dean of Students  
Abeer Mustafa, Associate Vice Chancellor for Student Affairs

### **University of Tennessee-Knoxville**

Interviews were conducted in person at the University of Tennessee-Knoxville campus with the following individuals:

Dr. Vincent Carilli, Vice Chancellor of Student Life, 2014-present  
Dr. Jimmy Cheek, Chancellor, 2009-2017; currently serves as Chancellor Emeritus and Distinguished Professor of Educational Leadership and Policy Studies  
Chris Cimino, Senior Vice Chancellor for Finance and Administration  
Dr. Joe DiPietro, UT System President, 2011-2018  
Catherine Mizell, Secretary, Chief of Staff, and Special Counsel to the Board of Trustees; served as General Counsel from 2000-2016  
Matthew Scoggins, General Counsel, 2016-present; served as Assistant General Counsel 2008-2015 and Deputy General Counsel 2015-2016

Sexual Empowerment and Awareness at Tennessee (SEAT)  
Student cochairs for the 2018-19 academic year  
Faculty advisor to SEAT, 2012-present

### **University of Tennessee-Martin**

A phone interview was conducted with the following individuals:

John Abel, Assistant Vice Chancellor for Student Affairs  
Shannon Deal, Director of Student Health and Counseling Services

## **Public universities outside of Tennessee**

### **Indiana University**

Information was provided through email from the following individual:

Dr. Cathlene Hardy Hansen, Director of Health and Wellness Education

### **University of North Carolina, Charlotte**

Information was provided through email from the following individual:

Dr. Kevin Bailey, Vice Chancellor for Student Affairs



### ***University of Kentucky***

Information was provided through email from the following individuals:

Lizzie Finley, Health Education Specialist  
Dr. Jason Hans, Professor, Department of Family Sciences  
Dr. Kristen Mark, Associate Professor of Health Promotion, Director of the Sexual  
Health Promotion Lab

### **Other**

An in-person interview was conducted with:

A former member of the University of Tennessee Board of Trustees

Information was provided through email from:

The National Conference of State Legislatures







### **READER ADVISORY**

**Some of the content presented in the following section is explicit in nature and may not be appropriate for all readers.**







## Appendix B: Events, attendance, and funding for week-long sex-related programs at Tennessee universities

### East Tennessee State University

Both events at ETSU were planned by a registered student organization.

#### Exhibit I: Sex Week/Sexual Health Week at East Tennessee State University

Sex Week 2015	
Tuesday, February 10	
The Stigma of Sexuality: Gender, Shame, Purity, and Fluidity	
Reproductive Justice 101	
Forced Sterilization of Women of Color	
Healthy vs. Unhealthy Masculinity: Where do I fit In?	
R.U.F. – The Bible and Sex	
Wednesday, February 11	
Local Organization Tabling and Free STI Testing	
Relationships and Communication	
Raising Awareness About Cervical Cancer in Nicaragua: Working with Health Promoters to Increase Pap Smear Uptake	
Belief in Sexuality: A Trans-religious Discussion of Sexuality Inside Religion	
Gateway Sexual Education: Sex Ed Policy and Politics in Tennessee	
Sex: Am I Normal?	
Thursday, February 12	
Let's Talk About Sex: Personally, Culturally, and Globally	
Where Does it Hurt?: What to Discuss with Your Provider When it Comes to Sex	
Sex, Art, and Everything In Between	
Say Bi to Non-Monosexual Stereotypes	
One Billion Rising	
TOTAL	
Number of events	16
Attendance for the week	Attendance was not tracked for the events
FUNDING	
Student activity fee funding	\$0
Private donations <sup>^</sup>	At least \$3,105

Note: <sup>^</sup>Private donations are not tracked by ETSU; the figure represented was determined by reviewing crowdsourcing funding pages.

Sources: Sex Week event calendar: ETSU Division of Student Affairs. Crowdrise by GoFundMe.

Sexual Health Week 2017	
Monday, February 6	
LGBTQ+ Crash Course	
Consent Workshop	
Tuesday, February 7	
Sex, Jesus, and the Bible	
LGBTQ+ Specific Sex Talk	
Wednesday, February 8	
Pizza and Periods	



Sex and Society: A Round Table Dialogue	
<b>Thursday, February 9</b>	
Let's Talk about Sex: Communicating with your Partner	
Bi, Bi, Bi: Bisexuality, Pansexuality, and Queerness	
<b>Friday, February 10</b>	
Religion and Sexuality Panel	
Ask a Sexpert	
<b>TOTAL</b>	
Number of events	10
Attendance for the week	Attendance was not tracked for the events
<b>FUNDING</b>	
Student activity fee funding	\$4,700
Private donations <sup>^</sup>	Unknown

Note: <sup>^</sup>Private donations are not tracked by ETSU; the figure represented was determined by reviewing crowdsource funding pages.

Sources: Sexual Health Week event calendar. ETSU Division of Student Affairs.

## Middle Tennessee State University

Sexual Responsibility Week is planned by Health Promotions, a Division of Student Affairs.

### Exhibit 2: Sexual Responsibility Week at Middle Tennessee State University

Sexual Responsibility Week 2009			
Attendance	21	Budget	\$200
Sexual Responsibility Week 2010			
Mr. or Mrs. Right, Right Now, or Wrong?			
Sexual Health Jeopardy			
Great Sexpectations			
Attendance	288	Budget	\$200
Sexual Responsibility Week 2011			
Mr. or Mrs. Right, Right Now, or Wrong?			
Sexual Health Jeopardy			
Great Sexpectations			
Attendance	118	Budget	\$200
Sexual Responsibility Week 2012			
Have You Been Hit By Love?			
Sexplanations			
Ask a Sexpert Forum			
Attendance	660	Budget	\$200
Sexual Responsibility Week 2013			
Have You Been Hit By Love?			
Sexplanations			
U Got Game?			
Attendance	146	Budget	\$200
Sexual Responsibility Week 2014			
Sexplanations			
Ask a Sexpert Forum			
Attendance	375	Budget	\$200



Sexual Responsibility Week 2015			
Battle of the Sexes			
Mr. or Mrs. Right, Right Now, or Wrong?			
Attendance	429	Budget	\$200
Sexual Responsibility Week 2016			
Connecting Strong			
Five Love Languages			
Netflix and Chill			
Attendance	228	Budget	\$200
Sexual Responsibility Week 2017			
Sexual Responsibility Olympics			
Be the Power of One!			
Kiss and Tell			
Attendance	92	Budget	\$200
Sexual Responsibility Week 2018			
Sexual Health Jeopardy			
Let's Talk about Sex, Baby!			
Escalation: Soul Mate or Nah			
Attendance	132	Budget	\$200

Source: MTSU Health Promotions.

## The University of Tennessee-Chattanooga

There have been events that students have labeled as Sex Week at the University of Tennessee-Chattanooga in 2015, 2016, and 2017.

In 2015 and 2016, a group of students and nonstudents that refused to become a registered student organization attempted to organize and host events on campus, though they were asked to cease once university officials realized they were not an RSO. A university administrator confirmed that no funding was allocated for the events in either year.

In 2017, a registered student organization, The Women's Action Council (WAC), hosted a Sex Week that included eight events over five days. Attendance was not tracked for any of the events and an administrator confirmed that student activity funding was not requested nor allocated to the WAC for Sex Week.

Event titles are included for 2016 and 2017; an event schedule was not found for the 2015 event.

### Exhibit 3: Sex Week at the University of Tennessee-Chattanooga

Sex Week 2016
Monday, October 10
Gender and Pancakes
Sexual Empowerment Through the Art of Burlesque
Tuesday, October 11
Dil'dos and Don'ts
Wednesday, October 12
The Sex Ed You Didn't Get in High School



Thursday, October 13	
Open Closet Open Mic	
Consent 101	
Friday, October 14	
Queer Mixer	
Erotic Writing	
TOTAL	
Number of events	8
Attendance for the week	<i>Attendance was not tracked for the events</i>
FUNDING	
Student activity fee funding	\$0
Private donations <sup>^</sup>	Unknown

Note: <sup>^</sup>UTC does not track private donations.

Source: Facebook.com/UT-Sex-Week (accessed 10 December 2018).

Sex Week 2017	
Monday, October 9	
The Art of Seduction: Burlesque	
The Sex Ed.You Didn't Get In High School	
Tuesday, October 10	
Cunts, Cops, Cocks, Consent: Oh My!	
Consent and Cookies	
Wednesday, October 11	
The Binary in Bed	
Thursday, October 12	
Dildo's and Don'ts	
Who's your Daddy?	
Friday, October 13	
Go Down, Get Down	
TOTAL	
Number of events	8
Attendance for the week	<i>Attendance was not tracked for the events</i>
FUNDING	
Student activity fee funding	\$0
Private donations <sup>^</sup>	Unknown

Note: <sup>^</sup>UTC does not track private donations.

Source: Facebook.com/UT-Sex-Week (accessed Dec. 10, 2018).



## The University of Tennessee-Knoxville

### Exhibit 4: Sex Week at the University of Tennessee-Knoxville

Sex Week 2013	
Event	Attendance
Friday, April 5	
Loud and Queer, 1010 Gallery	-
Sunday, April 7	
Big Orange, Big... :)	170
Monday, April 8	
Open Table with Student Health Center	-
Bow Chicka Bow WHOA!	30
"That's Okay"	24
Concepts of Virginity	54
How Many Licks Does it Take	393
Fried Green Tomatoes (film screening)	15
Tuesday, April 9	
How to Talk to Your Parents About Sex	32
Sex Ed That Just Can't Wait	33
From a Rocky Bottom to a Rocky Top	56
Sex Trivia and Pizza	370
Religion and Sexuality	331
Hysteria (film screening)	61
Wednesday, April 10	
Open Table with Student Health Center	-
How Can UTK Stop Sexual Assault?	50
Transgender Sexuality 101	36
The Birds, the Bees, and the Bible	370
Sex, Gender, and the Law	31
Sex, Gender, Power	-
Sex in the Dark	260
Thursday, April 11	
Steamy: How to Write About Sex and Poetry	29
Middle East and Sexuality	-
Man Up!	70
Drag Show	535
Friday, April 12	
Open Table with Student Health Center	-
How to Talk to Your Doctor About Sex	29
Sex Positivity in our Sex Negative Culture	-
TOTAL	
Number of events	27
Attendance for the week	2,979
Student attendees	Unknown
General public	Unknown



## APPENDIX B

Unique attendees	Unknown
<b>FUNDING</b>	
Student activity fee funding	\$6,700
Gift funds	\$0
Private donations^	At least \$4,140
Number of Sex Week events funded with student activity fees	**

Notes: \*\*Student activity fee funding allocations are not available per event for 2013. ^Private donations are not tracked by UTK and have not been tracked annually by SEAT. Private donation figures determined by reviewing crowdfunder funding pages.

Sources: The Comptroller's Office analysis of data provided by UTK Division of Student Life and SEAT. Indiegogo.

<b>Sex Week 2014</b>	
<b>Event</b>	<b>Attendance</b>
<b>Weeklong events</b>	
The AIDS Quilt	-
Condom Scavenger Hunt	-
Health testing and tabling	-
<b>Sunday, March 2</b>	
My Milkshake Brings All the Boys to the Yard: Aphrodisiac Cooking Class	45
Stay the Night: Hook-Up Culture	60
Sexy Oscars Party	25
<b>Monday, March 3</b>	
Who Runs the World?! Girls: Women's Health	32
War, Sexuality, Aggression	40
Birds Did It, Bees Did It: History of Sex	67
Don't Blame It On the Alcohol: Communication, Consent, & Sexual Assault Prevention	50
Get Wet: Exploring the Connections Between Sexual Pleasure, Health, & Advocacy	203
<b>Tuesday, March 4</b>	
Gender Theory 101	40
Can't Touch This: Abstinence	26
Arts Erotica: Pornography Then and Now	124
Cross-Cultural Sexuality	48
Suck it, Trebek: Sex Trivia and Pizza	138
Sexploration: Boys, Girls, I Can't Help It	215
Sexy Zumba	23
<b>Wednesday, March 5</b>	
Sexual Assault Roundtable	37
Transgender Sexuality	45
I Wanna Dance with Somebody: Relationship Workshop	67
We Can't Stop: Orgasms & Masturbation	154
Centerfold: Pornography--the Ethics & Politics of Producing Pleasure	134
TED Talks Marathon	-
<b>Thursday, March 6</b>	
Afternoon Delight: A Discussion About Politics and Policy in Tennessee	64
Calling Dr. Love: Ask a (S)expert!	33
Long-term Intimacy	85



**SPECIAL REPORT: SEX WEEK AT THE UNIVERSITY OF TENNESSEE–KNOXVILLE**

Sweet Talkin' Son of a Preacher Man: Religion and Sexuality Panel	226
Jamar Rogers	-
Lip Sync for Your Life: Drag Show with the Lambda Student Union	535
Like a Virgin:Virginity	-
<b>Friday, March 7</b>	
Middle East & Sexuality	60
The Right Kind of Wrong: Sex & the Law	25
"The World We Love In: Understanding Sexual Identity" Art Show with Gallery 1010	849
Poetic Justice: Poetry Slam	72
<b>TOTAL</b>	
Number of events	35
Attendance for the week	3,522
Student attendees	Unknown
General public	Unknown
Unique attendees	Unknown
<b>FUNDING</b>	
Student activity fee funding	\$20,000
Gift funds^^	\$2,603
Private donations^	Unknown
Number of Sex Week events funded with student activity fees	**

Notes: \*\*Student activity fee funding allocations are not available per event for 2014. ^Private donations are not tracked by UTK and have not been tracked annually by SEAT. Private donation figures determined by reviewing crowdsourcing funding pages. ^^Gift funds were allocated as general support for Sex Week, not for individual events.

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life and SEAT.

<b>Sex Week 2015</b>	
<b>Event</b>	<b>Attendance</b>
<b>Saturday, April 4</b>	
SafeZone Training	-
Shake it Off: Sexy Hip Hop Class	33
(S)express Yourself: Poetry Slam with I.N.K.	-
<b>Monday, April 6</b>	
Road Head: The Role of the Automobile in American Sexuality	-
On the Air: Sex and the Media	-
Symptoms of Stigma: HIV/AIDS	-
Your Hair Down There: Pubic Hair Removal and Genital Self-Image* ^^	-
Getting Wordy and Talking Dirty: Consent and Communication in the Bedroom^^	-
<b>Tuesday, April 7</b>	
STI Testing	-
Defining Blurred Lines: Sexual Assault Roundtable*	-
Stimulating Studies: Sex and Gender Research Poster Session	-
Can't Measure Up: A Body Image Workshop* ^^	-
Textual Healing: Sexuality and Literature	-
Sex and the Sinner: Religion Roundtable	-
Batteries Not Included: Sex Toys and Pleasure^^	55



## APPENDIX B

Wednesday, April 8	
Love is Patient: Abstinence and Virginity	-
For Your Eyes Only: Revenge Porn and the Law	-
Cross Cultural (S)explorations: Japan and Sexuality	-
Gay, Straight, or Lying: the Impacts of Biphobia and Biersure^^	-
The Naked Truth: The History of Beauty, Nudity, and Censorship	-
Racing Sex and Sexing Race: Construction of Race, Gender, and Sexuality*	34
Partition, Please: Secret Fantasies	66
Thursday, April 9	
Owner's Guide to Your Package: Penis Edition	26
Owner's Guide to Your Package: Vagina Edition	31
Queering Medicine: LGBTQ+ Health	-
We Can Work It Out: Relationship Workshop ^^	-
Loosening Up the Bible Belt? Change and Inclusivity in Southern Christian Churches*	89
Singing the Body Poetic: Poetry with Dr. Marilyn Kallet	-
We've Got Chemistry: The Science of Orgasm* ^^	-
Friday, April 10	
Creating a Healthy Sexuality	30
Selling Sex: Ethics of Sex Work	16
Enabling Pleasure: Disability and Sex* ^^	31
Fighting the System: Trans Legal Issues	19
You Better Work: Drag Show with volOUT	347
TOTAL	
Number of events	34
Attendance for the week	777**
Student attendees	Unknown
General public	Unknown
Unique attendees	Unknown
FUNDING	
Student activity fee funding	\$6,175
Gift funds	\$5,700
Private donations^	Unknown
Number of Sex Week events funded with student activity fees	7
Number of Sex Week events funded with gift funds	8

Notes: \*Denotes an event funded with student activity fees. ^^Denotes an event supported with gift funds. \*\*There is no reliable data for attendance for most 2015 events. ^Private donations are not tracked by UTK and have not been tracked annually by SEAT. Private donation figures determined by reviewing crowd source funding pages.

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life and SEAT.

Sex Week 2016	
Event	Attendance
Weeklong events	
STI Testing	-
Friday, April 1	
Orgasme: Art Show*	-



**SPECIAL REPORT: SEX WEEK AT THE UNIVERSITY OF TENNESSEE–KNOXVILLE**

<b>Monday, April 4</b>	
Tinder Lovin Care	-
Drag Theory	21
Famous Feminists	-
Sexual Selections: Gender and Sexuality in Nature	-
Sex Trivia and Pizza*	-
Let's Talk About Sex, UT*	
<b>Tuesday, April 5</b>	
On My Own Terms: Abstinence and Virginity	-
Ohh La La: French Sexuality*	-
Facing the Future Together: Supporters and Survivors	-
Religion and Sexuality*	-
50 Shades of Orange: BDSM 101*	-
FTM: Scouting the Unknown*	-
<b>Wednesday, April 6</b>	
I Woke Up Like This: Body Image Workshop*	-
Men's Health	-
Women's Health	-
Male Sexual Fluidity	-
Butt Stuff*	-
Tongue in Cheek: Oral Pleasure*	-
<b>Thursday, April 7</b>	
Trans Health	-
Straight Edge: Power and Pleasure	-
After "I Do": Beyond Marriage Equality	-
How to Drive a Vulva*	-
Drag Show*	-
<b>Friday, April 8</b>	
Kegel for a Bagel*	33
Netflix and Chill: College Relationships Workshop*	51
Erotica: Telling Your Sexual Story*	45
<b>TOTAL</b>	
Number of events	26
Attendance for the week	150**
Student attendees	Unknown
General public	Unknown
Unique attendees	Unknown
<b>FUNDING</b>	
Student activity fee funding	\$16,525
Gift funds	\$0
Private donations^	Unknown
Number of Sex Week events funded with student activity fees	15

Notes: \*Denotes an event funded with student activity fees. \*\*There is no reliable data for attendance for most 2016 events.

^Private donations are not tracked by UTK and have not been tracked annually by SEAT. Private donation figures determined by reviewing crowd source funding pages.

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life and SEAT.



Sex Week 2017	
Event	Attendance
<b>Sunday, April 2</b>	
Sex Week Carnival	2
International Aphrodisiacs Cooking Workshop*	57
Sex Week Cabaret*	235
<b>Monday, April 3</b>	
Stripping Away Female Sexuality	36
Crossroads: Identities Within Feminism	40
Gender Exposed	46
Sexual Liberation?: At the Intersections of Gender, Sex, Race and Class*	68
All of Me*	34
<b>Tuesday, April 4</b>	
Leveraging Privilege for Reproductive Health	38
Abortion in TN	42
My Body, My Boundaries: Virginity	40
Positively Positive*	43
Religion and Sexuality	94
Having An Affair With Yourself*	60
Sex Educator Showdown*	70
<b>Wednesday, April 5</b>	
HIST 69: History of Sex Week	44
Pop, Pussies, and Politics	52
History of Rape and Resistance	80
Open Hearts, Open Minds*	51
You Like That? Consent and Communication in the Bedroom*	59
I Am, I Was*	56
<b>Thursday, April 6</b>	
F*cking the Patriarchy	47
Title IX Panel	48
Born This Way?	39
Ode to the Big O: Orgasm and Pop Music	56
How's Your Head?*	72
Playtime*	141
Drag Show*	532
<b>Friday, April 7</b>	
Be Prepared: HIV Prevention	38
Erotic Mormon Image	46
Contraceptives 101	50
Living in a Toxic Culture: Empowerment Dialogue	45
Trans Bathroom Access	50
OUTspoken Workshop	36
Art Show: Fluid*	591



**SPECIAL REPORT: SEX WEEK AT THE UNIVERSITY OF TENNESSEE–KNOXVILLE**

<b>TOTAL</b>	
Number of events	35
Attendance for the week	3,038
Student attendees	Unknown
General public	Unknown
Unique attendees	Unknown
<b>FUNDING</b>	
Student activity fee funding	\$22,700
Gift funds	\$0
Private donations^	At least \$1,225
Number of Sex Week events funded with student activity fees	14

Notes: \*Denotes an event funded with student activity fees. ^Private donations are not tracked by UTK and have not been tracked annually by SEAT. Private donation figures determined by reviewing crowdfunder funding pages.

Sources: The Comptroller's Office analysis of data provided by UTK Division of Student Life and SEAT. Generosity by Indiegogo.

<b>Sex Week 2018</b>	
<b>Event</b>	<b>Attendance</b>
<b>Friday, April 6</b>	
Art Gallery – Send Nudes;)*	81
<b>Sunday, April 8</b>	
Sex Week Carnival*	86
Sex Week Cabaret-Matinee	69
Sex Week Cabaret*	100
<b>Monday, April 9</b>	
Queer History in Cinema*	66
Gender Smackdown	40
Queer Theory 101	46
Trans Convo Starter Pack*	57
Trans Sex Positivity*	28
<b>Tuesday, April 10</b>	
(S)exploration Destination: France*	47
History of Erotic Art	17
Like a Virgin: Abstinence and Virginity	3
Reproductive Justice 101*	39
CSI: My Period*	35
Masturbation Nation*	96
<b>Wednesday, April 11</b>	
Tinder and Tea*	18
Your Vulva and You	16
Your Penis and You	6
#MeToo	32
Religion and Sexuality	41
Black Liberation Through Sexual Pleasure*	9
Butt Stuff 2.0: The Pegging*	67



Thursday, April 12	
Science of Abortion	34
Feminist Geek Icons	18
Law Panel: Reproductive (In)Justice	32
Toys R Sex*	54
Sucking D and Licking P*	117
Drag Show*	395
TOTAL	
Number of events	28
Attendance for the week	1,649
Student attendees	1,326
General public	180
Unique attendees	694
FUNDING	
Student activity fee funding	\$21,700
Gift funds	\$0
Private donations^	At least \$120
Number of Sex Week events funded with student activity fees	16

Notes: \*Denotes an event funded with student activity fees. ^Private donations are not tracked by UTK and have not been tracked annually by SEAT. Private donation figures determined by reviewing crowdfunder funding pages.

Sources: The Comptroller's Office analysis of data provided by UTK Division of Student Life and SEAT. Indiegogo.



### **READER ADVISORY**

**Some of the content presented in the following section is explicit in nature and may not be appropriate for all readers.**







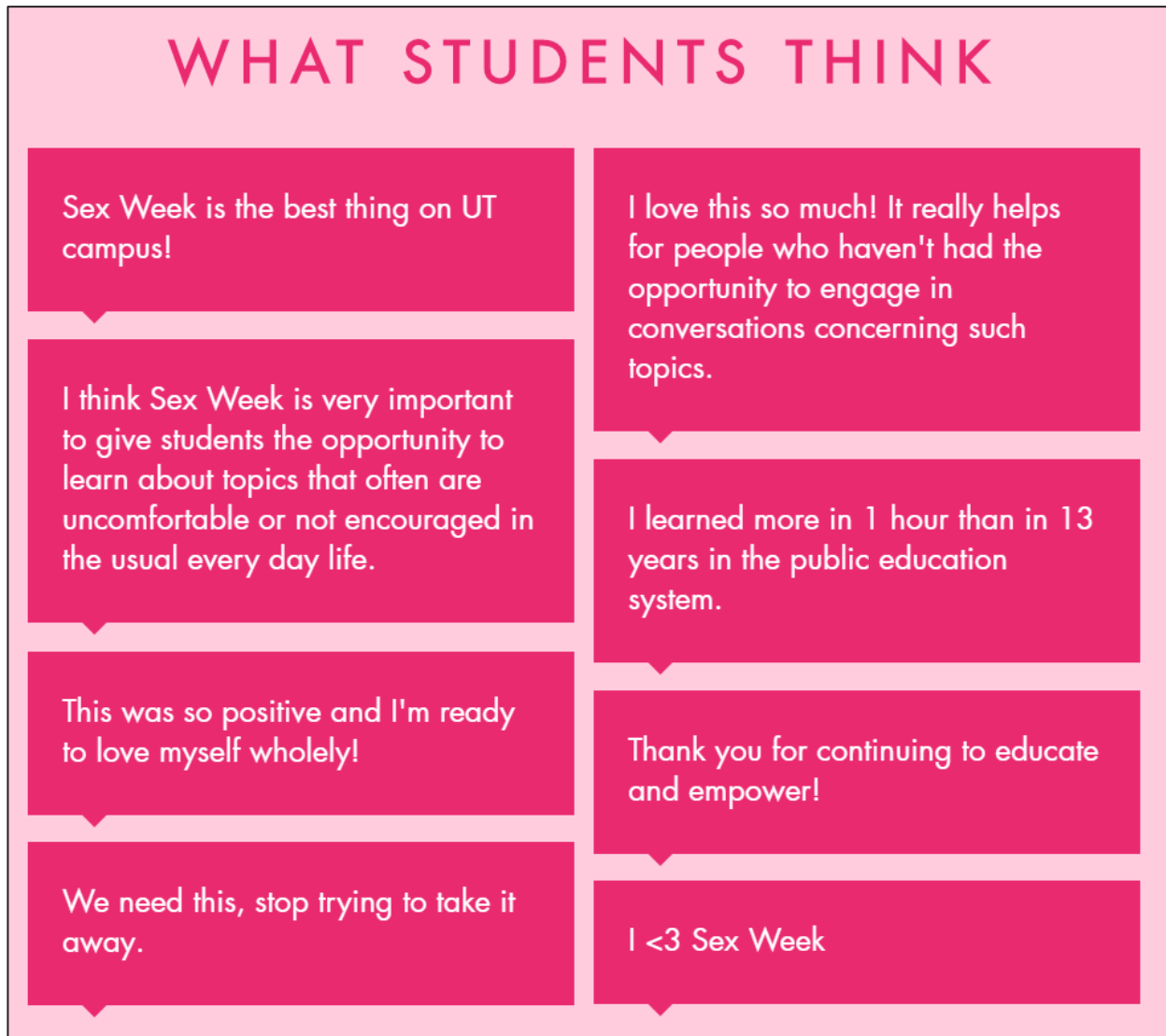
## Appendix C: Marketing materials used by SEAT

This appendix includes a sample of marketing materials and social media posts by Sexual Empowerment and Awareness at Tennessee (SEAT) used to promote Sex Week and non-Sex Week events. The materials were retrieved from the organization's website and social media pages. It is important to note that the leaders and membership of SEAT changes annually, so marketing styles used by the organization in one particular year may not accurately reflect the ideologies and intentions of the organization in other years.

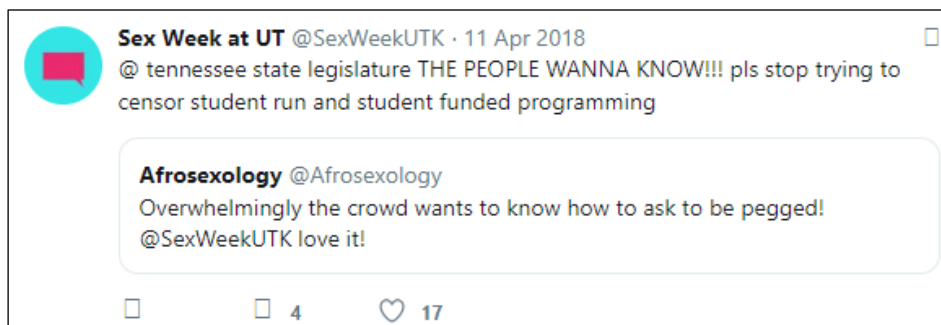


Note: This t-shirt was advertised for sale (\$10 each) by SEAT during Sex Week 2018. The text includes language from House Joint Resolution 661, adopted by the House in 2014, which condemned the organizers of Sex Week. Source: Facebook.com/sexweekut (accessed Jan. 24, 2019).





Source: [sexweekut.org](http://sexweekut.org) (accessed Jan. 24, 2019).



Source: [Twitter.com/SexWeekUTK](https://twitter.com/SexWeekUTK) (accessed Jan. 25, 2019).





# Yes! Yes!

# YES!

## consent in porn

**WED, SEPT 27**  
**7PM, HSS 114**

It's time to talk about consent in the porn industry, from sex in front of salads to exxxtra credit! Establishing consent is important and often seems invisible in porn; this discussion focuses on what happens on and off screen and how it can apply to our own sex lives.

featuring porn actress  
and aficionado  
**KITTY STRYKER**

**SEAT**  
Sexual Empowerment and  
Awareness at Tennessee

this program is funded in  
part through the Student Programming  
Allocation Committee (SPAC).

Source: Facebook.com/sexweekut (accessed Jan. 23, 2019).



# VOTE BUTT STUFF FOR SGA PRESIDENT

Sex Week UT

OUR POLICY POINTS:

- MAKE CAMPUS WET ;)
- FREE CONDOMS
- BUTT STUFF 2.0: THE PEGGING  
WITH DR. LINDSEY DOE, TONIGHT  
AT 8PM IN AMB 32!

*BUTT STUFF, A CANDIDATE YOU CAN GET BEHIND*

Source: Facebook.com/sexweekut (accessed Jan. 23, 2019).



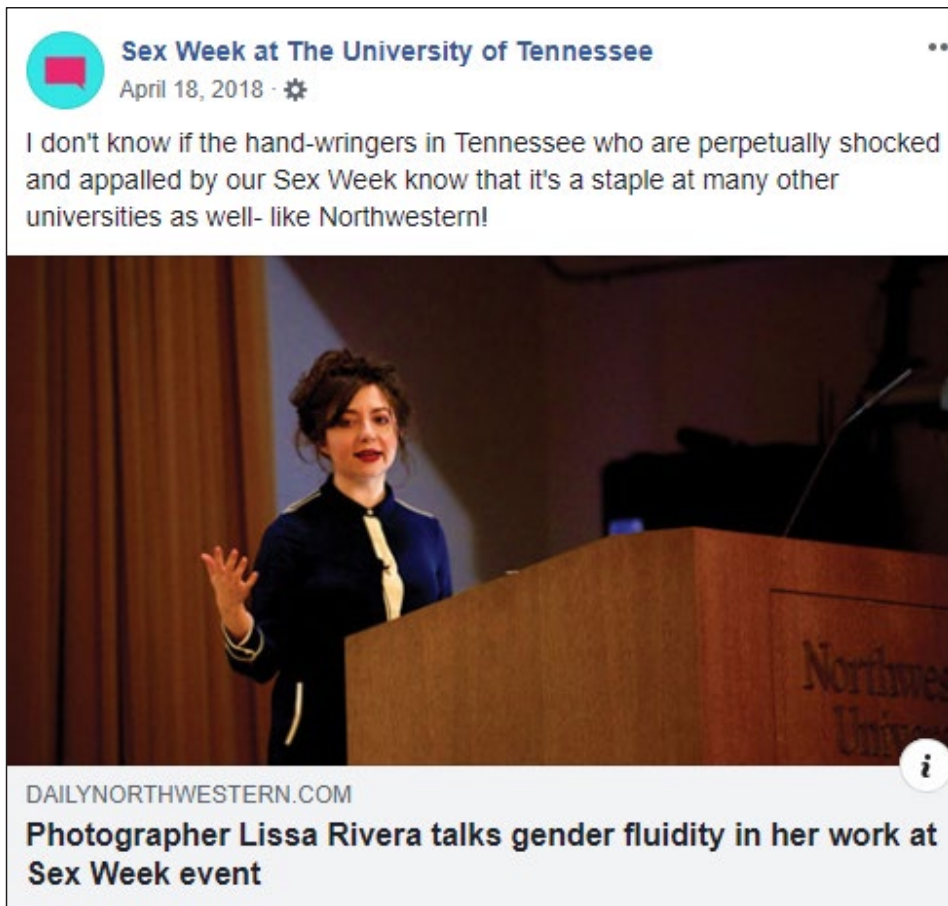


Source: Facebook.com/sexweekut (accessed Jan. 25, 2019).



Source: Twitter.com/SexWeekUTK (accessed Jan. 25, 2019).





Source: Facebook.com/sexweekut (accessed Jan. 24, 2019).



Source: Twitter.com/SexWeekUTK (accessed Jan. 25, 2019).



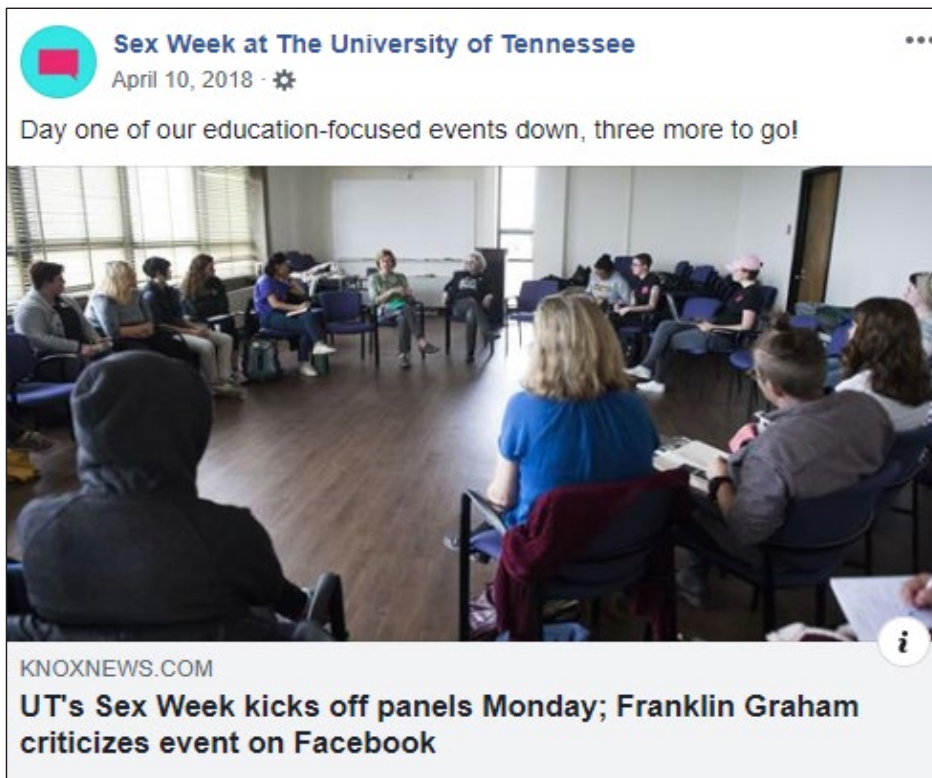


Source: Facebook.com/sexweekut (accessed Jan. 24, 2019).





Source: Facebook.com/sexweekut (accessed Jan. 25, 2019).



Source: Facebook.com/sexweekut (accessed Jan. 24, 2019).






Source: Twitter.com/SexWeekUTK (accessed Jan. 25, 2019).



Source: Twitter.com/SexWeekUTK (accessed Jan. 25, 2019).




**Sex Week at The University of Tennessee**April 7, 2018 · ⚙️...

Opinion poll: based on Todd Starnes' use of a stock photo image of Ayers and his re-use of the phrase "[x] days of depravity that makes Mardi Gras on Bourbon Street look like a Sunday school picnic," from his 2016 article, do you think he's as lazy in the bedroom as he is in the newsroom? We're getting strong lazy bottom vibes over here, maybe even a pillow princess.

No one tell him that the person running this page was born and raised in Tennessee- he's already clutching his pearls so fiercely he might break the necklace if he was asked to broaden his definition of "Tennesseans." Pearls would be EVERYWHERE.

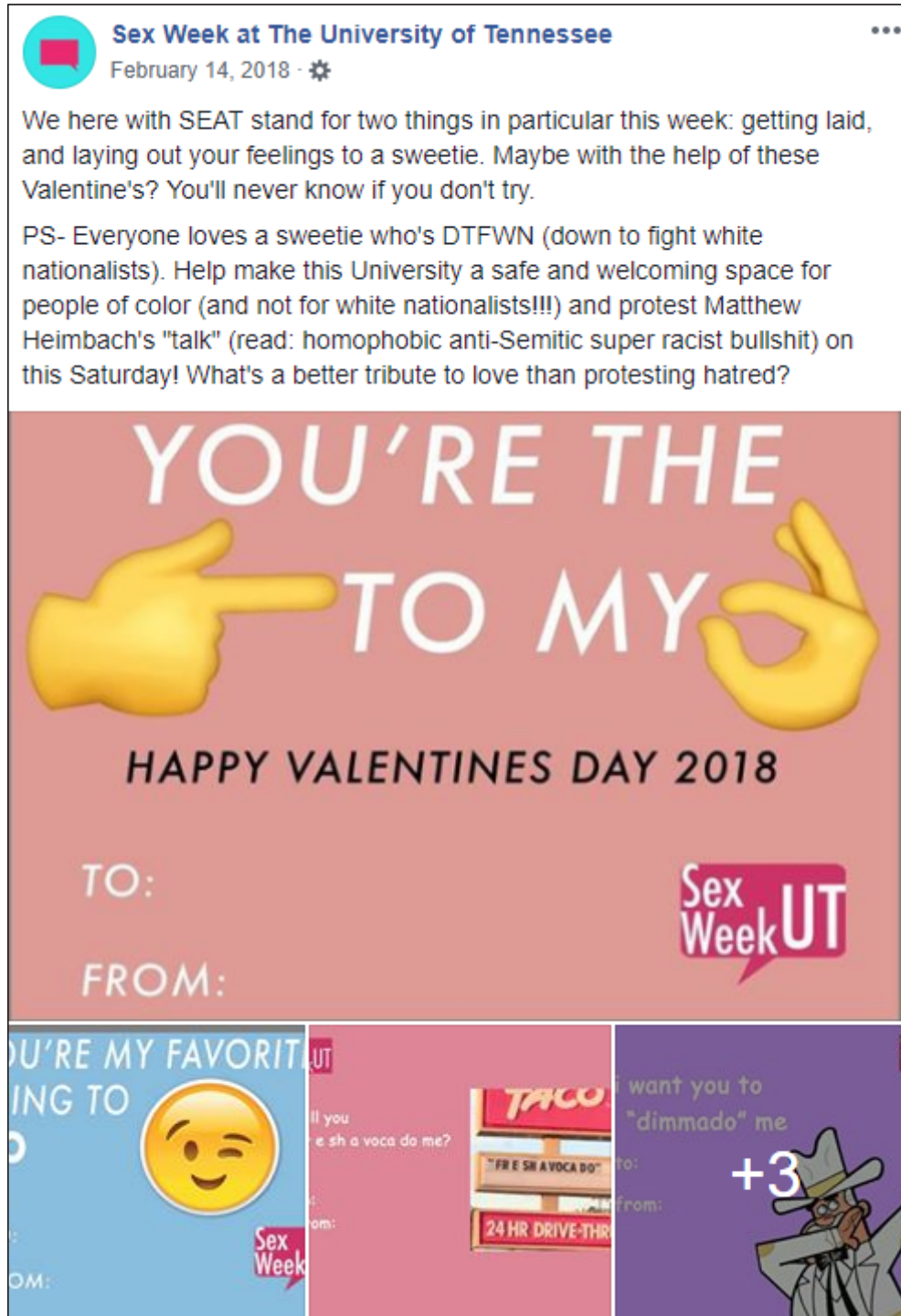
#SodomandGomorrahWeekIGuess  
#STILLNotStateFundedButThatWouldBeNiceSoWeCouldGetNicerMerch



FOXNEWS.COM  
**Todd Starnes: University's 'Sex Week' sounds like a porn film title -- But unbelievably, it's real**

Source: Facebook.com/sexweekut (accessed Jan. 24, 2019).





Source: Facebook.com/sexweekut (accessed Jan. 25, 2019).





Source: Facebook.com/sexweekut (accessed Jan. 25, 2019).



Source: Twitter.com/SexWeekUTK (accessed Jan. 22, 2019).






Source: [Twitter.com/SexWeekUTK](https://twitter.com/SexWeekUTK) (accessed Jan. 22, 2019).






Source: Twitter.com/SexWeekUTK (accessed Jan. 22, 2019).





**Sex Week UT**  
April 4-8

Monday	Tuesday	Wednesday	Thursday	Friday
Tinder Lovin' Care 12:20pm, I-House Great Room	On My Own Terms: Abstinence and Virginity 12:40pm, I-House Great Room	I Woke Up Like This: Body Image Workshop* 12:20pm, HSS 61	Trans Health 12:40pm, I-House Great Room	Kegel for a Bagel* 12:20pm, I-House Great Room
Drag Theory 2:30pm, I-House Great Room	Ooh La La: French Sexuality* 2:10pm, I-House Community Room	Men's Health 1:25pm, HSS 71	Straight Edge: Power and Pleasure 2:10pm, I-House Great Room	Nefflix and Chill: College Relationships Workshop* 1:25pm, I-House Great Room
Famous Feminists 3:35pm, I-House Great Room	Facing the Future Together: Supporters and Survivors 3:40pm, I-House Community Room	Women's Health 2:30pm, HSS 71	After "I Do": Beyond Marriage Equality 4pm, Law School, Room 132	Erotica: Telling Your Sexual Story* 3:35pm, I-House Great Room
Sexual Selections: Gender and Sexuality in Nature 5pm, HSS 61	Religion and Sexuality* 5pm, AMB 27	Male Sexual Fluidity 3:35pm, HSS 71	How to Drive a Vulva* 7pm, AMB 210	
Sex Trivia and Pizza* 6pm, Panhellenic Building, Room 206	50 Shades of Orange: BDSM 101* 6:15pm, AMB 27	Butt Stuff* 6pm, AMB 210	Drag Show* 9pm, AMB 210	
Let's Talk About Sex, UT* 8pm, AMB 210	FTM: Scouting the Unknown* 8pm, AMB 27	Tongue in Cheek: Oral Pleasures* 8pm, AMB 210		



**Friday, April 1**


Orgasme: Art Show\*  
6pm, Gallery 1010

**All Week**

STI Testing Around Campus  
Check facebook.com/sexweekut for updates

\*This program is funded in part through the Student Programming Allocation Committee (SPAC).

Source: Sex Week 2016 event schedule.



**Sex Week UT**  
April 2-7

Monday	Tuesday	Wednesday	Thursday	Friday
Stripping Away Female Sexuality 2pm, I-House Community Room	Leveraging Privilege for Reproductive Health 10am, Toyota Auditorium	HIST 69: History of Sex Week 11am, HBB 132	F*ing the Patriarchy 11am, I-House Great Room	Be PRPrePared: HIV Prevention 11am, I-House Community Room
Crossroads: Identities Within Feminism 3:30pm, HSS 218	Abortion in TN 11:30am, HSS 53A	Pop, Pussies, and Politics 12:30pm, AMB 158	Title IX Panel 12pm, College of Law Room 132	Erotic Mormon Image 11am, HSS 62
Gender EXPOSED 4:30pm, HSS 218	My Body, My Boundaries: Virginity 12:30pm, I-House Great Room	History of Rape and Resistance 2pm, HBB 102	Born This Way? 1:30pm, AMB 158	Contraceptives 101 12pm, I-House Great Room
Sexual Liberation?: At the Inter- sections of Gender, Sex, Race and Class* 6pm, AMB 210	Positively Positive* 3:30pm, Toyota Auditorium	Open Hearts, Open Minds* 4pm, AMB 27	Ode to the Big O: Orgasm and Pop Music 3pm, HSS 71	Living in a Toxic Culture: Empowerment Dialogue 1pm, I-House Great Room
all of me* 8pm, AMB 32	Religion and Sexuality 5pm, AMB 210	You Like That? Consent and Communication in the Bedroom* 6pm, AMB 32	How's Your Head?* 5pm, AMB 32	Trans Bathroom Access 2pm, College of Law Room 132
	Having An Affair With Yourself* 6:30pm, AMB 32	I Am, I Was 7:30pm, AMB 210	Playtime* 7pm, AMB 210	OUTspoken Workshop 2pm, I-House Great Room
	Sex Educator Showdown* 8pm, AMB 210		Drag Show* 9pm, Cox Auditorium	Art Show: Fluid* 5pm, Gallery 1010

**Sunday**


Sex Week Carnival  
2pm, HSS Amphitheatre

International Aphrodisiacs Cooking  
Workshop\*  
6pm, I-House Great Room

Sex Week Cabaret  
8:30pm Carousel Theatre

\*This program is funded in part through the Student Programming Allocation Committee (SPAC).

Source: Sex Week 2017 event schedule.



**Sex Week UT**  
2018 April 6-12

Monday	Tuesday	Wednesday	Thursday
Queer History in Cinema* 1:30 pm, McClung 1210	(S)exploration Destination: France* 1 pm, Hodges Lib. 213	Tinder and Tea* 1:30 pm, Strong Hall 104	Science of Abortion 1 pm, Nursing 107
Gender Smackdown 2:30 pm, McClung 1210	History of Erotic Art 2:15 pm, Art & Arch. 103	Your Vulva and You 2:30 pm, Art & Arch. 111	Feminist Geek Icons 2:15 pm, McClung 1210
Queer Theory 101 3:30 pm, HSS 71	Like a Virgin: Abstinence & Virginity 2:30 pm, Art & Arch. 111	Your Penis and You 3:30 pm, Art & Arch. 111	Law Panel: Reproductive (In)Justice 3:30 pm, Lindsay Young Aud.
Trans Convo Starter Pack* 5:30 pm, AMB 27	Reproductive Justice 101* 4 pm, AMB 32	#MeToo 3:30 pm, HSS 69	Toys R Sex* 5:30 pm, AMB 210
Trans Sex Positivity* 7 pm, AMB 27	CSI: My Period* 6 pm, AMB 32	Religion & Sexuality 4:30 pm, Lindsay Young Aud.	Sucking D & Licking P* 7:30 pm, AMB 210
	Masturbation Nation* 7:30 pm, AMB 27	Black Liberation through Sexual Pleasure* 6 pm, Lindsay Young Aud.	Drag Show* 9 pm, Cox Auditorium
		Butt Stuff 2.0: The Pegging* 8 pm, AMB 32	

**Friday 4/6**

Art Gallery - Send Nudes ;) \*  
The Birdhouse

**Sunday 4/8**

Sex Week Carnival\*  
11am - 2pm, HSS Amphitheater

Sex Week Cabaret\*  
4:30pm & 8pm, Carousel Theatre

\*This program is funded in part through the Student Programming Allocation Committee (SPAC).

Source: Sex Week 2018 event schedule.







## Appendix D: Institution-sponsored sex-related programming offered at public universities in Tennessee

This appendix reflects information as provided by each university.

### Exhibit I: Institution-sponsored sex-related programming offered to students at Austin Peay State University

<b>Haven-Understanding Sexual Assault</b>	Sponsored by the Office of Student Affairs. Haven-Understanding Sexual Assault, is a nationally recognized online educational module which helps meet and exceed Title IX and Clery Act requirements for higher educational institutions. Built in collaboration with leading researchers and campus prevention experts, the content explores healthy relationships, communication, and consent; sexual assault, relationship violence, and stalking; risk awareness and reduction strategies; bystander intervention and social norms; and educates students on campus policies and support resources.				
<b>Attendance</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
<b>Part 1</b>	215	804	1,312	1,945	1,646
<b>Part 2</b>	118	297	651	1,288	1,220
<b>Lunch and Learn</b>	Providing discussion from Counseling Services and Student Affairs on Sexual Violence, assault, domestic violence.				
<b>Year(s):</b>	<b>2016, 2017, 2018 (offered once each semester)</b>				
<b>Dating / Domestic Violence Educational Kickoff</b>	Sponsored by the Office of Student Affairs. Ribbons handed out to remind student population of month-long awareness.				
<b>Year</b>	<b>October 2016, 2017, 2018</b>				
<b>Clothesline Project</b>	Sponsored by the Office of Student Affairs. Display of t-shirts designed by students to raise awareness of the impact of interpersonal violence.				
<b>Year(s):</b>	<b>October 2016, 2017, 2018 and April 2017, 2018</b>				
<b>Vagina Monologues</b>	Sponsored by the Office of Student Affairs. A show that raises awareness and money to donate to local communities who support victims of domestic violence.				
<b>Year(s):</b>	<b>February 2017, 2018</b>				
<b>Walk a Mile in Their Shoes</b>	Sponsored by the Office of Student Affairs. Raising awareness in the community about sexualized violence, students walk a mile in high heeled shoes - a playful opportunity to raise awareness.				
<b>Year(s):</b>	<b>March 2017, 2018</b>				
<b>Take Back the Night</b>	Sponsored by the Office of Student Affairs. March around campus to bring awareness about walking in public places at night.				
<b>Year(s):</b>	<b>April 2017, 2018</b>				
<b>These Hands Don't Hurt</b>	Sponsored by the Office of Student Affairs. Display of banner with students, faculty, and staff handprints and signatures reassuring their hands don't hurt in significance of sexual assault awareness month.				
<b>Year(s):</b>	<b>April 2017, 2018</b>				
<b>Sexual Assault Awareness kickoff</b>	Sponsored by the Office of Student Affairs. Ribbons handed out in significance of sexual assault awareness month.				
<b>Year(s):</b>	<b>April 2017, 2018</b>				
<b>Gov means respect campaign</b>	Sponsored by the Office of Student Affairs. Launch of slogan for academic year of sexual assault and dating/domestic violence programming.				
<b>Year(s):</b>	<b>2016-17</b>				
<b>Govs Tools</b>	Sponsored by the Office of Student Affairs. Peer educators decode facts versus myths to help students define what it means to be an active bystander.				
<b>Year(s):</b>	<b>2016</b>				
<b>The Invisible War</b>	Sponsored by the Office of Student Affairs. A film and discussion exploring the ever-increasing incidents of violent sexual assault within the US military.				



<b>Year(s):</b>	<b>2016</b>
<b>Adam Ritz, Speaker</b>	Sponsored by the Office of Student Affairs. Alcohol Awareness prevention presented with the sexual assault and dating/domestic violence programming calendar.
<b>Year(s):</b>	<b>2016</b>
<b>Get off the Sidelines Campaign</b>	Sponsored by the Office of Student Affairs. Peer educators decode facts versus myths to help students define what it means to be an active bystander.
<b>Year(s):</b>	<b>2016</b>
<b>Happy Gavs Hour</b>	Sponsored by the Office of Student Affairs. As part of the sexual assault and dating/ domestic violence programming calendar, participants receive an inspirational message of their choice, have photo with message, and receive lapel pin with message.
<b>Year(s):</b>	<b>2016</b>
<b>Can you feel the love, Gavs?</b>	Sponsored by the Office of Student Affairs. As part of the sexual assault and dating/ domestic violence programming calendar, participants receive a compliment or inspiration message attached to a sweet treat.
<b>Year(s):</b>	<b>2017</b>
<b>Audrie and Daisy</b>	Sponsored by the Office of Student Affairs. Film screening that examines the ripple effects on families, friends, schools, and communities when two underage young women find that sexual assault crimes against them have been caught on camera.
<b>Year(s):</b>	<b>2017</b>
<b>“Speaker Charles Ihrig”</b>	Sponsored by the Office of Student Affairs. As part of the sexual assault and dating/ domestic violence programming, presentation by Dr. Ihrig who is highly active in the community serving on the boards of the Nashville Area Psychological Association, the Tennessee Psychological Association, and the Sexual Assault Center.
<b>Year(s):</b>	<b>2017</b>
<b>You have the power</b>	Sponsored by the Office of Student Affairs. Panel discussion on understanding sexual assault including documentary screening of “I never thought it was rape.”
<b>Year(s):</b>	<b>2017, 2018</b>
<b>Upstander Training</b>	Sponsored by the Office of Student Affairs. One person, one action, can deter a perpetrator who believes no one will intervene. Training of skills need to help keep community safe from sexual violence.
<b>Year:</b>	<b>2018 (offered monthly during fall semester)</b>

Source: APSU.

## Exhibit 2: Institution-sponsored sex-related programming offered to students at East Tennessee State University

<b>Counseling Center – OASIS Program</b>	OASIS provided targeted presentations/workshops to classrooms, residence halls, orientation attendees, and other campus groups.
<b>Attendance</b>	28 programs; 2,830 participants
<b>Counseling Center – OASIS Program</b>	OASIS presented to other groups including incoming and returning RA's and RD's; 1 <sup>st</sup> and 2 <sup>nd</sup> year Quillen Medical students; and new and returning ETSU Judicial Board members.
<b>Attendance</b>	6 programs; 255 participants
<b>Counseling Center – OASIS Program</b>	Promoted program's educational and training opportunities, recruited student participants, and established collaborations through tabling presence at university and community events.
<b>Attendance</b>	10 programs; 990 participants
<b>Counseling Center – Women's Group on Sexual Health and Communication</b>	Open to student participants each semester on a weekly basis.
<b>Attendance</b>	24 programs; 37 participants
<b>Large-scale Campus Events</b>	Red Flag Campaign (Bystander Awareness/Intervention), Love Your Body Day (Body image/ ED), Sober Sex – consent and education (AOD & SV), and Take Back the Night (SV/RV prevention and awareness: Vigil, Clothesline, Walk a Mile).
<b>Attendance</b>	8 programs; 898 participants



<b>Rape Aggression Defense (RAD) classes</b>	Classes offered by a Public Safety Officer.
<b>Attendance</b>	Not recorded
<b>Haven – Sexual Assault Prevention Online Training</b>	Student Affairs coordinates the required, online sexual misconduct training for all new students. All new students are required to complete this sex education course.  Student Affairs also maintains the Violence Free website, coordinates the campus Sexual Misconduct Leadership Team.
<b>Year</b>	<b>Fall 2017 – Spring 2018</b>
<b>Attendance</b>	2,495 participants in the Fall; 285 participants in the Spring
<b>Certified Wellness Peer Educator Class and Program</b>	Offered by the College of Public Health.
<b>Attendance</b>	Not recorded
<b>New Student and Family Programs</b>	All the new students and family members who attend new student orientation and LAUNCH online orientation hear about sexual misconduct prevention, educational efforts, and campus resources.
<b>Attendance</b>	3,068 new students and 2,659 family members
<b>Risqué Business</b>	The program deals with high risk behaviors in college and their consequences. It has been offered for many years and is held on campus. The program lasts about 1 hour followed by discussion in small groups and is only open to current students.
<b>Attendance</b>	~900 participants
<b>Residential Curriculum Engagement</b>	Active Programming Lesson Plans in Curriculum  Fall, Weeks 5-6: Healthy Relationships  Fall, Weeks 7-8: Bystander Affect/Sexual Assault Prevention  Spring, Week 3: Personal Wellness  Spring, Weeks 4-5: Bystander Affect/Sexual Assault Prevention
<b>Year</b>	<b>Fall 2017 – Spring 2018</b>
<b>Attendance</b>	Not recorded
<b>RHA Programming</b>	RHA put on awareness programs at the Pancake Breakfast as well as cosponsoring students to Walk a Mile during Take Back the Night.
<b>Year</b>	<b>Fall 2017 – Spring 2018</b>
<b>Attendance</b>	Not recorded
<b>Escape from Rape Conference</b>	Hosted annually by the Professional Development Office for campus and community constituents. One day off campus open to faculty, staff, students, and community members.
<b>Attendance</b>	Not recorded
<b>University Health Center Programming</b>	A nurse practitioner developed her DNP project around “Trauma Informed Care.” All UHC staff were given an educational training segment regarding providing trauma informed care from the time a survivor of any type of assault walks through our doors, a brochure was developed and provided to all our students seen in the clinic.  A public health intern made different sexual assault awareness buttons for staff to wear and to give out to students to wear during Sexual Assault Awareness Month, plus, created a bulletin board for our clinic with information regarding a sexual assault and preconceived reasons for assaults.  The UHC houses a Sexual Assault Nurse Examiner (SANE) program.
<b>Year</b>	<b>2018</b>

Source: ETSU.



### Exhibit 3: Institution-sponsored sex-related programming offered to students at Middle Tennessee State University

<b>Title IX/ Bystander Training</b>	Institutional Equity and Compliance supports other departments in presenting Title IX training for athletes, athlete interns, resident assistants, tutors, Scholars Academy, students at the Flight School, Presidium, etc. The training covers an overview of Title IX and resource information. Program has been offered for at least three years. All events require attendance by the members of the group to whom the presentation is being offered and are not opened to non-members of the target audience. The program is typically offered on campus, most often in the fall term.										
<b>Attendance</b>	Not recorded										
<b>Sexual assault awareness programming</b>	Hosted by the June Anderson Center for Women and Nontraditional students a few times each year. Events take place on campus and are typically only open to students, faculty, and staff.										
<b>Attendance</b>	Not recorded										
<b>College Life Issues: Changes, Challenges, Choices, and Consequences</b>	<p>The Dean of Students provides sexual violence training to all incoming freshmen and transfer students during the eighteen (18) summer orientation sessions. The training covers an overview of sexual violence; explains the state's legal definitions of dating violence, domestic violence, stalking, sexual assault, and consent; identifies University resources available to students who experience sexual violence; educates students about bystander intervention; and outlines the University's community standards and expectations.</p> <p>Attendance ranges from 200-400 students who are registered for that orientation session and is not open to nonstudents. The program occurs in a large campus lecture hall or auditorium one to two times a week during the summer. The transfer student program lasts approximately 25 minutes; the freshmen student program last approximately 50 minutes.</p>										
<b>Year</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>			
<b>Attendance</b>	3,130 (Freshmen only)	2,891 (Freshmen only)	2,906 (Freshmen only)	2,935 (Freshmen only)	4,476 (2,763 Freshmen, 1,713 Transfers)	4,743 (2,878 Freshmen, 1,865 Transfers)	4810 (2,905 Freshmen, 1,905 Transfers)	4923 (2,906 Freshmen, 2,017 Transfers)			
<b>MTSU Health Services</b>	Supports students with sexual health services including pelvic exams, Pap smears, contraceptive counseling and prescribing, STI testing and treatment, pregnancy testing, and OB referral services. These services have been available for at least 18 years. Services are open to any student but are not available to nonstudents. Services are available Monday through Friday during regular university business hours.										
<b>Tunnel of Love</b>	MTSU Health Services supports other departments by cosponsoring an annual sexual health education event that is open to all students. The event covers sexually transmitted infections, their prevalence, symptoms, and treatment, and related campus and community resources. Program has been offered for at least 10 years. The event is voluntary and is not open to nonstudents. The program is offered on campus each September or October and lasts about six hours.										
<b>Year</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	1,200	1,300	700	1,050	900	900	700	700	700	700	650
<b>Sex in the City</b>	MTSU Health Promotion supports other departments in presenting a sexual health workshop for: UIO10 classes, residence halls, student organizations, athletes, and other campus groups by request. The workshop covers sexual health protective practices like wellness exams, abstinence, limiting partners, and use of contraceptive and barrier methods of protection. All workshops are voluntary and are not opened to nonmembers of the requesting group. The workshop is offered on campus year-round and lasts about one hour.										
<b>Year</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	8 workshops; 192 total participants	19 workshops; 966 total participants	25 workshops; 1,151 total participants	30 workshops; 1,204 total participants	19 workshops; 829 total participants	21 workshops; 1,084 total participants	29 workshops; 1,019 total participants	23 workshops; 868 total participants	18 workshops; 800 total participants	22 workshops; 629 total participants	7 workshops; 199 total participants to date
<b>Sexual Responsibility Week</b>	MTSU Health Promotion also offers an annual week of sexual health programming that is open to all students. While the specific program offerings vary each year, there are usually 2-3 workshops and 2-3 days of tabling events covering general knowledge of sexual health, the sexual health-related attitudes and behaviors of MTSU students based on self-reported student surveys, characteristics of healthy relationships, and campus resources related to sexual health. Program has been offered each February since 2009. Participation in the program is voluntary and is not open to nonstudents. All workshops and information tables take place on campus and last from 30 minutes to three hours.										
<b>Year</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	
<b>Attendance</b>	1 workshop; 21 participants	2 days of tabling, 3 workshops; 288 participants	3 workshops; 118 participants	3 days of tabling, 5 workshops; 660 participants	3 days of tabling, 5 workshops; 146 participants	3 days of tabling, 2 workshops; 375 participants	3 days of tabling, 2 workshops; 429 participants	1 day of tabling, 3 workshops; 228 participants	3 workshops; 92 participants	2 days of tabling, 3 workshops; 132 participants	

Source: MTSU.



**Exhibit 4: Institution-sponsored sex-related programming offered to students at Tennessee State University**

<b>Red Stain</b>	An open forum for women going through stress on midterms and other actions as far as domestic violence and things related. The Counseling Center and Women's Center helped sponsor in conjunction with the Delta Sigma Theta Sorority. Counselors were there to assist anyone needing to talk. It was a one-time event located in the basement of Wilson Hall.
<b>Year</b>	<b>2018</b>
<b>Attendance</b>	100 female students
<b>Hip Hop Chronicles</b>	The purpose of the program is to provide the first-year college student with insight on being productive citizens in and out of the classroom as well as introduce them to vital campus resources such as sex education through the Health Center and sexual policies as it relates to the Office of Student Conduct.
<b>Year</b>	<b>Annual event</b>
<b>Attendance</b>	2,000 participants
<b>Orientation to Office of Student Conduct</b>	Familiarized students with the policies of the Code of Student Conduct which contains sections of the code that discuss sexual assault, Title IX, and sexual harassment.
<b>Year</b>	<b>Annual event</b>
<b>Attendance</b>	400 participants
<b>Survivors of Sexual Violence Processing Group</b>	An on-going support group for students that have experienced sexual violence. It meets once a week for one hour and a half in the Wilson Hall basement.
<b>Attendance</b>	8 participants
<b>NCAA Sexual Violence Roll-Out</b>	Orient student athletes with the signs of sexual violence.
<b>Year</b>	<b>2017</b>
<b>Attendance</b>	100 student athletes
<b>Domestic Violence Seminar</b>	Make students aware of the signs of domestic violence. The event was targeted towards Hale and Wilson Hall students and was one-time only.
<b>Year</b>	<b>2017</b>
<b>Attendance</b>	50 participants
<b>New Student Orientation</b>	Office of Student Success provides orientation to students who are new to Tennessee State University and to help them to become familiar with the departments as well as the policies on campus. Specifically, the Office of Student Conduct and Office of Equity and Inclusion speaks to the students about sexual misconduct and Title IX violations.
<b>Year</b>	<b>Annual event</b>
<b>Attendance</b>	1,000 participants
<b>Haven – Sexual Assault Prevention Online Training</b>	Online training provided to students to make them aware of policies as they relate to sexual harassment. The training is for TSU students only and is self-paced.
<b>Year</b>	<b>Annual training</b>
<b>Attendance</b>	1,000+ participants

Source: TSU.

**Exhibit 5: Institution-sponsored sex-related programming offered to students at Tennessee Technological University**

<b>Orientation</b>	Every new student and transfer student attends a mandated orientation to learn about Tennessee Tech's sexual misconduct policies, prevention, and awareness programs.
<b>Year</b>	<b>Annual training</b>
<b>Attendance</b>	All new students
<b>First-Year Connections 1020</b>	All freshmen are required to take this course, which includes the online training program, Haven, regarding sexual misconduct and prevention.
<b>Year</b>	<b>Annual training</b>
<b>Attendance</b>	All freshmen



<b>myPlaybook.org</b>	<p>A web-based educational program geared toward student-athletes. It satisfies the NCAA's requirements regarding sexual assault prevention programming for student-athletes. Tennessee Tech Athletics covers the cost.</p> <p>The Sexual Assault Prevention Module contained in myPlaybook includes: standard education related to key sexual assault concepts, evidence-based strategies to correct misperceptions regarding the prevalence and acceptability of sexual assault on campus among student-athletes, specific content related to the rights of student-athletes and the responsibilities of their university related to sexual assault, intellectual skill building activities aimed at increasing student-athlete efficacy to be safe active bystanders, and focus on normative perceptions, behavioral expectancies, and harm prevention.</p>			
<b>Attendance</b>	Not recorded			
<b>YWCA MEND Program</b>	<p>Shan Foster, Vice President for External Affairs at the YWCA of Nashville and Middle Tennessee, will be on campus to speak with all student-athletes and athletics department staff members regarding sexual assault prevention. Mr. Foster is a former student-athlete, and gears his programming specifically to student-athletes, both male and female. Tennessee Tech Athletics also uses this programming to satisfy the NCAA policy requiring sexual assault prevention programming for all student-athletes and athletics department staff members. The Ohio Valley Conference covers the cost of this programming.</p>			
<b>Year</b>	<b>2018</b>			
<b>Attendance</b>	Not recorded			
<b>Counseling services</b>	The Tennessee Tech Counseling Center provides resources regarding healthy relationships, dating, consent, sexual assault, sexual misconduct, domestic violence, and abuse.			
<b>Programming on the Prevention of Sexually Transmitted Infections (STIs)</b>	<p>Presented to specific organizations upon request. Health Services received nine requests for presentations. Five of those requests were from 1020-First Year Connections courses. The 1020 courses requested general information on the types of services provided by Health Services. The remaining four presentations were given at various residence halls. These presentations covered such topics as health and hygiene, contraception, and the prevention of Sexually Transmitted Infections (STIs).</p>			
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>Attendance</b>	~170 participants	~175 participants	~50 participants	~50 participants
<b>Sexual Misconduct Prevention Training and Programs</b>	<p>Tennessee Tech's Title IX Program includes primary prevention and awareness instruction and information for all incoming students and employees as well as ongoing training and related public events. The Program's goals include: identifying behavior that constitutes domestic violence, dating violence, sexual assault, and stalking; providing a clear definition and understanding of consent; developing safe and positive options for bystander intervention to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, and stalking against another; providing information so students and employees may recognize warning signs of abusive behavior and learn how to avoid potential attacks to reduce the risk of sexual misconduct; acquiring additional sexual misconduct prevention resources and services, such as the Awaken Grant; collaborating with local law enforcement and medical providers to advance sexual violence prevention; providing accurate statistical information regarding sexual assault, domestic violence, dating violence and stalking in Tennessee Tech's Annual Security Report.</p>			
<b>Attendance</b>	Not recorded			
<b>Participation in National Programs</b>	Clothesline Project (annually), Sexual Assault Awareness Month (April), the Take Back the Night march, Kori Cioca and Chattanooga's Second Life (both pertaining to human trafficking in Tennessee).			
<b>Attendance</b>	Not recorded			
<b>Sex Signals</b>	The President's Commission on the Status of Women brought the sexual assault prevention program, addressing healthy relationships and bystander intervention of sexual assault, to campus. Centerstage funded the event.			
<b>Attendance</b>	Not recorded			
<b>Trauma Informed Training</b>	Hosted by the TTU Women Center, this was a voluntary training for resident hall advisors, faculty, and staff.			
<b>Year</b>	<b>2017</b>			
<b>Attendance</b>	Not recorded			

Source: TTU.



### Exhibit 6: Institution-sponsored sex-related programming offered to students at the University of Memphis

<b>Pop Up Sex Talks</b>	Events bringing awareness to Red Zone, a period marked by universities and college campuses as a time-frame where students are at higher risk for being victims to sexual violence, stalking, and domestic violence as well as the contraction/spreading of STDs. It is sponsored by Safety Net and Community Organizations and is held at the University Center.
<b>Year</b>	<b>Offered 1 year</b>
<b>Attendance</b>	~45 participants
<b>Safe Haven Meet Ups</b>	Peer-led support group meetings for students who are survivors of sexual assault and their allies. Here, topics of sexual health, sexual violence, consent, reproductive education, emotional health, mental health, University of Memphis reporting policies, and healing are discussed in a private setting. This is for students only and is located in the University Center.
<b>Year</b>	<b>Offered 1 year</b>
<b>Attendance</b>	5-17 participants
<b>Condom Carnival</b>	An opportunity for students to obtain information about safe sex practices. This event is a brief, interactive, student peer-led sexual risk reduction intervention. It is sponsored by the Department of Psychology and registered student organizations. It is held in the University Center and lawn.
<b>Year</b>	<b>Offered 4 years</b>
<b>Attendance</b>	~100 participants
<b>Professor Talks</b>	Resident advisors may ask professors to give short, presentations to their residents on various academic topics, including sexual health.
<b>Attendance</b>	~Under 20 participants
<b>HIV Awareness</b>	Sponsored by the University Health Center and Community Partners, medical information and testing are provided.
<b>Year</b>	<b>Offered 4 years</b>
<b>Attendance</b>	Not recorded
<b>ACAD 1100</b>	An interactive presentation includes information on developing and maintaining healthy relationships, recognizing warning signs in relationships, and building skills to intervene if students see concerning behavior.
<b>Year</b>	<b>Offered 1 year</b>
<b>Attendance</b>	1,200 participants expected
<b>Healthy Relationships Fair</b>	Hosted by the Office for Institutional Equity. The event promoted educational activities and workshops designed to inspire the University community to intentionally create healthy and fulfilling relationships related to consent and sexual health. Specifically, the Healthy Relationships Fair featured interactive workshops on sexual health, intimacy and communication facilitated by Dr. Mollie Anderson from the Department of Psychology, educational activities on consent and the University's Sexual Misconduct policy facilitated by UofM students and OIE staff, resource fair of 20 community and campus partners which included the Counseling Center, YWCA, SisterReach and the Rape Crisis Center; an art exhibit in the Michael D. Rose Theatre titled, Object (n)/Object (v), by UofM Art Department students showcasing their process of healing from trauma caused by sexual assault, live painting by UofM student from Artistry On Campus RSO launching the student-led "That Don't Fly" awareness campaign against sexual violence, live musical performances by UofM Alumni featuring songs of love, empowerment and healing, and free on-site HIV Testing by Planned Parenthood.
<b>Year</b>	<b>2017 and 2018</b>
<b>Attendance</b>	2018 event was attended by 600 students, faculty, and staff.
<b>Take Back the Night</b>	Hosted by the Title IX Prevention Center, Sexual Assault Prevention and Awareness Coalition (SAPAC), and Safety Net. Take Back the Night is an international movement to combat sexual violence and give voice to survivors. The theme of the 2018 event was "Shatter the Silence." Activities included a keynote speaker, a musical performance, and speak-outs from survivors and allies.
<b>Year</b>	<b>2017 and 2018</b>
<b>Attendance</b>	~Over 100 individuals attended the 2018 event.

Source: UM.



### Exhibit 7: Institution-sponsored sex-related programming offered to students at the University of Tennessee-Chattanooga

<b>Take Back the Night</b>	Take Back the Night Chattanooga is an internationally recognized event that is a visible stand against sexual violence, specifically violence against women.
<b>Year</b>	<b>2017</b>
<b>Attendance</b>	Not recorded
<b>I Am Evidence Screening</b>	The Center for Women and Gender Equity will be screening the documentary I Am Evidence.
<b>Year</b>	<b>Offered 1 year</b>
<b>Attendance</b>	Not recorded
<b>Dear World</b>	Hosted by Housing and Residence Life.
<b>Year</b>	<b>Offered 1 year</b>
<b>Attendance</b>	Not recorded
<b>Self-examinations: Do I have to?</b>	Teaching female students what to look for when doing breast self-examinations, hosted by Student Health and Wellness.
<b>Year</b>	<b>Offered 5 years</b>
<b>Attendance</b>	30 participants
<b>Stronger Together Part One</b>	Choosing abstinence in college, hosted by Student Health and Wellness.
<b>Year</b>	Offered 3 years
<b>Attendance</b>	60-75 participants
<b>Check Yourself</b>	Offering screening for sex related illnesses, hosted by Student Health and Wellness.
<b>Year</b>	<b>Offered 2 years</b>
<b>Attendance</b>	52 participants
<b>Different Methods of Birth Control</b>	Choosing the best method of birth control for your relationship, hosted by Student Health and Wellness.
<b>Year</b>	<b>Offered 1 year</b>
<b>Attendance</b>	Not recorded
<b>Stronger Together Part Two</b>	Choosing pregnancy instead of termination, hosted by Student Health and Wellness.
<b>Year</b>	<b>Offered 3 years</b>
<b>Attendance</b>	60-75 participants
<b>Check Yourself</b>	Offering screening for sex related illnesses, hosted by Student Health and Wellness.
<b>Year</b>	<b>Offered 2 years</b>
<b>Attendance</b>	35 participants
<b>College Student Moms with Babies</b>	Orientation and meet and greet for college moms with babies, hosted by Student Health and Wellness.
<b>Year</b>	<b>Offered 2 years</b>
<b>Attendance</b>	15 participants
<b>Title IX: Your Questions Answered</b>	Want to know more about Title IX and UTC's sexual misconduct, relationship violence and stalking prevention efforts? Bring your questions and be prepared for a lively discussion!
<b>Attendance</b>	Not recorded
<b>What Were You Wearing</b>	Sexual Assault Awareness Month Event, hosted by UTC Political Science Department.
<b>Attendance</b>	Not recorded

Source: UTC.



**Exhibit 8: Institution-sponsored sex-related programming offered to students at the University of Tennessee-Knoxville**

<b>World AIDS Day</b>	World AIDS Day encourages raising awareness about HIV/AIDS, showing support for those living with HIV, and honoring those who have passed away. Regular testing, partnered with prevention, is an important way to help lower the burden of HIV in our communities. The Knox County Health Department provides free HIV testing at the event. The Center for Disease Control recommends that everyone should get tested for HIV at least once. Information on how to prevent HIV and community resources are also available. World AIDS Day is Dec. 1 <sup>st</sup> . Depending on the academic calendar, the event is held on the closest weekday to Dec. 1 <sup>st</sup> . This year, World AIDS Day will be held on Nov. 29 <sup>th</sup> . The event is typically held at Hodges Library.				
<b>Year</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>Attendance</b>	Not recorded	Not recorded	52	30	68
<b>Safe Spring Break</b>	Safe Spring Break features engaging activities that focus on sun safety, sexual health, consent, healthy drinking habits, and being an active bystander. Campus and community partners provide resources and information about opportunities that members of the UT community can participate in during spring break or throughout the year. Sexual health has been addressed with a trivia activity or an activity that asks participants to identify myths related to sexual health. Questions and information for these activities come from the Sexual Health It's Not Taboo program. Safe Spring Break is held during the spring semester and is usually scheduled for the week prior to Spring Break. This academic year, Safe Spring Break will be on March 13, 2019. Safe Spring Break has historically been held at HSS Lawn and Pedestrian Walkway.				
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	Not recorded	236	500	467	258
<b>Healthy Relationships Program</b>	The Healthy Relationships Program focuses on identifying characteristics of healthy and unhealthy relationships; defining passive, aggressive, and assertive communication; practicing assertive communication through role play; and exploring how the information presented is relevant to the range of personal and professional relationships students experience at the University of Tennessee. The definition of consent, as well as campus and community resource, are covered. Programs are available by request throughout the year. Programs are held based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff or the VOLS 2 VOLS Peer Health Educators. Programs are held either in the conference rooms located in the Student Health Building or in a location specified by the requestor. Locations have included classrooms and residence hall meeting rooms.				
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	13 programs; 245 participants	14 programs; 154 participants	5 programs; 86 participants	13 programs; 168 participants	To date: 2 programs; 22 participants
<b>It's Not Taboo</b>	It's Not Taboo provides students with a fun and interactive opportunity to discuss safer sex in a safe, nonjudgmental manner. The topics covered in the program include sexually transmitted infections, barrier methods, and contraceptives. During the introduction of the program, it is stressed that the information provided is useful to all individuals, whether they are currently sexually active or abstinent. Programs are available by request during the fall, spring, and summer semesters. Programs are held based on the date and time provided by the requestor, and the availability of the Center for Health Education & Wellness staff or VOLS 2 VOLS Peer Health Educators. Programs are held either in the conference rooms located in the Student Health Building or in a location specified by the requestor. Locations have included classrooms and residence hall meeting rooms.				
<b>Year</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	--
<b>Attendance</b>	3 programs; 38 participants	6 programs; 116 participants	10 programs; 122 participants	7 programs; 127 participants	--
<b>Be Well, VOLS</b>	Be Well, VOLS explores some of the key health areas that students may find difficult to manage: cold and flu, nutrition, sexual health, sleep, and stress. Tips for improving health and wellness in these areas are provided as well as information about on-campus resources for health. Programs are available by request throughout each semester, including summer. Programs are held based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff. Programs are held in the conference rooms located in the Student Health Building.				
<b>Year</b>	<b>2017</b>	<b>2018</b>	--	--	--



<b>Attendance</b>	22 programs; 278 participants	To date: 20 programs, 310 participants	--	--	--
<b>Miscellaneous Sexual Health Education Requested by Residence Hall Assistants</b>	Resident Assistants (RAs) may request to have Center for Health Education & Wellness staff to provide sexual health information during RA facilitated programs. Programs hosted by RAs have involved Center for Health Education & Wellness staff as a guest speaker, panel members, or as an expert to answer sexual health questions that students submit anonymously. Programs are held during the fall and spring semester, and based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff. Programs are held in residence hall meeting rooms.				
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	Not recorded	1 program; 15 participants	1 program; 11 participants	2 programs; 34 participants	To date: 0 programs
<b>Safer Sex &amp; Safety Supplies Description</b>	Students may request safer sex supplies from the Center for Health Education & Wellness. When safer sex supplies are requested, students also receive information about how to properly use safer sex supplies and where students can go for STI testing. Safer Sex Supplies are available to be picked up at the Center for Health Education & Wellness during days on which the University is open between the hours of 8 am – 5 pm. Safer Sex Supplies are provided by individual students and Resident Assistants by request.				
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Distribution</b>	Not recorded	Not recorded	1,586	2,459	To date: 935
<b>Bulletin Board Materials</b>	RAs may request bulletin board materials on a variety of topics including sexual health. Materials include evidence-informed information about sexual health topics such as STI/ HIV prevention, pregnancy prevention, STI testing and treatment recommendations, and both national statistics and data from the Annual Health & Wellness Survey.				
<b>The Red Zone</b>	Red Zone is a term commonly used to describe a period of time in the fall semester when students are statistically more at risk for sexual assault. To address this critical time, the Center for Health Education & Wellness hosts six “Red Zone Pop-up Installations.” These installations educated the UT Community on critical information about sexual assault on college campuses. Participants were provided Red Zone information cards and encouraged to pledge to Speak UP! for their peers to prevent sexual assault by signing the 150 yard Red Zone canvas. Those who signed the Red Zone received a consent t-shirt. The event includes 6 events across campus in August and September.				
<b>Year</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	--	--
<b>Attendance</b>	1,400	1,900	1,378	--	--
<b>Hike the Hill in Heels</b>	Hike the Hill in Heels kicked off the month of April by raising awareness of sexual assault. The event encourages participants to “get uncomfortable” as they hike from Humanities Plaza to the Hill and engage in a dialogue about the issue of sexual assault on a college campus and ways in which survivors can be supported.				
<b>Year</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	--
<b>Attendance</b>	300	330	150	450	--
<b>Consent Lunch &amp; Learn</b>	The Diversity Committee hosted the Center for Health Education & Wellness for a Consent Lunch and Learn. The event was first hosted in April 2018 in the Hodges Library.				
<b>Year</b>	<b>2018</b>	--	--	--	--
<b>Attendance</b>	10	--	--	--	--
<b>Speaker Brittany Piper</b>	UTK hosted Brittany Piper to speak on her experience related to trauma. Her speech was entitled “Transforming Hardship to Leadership.” Brittany spoke on campus in the Alumni Memorial Building in April 2018.				
<b>Year</b>	<b>2018</b>	--	--	--	--
<b>Attendance</b>	57	--	--	--	--
<b>Coffee Talks</b>	Four departments – the Center for Health Education & Wellness, UTPD, Title IX, and Student Conduct partnered to host Coffee Talks. Participants had a board they could look at to get them started on questions regarding consent, policy, reporting, and support services. Each department was present to answer any questions and have conversations. The first Coffee Talk took place in April 2018 in the Hodges Library.				
<b>Year</b>	<b>2018</b>	--	--	--	--



**SPECIAL REPORT: SEX WEEK AT THE UNIVERSITY OF TENNESSEE–KNOXVILLE**

<b>Attendance</b>	6	--	--	--	--
<b>Is your relationship sweet? A healthy relationship ice cream social.</b>	The Center for Health Education and Wellness served participants ice cream and educated them on aspects of a healthy relationship. Students could walk around to each of the tables with toppings and learn about aspects of a healthy relationship. They also took stories home with them describing one of three unique stories on survivors of relationship violence. The event first took place in April 2018 in the Presidential Court.				
<b>Year</b>	<b>2018</b>	--	--	--	--
<b>Attendance</b>	185	--	--	--	--
<b>Be An Active Bystander: Get In The Mix!</b>	VOLS 2 VOLS partnered with UTPD, Title IX, Counseling Center, United Residence Halls Council, and Student Conduct to empower students to be active bystanders. Once the student engaged with campus partners they received a flower pot, had access to a make your own trail mix bar, planted seeds, and talked to the VOLS 2 VOLS about taking care of their community. The event first took place in April 2018 on the Pedestrian Walkway.				
<b>Year</b>	<b>2018</b>	--	--	--	--
<b>Attendance</b>	263	--	--	--	--
<b>Denim Day</b>	Students signed squares of denim expressing their support for survivors of sexual violence. The squares were pinned on a clothes line on Pedestrian Walkway until the conclusion of the day. The event first took place in April 2018.				
<b>Year</b>	<b>2018</b>	--	--	--	--
<b>Attendance</b>	42	--	--	--	--
<b>Be Safe. Be Smart. Be a Vol!</b>	Be Smart, Be Safe, Be a Vol is a presentation during new and transfer student orientation. The presentation is co-presented by representatives from the Center for Health Education & Wellness, Office of Student Conduct & Community Standards, and the Office of Title IX. The presentation includes information about the UT Code of Conduct, personal decision making, health and wellness (alcohol and other drugs, sleep promotion, stress reduction, safer sex, consent), and about the UT Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (policy). The program provides mandatory training for new and transfer students about the definition of consent and the policy. Presentations are held in the Alumni Memorial Building as part of orientation for new students.				
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	Not recorded	Not recorded	21 programs; 5,962 participants	24 programs; 4,704 participants	To date: unavailable
<b>Volunteers Speak UP! First Year Studies (VSU! FYS) Active Bystander Program*</b>	The VSU FYS program trains students to be active bystanders. The program also includes information on consent and how to support someone who is experiencing an alcohol overdose. Programs are available by request throughout the year. Programs are held based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff or the VOLS 2 VOLS Peer Health Educators. Programs are held either in the conference rooms located in the Student Health Building or in a location specified by the requestor. Locations have included classrooms and residence hall meeting rooms.				
<b>Year</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	--	--
<b>Attendance</b>	21 programs; 292 participants	18 programs; 310 participants	9 programs; 111 participants	--	--
<b>Volunteers Speak UP! Relationship and Sexual Violence Prevention (RSVP) Active Bystander Program*</b>	VSU! RSVP trains students to be active bystanders. The program also includes information on consent and how to support someone who is experiencing an alcohol overdose. Programs are available by request throughout the year. Programs are held based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff or the VOLS 2 VOLS Peer Health Educators. Programs are held either in the conference rooms located in the Student Health Building or in a location specified by the requestor. Locations have included classrooms and residence hall meeting rooms.				
<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Attendance</b>	Not recorded	41 programs; 767 participants	17 programs; 446 participants	18 programs; 456 participants	To date: 3 programs; 98 participants



<b>Volunteers Speak UP! (VSU!) Fraternity Men Active Bystander Program*</b>	VSU! Fraternity Men trains students to be active bystanders. The program also includes information on consent and how to support someone who is experiencing an alcohol overdose. Programs are available by request throughout the year. Programs are held based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff or the VOLS 2VOLS Peer Health Educators. Programs are held either in the conference rooms located in the Student Health Building or in a location specified by the requestor. Locations have included classrooms and residence hall meeting rooms.				
<b>Year</b>	<b>2017</b>	<b>2018</b>	--	--	--
<b>Attendance</b>	3 programs; 31 participants	1 program; 28 participants	--	--	--
<b>Consent Program</b>	The Consent Program explores consent as defined in the Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation, including factors that impact the ability to give consent. Through interactive activities, students learn how to recognize when consent is present, when it is not, and what to do when consent may be unclear. Programs are available by request throughout the year. Programs are held based on the date and time provided by the requestor, and the availability of Center for Health Education & Wellness staff or the VOLS 2VOLS Peer Health Educators. Programs are held either in the conference rooms located in the Student Health Building or in a location specified by the requestor. Locations have included classrooms and residence hall meeting rooms.				
<b>Year</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	--
<b>Attendance</b>	10 programs; 216 participants	1 program; 18 participants	7 programs; 84 participants	1 program; 11 participants	--
<b>The VOL Module</b>	The VOL Module is an online pre-matriculation module for incoming students. The program includes information on alcohol and other drugs, the code of conduct, being an active bystander, the definition of consent, and support and resources for those who have experienced a sexual assault. The program provides mandatory training for new and transfer students about the definition of consent and the policy.				
<b>Year</b>	<b>2017</b>	<b>2018</b>	--	--	--
<b>Attendance</b>	2,273	2,832	--	--	--

Note: \*The provision of Active Bystander programs are required under UTK's \$299,821 Office on Violence Against Women Campus Grant.

Source: UTK.

### Exhibit 9: Institution-sponsored sex-related programming offered to students at the University of Tennessee-Martin

<b>Sex in the Dark Forum</b>	Sponsored by Multicultural Affairs/NPHC, Faculty member Dr. Laura Brown from Health and Human Performance led a panel discussion about sex education. This is held in the University Center.
<b>Year</b>	<b>2018</b>
<b>Attendance</b>	Not recorded
<b>Better Safe than Sorry: Sexual Awareness Seminar</b>	A sexual education/awareness forum to inform students about safe and health sexual habits. Led by the Health Educator from Student Health in the University Center.
<b>Year</b>	<b>2017</b>
<b>Attendance</b>	Not recorded

Source: UTM.



## Appendix E: UTK registered student organization requests and allocations of student activity fee funding, 2012-13 through 2017-18

2012-13: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>All Campus Theatre</b>					
The Invention of Maria Von Herbert	\$1,000	\$750	-\$250		Lack of available funds.
Almost, Maine	\$1,000	\$750	-\$250		Lack of available funds.
Deck'd	\$1,000	\$750	-\$250		Lack of available funds.
The Effect of Gamma Rays on Man in the Moon Marigolds	\$1,000	\$750	-\$250		Lack of available funds.
<b>TOTAL</b>	<b>\$4,000</b>	<b>\$3,000</b>	<b>-\$1,000</b>	<b>75.00%</b>	
<b>Amnesty International</b>					
Corporate Accountability and Environmental Justice	\$12,075	\$6,000	-\$6,075		Lack of available funds.
<b>TOTAL</b>	<b>\$12,075</b>	<b>\$6,000</b>	<b>-\$6,075</b>	<b>49.69%</b>	
<b>Asian American Association</b>					
David So Stand-Up Comedy Night	\$4,450	\$3,000	-\$1,450		Lack of available funds.
Asian American Awareness Night	\$3,900	\$3,000	-\$900		Lack of available funds.
<b>TOTAL</b>	<b>\$8,350</b>	<b>\$6,000</b>	<b>-\$2,350</b>	<b>71.86%</b>	
<b>Beta Chi Theta</b>					
Penn Masala A Cappella Group	\$13,650	\$0	-\$13,650		Lack of available funds.
Holi Festival of Color	\$3,890	\$2,500	-\$1,390		Lack of available funds.
Indian Culture Night	\$7,100	\$7,100	\$0		Lack of available funds.
<b>TOTAL</b>	<b>\$24,640</b>	<b>\$9,600</b>	<b>-\$15,040</b>	<b>38.96%</b>	
<b>Collegiate Black Christians</b>					
A Day of P.E.A.C.E.: Justice for VOLS	\$8,650	\$0	-\$8,650		Lack of available funds.
<b>TOTAL</b>	<b>\$8,650</b>	<b>\$0</b>	<b>-\$8,650</b>	<b>0.00%</b>	
<b>Dance Society</b>					
Spring Dance Showcase	\$13,865	\$14,000	\$135		
<b>TOTAL</b>	<b>\$13,865</b>	<b>\$14,000</b>	<b>\$135</b>	<b>100.97%</b>	



2012-13: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Hillel Jewish Student Organization</b>					
Ben & Jerry's	\$35,110	\$0	-\$35,110		Lack of available funds.
<b>TOTAL</b>	<b>\$35,110</b>	<b>\$0</b>	<b>-\$35,110</b>	<b>0.00%</b>	
<b>International Justice Mission</b>					
International Justice Mission Speaker	\$1,750	\$1,000	-\$750		Lack of available funds.
<b>TOTAL</b>	<b>\$1,750</b>	<b>\$1,000</b>	<b>-\$750</b>	<b>57.14%</b>	
<b>Lambda Student Union</b>					
World Aids Day	\$750	\$500	-\$250		Lack of available funds.
Brian C. Johnson: Reel Diversity	\$4,150	\$0	-\$4,150		Lack of available funds.
Queer Mic Night	\$2,250	\$0	-\$2,250		Lack of available funds.
Andrea Gibson	\$6,050	\$6,000	-\$50		Lack of available funds.
<b>TOTAL</b>	<b>\$13,200</b>	<b>\$6,500</b>	<b>-\$6,700</b>	<b>49.24%</b>	
<b>Latin American Student Association</b>					
Aztec Dance Performance	\$800	\$800	\$0		
Cultural Comedy Night	\$5,650	\$3,000	-\$2,650		Lack of available funds.
<b>TOTAL</b>	<b>\$6,450</b>	<b>\$3,800</b>	<b>-\$2,650</b>	<b>58.91%</b>	
<b>Love United Gospel Choir</b>					
Gospel Fest 2K13: Legacy	\$19,938	\$12,500	-\$7,438		Lack of available funds.
Gospel Explosion	\$150	\$0	-\$150		Lack of available funds.
<b>TOTAL</b>	<b>\$20,088</b>	<b>\$12,500</b>	<b>-\$7,588</b>	<b>62.23%</b>	
<b>Master's Social Work Organization</b>					
OUTstanding: A Seminar Exploring LGBTIQ Diversity	\$16,140	\$8,000	-\$8,140		Lack of available funds.
<b>TOTAL</b>	<b>\$16,140</b>	<b>\$8,000</b>	<b>-\$8,140</b>	<b>49.57%</b>	
<b>Muslim Student Association</b>					
African American Influence on America	\$3,450	\$3,150	-\$300		Lack of available funds.
Why Religion Still Matters	\$11,350	\$0	-\$11,350		Lack of available funds.
Islam and American Politics	\$3,350	\$0	-\$3,350		Lack of available funds.
Fast-A-Thon	\$1,850	\$1,850	\$0		
Hip Hop Poetry Hight	\$8,000	\$0	-\$8,000		Lack of available funds.
Islamic Awareness Week	\$2,000	\$0	-\$2,000		Lack of available funds.
<b>TOTAL</b>	<b>\$30,000</b>	<b>\$5,000</b>	<b>-\$25,000</b>	<b>16.67%</b>	



2012-13: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Native American Student Association</b>					
Powwow in the Park II	\$38,550	\$0	-\$38,550		Lack of available funds.
Navajo and Mexico Comedy Night	\$5,500	\$4,000	-\$1,500		Lack of available funds.
Native American Heritage Night	\$5,400	\$13,000	\$7,600		
Native American Storyteller	\$2,400	\$0	-\$2,400		Lack of available funds.
Diversity Trip: Cherokee, NC	\$6,350	\$0	-\$6,350		Committee does not fund overnight trips/travel to conferences.
<b>TOTAL</b>	<b>\$58,200</b>	<b>\$17,000</b>	<b>-\$41,200</b>	<b>29.21%</b>	
<b>Print Club</b>					
Visiting Artist: Yoonmi Nam	\$1,700	\$1,700	\$0		
Tugboat Printshop	\$1,700	\$1,700	\$0		
Visiting Artist: Nicola Lopez	\$1,700	\$1,700	\$0		
<b>TOTAL</b>	<b>\$5,100</b>	<b>\$5,100</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Society of Professional Journalists</b>					
CCI Board of Visitors Panel	\$620	\$0	-\$620		Too focused on organization instead of campus community.
<b>TOTAL</b>	<b>\$620</b>	<b>\$0</b>	<b>-\$620</b>	<b>0.00%</b>	
<b>Strange Fruit On Stage Productions</b>					
Intimate Apparel	\$1,000	\$1,000	\$0		
Clockwork	\$500	\$500	\$0		
<b>TOTAL</b>	<b>\$1,500</b>	<b>\$1,500</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Students for Social Justice</b>					
bell hooks and Talib Kweli	\$21,000	\$2,500	-\$18,500		Lack of available funds.
<b>TOTAL</b>	<b>\$21,000</b>	<b>\$2,500</b>	<b>-\$18,500</b>	<b>11.90%</b>	
<b>SPEAK</b>					
Earth Month	\$2,400	\$2,400	\$0		
Sustainable Cooking Workshop	\$700	\$700	\$0		
Environmental Film Series	\$400	\$400	\$0		



2012-13: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Sustainability Week	\$1,600	\$1,600	\$0		
<b>TOTAL</b>	<b>\$5,100</b>	<b>\$5,100</b>	<b>\$0</b>	<b>100.00%</b>	
Veterans at UTK					
Remembrance Day National Roll Call	\$1,175	\$1,175	\$0		
<b>TOTAL</b>	<b>\$1,175</b>	<b>\$1,175</b>	<b>\$0</b>	<b>100.00%</b>	
<b>TOTAL FOR ALL REGISTERED STUDENT ORGANIZATIONS</b>	<b>\$287,013</b>	<b>\$107,775</b>	<b>-\$179,238</b>	<b>37.55%</b>	

Note: SEAT is not included in this table because it did not make a request to the Program Board as an individual registered student organization, but rather made a co-request for student activity fee funding with the Campus Program Committee. Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.

2013-14: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Academic Journal Club					
TEDxUTK	\$2,000	\$2,100	\$100		
<b>TOTAL</b>	<b>\$2,000</b>	<b>\$2,100</b>	<b>\$100</b>	<b>105.00%</b>	
All Campus Theatre					
Dog Sees God: Confessions of a Teenage Blockhead	\$1,150	\$1,200	\$50		
Homebound: A Play for Nobody	\$1,150	\$1,200	\$50		
The Glass Menagerie	\$1,180	\$1,200	\$20		
Road to Nirvana	\$1,115	\$1,200	\$85		
<b>TOTAL</b>	<b>\$4,595</b>	<b>\$4,800</b>	<b>\$205</b>	<b>104.46%</b>	
Beta Chi Theta					
Holi Festival	\$3,990	\$4,000	\$10		
<b>TOTAL</b>	<b>\$3,990</b>	<b>\$4,000</b>	<b>\$10</b>	<b>100.25%</b>	
Campus Disability Advocates					
Disability Issues and Advocates Conference	\$2,085	\$2,100	\$15		
<b>TOTAL</b>	<b>\$2,085</b>	<b>\$2,100</b>	<b>\$15</b>	<b>100.72%</b>	



2013-14: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Dance Society</b>					
Spring Dance Showcase	\$16,249	\$16,000	-\$249		Rounded allocation to \$16,000. Previous year allocation was \$14,000.
<b>TOTAL</b>	<b>\$16,249</b>	<b>\$16,000</b>	<b>-\$249</b>	<b>98.47%</b>	
<b>Ghanians in the Diaspora Student Association</b>					
Town Hall with Ghana's Ambassador to the US	\$1,700	\$1,700	\$0		
<b>TOTAL</b>	<b>\$1,700</b>	<b>\$1,700</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Indian American Association</b>					
Raang Se Nachle	\$1,625	\$1,600	-\$25		
<b>TOTAL</b>	<b>\$1,625</b>	<b>\$1,600</b>	<b>-\$25</b>	<b>98.46%</b>	
<b>InterVarsity Graduate Christian Fellowship</b>					
Veritas Conversation with M. Frederick & M. Hulsether	\$3,700	\$3,000	-\$700		Expenses over-estimated. Allocation adjusted.
<b>TOTAL</b>	<b>\$3,700</b>	<b>\$3,000</b>	<b>-\$700</b>	<b>81.08%</b>	
<b>Iranian Student Association</b>					
Norouz	\$3,500	\$1,500	-\$2,000		Considered estimated expenses excessive.
<b>Chaharshanbe Soori</b>	\$1,195	\$0	-\$1,195		First time organization applied for funds. Decided to initially fund one of the proposals.
Sizdahbedar	\$1,560	\$0	-\$1,560		First time organization applied for funds. Decided to initially fund one of the proposals.
Persian Game Night	\$300	\$0	-\$300		First time organization applied for funds. Decided to initially fund one of the proposals.
<b>TOTAL</b>	<b>\$6,555</b>	<b>\$1,500</b>	<b>-\$5,055</b>	<b>22.88%</b>	
<b>Lambda Student Union</b>					
Justin Lee: Finding Common Ground	\$3,060	\$3,100	\$40		
<b>TOTAL</b>	<b>\$3,060</b>	<b>\$3,100</b>	<b>\$40</b>	<b>101.31%</b>	
<b>Latin American Student Organization</b>					
Cultural Comedy Night	\$8,000	\$0	-\$8,000		Lack of available funds.
<b>TOTAL</b>	<b>\$8,000</b>	<b>\$0</b>	<b>-\$8,000</b>	<b>0.00%</b>	
<b>Manthan</b>					
Holi Festival	\$540	\$0	-\$540		Duplicated request from another organization.
<b>TOTAL</b>	<b>\$540</b>	<b>\$0</b>	<b>-\$540</b>	<b>0.00%</b>	



2013-14: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Master's Social Work Organization</b>					
OUTstanding Seminar	\$16,500	\$8,000	-\$8,500		Decided to match allocation from previous year.
<b>TOTAL</b>	<b>\$16,500</b>	<b>\$8,000</b>	<b>-\$8,500</b>	<b>48.48%</b>	
<b>Middle Eastern Student Association</b>					
1,001 Arabian Nights	\$6,100	\$0	-\$6,100		First time organization applied for funds. Decided to fund one of the proposals.
MESA Comedy Night	\$10,600	\$0	-\$10,600		First time organization applied for funds. Decided to fund one of the proposals.
Joumana Haddad	\$5,800	\$0	-\$5,800		First time organization applied for funds. Decided to fund one of the proposals.
The Middle East in Perspective	\$5,400	\$5,400	\$0		
Middle Eastern Cultural Awareness	\$4,950	\$0	-\$4,950		First time organization applied for funds. Decided to fund one of the proposals.
<b>TOTAL</b>	<b>\$32,850</b>	<b>\$5,400</b>	<b>-\$27,450</b>	<b>16.44%</b>	
<b>Muslim Student Association</b>					
Does Religion Matter	\$3,100	\$3,100	\$0		
Fast-A-Thon	\$1,900	\$1,900	\$0		
Laugh in Peace Comedy Tour	\$6,250	\$0	-\$6,250		Lack of available funds.
Islamic Awareness Week	\$1,300	\$0	-\$1,300		Lack of available funds.
<b>TOTAL</b>	<b>\$12,550</b>	<b>\$5,000</b>	<b>-\$7,550</b>	<b>39.84%</b>	
<b>NAACP</b>					
Black Issues Conf	\$9,600	\$9,000	-\$600		Expenses overestimated. Allocation adjusted.
<b>TOTAL</b>	<b>\$9,600</b>	<b>\$9,000</b>	<b>-\$600</b>	<b>93.75%</b>	
<b>Native American Student Association</b>					
Native American Heritage Night	\$2,500	\$2,500	\$0		
Diversity Excursion: Nat Museum of the Am Indian	\$3,300	\$0	-\$3,300		Committee does not fund overnight trips/travel to conferences.
Powwow in the Park	\$10,000	\$10,000	\$0		
<b>TOTAL</b>	<b>\$15,800</b>	<b>\$12,500</b>	<b>-\$3,300</b>	<b>79.11%</b>	



2013-14: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Print Club</b>					
Visiting Artist: Lothar Ostenberg	\$1,700	\$1,700	\$0		
Visiting Artist: Sarah Suzuki	\$1,700	\$1,700	\$0		
Visiting Artist: Enrique Chagoya	\$1,700	\$1,700	\$0		
Visiting Artist: Andrew Rafferty	\$1,700	\$1,700	\$0		
<b>TOTAL</b>	<b>\$6,800</b>	<b>\$6,800</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Project V.E.G.G.I.E.</b>					
Project V.E.G.G.I.E. Tailgating	\$1,550	\$0	<b>-\$1,550</b>		Too focused on organization instead of campus community.
Garden Expansion	\$1,600	\$0	<b>-\$1,600</b>		Too focused on organization instead of campus community.
<b>TOTAL</b>	<b>\$3,150</b>	<b>\$0</b>	<b>-\$3,150</b>	<b>0.00%</b>	
<b>Sculpture Club</b>					
Visiting Artist: Luzene Hill	\$1,035	\$1,200	<b>\$165</b>		
Visiting Artist: Candice Lewis	\$385	\$0	<b>-\$385</b>		Determined that two visiting sculpture artists per semester was sufficient.
Visiting Artist: Alison Moritsugo	\$1,890	\$0	<b>-\$1,890</b>		Determined that two visiting sculpture artists per semester was sufficient.
Visiting Artist: Travis Townsend	\$885	\$0	<b>-\$885</b>		Determined that two visiting sculpture artists per semester was sufficient.
Visiting Artist: Glenn Zwegardt	\$665	\$0	<b>-\$665</b>		Determined that two visiting sculpture artists per semester was sufficient.
Visiting Artist: Leticia Bajuyo	\$1,000	\$1,200	<b>\$200</b>		
Visiting Artist: Jackson Martin	\$980	\$0	<b>-\$980</b>		Determined that two visiting sculpture artists per semester was sufficient.
Visiting Artist: Coral Lambert	\$1,130	\$0	<b>-\$1,130</b>		Determined that two visiting sculpture artists per semester was sufficient.
Visiting Artist: Adrienne Outlaw	\$990	\$1,000	<b>\$10</b>		
Visiting Artist: Nick van Woert	\$1,180	\$1,200	<b>\$20</b>		
Visiting Artist: Martijn van Wagendonk	\$930	\$0	<b>-\$930</b>		Determined that two visiting sculpture artists per semester was sufficient.
<b>TOTAL</b>	<b>\$11,070</b>	<b>\$4,600</b>	<b>-\$6,470</b>	<b>41.55%</b>	



2013-14: Registered Student Organization funding requests made to the Program Board					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Sexual Empowerment and Awareness at Tennessee (SEAT)</b>					
Sex Week	\$24,325	\$20,000	-\$4,325		Lack of available funds.
<b>TOTAL</b>	<b>\$24,325</b>	<b>\$20,000</b>	<b>-\$4,325</b>	<b>82.22%</b>	
<b>Strange Fruit On Stage Productions</b>					
Fabulation, or Re-Education of Undine	\$850	\$900	\$50		
Under the Sea	\$2,100	\$2,100	\$0		
<b>TOTAL</b>	<b>\$2,950</b>	<b>\$3,000</b>	<b>\$50</b>	<b>101.69%</b>	
<b>Students for Justice in Palestine</b>					
Palestinian Culture Night	\$550	\$550	\$0		
Refugee Phot Exhibition to Benefit UNRWA & UNICEF	\$700	\$0	-\$700		Committee does not fund charitable events.
<b>TOTAL</b>	<b>\$1,250</b>	<b>\$550</b>	<b>-\$700</b>	<b>44.00%</b>	
<b>S.P.E.A.K.</b>					
Sustainability Week	\$2,410	\$2,400	-\$10		
<b>TOTAL</b>	<b>\$2,410</b>	<b>\$2,400</b>	<b>-\$10</b>	<b>99.59%</b>	
<b>TASC Force</b>					
Carnival	\$965	\$0	-\$965		Committee does not fund charitable events.
Appetizer Benefit	\$1,170	\$0	-\$1,170		Committee does not fund charitable events.
Benefit Concert	\$100	\$0	-\$100		Committee does not fund charitable events.
<b>TOTAL</b>	<b>\$2,235</b>	<b>\$0</b>	<b>-\$2,235</b>	<b>0.00%</b>	
<b>TOTAL FOR ALL REGISTERED STUDENT ORGANIZATIONS</b>	<b>\$195,589</b>	<b>\$117,150</b>	<b>-\$78,439</b>	<b>59.90%</b>	

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Academic Journal Club</b>					
TEDxUTK	\$2,200	\$0	-\$2,200		Failed to comply with submission requirements. The speaker and or topic was not identified.
<b>TOTAL</b>	<b>\$2,200</b>	<b>\$0</b>	<b>-\$2,200</b>	<b>0.00%</b>	
<b>Advancement of Neuroscience at UTK</b>					
UTK Brain Awareness Week: Hot Topics in Neuroscience	\$2,100	\$0	-\$2,100		Failed to comply with submission requirements. The speaker and or topic was not identified.
UTK Brain Awareness Week: Neuroscience on Pedestrian Walkway	\$575	\$0	-\$575		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
UTK Brain Awareness Week: Neuroscience Outreach in Local Schools	\$170	\$0	-\$170		Program directed to off-campus audience instead of campus community.
UTK Brain Awareness Week: Neuroscience Undergraduate Research Symposium	\$530	\$0	-\$530		Felt program is, or should be, the responsibility of the academic department.
UTK Brain Awareness Week: Panel on the Neuroethics of Cognitive Enhancers	\$280	\$280	\$0		
UTK Brain Awareness Week: The importance of Nutrition and Exercise on the Brain	\$20	\$0	-\$20		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
UTK Brain Awareness Week: True or False, Debunking the Myths in Neuroscience	\$280	\$280	\$0		
<b>TOTAL</b>	<b>\$3,955</b>	<b>\$560</b>	<b>-\$3,395</b>	<b>14.16%</b>	
<b>All Campus Theatre</b>					
Bug	\$1,090	\$1,100	\$10		
In the Next Room	\$1,305	\$1,300	-\$5		
True West	\$1,300	\$1,300	\$0		
<b>TOTAL</b>	<b>\$3,695</b>	<b>\$3,700</b>	<b>\$5</b>	<b>100.14%</b>	
<b>Amateur Radio Club</b>					
HAM Radio Jamboree	\$500	\$0	-\$500		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
<b>TOTAL</b>	<b>\$500</b>	<b>\$0</b>	<b>-\$500</b>	<b>0.00%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Campus Disability Advocates</b>					
Disability Week	\$2,200	\$200	<b>-\$2,000</b>		Cost of t-shirts was removed. Allocation was adjusted accordingly.
Disability Issues and Advocacy Keynote	\$5,000	\$0	<b>-\$5,000</b>		Failed to comply with submission requirements. The speaker and or topic was not identified.
<b>TOTAL</b>	<b>\$7,200</b>	<b>\$200</b>	<b>-\$7,000</b>	<b>2.78%</b>	
<b>Chinese Culture Club</b>					
Chinese Karaoke Contest	\$200	\$200	\$0		
<b>TOTAL</b>	<b>\$200</b>	<b>\$200</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Chinese Students and Scholars Association</b>					
Vehicle Ownership in the US	\$320	\$0	<b>-\$320</b>		International House indicated it could accommodate.
<b>TOTAL</b>	<b>\$320</b>	<b>\$0</b>	<b>-\$320</b>	<b>0.00%</b>	
<b>Club Geography</b>					
Geography Awareness Week Distinguished Speaker	\$400	\$400	\$0		
<b>TOTAL</b>	<b>\$400</b>	<b>\$400</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Dance Society</b>					
Spring Show	\$17,320	\$17,000	<b>-\$320</b>		Rounded allocation to \$17,000. Previous year allocation was \$16,000.
<b>TOTAL</b>	<b>\$17,320</b>	<b>\$17,000</b>	<b>-\$320</b>	<b>98.15%</b>	
<b>Eco Vols</b>					
Plastic Island	\$1,290	\$1,000	<b>-\$290</b>		Publicity costs were excessive. Adjusted allocation accordingly.
<b>TOTAL</b>	<b>\$1,290</b>	<b>\$1,000</b>	<b>-\$290</b>	<b>77.52%</b>	
<b>Freedom Movement</b>					
Princess Cut	\$3,500	\$2,500	<b>-\$1,000</b>		Additional revenue possible with increased price for faculty/staff and public tickets. Allocation adjusted accordingly.
<b>TOTAL</b>	<b>\$3,500</b>	<b>\$2,500</b>	<b>-\$1,000</b>	<b>71.43%</b>	
<b>Ghanian Diaspora Students Association</b>					
Exporting Service Leadership	\$430	\$0	<b>-\$430</b>		Lack of available funds.
Town Hall with Ghana's Ambassador	\$1,720	\$1,700	<b>-\$20</b>		
<b>TOTAL</b>	<b>\$2,150</b>	<b>\$1,700</b>	<b>-\$450</b>	<b>79.07%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Imprint</b>					
Campus Mundi	\$7,950	\$0	-\$7,950		Other funding sources, which accounted for 84% of the budget, were too questionable.
<b>TOTAL</b>	<b>\$7,950</b>	<b>\$0</b>	<b>-\$7,950</b>	<b>0.00%</b>	
<b>Indian American Association</b>					
Raang Se Naachle Holi Show	\$2,075	\$1,700	-\$375		Cost of t-shirts removed. Allocation was adjusted accordingly.
<b>TOTAL</b>	<b>\$2,075</b>	<b>\$1,700</b>	<b>-\$375</b>	<b>81.93%</b>	
<b>Inter-Varsity Graduate Christian Fellowship</b>					
Veritas Conversation	\$3,670	\$0	-\$3,670		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$3,670</b>	<b>\$0</b>	<b>-\$3,670</b>	<b>0.00%</b>	
<b>Lambda Student Union</b>					
Rainbow Rave	\$530	\$500	-\$30		
Transgender Day of Remembrance	\$550	\$600	\$50		
World AIDS Day	\$350	\$400	\$50		
<b>TOTAL</b>	<b>\$1,430</b>	<b>\$1,500</b>	<b>\$70</b>	<b>104.90%</b>	
<b>Love United Gospel Choir</b>					
Collegiate Gospel Explosion	\$9,975	\$9,975	\$0		
<b>TOTAL</b>	<b>\$9,975</b>	<b>\$9,975</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Manthan</b>					
Diwali	\$860	\$900	\$40		
<b>TOTAL</b>	<b>\$860</b>	<b>\$900</b>	<b>\$40</b>	<b>104.65%</b>	
<b>Master's Social Work Organization</b>					
OUTstanding Seminar	\$12,425	\$9,500	-\$2,925		Proposed budget represented a 55% increase over the allocation provided the previous year. Determined increase requested was too large and adjusted allocation accordingly.
Poverty Impacts: A Panel Discussion on Poverty Impacts In Our Community	\$482	\$232	-\$250		
<b>TOTAL</b>	<b>\$12,907</b>	<b>\$9,732</b>	<b>-\$3,175</b>	<b>75.40%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Middle Eastern Student Association</b>					
Culture Night	\$1,100	\$500	-\$600		Representative from the International House indicated typical cost for one of their culture nights was \$500. Committee decided to allocate that amount.
A Night in the Middle East	\$1,200	\$0	-\$1,200		Organization already allocated funding for a culture night program this fiscal year.
Stuck in the Closet: LGBT Issues in the Middle East	\$1,850	\$1,500	-\$350		Removed venue costs (UC does not charge student organizations for use of space). Allocation adjusted accordingly.
Syria Night: The Forgotten Revolution	\$2,050	\$500	-\$1,550		Removed meal cost. (Meal was critical to program). Allocation adjusted accordingly.
<b>TOTAL</b>	<b>\$6,200</b>	<b>\$2,500</b>	<b>-\$3,700</b>	<b>40.32%</b>	
<b>Muslim Student Association</b>					
Fast-A-Thon	\$1,700	\$1,000	-\$700		Removed venue rental, sound, and personnel costs that would not be incurred. Allocation adjusted accordingly.
Poetry and Hip Hop	\$4,250	\$3,500	-\$750		Estimates for hotel, venue, sound, and personnel costs were excessive or unnecessary. Allocation adjusted accordingly.
General Interest Meeting	\$250	\$0	-\$250		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Graduation Banquet	\$2,050	\$0	-\$2,050		Similar program already offered by Multicultural Student Life.
Laugh in Peace Comedy Show	\$3,650	\$3,650	\$0		
Movie Night	\$420	\$0	-\$420		Failed to comply with submission requirements. Film was not identified.
Showdown	\$4,750	\$0	-\$4,750		Program directed to off-campus audience instead of campus community.
Superbowl Party	\$1,000	\$0	-\$1,000		Lack of available funding.
<b>TOTAL</b>	<b>\$18,070</b>	<b>\$8,150</b>	<b>-\$9,920</b>	<b>45.10%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>NAACP</b>					
Black Issues Conf	\$14,320	\$10,000	-\$4,320		Proposed budget represented a 66% increase over the allocation provided the previous year. Increase requested was too large. Allocation adjusted accordingly.
<b>TOTAL</b>	<b>\$14,320</b>	<b>\$10,000</b>	<b>-\$4,320</b>	<b>69.83%</b>	
<b>Native American Student Association</b>					
Anti-Columbus Day	\$1,600	\$1,600	\$0		
Native American Heritage Night	\$2,900	\$0	-\$2,900		Failed to comply with submission requirements. The speaker and or topic was not identified.
<b>TOTAL</b>	<b>\$4,500</b>	<b>\$1,600</b>	<b>-\$2,900</b>	<b>35.56%</b>	
<b>Pi Delta Phi</b>					
French Connections - Closing Banquet	\$1,260	\$0	-\$1,260		Program was not open to all students. It was by invitation only.
French Connections - International Science	\$210	\$210	\$0		
French Connections - Opportunities Abroad	\$510	\$510	\$0		
French Connections - World Business	\$460	\$460	\$0		
<b>TOTAL</b>	<b>\$2,440</b>	<b>\$1,180</b>	<b>-\$1,260</b>	<b>48.36%</b>	
<b>Pond Gap Service Club</b>					
Pond Gap Learning Series	\$900	\$0	-\$900		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$900</b>	<b>\$0</b>	<b>-\$900</b>	<b>0.00%</b>	
<b>Print Club</b>					
Visiting Artist: Susan Tallman	\$1,700	\$0	-\$1,700		Determined that two visiting print artists for the Fall semester was sufficient.
Visiting Artist: Tanja Softic	\$1,700	\$1,700	\$0		
Visiting Artist: Tracy Templeton	\$1,700	\$1,700	\$0		
<b>TOTAL</b>	<b>\$5,100</b>	<b>\$3,400</b>	<b>-\$1,700</b>	<b>66.67%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Project V.E.G.G.I.E.</b>					
Michael Pollan	\$20,500	\$0	-\$20,500		Other funding sources, which accounted for 56% of the budget, had not been identified.
<b>TOTAL</b>	<b>\$20,500</b>	<b>\$0</b>	<b>-\$20,500</b>	<b>0.00%</b>	
<b>Public Relations Student Society of America</b>					
PR Portfolio Bootcamp	\$525	\$0	-\$525		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$525</b>	<b>\$0</b>	<b>-\$525</b>	<b>0.00%</b>	
<b>S.P.E.A.K.</b>					
Sustainability Week – Food Day	\$777	\$800	\$23		
Sustainability Week – Water Day	\$1,200	\$0	-\$1,200		Budget consisted entirely of reusable water bottles. Determined that many departments were distributing reusable water bottles.
<b>TOTAL</b>	<b>\$1,977</b>	<b>\$800</b>	<b>-\$1,177</b>	<b>40.47%</b>	
<b>Sculpture Club</b>					
Visiting Artist: Andria Morales	\$1,000	\$0	-\$1,000		Determined that three visiting sculpture artists for the year was sufficient.
Visiting Artist: Lauren Ruth	\$850	\$850	\$0		
Visiting Artist: Luke Achterberg	\$1,050	\$0	-\$1,050		Determined that three visiting sculpture artists for the year was sufficient.
Visiting Artist: Tamsie Ringler	\$1,800	\$1,800	\$0		
Visiting Artist - Andria Morales	\$1,320	\$0	-\$1,320		Determined that three visiting sculpture artists for the year was sufficient.
Visiting Artist - Jackson Martin	\$680	\$0	-\$680		Determined that three visiting sculpture artists for the year was sufficient.
Visiting Artist - Sabina Ott	\$2,100	\$2,100	\$0		
<b>TOTAL</b>	<b>\$8,800</b>	<b>\$4,750</b>	<b>-\$4,050</b>	<b>53.98%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Sexual Empowerment and Awareness at Tennessee (SEAT)</b>					
Extremities	\$2,500	\$2,500	\$0		
(S)express Yourself: Poetry Slam with I.N.K.	\$75	\$0	-\$75		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
An Owner's Guide to Your Package: Penis Edition	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
An Owner's Guide to Your Package: Vagina Edition	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Cross Cultural Sexplorations: Japan	\$60	\$0	-\$60		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Butter My Biscuit: Gallery 1010 Art Show	\$500	\$500	\$0		
Can't Measure Up: A Body Image Workshop	\$225	\$225	\$0		
Fighting the System: Trans Legal Issues	\$40	\$0	-\$40		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Defining Blurred Lines: Sexual Assault Roundtable	\$340	\$340	\$0		
Enabling Pleasure: Disability and Sex	\$1,400	\$1,400	\$0		
For Your Eyes Only: Revenge Porn and the Law	\$40	\$0	-\$40		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Gay, Straight, or Lying: Biphobia and Biersasure	\$100	\$0	-\$100		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Get What You Came For: A Healthy Sexuality	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Health Testing and Tabling	\$50	\$0	-\$50		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Love is Patient: Abstinence and Virginity	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
On the Air: Sex and the Media	\$75	\$0	-\$75		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Loosening Up the Bible Belt? Change and Inclusivity in Southern Christian Churches	\$245	\$245	\$0		



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Queering Medicine: LGBTQ+ Health	\$40	\$0	-\$40		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Road Head: The Role of the Automobile	\$50	\$0	-\$50		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Sex and the Sinner: Religion Roundtables	\$75	\$0	-\$75		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Sexy, Strong, and Sensual: Pole Fitness Class	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Racing Sex and Sexing Race	\$1,625	\$1,625	\$0		
Shake Your Speare: Sensuality and Literature	\$40	\$0	-\$40		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Singing the Body Poetic	\$50	\$0	-\$50		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Stimulating Studies: Research at UT	\$100	\$0	-\$100		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Street Smarts: The Ethics of Sex Work	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
Symptoms of Stigma: HIV/ AIDS	\$40	\$0	-\$40		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
We Can Do Better: Safe Zone Training	\$30	\$0	-\$30		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
We Can Work It Out: Relationship Workshop	\$40	\$0	-\$40		Determined that requests below \$200 were too small to warrant efforts needed to track if allocated.
You Better Work: volOUT Drag Show	\$570	\$0	-\$570		Duplicated event held by another organization.



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
The Naked Truth: The History of Beauty, Nudity, and Censorship in History	\$200	\$0	-\$200		Lack of available funding.
Batteries Not Included: Sex Toys and Pleasure	\$2,230	\$0	-\$2,230		Speaker has been to the campus each of the past 4 years.
Getting Wordy and Talking Dirty	\$2,130	\$0	-\$2,130		Speaker has been to the campus each of the past 4 years.
We've Got Chemistry: The Science of Orgasm	\$1,525	\$1,525	\$0		
Partition, Please: Secret Fantasies	\$2,180	\$0	-\$2,180		Speaker has been to the campus each of the past 4 years.
Your Hair Down There	\$315	\$315	\$0		
<b>TOTAL</b>	<b>\$17,070</b>	<b>\$8,675</b>	<b>-\$8,395</b>	<b>50.82%</b>	
Society of Media Arts					
Save My Seoul	\$1,600	\$1,600	\$0		
<b>TOTAL</b>	<b>\$1,600</b>	<b>\$1,600</b>	<b>\$0</b>	<b>100.00%</b>	
Spoon University					
Spoon University Launch Party	\$1,050	\$0	-\$1,050		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
<b>TOTAL</b>	<b>\$1,050</b>	<b>\$0</b>	<b>-\$1,050</b>	<b>0.00%</b>	
Strange Fruit On Stage Productions					
Anything Goes	\$1,875	\$1,500	-\$375		
<b>TOTAL</b>	<b>\$1,875</b>	<b>\$1,500</b>	<b>-\$375</b>	<b>80.00%</b>	
Student Alumni Associates					
I Heart UT Week	\$2,000	\$0	-\$2,000		Proposal was a PR campaign instead of an actual event.
<b>TOTAL</b>	<b>\$2,000</b>	<b>\$0</b>	<b>-\$2,000</b>	<b>0.00%</b>	
Students for Justice in Palestine					
Culture Night	\$400	\$400	\$0		
Night in Palestine	\$550	\$0	-\$550		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$950</b>	<b>\$400</b>	<b>-\$550</b>	<b>42.11%</b>	
T.A.S.C. Force					
T.A.S.C. Fashion Show	\$500	\$500	\$0		
<b>TOTAL</b>	<b>\$500</b>	<b>\$500</b>	<b>\$0</b>	<b>100.00%</b>	



2014-15: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Tau Sigma National Honor Society</b>					
Tau Sigma – Dodgeball Bash	\$500	\$0	-\$500		Considered a membership drive event for the organization. Committee does not fund organization expenses.
<b>TOTAL</b>	<b>\$500</b>	<b>\$0</b>	<b>-\$500</b>	<b>0.00%</b>	
<b>Undergraduate Research Students' Assoc</b>					
Undergraduate Research Symposium	\$5,000	\$0	-\$5,000		Felt program is, or should be, the responsibility of the academic department.
<b>TOTAL</b>	<b>\$5,000</b>	<b>\$0</b>	<b>-\$5,000</b>	<b>0.00%</b>	
<b>Vol Tango</b>					
First Vol Tango Bootcamp	\$500	\$0	-\$500		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$500</b>	<b>\$0</b>	<b>-\$500</b>	<b>0.00%</b>	
<b>VolFighters</b>					
Veterans Day Roll Call	\$500	\$0	-\$500		Failed to comply with submission requirements. The program date was outside of designated proposal period.
<b>TOTAL</b>	<b>\$500</b>	<b>\$0</b>	<b>-\$500</b>	<b>0.00%</b>	
<b>volOUT</b>					
The Happily-Ever After Prom	\$340	\$340	\$0		
<b>TOTAL</b>	<b>\$340</b>	<b>\$340</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Volunteer Channel</b>					
SGA Debate	\$650	\$650	\$0		
<b>TOTAL</b>	<b>\$650</b>	<b>\$650</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Young Americans for Freedom</b>					
Free Market System with Economist Steve Moore	\$6,200	\$5,700	-\$500		Allocation reduced due to anticipated support from the CEB.
<b>TOTAL</b>	<b>\$6,200</b>	<b>\$5,700</b>	<b>-\$500</b>	<b>91.94%</b>	
<b>Young Americans for Liberty</b>					
Doughnuts for Inflation	\$275	\$275	\$0		
<b>TOTAL</b>	<b>\$275</b>	<b>\$275</b>	<b>\$0</b>	<b>100.00%</b>	
<b>TOTAL FOR ALL REGISTERED STUDENT ORGANIZATIONS</b>	<b>\$203,939</b>	<b>\$103,087</b>	<b>-\$100,852</b>	<b>50.55%</b>	

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Ad Club</b>					
#UTSMW16	\$1,150	\$0	-\$1,150		Failed to comply with submission requirements. The speaker and or topic was not identified.
<b>TOTAL</b>	<b>\$1,150</b>	<b>\$0</b>	<b>-\$1,150</b>	<b>0.00%</b>	
<b>Advancement of Neuroscience</b>					
Dr. Paul Ragan	\$820	\$820	\$0		
Art & Neuroscience	\$295	\$295	\$0		
Neuroscience in the Courtroom	\$295	\$295	\$0		
A Day in the Life of a Neurosurgeon	\$295	\$0	-\$295		Program too focused on the organization instead of the campus.
This is Your Brain on Sports	\$295	\$295	\$0		
<b>TOTAL</b>	<b>\$2,000</b>	<b>\$1,705</b>	<b>-\$295</b>	<b>85.25%</b>	
<b>All Campus Theatre</b>					
All Night Theatre	\$1,125	\$1,125	\$0		
<b>TOTAL</b>	<b>\$1,125</b>	<b>\$1,125</b>	<b>\$0</b>	<b>100.00%</b>	
<b>American Society of Landscape Architecture Students</b>					
Troublemakers: The Story of Land Art	\$400	\$350	-\$50		Allocation adjusted for anticipated revenue.
<b>TOTAL</b>	<b>\$400</b>	<b>\$350</b>	<b>-\$50</b>	<b>87.50%</b>	
<b>Beta Chi Theta</b>					
Holi Festival	\$1,400	\$1,400	\$0		
<b>TOTAL</b>	<b>\$1,400</b>	<b>\$1,400</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Black Student Union</b>					
Painting with a Twist	\$550	\$0	-\$550		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$550</b>	<b>\$0</b>	<b>-\$550</b>	<b>0.00%</b>	
<b>Chi Alpha</b>					
Thanksgiving Dinner	\$400	\$400	\$0		
Donuts and Burgers Day	\$450	\$450	\$0		
<b>TOTAL</b>	<b>\$850</b>	<b>\$850</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Club Geo</b>					
Taste the World	\$1,574	\$1,100	-\$474		Cost for prizes removed. Allocation adjusted accordingly.
<b>TOTAL</b>	<b>\$1,574</b>	<b>\$1,100</b>	<b>-\$474</b>	<b>69.89%</b>	



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Dance Company</b>					
Spring Showcase	\$17,320	\$17,000	-\$320		Decided to match previous year allocation of \$17,000
<b>TOTAL</b>	<b>\$17,320</b>	<b>\$17,000</b>	<b>-\$320</b>	<b>98.15%</b>	
<b>Darwin Day</b>					
Darwin Day	\$11,775	\$11,775	\$0		
<b>TOTAL</b>	<b>\$11,775</b>	<b>\$11,775</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Diaspora Student Association</b>					
Dr. Umar Johnson	\$4,350	\$4,400	\$50		
<b>TOTAL</b>	<b>\$4,350</b>	<b>\$4,400</b>	<b>\$50</b>	<b>101.15%</b>	
<b>EcoVols</b>					
Welcome Week: Green Fair	\$1,417	\$0	-\$1,417		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$1,417</b>	<b>\$0</b>	<b>-\$1,417</b>	<b>0.00%</b>	
<b>Entomology and Plant Pathology Graduate Student Association</b>					
Science Day	\$900	\$900	\$0		
Career Fair	\$300	\$0	-\$300		Determined organization should work through the Center for Career Development
EPP Day	\$250	\$0	-\$250		Proposed May date of event would severely limit student participation.
<b>TOTAL</b>	<b>\$1,450</b>	<b>\$900</b>	<b>-\$550</b>	<b>62.07%</b>	
<b>Filipino-American Association at UT</b>					
International Formal	\$800	\$0	-\$800		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$800</b>	<b>\$0</b>	<b>-\$800</b>	<b>0.00%</b>	
<b>GARG</b>					
GeoSym 2016	\$4,821	\$2,550	-\$2,271		Costs for two breakfasts, prizes, and filming removed. Allocation adjusted accordingly.
<b>TOTAL</b>	<b>\$4,821</b>	<b>\$2,550</b>	<b>-\$2,271</b>	<b>52.89%</b>	
<b>German Club</b>					
Outside Movie Night	\$365	\$0	-\$365		Failed to comply with submission requirements. The film was not identified.
<b>TOTAL</b>	<b>\$365</b>	<b>\$0</b>	<b>-\$365</b>	<b>0.00%</b>	



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Hydrolunteers</b>					
Sustainability Lunch & Learn	\$300	\$0	-\$300		Program too focused on the organization instead of the campus.
Welcome Back Popcorn & Pizza Party	\$219	\$0	-\$219		Program too focused on the organization instead of the campus.
Aquatic Biodiversity Lunch & Learn	\$300	\$0	-\$300		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$819</b>	<b>\$0</b>	<b>-\$819</b>	<b>0.00%</b>	
<b>ITEA</b>					
UT Residency with Sam Pilafian and Pat Sheridan	\$6,500	\$3,250	-\$3,250		Approved performance by one of the two artists. Allocation adjusted.
<b>TOTAL</b>	<b>\$6,500</b>	<b>\$3,250</b>	<b>-\$3,250</b>	<b>50.00%</b>	
<b>Latin American Student Association</b>					
Noche de Baile con LASO	\$815	\$800	-\$15		
<b>TOTAL</b>	<b>\$815</b>	<b>\$800</b>	<b>-\$15</b>	<b>98.16%</b>	
<b>MANRRS</b>					
Spring Carnival	\$9,000	\$0	-\$9,000		Failure to comply with request from Committee to meet with CSE to discuss integration with other end of year events.
<b>TOTAL</b>	<b>\$9,000</b>	<b>\$0</b>	<b>-\$9,000</b>	<b>0.00%</b>	
<b>Manthan</b>					
Diwali	\$1,725	\$1,725	\$0		
Holi Festival	\$610	\$0	-\$610		Duplicated request from another organization
Holi Campfire	\$650	\$650	\$0		
<b>TOTAL</b>	<b>\$2,985</b>	<b>\$2,375</b>	<b>-\$610</b>	<b>79.56%</b>	
<b>MSWO</b>					
OUTstanding Seminar	\$14,625	\$11,600	-\$3,025		Proposed budget represented a 54% increase over the allocation provided the previous year. Increase requested was too large. Allocation adjusted.
<b>TOTAL</b>	<b>\$14,625</b>	<b>\$11,600</b>	<b>-\$3,025</b>	<b>79.32%</b>	
<b>Multicultural Graduate Student Association</b>					
Speaker Series: Dr Zandria Robinson	\$2,000	\$1,500	-\$500		Allocation adjusted for anticipated cosponsorships.
<b>TOTAL</b>	<b>\$2,000</b>	<b>\$1,500</b>	<b>-\$500</b>	<b>75.00%</b>	



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Muslim Student Association</b>					
Fast-A-Thon	\$1,400	\$0	-\$1,400		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$1,400</b>	<b>\$0</b>	<b>-\$1,400</b>	<b>0.00%</b>	
<b>NAACP</b>					
Black Issues Conference	\$19,820	\$13,000	-\$6,820		Proposed budget represented a 98% increase over the allocation provided the previous year. Increase requested was too large. Allocation adjusted.
<b>TOTAL</b>	<b>\$19,820</b>	<b>\$13,000</b>	<b>-\$6,820</b>	<b>65.59%</b>	
<b>National Society of Leadership and Success</b>					
Rudy Giuliani - Principled Leadership: In the Face of Change of Crisis	\$465	\$475	\$10		
Al Roker - Heroism in Diasaster	\$465	\$0	-\$465		Program too focused on the organization instead of the campus.
Common - The Greatness in You	\$465	\$0	-\$465		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$1,395</b>	<b>\$475</b>	<b>-\$920</b>	<b>34.05%</b>	
<b>Native American Student Association</b>					
American Indian Science and Engineering Society Regional 7 Conference	\$5,475	\$0	-\$5,475		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$5,475</b>	<b>\$0</b>	<b>-\$5,475</b>	<b>0.00%</b>	
<b>Oxfam</b>					
Bryant Terry	\$11,300	\$5,650	-\$5,650		Allocation adjusted for anticipated cosponsorships.
<b>TOTAL</b>	<b>\$11,300</b>	<b>\$5,650</b>	<b>-\$5,650</b>	<b>50.00%</b>	
<b>Pi Delta Phi</b>					
Reflections	\$575	\$575	\$0		
French Cooking Demo and Film Screening	\$450	\$450	\$0		
Your Future With French and Life After Study Abroad	\$400	\$0	-\$400		Program too focused on the organization instead of the campus.
How French Are You: Trivia Night	\$200	\$200	\$0		
Coffee & Canvas	\$260	\$300	\$40		



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
French Acoustic Café and Open Mic	\$635	\$0	-\$635		Program too focused on the organization instead of the campus.
Escape Room	\$205	\$200	-\$5		
<b>TOTAL</b>	<b>\$2,725</b>	<b>\$1,725</b>	<b>-\$1,000</b>	<b>63.30%</b>	
Pipeline: Vols for Women in STEM					
Women in STEM Research Symposium	\$4,000	\$2,900	-\$1,100		Food cost reduced. Allocation adjusted.
<b>TOTAL</b>	<b>\$4,000</b>	<b>\$2,900</b>	<b>-\$1,100</b>	<b>72.50%</b>	
Pi Sigma Alpha					
What to Know About Voting in Estonia	\$1,450	\$0	-\$1,450		Organization was insufficiently prepared.
<b>TOTAL</b>	<b>\$1,450</b>	<b>\$0</b>	<b>-\$1,450</b>	<b>0.00%</b>	
Print Club					
Theories on Contemporary Printmaking	\$1,700	\$1,700	\$0		
Visiting Artist: Yuji Hiratsuka	\$1,700	\$1,700	\$0		
Visiting Artist: Mary Manusos	\$1,700	\$0	-\$1,700		Determined two print artists for the Fall semester was sufficient.
<b>TOTAL</b>	<b>\$5,100</b>	<b>\$3,400</b>	<b>-\$1,700</b>	<b>66.67%</b>	
Progressive Student Alliance					
Say Zir Name	\$1,230	\$1,250	\$20		
<b>TOTAL</b>	<b>\$1,230</b>	<b>\$1,250</b>	<b>\$20</b>	<b>101.63%</b>	
Regal Rowdies					
Tennessee Soccer vs Ole Miss	\$428	\$0	-\$428		Determined to be Athletics responsibility.
<b>TOTAL</b>	<b>\$428</b>	<b>\$0</b>	<b>-\$428</b>	<b>0.00%</b>	
Russian Language and Culture Club					
MFL Talent Show/"Fifteen Minutes of Fame"	\$785	\$500	-\$285		
Russian Immersion Weekend	\$710	\$0	-\$710		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$1,495</b>	<b>\$500</b>	<b>-\$995</b>	<b>33.44%</b>	
Sexual Empowerment and Awareness at Tennessee (SEAT)					
Hello Again	\$2,775	\$1,875	-\$900		Allocation adjusted for anticipated revenues.
Boys II Men	\$1,600	\$3,000	\$1,400		
Tip of the Tongue	\$1,700	\$0	-\$1,700		Topic of event unclear.



<b>2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
Having the Talk	\$200	\$200	\$0		
Guilty Until Proven Innocent	\$225	\$225	\$0		
Hunting Ground	\$1,550	\$1,550	\$0		
Aftermath	\$350	\$0	<b>-\$350</b>		Nature of program did not allow it to be open to all students.
Butt Stuff	\$1,950	\$1,900	<b>-\$50</b>		Costs overestimated.Allocation adjusted.
Tongue in Cheek: Oral Pleasure	\$1,950	\$1,900	<b>-\$50</b>		Costs overestimated.Allocation adjusted.
50 Shades of Orange: BDSM 101	\$1,850	\$1,725	<b>-\$125</b>		Costs overestimated.Allocation adjusted.
How to Drive a Vulva	\$1,344	\$1,300	<b>-\$44</b>		Costs overestimated.Allocation adjusted.
Erotica: Telling Your Sexual Story	\$1,045	\$1,050	<b>\$5</b>		
Netflix and Chill? College Relationships	\$1,045	\$1,050	<b>\$5</b>		
Let's Talk About Sex, UT	\$1,671	\$1,600	<b>-\$71</b>		Costs overestimated.Allocation adjusted.
I Woke Up Like This: Body Image Workshop	\$1,412	\$1,400	<b>-\$12</b>		
FTM: Scouting the Unknown	\$1,810	\$1,750	<b>-\$60</b>		Costs overestimated.Allocation adjusted.
Sex Trivia & Pizza	\$658	\$650	<b>-\$8</b>		
Drag Show	\$1,138	\$900	<b>-\$238</b>		Costs overestimated.Allocation adjusted.
Orgasme	\$395	\$400	<b>\$5</b>		
Take Me to Church: Religion and Sexuality	\$397	\$350	<b>-\$47</b>		Costs overestimated.Allocation adjusted.
Ooh La La: France and Sexuality (Cross cultural (S) explorations)	\$290	\$300	<b>\$10</b>		
Kegel for a Bagel	\$240	\$250	<b>\$10</b>		
<b>TOTAL</b>	<b>\$25,595</b>	<b>\$23,375</b>	<b>-\$2,220</b>	<b>91.33%</b>	
<b>She's the First</b>					
Nicholas Kristof: A Voice for the Voiceless	\$32,414	\$0	<b>-\$32,414</b>		Cost per student (\$324) was excessive.
Sheryl WuDunn: A Voice for the Voiceless	\$19,564	\$0	<b>-\$19,564</b>		Cost per student (\$195) was excessive.
Trapped: Sex Trafficking in Tennessee	\$2,542	\$2,550	<b>\$8</b>		



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Very Young Girls	\$500	\$500	\$0		
<b>TOTAL</b>	<b>\$55,020</b>	<b>\$3,050</b>	<b>-\$51,970</b>	<b>5.54%</b>	
<b>Society for Human Resource Management</b>					
Employer Sponsored Wellness Fair	\$525	\$525	\$0		
<b>TOTAL</b>	<b>\$525</b>	<b>\$525</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Society of Media Arts</b>					
Social Media's Role in Creatvie Practices	\$1,935	\$0	-\$1,935		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$1,935</b>	<b>\$0</b>	<b>-\$1,935</b>	<b>0.00%</b>	
<b>SPEAK</b>					
Sustainability Week:Veggie Burgers	\$400	\$400	\$0		
<b>TOTAL</b>	<b>\$400</b>	<b>\$400</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Strange Fruit on Stage Productions</b>					
So You Think You Can Dance	\$1,625	\$1,475	-\$150		Costs for videographer removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$1,625</b>	<b>\$1,475</b>	<b>-\$150</b>	<b>90.77%</b>	
<b>Student Linguistics Association</b>					
Gender Neutrality and Gender Neutral Pronouns in Language	\$2,365	\$2,250	-\$115		Costs overestimated. Allocation adjusted.
<b>TOTAL</b>	<b>\$2,365</b>	<b>\$2,250</b>	<b>-\$115</b>	<b>95.14%</b>	
<b>Student Peace Alliance</b>					
From Solitary to Solidarity	\$1,100	\$1,100	\$0		
Change through Dialogue	\$1,170	\$1,175	\$5		
<b>TOTAL</b>	<b>\$2,270</b>	<b>\$2,275</b>	<b>\$5</b>	<b>100.22%</b>	
<b>Students for Justice in Palestine</b>					
Night in Palestine	\$6,550	\$0	-\$6,550		Insufficient funds available.
Aspire to Inspire with Remi Kanazai	\$1,170	\$1,175	\$5		
<b>TOTAL</b>	<b>\$7,720</b>	<b>\$1,175</b>	<b>-\$6,545</b>	<b>15.22%</b>	
<b>Students for Sensible Drug Policy</b>					
Overdose Prevention: Knowing the Signs and Saving a Life	\$1,195	\$1,200	\$5		
Law Enforcement Against Prohibition: Perspectives	\$900	\$0	-\$900		Organization was insufficiently prepared.
<b>TOTAL</b>	<b>\$2,095</b>	<b>\$1,200</b>	<b>-\$895</b>	<b>57.28%</b>	



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Study Abroad Alumni Association					
Global Scholar Conference	\$1,800	\$1,800	\$0		
<b>TOTAL</b>	<b>\$1,800</b>	<b>\$1,800</b>	<b>\$0</b>	<b>100.00%</b>	
Tech Carnival					
Tech Carnival	\$4,750	\$0	<b>-\$4,750</b>		Program directed to off-campus audience instead of campus community.
Roborage	\$1,950	\$1,400	<b>-\$550</b>		Cost for prizes was removed. Allocation adjusted.
BotRoute	\$1,950	\$0	<b>-\$1,950</b>		Program directed to off-campus audience instead of campus community.
Hackathon	\$1,450	\$0	<b>-\$1,450</b>		Program directed to off-campus audience instead of campus community.
Conception	\$600	\$0	<b>-\$600</b>		Program directed to off-campus audience instead of campus community.
Project X	\$1,150	\$0	<b>-\$1,150</b>		Program directed to off-campus audience instead of campus community.
Fix It	\$1,375	\$0	<b>-\$1,375</b>		Program directed to off-campus audience instead of campus community.
Tech Tools	\$3,150	\$0	<b>-\$3,150</b>		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$16,375</b>	<b>\$1,400</b>	<b>-\$14,975</b>	<b>8.55%</b>	
Transactions					
Crowdfunding	\$2,000	\$0	<b>-\$2,000</b>		Failed to comply with submission requirements. The speaker and or topic was not identified.
<b>TOTAL</b>	<b>\$2,000</b>	<b>\$0</b>	<b>-\$2,000</b>	<b>0.00%</b>	
Tyson House					
Traces of the Trade	\$4,000	\$2,700	<b>-\$1,300</b>		Speaker was participating in multiple events, while in town for the organization's event. Determined that the other events should be covering more of the cost of bringing the speaker and adjusted the allocation accordingly.
<b>TOTAL</b>	<b>\$4,000</b>	<b>\$2,700</b>	<b>-\$1,300</b>	<b>67.50%</b>	



2015-16: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Undergraduate Research Student Association</b>					
Undergraduate Research Symposium	\$2,550	\$2,300	-\$250		Allocation adjusted for anticipated cosponsorships.
<b>TOTAL</b>	<b>\$2,550</b>	<b>\$2,300</b>	<b>-\$250</b>	<b>90.20%</b>	
<b>Vol Fighters</b>					
Film Festival	\$4,975	\$2,500	-\$2,475		Proposal should have been submitted as multiple events. Adjusted allocation for a one day film festival instead of a multiple day as requested.
<b>TOTAL</b>	<b>\$4,975</b>	<b>\$2,500</b>	<b>-\$2,475</b>	<b>50.25%</b>	
<b>Vol Tango</b>					
Argentine Tango Culture Day	\$765	\$765	\$0		
<b>TOTAL</b>	<b>\$765</b>	<b>\$765</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Volt</b>					
A Night Without Instruments - Fall	\$825	\$825	\$0		
A Night Without Instruments - Spring	\$825	\$825	\$0		
<b>TOTAL</b>	<b>\$1,650</b>	<b>\$1,650</b>	<b>\$0</b>	<b>100.00%</b>	
<b>volOUT</b>					
Rainbow Rave	\$800	\$800	\$0		
Spring Formal	\$300	\$300	\$0		
<b>TOTAL</b>	<b>\$1,100</b>	<b>\$1,100</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Young Americans for Freedom</b>					
Andrea Tantaros: The Real War on Women	\$5,250	\$10,250	\$5,000		
<b>TOTAL</b>	<b>\$5,250</b>	<b>\$10,250</b>	<b>\$5,000</b>	<b>195.24%</b>	
<b>Zeta Phi Beta</b>					
Culture Night: Building Bridges Towards Diversity	\$400	\$400	\$0		
<b>TOTAL</b>	<b>\$400</b>	<b>\$400</b>	<b>\$0</b>	<b>100.00%</b>	
<b>TOTAL FOR ALL REGISTERED STUDENT ORGANIZATIONS</b>	<b>\$284,324</b>	<b>\$152,170</b>	<b>-\$132,154</b>	<b>53.52%</b>	
Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.					



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Advancement of Neuroscience at UTK</b>					
Concussions: The Brain and Sports	\$2,395	\$2,400	\$5		
The Sacred Disease : Neurosurgical Insights on Epilepsy	\$370	\$375	\$5		
Neurophilosophy Panel	\$520	\$525	\$5		
Lunch and Learn	\$295	\$300	\$5		
Neuroscience in Film	\$270	\$700	\$430		
<b>TOTAL</b>	<b>\$3,850</b>	<b>\$4,300</b>	<b>\$450</b>	<b>111.69%</b>	
<b>African Student Association</b>					
Culture Night – A Taste of Africa	\$345	\$350	\$5		
Queen of Katwe	\$19,550	\$0	-\$19,550		Lack of available funds.
Africa Night	\$200	\$200	\$0		
ASA Welcomes: ZuZu African Acrobats	\$2,150	\$2,000	-\$150		
<b>TOTAL</b>	<b>\$22,245</b>	<b>\$2,550</b>	<b>-\$19,695</b>	<b>11.46%</b>	
<b>All Campus Theatre</b>					
Idiot Box	\$1,875	\$1,900	\$25		
Waiting for Godot	\$1,125	\$1,100	-\$25		
<b>TOTAL</b>	<b>\$3,000</b>	<b>\$3,000</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Asian American Association</b>					
865 Night Market	\$1,620	\$1,630	\$10		
International Ball	\$770	\$0	-\$770		Lack of available funds.
<b>TOTAL</b>	<b>\$2,390</b>	<b>\$1,630</b>	<b>-\$760</b>	<b>68.20%</b>	
<b>Bangladesh Students Association</b>					
International Coffeehouse: Bangladesh	\$350	\$0	-\$350		International House indicated it would handle.
<b>TOTAL</b>	<b>\$350</b>	<b>\$0</b>	<b>-\$350</b>	<b>0.00%</b>	
<b>Beta Chi Theta</b>					
Beta Chi Theta presents: Color a Beta Chi Holi Festival	\$1,950	\$1,950	\$0		
<b>TOTAL</b>	<b>\$1,950</b>	<b>\$1,950</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Biochemistry &amp; Cellular and Molecular Biology Grad Stu Org</b>					
Creating Art for STEM Workshop	\$3,470	\$3,475	\$5		
Science Summit - Gene Editing With CRISPR/Cas9	\$1,890	\$1,900	\$10		
<b>TOTAL</b>	<b>\$5,360</b>	<b>\$5,375</b>	<b>\$15</b>	<b>100.28%</b>	



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Chess Club at UTK</b>					
Maurice Ashley: The World is a Chess Board	\$5,450	\$5,450	\$0		
<b>TOTAL</b>	<b>\$5,450</b>	<b>\$5,450</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Chi Alpha</b>					
Chi Alpha ALMOST Thanksgiving Dinner	\$650	\$700	\$50		
Chi Alpha Cookout	\$2,500	\$0	-\$2,500		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$3,150</b>	<b>\$700</b>	<b>-\$2,450</b>	<b>22.22%</b>	
<b>Chinese Culture Club</b>					
Fashion Show: Traditional Asian Clothing	\$625	\$0	-\$625		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
Welcome Back; Chinese Celebration of Prosperity	\$325	\$0	-\$325		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
Chinese Culture Festival	\$1,200	\$0	-\$1,200		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$2,150</b>	<b>\$0</b>	<b>-\$2,150</b>	<b>0.00%</b>	
<b>Club Geography</b>					
Taste of the World Holiday Party	\$1,139	\$1,150	\$11		
<b>TOTAL</b>	<b>\$1,139</b>	<b>\$1,150</b>	<b>\$11</b>	<b>100.97%</b>	
<b>Comedy Club</b>					
Drew Morgan	\$500	\$850	\$350		
Fray Forde	\$700	\$0	-\$700		First time group has requested funding. Decided to fund just one of their requests.
Lauren Faber	\$500	\$0	-\$500		First time group has requested funding. Decided to fund just one of their requests.
Mo Arora	\$20	\$0	-\$20		First time group has requested funding. Decided to fund just one of their requests.
<b>TOTAL</b>	<b>\$1,720</b>	<b>\$850</b>	<b>-\$870</b>	<b>49.42%</b>	



<b>2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
<b>Dance Company</b>					
7th Annual BOSS Dance Company Showcase	\$18,820	\$18,800	-\$20		
<b>TOTAL</b>	<b>\$18,820</b>	<b>\$18,800</b>	<b>-\$20</b>	<b>99.89%</b>	
<b>Darwin Day Tennessee</b>					
The Dark Side of Plant Adaptation: Wicked Plants	\$10,750	\$10,600	-\$150		
<b>TOTAL</b>	<b>\$10,750</b>	<b>\$10,600</b>	<b>-\$150</b>	<b>98.60%</b>	
<b>Diaspora Student Association</b>					
Martin Luther King Jr & (African) American Leadership in the 21st Century	\$12,000	\$12,000	\$0		
Molefi Asante and the Philosophy of Afrocentrism	\$1,050	\$1,100	\$50		
<b>TOTAL</b>	<b>\$13,050</b>	<b>\$13,100</b>	<b>\$50</b>	<b>100.38%</b>	
<b>Feminist Alliance</b>					
Equal Means Equal	\$710	\$725	\$15		
<b>TOTAL</b>	<b>\$710</b>	<b>\$725</b>	<b>\$15</b>	<b>102.11%</b>	
<b>Filipino-American Association at UT</b>					
Philippines Culture Week - Coffeehouse	\$125	\$0	-\$125		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
Philippines Culture Week – Cooking Demonstration	\$75	\$0	-\$75		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
FAA's Flores de Abril	\$950	\$950	\$0		
<b>TOTAL</b>	<b>\$1,150</b>	<b>\$950</b>	<b>-\$200</b>	<b>82.61%</b>	
<b>Forum on Science Ethics and Policy</b>					
Science Policy Speaker Series - Part 1	\$550	\$0	-\$550		Program too focused on the organization instead of the campus.
Science Policy Speaker Series - Part 2	\$650	\$800	\$150		
AAAS Communicating Science Workshop	\$4,500	\$0	-\$4,500		Program too focused on the organization instead of the campus.
Change the Game: Science and Diplomacy	\$820	\$0	-\$820		Insufficient funds.



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Staged Reading of Informed Consent	\$905	\$400	-\$505		
<b>TOTAL</b>	<b>\$7,425</b>	<b>\$1,200</b>	<b>-\$6,225</b>	<b>16.16%</b>	
<b>Global Zero</b>					
Trump and the World	\$39,700	\$0	-\$39,700		Insufficient funds.
<b>TOTAL</b>	<b>\$39,700</b>	<b>\$0</b>	<b>-\$39,700</b>	<b>0.00%</b>	
<b>Graduate Students for Social Justice</b>					
The American Race: Prejudice and Discrimination in a Post-Truth Society	\$1,600	\$800	-\$800		Funding for catering removed. Allocation adjusted.
Social Justice Networking	\$825	\$0	-\$825		Organizational event.
<b>TOTAL</b>	<b>\$2,425</b>	<b>\$800</b>	<b>-\$1,625</b>	<b>32.99%</b>	
<b>International Horn Society Chapter at UT, Knoxville</b>					
Guest Artist Daniel Grobois	\$1,975	\$1,975	\$0		
<b>TOTAL</b>	<b>\$1,975</b>	<b>\$1,975</b>	<b>\$0</b>	<b>100.00%</b>	
<b>ITEA</b>					
Expanding the Musical Tool Set with Dr. Ben Pierce	\$2,700	\$2,200	-\$500		Personnel costs removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$2,700</b>	<b>\$2,200</b>	<b>-\$500</b>	<b>81.48%</b>	
<b>Kappa Alpha Psi</b>					
Dr. Umar Johnson	\$5,000	\$0	-\$5,000		Speaker was on campus the previous Spring semester.
<b>TOTAL</b>	<b>\$5,000</b>	<b>\$0</b>	<b>-\$5,000</b>	<b>0.00%</b>	
<b>Latino American Student Organization</b>					
Noche de Baile con LASO	\$725	\$725	\$0		
<b>TOTAL</b>	<b>\$725</b>	<b>\$725</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Love United Gospel Choir</b>					
Collegiate Gospel Explosion	\$5,200	\$5,200	\$0		
<b>TOTAL</b>	<b>\$5,200</b>	<b>\$5,200</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Manthan - Indian Students Association</b>					
Diwali – 2016	\$4,000	\$4,000	\$0		
Holi – 2017	\$800	\$0	-\$800		Duplicated another organization's request.
Republic Day – 2017	\$600	\$600	\$0		
Unity and Diversity	\$1,050	\$1,050	\$0		
Manthan Cricket League	\$450	\$0	-\$450		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$6,900</b>	<b>\$5,650</b>	<b>-\$1,250</b>	<b>81.88%</b>	



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Multicultural Greek Council</b>					
Meet the Greeks	\$800	\$0	-\$800		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$800</b>	<b>\$0</b>	<b>-\$800</b>	<b>0.00%</b>	
<b>Multicultural Graduate Student Organization</b>					
September Professional Development Presentation	\$100	\$200	\$100		
October Professional Development Presentation	\$100	\$200	\$100		
November Professional Development Presentation	\$100	\$200	\$100		
January Professional Development Presentation	\$100	\$200	\$100		
February Professional Development Presentation	\$100	\$200	\$100		
March Professional Development Presentation	\$225	\$225	\$0		
April Professional Development Presentation	\$225	\$225	\$0		
May Professional Development Presentation	\$225	\$225	\$0		
June Professional Development Presentation	\$225	\$225	\$0		
Issa Rae	\$4,750	\$0	-\$4,750		Insufficient funds.
<b>TOTAL</b>	<b>\$6,150</b>	<b>\$1,900</b>	<b>-\$4,250</b>	<b>30.89%</b>	
<b>Muslim Student Association</b>					
Fast-A-Thon	\$1,000	\$1,000	\$0		
MSA Showdown	\$3,300	\$0	-\$3,300		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$4,300</b>	<b>\$1,000</b>	<b>-\$3,300</b>	<b>23.26%</b>	



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>National Association for the Advancement of Colored People</b>					
Black Issues Conference	\$24,170	\$23,800	-\$370		Videographer cost removed. Allocation adjusted.
Light the Torch, Lead the Way Award Dinner	\$8,970	\$0	-\$8,970		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$33,140</b>	<b>\$23,800</b>	<b>-\$9,340</b>	<b>71.82%</b>	
<b>National Society of Leadership and Success</b>					
John Maxwell Speaker Broadcast: "Intentional Living"	\$540	\$0	-\$540		Once speaker fee removed, did not meet minimum.
Jesse Eisenberg: "A Conversation with Jesse Eisenberg"	\$540	\$0	-\$540		Once speaker fee removed, did not meet minimum.
John Leguizamo: "An Evening with John Leguizamo"	\$540	\$0	-\$540		Once speaker fee removed, did not meet minimum.
<b>TOTAL</b>	<b>\$1,620</b>	<b>\$0</b>	<b>-\$1,620</b>	<b>0.00%</b>	
<b>Native American Student Association</b>					
Federal/Tribal Law Symposium (Stacy Leeds)	\$1,550	\$1,600	\$50		
Federal/Tribal Law Symposium (Panel Discussion)	\$3,100	\$3,100	\$0		
A Night of Urban Indian Art	\$800	\$800	\$0		
<b>TOTAL</b>	<b>\$5,450</b>	<b>\$5,500</b>	<b>\$50</b>	<b>100.92%</b>	
<b>NeXxus: Connecting Women in Supply Chain</b>					
NeXxus End of Year Etiquette Dinner	\$975	\$0	-\$975		Program not open to all students.
<b>TOTAL</b>	<b>\$975</b>	<b>\$0</b>	<b>-\$975</b>	<b>0.00%</b>	
<b>OUTgrads</b>					
OUTstanding	\$10,205	\$10,200	-\$5		
<b>TOTAL</b>	<b>\$10,205</b>	<b>\$10,200</b>	<b>-\$5</b>	<b>99.95%</b>	
<b>Painting and Drawing Student Organization</b>					
Painting & Drawing Visiting Artist Lecture Series #1	\$2,450	\$0	-\$2,450		
Painting & Drawing Visiting Artist Lecture Series #2	\$3,175	\$3,200	\$25		
Visiting Artist: Mark Thomas Gibson - Lecture & Workshop	\$1,830	\$1,830	\$0		



<b>2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
Visiting Artist Lecuture: Angela Dufresne	\$1,580	\$1,600	\$20		
Painting+Drawing Student Organization Visiting Artist Series	\$750	\$750	\$0		
<b>TOTAL</b>	<b>\$9,785</b>	<b>\$7,380</b>	<b>-\$2,405</b>	<b>75.42%</b>	
<b>Percussion Society at the University of Tennessee</b>					
Guest Artist: Kendall Williams	\$1,985	\$0	-\$1,985		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$1,985</b>	<b>\$0</b>	<b>-\$1,985</b>	<b>0.00%</b>	
<b>Phi Mu Alpha</b>					
Scruffy City Sounds	\$2,320	\$0	-\$2,320		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$2,320</b>	<b>\$0</b>	<b>-\$2,320</b>	<b>0.00%</b>	
<b>Pi Delta Phi</b>					
France on Campus: Le Consulat	\$705	\$725	\$20		
World Trivia Night	\$240	\$250	\$10		
Diner et Cine (Dinner and a Movie)	\$395	\$1,000	\$605		
<b>TOTAL</b>	<b>\$1,340</b>	<b>\$1,975</b>	<b>\$635</b>	<b>147.39%</b>	
<b>Pi Sigma Alpha</b>					
Is there a Future for Online Voting?	\$2,200	\$2,200	\$0		
Voterpalooza	\$800	\$800	\$0		
<b>TOTAL</b>	<b>\$3,000</b>	<b>\$3,000</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Pipeline: Vols for Women in STEM</b>					
3rd Annual Women in STEM Research Symposium	\$7,490	\$5,500	-\$1,990		Speaker costs removed.
<b>TOTAL</b>	<b>\$7,490</b>	<b>\$5,500</b>	<b>-\$1,990</b>	<b>73.43%</b>	
<b>Print Club</b>					
Visiting Artist: Chadwick Tolley (lecture)	\$1,550	\$1,600	\$50		
Visiting Artist: Chadwick Tolley (workshop)	\$1,550	\$0	-\$1,550		Program too focused on the organization instead of the campus.



<b>2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
Visiting Artist: Noel Anderson (lecture)	\$1,550	\$1,550	\$0		
Visiting Artist: Noel Anderson (workshop)	\$1,550	\$0	<b>-\$1,550</b>		Program too focused on the organization instead of the campus.
<b>TOTAL</b>	<b>\$6,200</b>	<b>\$3,150</b>	<b>-\$3,050</b>	<b>50.81%</b>	
<b>Regal Rowdies</b>					
Regal Rowdies Spring Game Week	\$1,000	\$500	<b>-\$500</b>		
<b>TOTAL</b>	<b>\$1,000</b>	<b>\$500</b>	<b>-\$500</b>	<b>50.00%</b>	
<b>Rocky Top Recovery Group</b>					
Sober Tailgate	\$375	\$500	<b>\$125</b>		
<b>TOTAL</b>	<b>\$375</b>	<b>\$500</b>	<b>\$125</b>	<b>133.33%</b>	
<b>Sculpture Club</b>					
Gallery Opening	\$755	\$0	<b>-\$755</b>		Insufficient funds.
Visiting Artist Lecture: Mariya Vlasova	\$945	\$950	<b>\$5</b>		
<b>TOTAL</b>	<b>\$1,700</b>	<b>\$950</b>	<b>-\$750</b>	<b>55.88%</b>	
<b>Sexual Empowerment and Awareness at Tennessee (SEAT)</b>					
Beyond Consent: How Reclaiming Sexuality Combats Sexual Violence	\$3,175	\$3,200	<b>\$25</b>		
Safe, Sane & Strong	\$3,075	\$3,100	<b>\$25</b>		
Sex Week Cabaret	\$700	\$700	\$0		
Open Hearts, Open Minds	\$1,852	\$1,850	<b>-\$2</b>		
Gallery 1010: Fluid	\$445	\$450	<b>\$5</b>		
All of Me	\$2,151	\$2,150	<b>-\$1</b>		
Sex Week Drag Show	\$833	\$850	<b>\$17</b>		
Having An Affair With Yourself	\$1,411	\$1,425	<b>\$14</b>		
How's Your Head? Mental Health and Sex	\$1,811	\$1,825	<b>\$14</b>		
I Am, I Was: Sexuality, Gender, and Fluidity	\$1,852	\$1,850	<b>-\$2</b>		
You Like That? Consent and Communication in the Bedroom	\$1,852	\$1,850	<b>-\$2</b>		
Sex Educator Showdown	\$1,990	\$2,000	<b>\$10</b>		
Liberate Me: Intersexuality	\$2,019	\$2,025	<b>\$6</b>		
Playtime: Using Sex Toys in Your Sex Life	\$1,950	\$1,950	\$0		



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Positively Positive: Loving, Living and Thriving With An STI	\$1,611	\$1,625	\$14		
Sex Trivia and Pizza	\$798	\$800	\$2		
International Aphrodisiacs	\$2,151	\$2,150	-\$1		
<b>TOTAL</b>	<b>\$29,676</b>	<b>\$29,800</b>	<b>\$124</b>	<b>100.42%</b>	
<b>She's the First</b>					
Trapped: Sex Trafficking in Tennessee	\$1,700	\$1,700	\$0		
<b>TOTAL</b>	<b>\$1,700</b>	<b>\$1,700</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Society of Human Resource Management</b>					
Recipe for Success	\$1,570	\$1,575	\$5		
<b>TOTAL</b>	<b>\$1,570</b>	<b>\$1,575</b>	<b>\$5</b>	<b>100.32%</b>	
<b>Strange Fruit Dance Company</b>					
Strange Fruit Presents: Kaleidoscope	\$2,125	\$2,125	\$0		
<b>TOTAL</b>	<b>\$2,125</b>	<b>\$2,125</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Student Peace Alliance</b>					
The Prison in Twelve Landscapes with Brett Story	\$1,955	\$1,975	\$20		
<b>TOTAL</b>	<b>\$1,955</b>	<b>\$1,975</b>	<b>\$20</b>	<b>101.02%</b>	
<b>Student Space Technology Association/Amateur Radio Club</b>					
Amateur Radio on the International Space Station	\$2,850	\$2,900	\$50		
<b>TOTAL</b>	<b>\$2,850</b>	<b>\$2,900</b>	<b>\$50</b>	<b>101.75%</b>	
<b>Students for Sensible Drug Policy</b>					
Southeast Regional SSDP Conference	\$4,900	\$0	-\$4,900		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$4,900</b>	<b>\$0</b>	<b>-\$4,900</b>	<b>0.00%</b>	
<b>Students Who Stand</b>					
Survivor Voice	\$5,200	\$5,200	\$0		
<b>TOTAL</b>	<b>\$5,200</b>	<b>\$5,200</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Tech CarniVOL</b>					
Tech CarniVOL - RoboRage "Arena"	\$1,810	\$1,800	-\$10		
<b>TOTAL</b>	<b>\$1,810</b>	<b>\$1,800</b>	<b>-\$10</b>	<b>99.45%</b>	



2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Vol Tango</b>					
Tango Bootcamp: From Walking to Dancing	\$1,000	\$1,000	\$0		
Torch Tango Weekend: Remembering the World heritage and UT Traditions	\$1,500	\$1,500	\$0		
<b>TOTAL</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Volunteers for Christ</b>					
Welcome Week Information Booth 08/15	\$560	\$0	<b>-\$560</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Welcome Week Information Booth 08/16	\$560	\$0	<b>-\$560</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Welcome Week Information Booth 08/17	\$560	\$0	<b>-\$560</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Welcome Week Night Booth 08/15	\$240	\$0	<b>-\$240</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Welcome Week Night Booth 08/16	\$315	\$0	<b>-\$315</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Hotdog Giveaway	\$515	\$0	<b>-\$515</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Rita's Giveaway	\$600	\$0	<b>-\$600</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
VFC House Welcome Week BBQ	\$600	\$0	<b>-\$600</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
Move In Cookout	\$565	\$0	<b>-\$565</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.



<b>2016-17: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
TN Tech Tailgate with VFC	\$1,000	\$0	<b>-\$1,000</b>		Considered to be a public relations event for the organization. Committee does not fund organization expenses.
<b>TOTAL</b>	<b>\$5,515</b>	<b>\$0</b>	<b>-\$5,515</b>	<b>0.00%</b>	
<b>volOUT</b>					
Rainbow Rave	\$640	\$700	<b>\$60</b>		
<b>TOTAL</b>	<b>\$640</b>	<b>\$700</b>	<b>\$60</b>	<b>109.38%</b>	
<b>Women of Promise</b>					
IdentiTEA: Staying True to Yourself in a Changing World	\$3,900	\$2,500	<b>-\$1,400</b>		Reduced food and decoration expenditures. Allocation adjusted
<b>TOTAL</b>	<b>\$3,900</b>	<b>\$2,500</b>	<b>-\$1,400</b>	<b>64.10%</b>	
<b>Women's Coordinating Council</b>					
Take Back The Night	\$3,145	\$3,200	<b>\$55</b>		
Vagina Monologues	\$200	\$2,100	<b>\$1,900</b>		
V-Day Week	\$575	\$0	<b>-\$575</b>		Failed to comply with submission requirements. Individual events not submitted separately.
The Knoxville Monologues	\$625	\$625	\$0		
Women's HERStory Month Lives	\$1,150	\$1,150	\$0		
Love Your Body Week - Mock Beauty Pageant	\$1,230	\$1,250	<b>\$20</b>		
<b>TOTAL</b>	<b>\$6,925</b>	<b>\$8,325</b>	<b>\$1,400</b>	<b>120.22%</b>	
<b>Zeta Phi Beta Sorority, Inc.</b>					
The Ultimate Game Show	\$1,011	\$1,025	<b>\$14</b>		
<b>TOTAL</b>	<b>\$1,011</b>	<b>\$1,025</b>	<b>\$14</b>	<b>101.38%</b>	
<b>TOTAL FOR ALL REGISTERED STUDENT ORGANIZATIONS</b>	<b>\$339,396</b>	<b>\$216,360</b>	<b>-\$123,036</b>	<b>63.75%</b>	

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.



<b>2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
<b>Advancement of Neuroscience at UTK</b>					
Lunch and Learn	\$295	\$300	\$5		
Neuroscience and Art: Gallery Kick-off	\$345	\$350	\$5		
Neurophilosophy Panel	\$545	\$400	-\$145		Food costs removed. Allocation adjusted.
“The Sacred Disease”: Neurosurgical Insights on Epilepsy	\$370	\$275	-\$95		Food costs removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$1,555</b>	<b>\$1,325</b>	<b>-\$230</b>	<b>85.21%</b>	
<b>African Students' Association</b>					
African Culture Night	\$3,300	\$3,500	\$200		
<b>TOTAL</b>	<b>\$3,300</b>	<b>\$3,500</b>	<b>\$200</b>	<b>106.06%</b>	
<b>All Campus Theatre</b>					
ACT Presents Disassembly, a Play by Steve Yockey	\$1,725	\$1,725	\$0		
One Act Festival (Nov)	\$1,000	\$1,000	\$0		
One Act Festival (Feb)	\$1,000	\$1,000	\$0		
Relax With A Musical (Dec)	\$525	\$250	-\$275		Determined costs over-estimated. Allocation adjusted.
Relax With A Musical (May)	\$525	\$250	-\$275		Determined costs over-estimated. Allocation adjusted.
ACT Presents Mandala, a Play by Peter Cates	\$1,250	\$1,250	\$0		
<b>TOTAL</b>	<b>\$6,025</b>	<b>\$5,475</b>	<b>-\$550</b>	<b>90.87%</b>	
<b>Ambassadors for Mental Health Awareness and Suicide Prevention</b>					
Mental Health Fair	\$3,444	\$2,000	-\$1,444		Determined costs over-estimated. Allocation adjusted.
<b>TOTAL</b>	<b>\$3,444</b>	<b>\$2,000</b>	<b>-\$1,444</b>	<b>58.07%</b>	
<b>American Veterinary Medical Association, Student Chapter</b>					
Family Weekend Tailgate	\$1,050	\$0	-\$1,050		Program directed to off-campus audience instead of campus community.
Finals Week Wellness Breakfast	\$3,000	\$3,000	\$0		



2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
VBMA Symposium	\$8,600	\$0	-\$8,600		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$12,650</b>	<b>\$3,000</b>	<b>-\$9,650</b>	<b>23.72%</b>	
Asian American Association					
865 Night Market	\$3,190	\$3,200	\$10		
<b>TOTAL</b>	<b>\$3,190</b>	<b>\$3,200</b>	<b>\$10</b>	<b>100.31%</b>	
Ask a Scientist					
STEAMcon	\$3,900	\$0	-\$3,900		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$3,900</b>	<b>\$0</b>	<b>-\$3,900</b>	<b>0.00%</b>	
Beta Chi Theta					
Beta Chi Theta presents: Color a Beta Chi Holi Festival	\$1,950	\$0	-\$1,950		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$1,950</b>	<b>\$0</b>	<b>-\$1,950</b>	<b>0.00%</b>	
BioAI					
Know Yourself With Your Own Data	\$3,900	\$3,900	\$0		
<b>TOTAL</b>	<b>\$3,900</b>	<b>\$3,900</b>	<b>\$0</b>	<b>100.00%</b>	
Biochemistry & Cellular and Molecular Biology Grad Stu Org					
Mastering LinkedIn	\$15,045	\$0	-\$15,045		Cost per student (\$150) too high
<b>TOTAL</b>	<b>\$15,045</b>	<b>\$0</b>	<b>-\$15,045</b>	<b>0.00%</b>	
BOSS Dance Company					
Annual Showcase	\$20,820	\$18,800	-\$2,020		Decided to keep allocation the same as previous year.
<b>TOTAL</b>	<b>\$20,820</b>	<b>\$18,800</b>	<b>-\$2,020</b>	<b>90.30%</b>	
Chi Alpha Christian Fellowship					
Almost Thanksgiving Dinner	\$1,025	\$1,025	\$0		
<b>TOTAL</b>	<b>\$1,025</b>	<b>\$1,025</b>	<b>\$0</b>	<b>100.00%</b>	
Darwin Day					
Dr. Nizar Ibrahim	\$9,100	\$9,100	\$0		
<b>TOTAL</b>	<b>\$9,100</b>	<b>\$9,100</b>	<b>\$0</b>	<b>100.00%</b>	



2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Engineering Mentor Program</b>					
Escape Estabrook!	\$325	\$325	\$0		
<b>TOTAL</b>	<b>\$325</b>	<b>\$325</b>	<b>\$0</b>	<b>100.00%</b>	
<b>eSports Club</b>					
UT Con 2017	\$250	\$0	-\$250		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$250</b>	<b>\$0</b>	<b>-\$250</b>	<b>0.00%</b>	
<b>Feminist Alliance</b>					
Feminist Feast September	\$1,000	\$250	-\$750		Determined costs over-estimated. Allocation adjusted.
Feminist Feast October	\$1,000	\$250	-\$750		Determined costs over-estimated. Allocation adjusted.
Feminist Feast November	\$1,000	\$250	-\$750		Determined costs over-estimated. Allocation adjusted.
Feminist Feast: A Discussion about Body Positivity	\$180	\$200	\$20		
Feminist Feast: A Discussion on Gender Roles	\$180	\$200	\$20		
Feminist Feast: A Discussion on Sexual Assault	\$200	\$200	\$0		
<b>TOTAL</b>	<b>\$3,560</b>	<b>\$1,350</b>	<b>-\$2,210</b>	<b>37.92%</b>	
<b>Food Science Club</b>					
Food Evolution: A Discussion about Genetically Modified (GMO) Foods	\$11,575	\$2,700	-\$8,875		Determined costs over-estimated. Allocation adjusted.
<b>TOTAL</b>	<b>\$11,575</b>	<b>\$2,700</b>	<b>-\$8,875</b>	<b>23.33%</b>	
<b>For The Kids at UTK</b>					
Volthon	\$950	\$0	-\$950		Committee does not fund charitable events.
<b>TOTAL</b>	<b>\$950</b>	<b>\$0</b>	<b>-\$950</b>	<b>0.00%</b>	
<b>Forum on Science Ethics and Policy</b>					
Change the Game: Science and Diplomacy	\$1,070	\$1,075	\$5		
<b>TOTAL</b>	<b>\$1,070</b>	<b>\$1,075</b>	<b>\$5</b>	<b>100.47%</b>	
<b>Graduate Association of Research Geographers</b>					
GeoSym 2018	\$4,384	\$2,900	-\$1,484		Food cost removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$4,384</b>	<b>\$2,900</b>	<b>-\$1,484</b>	<b>66.15%</b>	



2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Hydrolunteers</b>					
Student Water Action Group Kick-Off	\$1,300	\$800	-\$500		Recycling bin cost removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$1,300</b>	<b>\$800</b>	<b>-\$500</b>	<b>61.54%</b>	
<b>InVOLuntary Sports Party Improv Troupe</b>					
Susan Messing Workshop	\$1,750	\$1,750	\$0		
<b>TOTAL</b>	<b>\$1,750</b>	<b>\$1,750</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Latin American Student Organization</b>					
Noche De Baile	\$2,600	\$2,500	-\$100		Reduced food costs. Allocation adjusted.
<b>TOTAL</b>	<b>\$2,600</b>	<b>\$2,500</b>	<b>-\$100</b>	<b>96.15%</b>	
<b>Machine Learning at UTK</b>					
UTKML Machine Learning Hackathon	\$1,470	\$0	-\$1,470		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
UTK Machine Learning Fall Closing Ceremony	\$525	\$0	-\$525		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$1,995</b>	<b>\$0</b>	<b>-\$1,995</b>	<b>0.00%</b>	
<b>Manthan</b>					
Diwali	\$4,000	\$3,500	-\$500		Allocation adjusted for additional anticipated revenues.
Republic Day	\$625	\$625	\$0		
Holi-Festival of Colors	\$1,400	\$1,400	\$0		
<b>TOTAL</b>	<b>\$6,025</b>	<b>\$5,525</b>	<b>-\$500</b>	<b>91.70%</b>	
<b>Materials Research Society</b>					
Networking for STEM Nerds: How to Create Your Dream Career	\$5,900	\$0	-\$5,900		Proposed date of program not conducive to student participation.
<b>TOTAL</b>	<b>\$5,900</b>	<b>\$0</b>	<b>-\$5,900</b>	<b>0.00%</b>	
<b>The Men's Project</b>					
The Mask You Live In	\$529	\$550	\$21		
<b>TOTAL</b>	<b>\$529</b>	<b>\$550</b>	<b>\$21</b>	<b>103.97%</b>	
<b>Multicultural Graduate Student Organization (MGSO)</b>					
Professional Development Series (Nov)	\$250	\$250	\$0		



<b>2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
Professional Development Series (Dec)	\$250	\$250	\$0		
Professional Development Series (Feb)	\$250	\$250	\$0		
Professional Development Series (Mar)	\$250	\$250	\$0		
Professional Development Series (Apr)	\$250	\$250	\$0		
Professional Development Series (May)	\$250	\$250	\$0		
<b>TOTAL</b>	<b>\$1,500</b>	<b>\$1,500</b>	<b>\$0</b>	<b>100.00%</b>	
<b>National Association of Black Journalists</b>					
NABJ Live: Confirmation Denied	\$10,610	\$3,700	<b>-\$6,910</b>		Reduced speaker cost. Allocation adjusted.
The Black Media Panel 2018	\$16,700	\$0	<b>-\$16,700</b>		First time group has requested funding. Decided to fund just one of their requests.
<b>TOTAL</b>	<b>\$27,310</b>	<b>\$3,700</b>	<b>-\$23,610</b>	<b>13.55%</b>	
<b>Minority Association of Pre-Health Students</b>					
Living & Dying in the Bricks: Presentation by Dr. Sampson Davis	\$18,250	\$18,250	\$0		
<b>TOTAL</b>	<b>\$18,250</b>	<b>\$18,250</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Muslim Student Association</b>					
Islamic Awareness Week Day	\$500	\$0	<b>-\$500</b>		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$500</b>	<b>\$0</b>	<b>-\$500</b>	<b>0.00%</b>	
<b>National Association for the Advancement of Colored People</b>					
Black Issues Conference	\$25,120	\$25,000	<b>-\$120</b>		Allocation rounded to \$25,000.
<b>TOTAL</b>	<b>\$25,120</b>	<b>\$25,000</b>	<b>-\$120</b>	<b>99.52%</b>	
<b>Native American Student Association</b>					
A Night in Urban Indian Art	\$800	\$0	<b>-\$800</b>		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
An Evening of Comedy	\$3,350	\$3,200	<b>-\$150</b>		Reception costs removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$4,150</b>	<b>\$3,200</b>	<b>-\$950</b>	<b>77.11%</b>	



2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
<b>Philosophy Graduate Student Association</b>					
Justice Across Borders: First Annual PGSA@UT Graduate Conference	\$2,175	\$2,175	\$0		
<b>TOTAL</b>	<b>\$2,175</b>	<b>\$2,175</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Pi Delta Phi</b>					
World Trivia Night	\$250	\$250	\$0		
Consulate Visit	\$200	\$200	\$0		
Petanque Tournament	\$200	\$200	\$0		
<b>TOTAL</b>	<b>\$650</b>	<b>\$650</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Pi Sigma Alpha</b>					
Voterpalooza	\$800	\$600	-\$200		'Other' costs removed. Allocation adjusted.
<b>TOTAL</b>	<b>\$800</b>	<b>\$600</b>	<b>-\$200</b>	<b>75.00%</b>	
<b>Pipeline: Vols for Women in STEM</b>					
4th Annual Women in STEM Research Symposium	\$5,490	\$4,500	-\$990		Removed stand rental costs. Allocation adjusted.
<b>TOTAL</b>	<b>\$5,490</b>	<b>\$4,500</b>	<b>-\$990</b>	<b>81.97%</b>	
<b>Platypus Affiliated Society</b>					
Anti-Fascism: A Panel Discussion on its Problematic History and Meaning	\$4,000	\$0	-\$4,000		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
The Bourgeois Revolution: From Marx's Point of View	\$3,000	\$0	-\$3,000		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$7,000</b>	<b>\$0</b>	<b>-\$7,000</b>	<b>0.00%</b>	
<b>Pride Ambassadors</b>					
Pride Day	\$285	\$0	-\$285		Failed to comply with submission requirements. Group representative did not attend required Q & A session.
<b>TOTAL</b>	<b>\$285</b>	<b>\$0</b>	<b>-\$285</b>	<b>0.00%</b>	
<b>Print Club</b>					
Visiting Artist: Monica Cook	\$1,600	\$1,600	\$0		



2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Visiting Artist: Kathryn Polk	\$1,600	\$0	-\$1,600		Decided to fund only one visiting print artist.
<b>TOTAL</b>	<b>\$3,200</b>	<b>\$1,600</b>	<b>-\$1,600</b>	<b>50.00%</b>	
Psychology Graduate Student Association (PGSA)					
Behave: The Biology of Good and Evil	\$16,615	\$17,000	\$385		
<b>TOTAL</b>	<b>\$16,615</b>	<b>\$17,000</b>	<b>\$385</b>	<b>102.32%</b>	
Rocky Top Recovery Group					
Everything Must Go	\$1,225	\$650	-\$575		Removed food costs. Allocation adjusted.
Rocky Top Recovery Tailgate	\$825	\$825	\$0		
<b>TOTAL</b>	<b>\$2,050</b>	<b>\$1,475</b>	<b>-\$575</b>	<b>71.95%</b>	
Sculpture Club					
Visiting Artist: Ariel Lavery	\$1,145	\$900	-\$245		Costs over-estimated. Allocation adjusted.
<b>TOTAL</b>	<b>\$1,145</b>	<b>\$900</b>	<b>-\$245</b>	<b>78.60%</b>	
Sexual Empowerment and Awareness at Tennessee (SEAT)					
Yes, No, Maybe So: A Practical Guide to Boundaries	\$1,680	\$1,680	\$0		
It Takes a Village: Community Support for Survivors	\$1,680	\$1,680	\$0		
Yes! Yes! Yes! Porn, Performance, and Consent	\$1,680	\$1,680	\$0		
(S)exploration Destination: France	\$356	\$350	-\$6		
Art Gallery: Send Nudes ;)	\$857	\$850	-\$7		
Black Sexual Liberation	\$2,122	\$2,100	-\$22		
Sex Week Carnival	\$809	\$800	-\$9		
CSI: My Period	\$1,420	\$1,425	\$5		
Drag Show	\$1,840	\$1,850	\$10		
Masturbation Nation	\$2,243	\$2,250	\$7		
Queer History in Cinema	\$342	\$350	\$8		
Reproductive Justice 101	\$1,371	\$1,375	\$4		
Porn and Feminist Theory	\$1,650	\$1,650	\$0		
Sucking D & Licking P	\$1,748	\$1,750	\$2		
Tinder and Tea	\$282	\$300	\$18		
Trans Convo Starter Pack	\$1,644	\$1,650	\$6		



2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee					
Event	Request	Allocation	Difference	Percent of request received	Reason for denied funding
Trans Sex Positivity	\$1,576	\$1,575	-\$1		
Butt Stuff 2.0:The Pegging	\$1,763	\$1,775	\$12		
Sex Week Cabaret	\$1,486	\$1,500	\$14		
Toys R Sex	\$1,782	\$1,800	\$18		
<b>TOTAL</b>	<b>\$28,331</b>	<b>\$28,390</b>	<b>\$59</b>	<b>100.21%</b>	
Society of Human Resources Management					
Developing the Next Generation of Leaders and Professionals (Greg Hawks)	\$1,365	\$1,375	\$10		
Recipe for Success	\$1,580	\$1,600	\$20		
<b>TOTAL</b>	<b>\$2,945</b>	<b>\$2,975</b>	<b>\$30</b>	<b>101.02%</b>	
Sophisticated Queens Unafraid and Driven					
Reclaiming Our Throne	\$10,800	\$10,800	\$0		
<b>TOTAL</b>	<b>\$10,800</b>	<b>\$10,800</b>	<b>\$0</b>	<b>100.00%</b>	
Strange Fruit Dance Company					
Strange Fruit Dance Company Spring Showcase	\$1,470	\$1,475	\$5		
<b>TOTAL</b>	<b>\$1,470</b>	<b>\$1,475</b>	<b>\$5</b>	<b>100.34%</b>	
Student Council on Diversity and Inclusion					
Dumaka Shabazz: Fighting Injustice 101	\$850	\$850	\$0		
Amanda Busby on the Rights of the Disabled	\$850	\$350	-\$500		Determined costs over-estimated.Allocation adjusted.
Mark Phariss, the Accidental Activist	\$850	\$850	\$0		
Valeria Gomez: DACA and its Impact	\$850	\$350	-\$500		Determined costs over-estimated.Allocation adjusted.
<b>TOTAL</b>	<b>\$3,400</b>	<b>\$2,400</b>	<b>-\$1,000</b>	<b>70.59%</b>	
Table Tennis Club					
Table Tennis Coaching by Professional Coach	\$1,945	\$0	-\$1,945		Too focused on organization instead of campus community.
<b>TOTAL</b>	<b>\$1,945</b>	<b>\$0</b>	<b>-\$1,945</b>	<b>0.00%</b>	
Tech CarniVol					
Tech CarniVOL - Conception	\$300	\$0	-\$300		Program directed to off-campus audience instead of campus community.



<b>2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
Tech CarniVOL – Hackathon	\$800	\$0	-\$800		Program directed to off-campus audience instead of campus community.
Tech CarniVOL – Houston We Have a Problem!	\$1,000	\$0	-\$1,000		Program directed to off-campus audience instead of campus community.
Tech CarniVOL – Roborage	\$1,600	\$0	-\$1,600		Program directed to off-campus audience instead of campus community.
Tech CarniVOL – Software Summit	\$1,500	\$0	-\$1,500		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$5,200</b>	<b>\$0</b>	<b>-\$5,200</b>	<b>0.00%</b>	
<b>Theta Tau Professional Engineering Fraternity</b>					
Engineering Future Industry Leaders	\$2,130	\$2,130	\$0		
<b>TOTAL</b>	<b>\$2,130</b>	<b>\$2,130</b>	<b>\$0</b>	<b>100.00%</b>	
<b>Tyson House Student Foundation</b>					
Feminism, Christianity, and the Rise of the Religious Left	\$8,490	\$8,500	\$10		
<b>TOTAL</b>	<b>\$8,490</b>	<b>\$8,500</b>	<b>\$10</b>	<b>100.12%</b>	
<b>United Residence Hall Council</b>					
Trunk or Treat	\$1,245	\$0	-\$1,245		Program directed to off-campus audience instead of campus community.
<b>TOTAL</b>	<b>\$1,245</b>	<b>\$0</b>	<b>-\$1,245</b>	<b>0.00%</b>	
<b>Voltango</b>					
Tango Evolution: Musical Elements for Dancing at the Next Level	\$1,860	\$0	-\$1,860		Similar program previous year that was not well attended.
Tango on Rocky Top!	\$1,075	\$1,075	\$0		
<b>TOTAL</b>	<b>\$2,935</b>	<b>\$1,075</b>	<b>-\$1,860</b>	<b>36.63%</b>	
<b>Women's Coordinating Council</b>					
Brave Miss World	\$900	\$900	\$0		
Reclaiming Spaces Project	\$1,370	\$1,375	\$5		
Take Back the Night	\$4,065	\$4,075	\$10		
Vagina Monologues	\$2,100	\$2,100	\$0		
Femissance	\$1,300	\$1,100	-\$200		



<b>2017-18: Registered Student Organization funding requests made to the Student Programming Allocation Committee</b>					
<b>Event</b>	<b>Request</b>	<b>Allocation</b>	<b>Difference</b>	<b>Percent of request received</b>	<b>Reason for denied funding</b>
Women's HERStory Lives	\$1,150	\$950	-\$200		
Jouelzy	\$2,200	\$2,000	-\$200		
Empowerment U: Self-Defense 101	\$750	\$650	-\$100		
<b>TOTAL</b>	<b>\$13,835</b>	<b>\$13,150</b>	<b>-\$685</b>	<b>95.05%</b>	
<b>Women's March Coalition</b>					
Demanding Social Transformation, Justice, and Equality for All	\$9,135	\$9,150	\$15		
<b>TOTAL</b>	<b>\$9,135</b>	<b>\$9,150</b>	<b>\$15</b>	<b>100.16%</b>	
<b>Young Americans for Freedom</b>					
Ben Shapiro: Facts Don't Care About Your Feelings	\$9,975	\$9,975	\$0		
<b>TOTAL</b>	<b>\$9,975</b>	<b>\$9,975</b>	<b>\$0</b>	<b>100.00%</b>	
<b>TOTAL FOR ALL REGISTERED STUDENT ORGANIZATIONS</b>	<b>\$346,193</b>	<b>\$241,370</b>	<b>-\$104,823</b>	<b>69.72%</b>	

Source: The Comptroller's Office analysis of data provided by UTK Division of Student Life.



## Appendix F: Exhibit I



### CHAIR

JOEY HENSLEY MD  
309 War Memorial Building  
Nashville, TN 37243  
Phone: (615) 741-3100

STATE OF TENNESSEE  
**SENATE HIGHER  
EDUCATION OVERSIGHT  
SUB COMMITTEE**

### MEMBERS

STACY CAMPFIELD  
REGINALD TATE  
TODD GARDENHIRE

October 11, 2013

President Joseph A DiPietro  
University of Tennessee  
831 Andy Holt Tower  
Knoxville, TN 37996

President DiPietro,

I would like to thank you and the University of Tennessee system for the assistance provided to the sub-committee during our hearing over the use of Student Activity Fees held on May 16, 2013. Over the course of the last few months the sub-committee members have reviewed the testimony and evidence provided by your institution concerning the process used to select speakers and events funded by the required activity fees charged to each of our students. While we understand and take serious the legal obligations of protecting free speech on our campuses, we feel that the activity funding selection process employed by our higher education institutions could be improved.

During the hearings, members of this sub-committee expressed concern about how your university system determines which groups receive funding for activities and which are denied funding. A perceived lack of diversity in viewpoints expressed by speakers that have been funded by student activity fees raises questions of potential bias. To alleviate any question of bias in the system, we recommend that your system explore policy changes that ensure a fair assessment of funding requests. We also recommend that you explore a funding model that considers student membership and participation.

To further assist the Senate Higher Education Sub-Committee in examining this issue, we request that the University of Tennessee System conduct a thorough review of the policies used regarding student activity fee collection and distribution within each of its respective institutions. Upon completion of this review, provide a written report detailing the finding and recommendations for improvement to this sub-committee. This report should be submitted no later than December 1, 2013, to allow for proper review prior to the start of the upcoming legislative session.

Sincerely,

A handwritten signature in black ink that reads "Joey Hensley MD".

Joey Hensley, MD  
State Senator



## Appendix F: Exhibit 2

**Senator Mike Bell**

  
DCC

309 War Memorial Building  
Nashville, TN 37243  
(615) 741-1946

261 County Road 757  
Riceville, TN 37370  
(423) 829-0058

**Senate Chamber  
State of Tennessee**

**NASHVILLE**

**Senator Dolores Gresham**

  
DCC

308 War Memorial Building  
Nashville, TN 37243  
(615) 741-2368

3515 Country Club Road  
Somerville, 38068  
(901) 465-4257

March 5, 2014

Dr. Joe DiPietro  
President  
The University of Tennessee  
831 Andy Holt Tower  
Knoxville, TN 37996

Mr. Jimmy Cheek  
Chancellor  
527 Andy Holt Tower  
Knoxville, TN 37996

Dear Dr. DiPietro and Chancellor Cheek:

We are writing to express our disapproval and dismay at the lack of leadership at the University of Tennessee at Knoxville regarding the events of Sex Week. This inaction is unacceptable. As you know, the House of Representatives recently voted 69 to 17 to condemn this event and the Senate is also set to take similar action with consideration of Senate Joint Resolution 626 on the matter on Wednesday.

The organizers of Sex Week have promoted the event as a sexual health event, when in reality the aim of the organizers is to thrust a radical agenda on the students of the University of Tennessee. It is the responsibility of the administrators of the University of Tennessee, rather than a student organization registered with the university, to make decisions regarding how to educate students about sexual health issues.

This is not a First Amendment issue. In *Miller v California*, the U.S. Supreme Court ruled that material can be judged obscene if, taken as a whole and judged by community standards, it appeals to the "prurient interest" in sex, depicts sexual



conduct in a patently offensive manner, and lacks serious literary, artistic, political, and scientific value. This definition could not fit any better than it does when describing the events which are occurring on Tennessee's flagship campus this week. Threats of legal action should be carefully considered; however, case law supports the university's rejection of such outrageous behavior being offered on our campus by the event's organizers.

Students and parents have no choice in whether or not to pay the student fees imposed by the university. In doing so, they have no right to refuse to allow their money to be used in this manner. Approximately \$25,000 in student fees is estimated to be used to defray the cost of this Sex Week. We have also been informed that the event is supplemented by a grant which the university has approved for this purpose. In addition, Sex Week events utilize taxpayer resources that fund this institution. This is an abomination to the thousands of students and parents who find it offensive, some of which are our constituents.

Certainly, the university must understand that Tennessee taxpayers are not anxious for their legislature to appropriate new funds to this university when they see abuse of monies being used for this purpose.

The students and parents are not the only persons who are offended by the inaction of the university to stop this event. We have been contacted by numerous groups who object to Sex Week activities, including victims who have suffered from sex crimes and who believe that topics like those offered this year are harmful to the public. These groups deserve your consideration.

The University of Tennessee at Knoxville is a great source of pride to many Tennesseans, whether they are legislators, students, parents, alumni or simply fans of the "Big Orange." This event puts a stain on our beloved university, its supporters and the taxpayers who help fund this higher education institution in our state. We strongly urge you to exercise your authority to end this event and bring propriety and common sense back to the University of Tennessee at Knoxville.

Sincerely,



Senator Mike Bell



Senator Dolores Gresham



cc: The Honorable Bill Haslam  
The Honorable Kevin S. Huffman  
The Honorable Julius T. Johnson  
The Honorable Richard G. Rhoda  
Mr. J. Brian Ferguson  
Mr. Charles C. Anderson, Jr.  
Mr. George E. Cates  
Mr. Spruell Driver, Jr.  
Mr. John N. Foy  
Mr. D. Crawford Gallimore  
Ms. Vicky B. Gregg  
Ms. Monice Moore Hagler  
Mr. Raja J. Jubran  
Mr. Brad A. Lampley  
Ms. Bonnie E. Lynch  
Mr. James L. Murphy, III,  
Ms. Sharon J. Miller Pryse  
Mr. Karl A. Schledwitz  
Mr. Shalin N. Shah  
Mr. Don C. Stansberry, Jr.  
Dr. Victoria S. Steinberg  
Ms. Betty Ann Tanner  
Mr. Charles E. Wharton  
Mr. Tommy G. Whittaker  
Dr. Thaddeus A. Wilson



## Appendix F: Exhibit 3



PRESIDENT'S OFFICE

March 10, 2014

The Honorable Delores Gresham  
Tennessee State Senate  
308 War Memorial Building  
Nashville, TN 37243

The Honorable Mike Bell  
Tennessee State Senate  
309 War Memorial Building  
Nashville, TN 37243

Dear Chairs Gresham and Bell,

I am writing in response to your letter dated March 5, 2014, addressed to Chancellor Cheek and me expressing your concerns and strong opposition to activities related to Sex Week at UT Knoxville, an event organized by the student group known as "SEAT" (Sexual Empowerment and Awareness at Tennessee).

As you recall, in recent weeks we have had many discussions on student fees, activities, and related First Amendment protections. Simply put, it is the University's position, based on the advice of legal counsel, that the First Amendment prohibits the University from:

- denying registration to a student organization because of the organization's viewpoint;
- denying a student organization the use of University facilities because of the organization's viewpoint; or
- denying student activity fee funding available for allocation to student organizations because of an organization's viewpoint.

Regarding material that might be considered obscene, I acknowledge your reference to the case of *Miller v. California*, in which the United States Supreme Court established the following test for obscenity:

- (1) the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest in sex;
- (2) the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
- (3) the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

The determination of whether material is obscene under the criminal law is made by a jury. Thus, although I agree that the titles and descriptions of some of the Sex Week events may be offensive to the notions of decency and propriety of many



citizens of Tennessee, and even many students at the University, personal notions of decency and propriety do not establish the standard for obscenity. In *Papish v. Board of Curators of the University of Missouri*, the Supreme Court considered the case of a student who had been expelled for distributing a newspaper containing “indecent speech.” Ruling in favor of the student, the Court said: “[T]he mere dissemination of ideas—no matter how offensive to good taste—on a state university campus may not be shut off in the name alone of ‘conventions of decency.’” A prominent treatise on higher education law concludes:

Obscenity, then, is not definable in terms of an institution’s or an administrator’s own personal conceptions of taste, decency, or propriety. Obscenity can be defined only in terms of the guidelines that courts have constructed to prevent the concept from being used to choke off controversial social or political dialogue.

William Kaplin and Barbara Lee, *The Law of Higher Education*, § 11.3.5 (2013). Further, we are advised by legal counsel that under First Amendment law, a “prior restraint”—government action that prohibits speech or other expression before it can take place rather than punishing it after the fact if warranted—is presumptively unconstitutional. According to the Supreme Court, prior restraints are disfavored because

[it] is always difficult to know in advance what an individual will say, and the line between legitimate and illegitimate speech is often so finely drawn that the risks of freewheeling censorship are formidable.

The Court has also stated that “prior restraints on speech and publication are the most serious and the least tolerable infringement on First Amendment rights.” A leading first Amendment scholar, Professor Rodney Smolla, notes that “the burden against the person seeking the restraint is extremely heavy and in practice such restraints are almost always found to violate the First Amendment.” Rodney Smolla, *Smolla and Nimmer on Freedom of Speech* § 15.7 (2013).

We have been advised that before Sex Week began, the University did not receive any information that would meet the stringent standard for imposing a prior restraint on the basis of the obscenity laws. Furthermore, we are not aware of any action initiated by local law enforcement authorities to prosecute anyone under the obscenity laws for speech or other expression during Sex Week.

I have worked with you in good faith and maintain my commitment to you that I will do all within my power to carry out the mutually agreed to items set forth in SJR 626. However, neither I nor Chancellor Cheek nor the Trustees can commit that our efforts will mean that Sex Week and other controversial events do not occur in the future. Our efforts will continue to be subject to the requirements of the Free Speech Clause of the First Amendment.

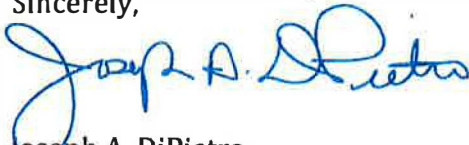


Nevertheless, I have directed Chancellor Cheek and he has agreed to expand and improve the UT Knoxville Division of Student Life's interaction, engagement and advising of both student leaders and faculty advisors across our wide-range of programming.

I also reiterate my commitment to you to work with our Board to determine how best to improve our process and oversight. I am growing increasingly concerned, however, that the attention focused on this matter by the General Assembly is quickly reaching a point that will cause greater harm and damage to the long-term interests of the University than any programming that may occur as a result of Sex Week.

I would hope that our agreement, built on trust, will adequately address this matter by way of this Resolution and that no further legislative or budgetary action will be taken.

Sincerely,



Joseph A. DiPietro  
President

c:     Members of the Board of Trustees  
        Chancellor Jimmy Cheek



## Appendix F: Exhibit 4



### PRESIDENT'S OFFICE

March 20, 2014

The Honorable Ron Ramsey  
Lieutenant Governor  
State of Tennessee  
1 Legislative Plaza  
Nashville, TN 37243

The Honorable Beth Harwell  
Speaker of the House  
State of Tennessee  
19 Legislative Plaza  
Nashville, TN 37243

The Honorable Dolores Gresham  
State Senator  
308 War Memorial Building  
Nashville, TN 37243

The Honorable Mike Bell  
State Senator  
309 War Memorial Building  
Nashville, TN 37243

Dear Lieutenant Governor Ramsey, Speaker Harwell, and Chairs Gresham and Bell,

Thank you for working with us in good faith to address the concerns of the General Assembly relating to the assessment, distribution, and use of certain student activity fee funds in the University of Tennessee system. I also appreciate your allowing the Board of Trustees and administration to manage the University's affairs and address those concerns. We will begin immediately to develop policy changes that will be both responsive to SJR 626 and compliant with the First Amendment.

I believe the result of our efforts will be a more transparent student activity fee system that respects the First Amendment right of student organizations to engage in a free and open exchange of ideas but also provides individual students the right not to fund student organization expression that is offensive to their personal beliefs.

I trust that no further legislative or budgetary action will be taken with respect to this matter. Thank you again for the spirit of cooperation and trust with which you have worked with us.

Sincerely,

Joseph A. DiPietro  
President

c: Members of the Board of Trustees  
Chancellor Jimmy Cheek



## Appendix F: Exhibit 5



THE UNIVERSITY OF  
TENNESSEE  
KNOXVILLE

April 11, 2018

Dear Lieutenant Governor McNally and Speaker Harwell,

Several of your legislative colleagues have reached out to me directly about concerns regarding this year's Sex Week on our campus here in Knoxville. I want to thank them for their letters, emails and calls and assure you that I too am disappointed and frankly embarrassed by some of the language and title choices for this year's programs. I have spent considerable time in the last week fielding questions about this event, which is student organized, planned and funded by a student review board.

I certainly understand your concerns. The University of Tennessee, Knoxville, responded to legislative concerns several years ago to ensure that no state taxpayer dollars were used to support Sex Week programming. I can assure you that these programs were paid for with funds from the Student Activity Fee. As I hope you know, students now have the option of opting in to this fee at the beginning of each academic year. No student is compelled to subscribe to this fee. The language used to describe these programs is also protected by the First Amendment. We do not organize, promote or condone these events, but we are obliged by the law to allow the student-funded and organized event to take place. This applies across student-funded events.

Please know your concerns are being heard. I also want you to know I have spent time the last two days meeting with student organizers and faculty advisors about our concerns and asked them to consider the impact of their language choices. While I respect their right to host seminars on sexual health and safety and sexual assault and sex education in general, I spoke with them about their responsibilities to the larger community and they said they would take my concerns into consideration. I understand your legitimate concerns and have conveyed them in no uncertain terms to our students.

If you have any other questions or concerns, please do not hesitate to let me know.

Sincerely,

Beverly Davenport  
Chancellor

Office of the Chancellor  
527 Andy Holt Tower, Knoxville, TN 37996-0184  
865-974-3265 865-974-4811 fax chancellor.utk.edu

**BIG ORANGE. BIG IDEAS.**

Flagship Campus of the University of Tennessee System



## Appendix F: Exhibit 6

**Richard M. Briggs, MD**  
Senator

770 Cordell Hull Building  
Nashville, Tennessee 37243  
(615) 741-1766  
(615) 253-0199 FAX

Toll Free: 1-800-449-8366 Ext. 11766  
sen.richard.briggs@capitol.tn.gov



### Senate Chamber State of Tennessee

NASHVILLE

**7th Senatorial District**  
Knox County

Committees

First Vice-Chair  
State and Local Government

Health and Welfare

Chairman  
Ethics

April 17, 2018

The Honorable Herbert H. Slatery III  
Attorney General and Reporter  
P.O. Box 20207  
Nashville, TN 37202-0207

RE: Tennessee Code Annotated § 9-4-5119 – Sex Week

Dear General Slatery:

Pursuant to Tennessee Code Annotated § 8-6-109(b)(6), I am requesting a written legal opinion from the Office of the Attorney General concerning § 9-4-5119. I am making this request so that faculty and staff of The University of Tennessee can understand how to conform their conduct to subsection (a) concerning “Sex Week.”

The factual background for my request is as follows:

- For the past six years, a registered student organization at the University, Sexual Empowerment and Awareness at Tennessee (SEAT), has organized and conducted a week-long event called “Sex Week” on the campus of the University of Tennessee, Knoxville (UTK). Sex Week activities have occurred in UTK buildings and in outdoor areas of the UTK campus that were open to use by any University registered student organization for free speech activities. SEAT has received funding for Sex Week from funds derived from the University’s student activity fee or from funds donated to the University by private persons or entities. The University has not funded Sex Week activities with funds derived from state tax dollars or tuition dollars. Therefore, Sex Week activities have received no funding from any University source.
- On February 24, 2014, the Tennessee House of Representatives adopted House Joint Resolution 661, which addressed Sex Week at UTK and by which the House “condemn[ed] the administration of the University of Tennessee and expresses its displeasure with the University for permitting ‘Sex Week’ to be held on the UT-Knoxville campus for a second consecutive year.” The Senate did not adopt House Joint Resolution 661.



- On March 13, 2014, the Tennessee Senate adopted Senate Joint Resolution 626, which “directed” The University of Tennessee Board of Trustees “to work with the administration of the University of Tennessee to implement a way in which each person responsible for paying the student activity fee may opt in to the allocation of fees to student organizations for student programming.” The House did not adopt Senate Joint Resolution 626.
- On June 19, 2014, in response to Senate Joint Resolution 626, The University of Tennessee Board of Trustees adopted a policy that gave every student the right to “opt-in” to the use of his/her student activity fee funds for student-organized programming such as Sex Week. Since the adoption of that policy, if a student fails, for any reason, to expressly authorize the University to allocate a certain amount or percentage of the student-activity for student-organized programming such as Sex Week, then that amount or percentage of the student’s student activity fee is allocated by the University for another use that benefits students.
- Using Education and General funds appropriated by the General Assembly (which include funds derived from state tax dollars), the University maintains information technology resources (e.g., internet sites, networks, e-mail systems) used by employees, students, and registered student organizations. The University permits incidental or casual personal use of those resources.
- Prior to the vote on the Conference Committee Report on House Bill No. 2248/Senate Bill No. 1912, the following discussion occurred on the floor of the House of Representatives:

*Rep. Tilman Goins:* “Thank you madam speaker and thank you sponsor for the bill and for the conference committee and what you bring back...um...so I was reading through the bill here and this is something very very important for my colleagues to know and to realize, you know a couple of years ago when sex week started at the University of Tennessee there was an uproar and we passed a Resolution. The University of Tennessee came back and told us they weren’t funding sex week. Now we know that not to be true because sex week is still held on the university of Tennessee campus, they said that their classrooms and everything else wasn’t considered funding even though I do very much consider an electric bill and a water bill for an activity that we don’t approve of, a funding source. Your bill says that they shall not fund or support sex week. Which is a very important clarifying factor for my colleagues to understand...um...if somebody came to me and they were, they were hungry and needing shelter and needed to get out of the heat, if I provide air conditioning for them I’m supporting them. My question for you then would be is: Can you define support in your bill for us?”



*Rep. Micah Van Huss:* “Absolutely, when the bill says we will not fund or support sex week, the intent is obviously funds, but for the support I would add buildings built with state funds, buildings remodeled with state funds.”

*Rep. Goins:* “Thank you, in other words, if sex week were held on the campus or even in a classroom of that campus, that would be considered support and illegal under this act.”

*Rep. Van Huss:* “Yes sir.”

*Rep. Goins:* “Thank you for this bill, I can’t wait to vote for it.”

Based on those facts, I am requesting a written legal opinion on the following questions:

1. Is Tennessee Code Annotated § 9-4-5119(a) constitutional on its face under the First Amendment to the United States Constitution and Article I, Section 19 of the Tennessee Constitution?
2. Would any of the following scenarios violate the provision of Tennessee Code Annotated § 9-4-5119(a) concerning the expenditure of state funds to fund or support Sex Week?
  - Ten registered student organizations apply for funding for events they are organizing and will conduct in campus buildings or using campus outdoor spaces. The University provides funds derived from student activity fees to all ten registered student organizations for those events. One of the organizations receiving funding is SEAT, and SEAT uses the student activity fee funds for Sex Week events.
  - An auditorium in a particular building on campus is available for reservation by any registered student organization for organizational events. SEAT does not receive any direct funding for Sex Week events from the University from any funding source. However, the University allows SEAT to use the building for a Sex Week event, and the University pays for the costs of all utilities in the building that are used during the time that the Sex Week event takes place. Utilities costs are paid for using Education and General funds appropriated by the General Assembly (which include funds derived from state tax dollars).



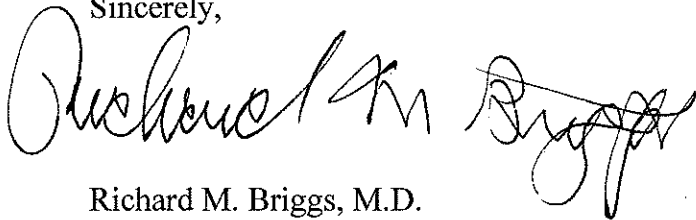
- An outdoor green space is available for reservation by any registered student organization for organizational events. SEAT does not receive any direct funding for Sex Week events from the University from any funding source. However, the University allows SEAT to use the outdoor green space for a Sex Week event. Prior to the day of the Sex Week event, as part of regularly scheduled maintenance, University employees mowed the grass on the green space on which the Sex Week event occurred. The employees used equipment purchased with, and are compensated from, Education and General funds appropriated by the General Assembly (which include funds derived from state tax dollars).
- Using Education and General funds appropriated by the General Assembly (which include funds derived from state tax dollars), the University maintains a website that contains a campus event calendar. The event calendar lists a variety of campus activities including student activities that have not been organized or funded by the University. Any student or employee may log-in to the website and post an event to the calendar. The University allows SEAT to list Sex Week on the campus event calendar.
- The purpose of SEAT, as stated in the organization's constitution, is to organize and present Sex Week each year at UTK. SEAT complies with all steps required for being a registered student organization. The University continues to allow SEAT to be a registered student organization and to receive all of the benefits of being a registered student organization. Such benefits include the privilege of renting space in University buildings and borrowing laptop computers, tables, and tents.
- Using a University-provided e-mail account and a University network, SEAT sends an e-mail to all students advertising Sex Week events.
- A 98-ton chunk of Knox dolomite known as "The Rock" serves as an outdoor, designated public forum on the UTK campus. SEAT paints a message on "The Rock" that advertises Sex Week. University employees are paid to maintain the grounds surrounding "The Rock."
- A University faculty member serves as an advisor to SEAT while being paid by the University.
- A University faculty member serves as a panelist for a Sex Week program while being paid by the University.



3. If your response to Question #2 is “yes” for any of the scenarios, is Tennessee Code Annotated § 9-4-5119(a) constitutional as applied to that scenario?
4. If Tennessee Code Annotated § 9-4-5119(a) is unconstitutional on its face or as applied, are University employees who are responsible for controlling the expenditure of state funds bound to enforce Tennessee Code Annotated § 9-4-5119(a)?
5. If University employees are sued in their individual capacities for enforcing Tennessee Code Annotated § 9-4-5119(a), will the State of Tennessee provide defense counsel to those University employees and reimburse them for judgments if they are found not to have qualified immunity?

Given the intense legislative scrutiny of The University of Tennessee concerning Sex Week, I would appreciate your prompt attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard M. Briggs". The signature is fluid and cursive, with the first name "Richard" being the most prominent part.

Richard M. Briggs, M.D.

**7th SENATORIAL DISTRICT  
KNOX COUNTY**



## Appendix F: Exhibit 7

MICAH VAN HUSS

6<sup>th</sup> House District  
Washington County

Phone: (615) 741-1717

Fax: (615) 253-0301

rep.micah.vanhuss@capitol.tn.gov

MAJORITY FLOOR LEADER

### COMMITTEES:

CRIMINAL JUSTICE SUBCOMMITTEE

CRIMINAL JUSTICE COMMITTEE

INSURANCE & BANKING COMMITTEE

## HOUSE OF REPRESENTATIVES

April 24, 2018

Dr. Joe DiPietro, President  
University of Tennessee  
800 Andy Holt Tower  
1331 Circle Park  
Knoxville, Tennessee 37996

Dear President DiPietro:

In 2016, the General Assembly passed a law to prevent state funds from being used to fund or support “Sex Week” at the University of Tennessee. The codified version follows:

**9-4-5119. Prohibited use of state funds by University of Tennessee Use of funds in budget of office of diversity and inclusion.**

*(a) State funds shall not be expended by the University of Tennessee to promote the use of gender neutral pronouns, to promote or inhibit the celebration of religious holidays, or to fund or support sex week. [emphasis added]*

In spite of this, the University of Tennessee allowed SEAT to use campus facilities for “Sex Week” again this year. This is a clear violation of this law, as well as its intent.

Through a spokesperson, the University has stated that Sex Week is protected by the First Amendment and the Campus Free Speech Protection Act (TCA 49-7-2401-2405). We fully support the Freedom of Speech. The Supreme Court has said that there are limits on what constitutes free speech. Your own policy, “Use of University Property by Non-Affiliated Persons for Free Expression Activities”, sets up time, place, and manner restrictions that specifically state that a non-affiliated person using University property shall not “violate a federal, state, or local law, rule, regulation, or ordinance” or “engage in speech that is obscene”. According to the Tennessee Code Annotated:

Obscene means:

- (A) The average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;
- (B) The average person applying contemporary community standards would find that the work depicts or describes, in a patently offensive way, sexual conduct; and;
- (C) The work, taken as a whole, lacks serious literary, artistic, political, or scientific value

Looking at the event names and descriptions for Sex Week posted on SEAT’s website, it is readily apparent that the content meets this standard.



Letter to President Joe DiPietro  
University of Tennessee "Sex Week"

April 24, 2018  
Page 2 of 4

Given this, we, the undersigned, would like for you and Chancellor Davenport to each provide us with your thoughts on the following:

- Should Sex Week be held off campus?
- Does Sex Week promote a "hook-up" culture that is damaging to individuals and society as a whole?
- Should the University prevent the use of UT or any other reference to the University in the title of this event in order to make clear that it is not affiliated with the University of Tennessee?

We look forward to your reply.

Respectfully,



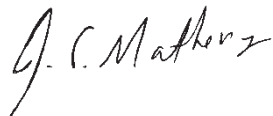
Representative Tilman Goins  
House District 10



Representative Bud Hulse  
House District 2



Representative Judd Matheny  
House District 47



Representative Brian Terry  
House District 48



Representative Mike Sparks  
House District 49



Representative Dennis H. Powers  
House District 36



Representative Kevin Vaughn  
House District 95



Senator Mark Pody  
Senate District 17



Representative Terri Lynn Weaver  
House District 40



Representative Dawn White  
House District 37



Letter to President Joe DiPietro  
University of Tennessee "Sex Week"

April 24, 2018  
Page 3 of 4



Senator Janice Bowling  
Senate District 16



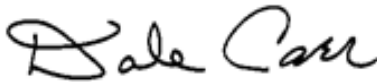
Representative Debra Moody  
House District 81



Representative Bill Dunn  
House District 16



Representative Sam Whitson  
House District 65



Representative Dale Carr  
House District 12



Representative Rick Tillis  
House District 92



Senator Shane Reeves  
Senate District 14



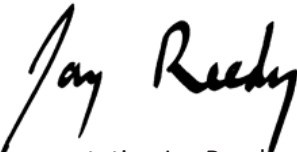
Senator Paul Bailey  
Senate District 15



Representative Jimmy Eldridge  
House District 73



Representative Curtis Halford  
House District 79



Representative Jay Reedy  
House District 74



Representative Courtney Rogers  
House District 45



Representative John Crawford  
House District 1



Representative Susan Lynn  
House District 57



Representative John Ragan  
House District 33




Representative Mary Littleton  
House District 78



Letter to President Joe DiPietro  
University of Tennessee "Sex Week"

April 24, 2018  
Page 4 of 4



Representative Sheila Butt  
House District 64



Representative Jimmy Matlock  
House District 21



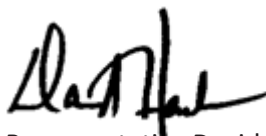
Representative David Alexander  
House District 39



Representative Matthew Hill  
House District 7



Representative Paul Sherrell  
House District 43



Representative David Hawk  
House District 5

CC: Chancellor Beverly J. Davenport



## Appendix F: Exhibit 8

STATE OF TENNESSEE

### Office of the Attorney General



HERBERT H. SLATERY III  
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202  
TELEPHONE (615)741-3491  
FACSIMILE (615)741-2009

April 26, 2018

The Honorable Richard M. Briggs, M.D.  
State Senator  
770 Cordell Hull Building  
Nashville, Tennessee 37243

Re: Opinion Request Regarding University of Tennessee Sex Week

Dear Senator Briggs:

This Office has received and carefully considered your April 17, 2018, letter requesting an expedited opinion regarding Tenn. Code Ann. § 9-4-5119(a) as it applies to the "sex week" event that has been organized and conducted by a student organization for the past six years on the campus of the University of Tennessee, Knoxville. Your letter explains that the purpose of the opinion would be to provide legal advice to the faculty and staff of UTK about their obligations under the statute with regard to sex week. The request seeks opinions (1) as to whether any one of nine "scenarios" would violate that statute, (2) whether the statute is constitutional on its face, (3) whether the statute is constitutional as applied to each of the nine scenarios, (4) what the enforcement responsibilities of the UTK faculty and staff are if the statute is unconstitutional, and (5) whether the State will defend and indemnify any UTK employees who may be liable for enforcing the statute.

We regret that, for several important reasons, we are not able to provide the requested opinion. First, we believe that our legal advice or guidance to or for the benefit of UTK will be much more effective when we provide it directly to UTK because those communications are subject to the attorney/client privilege. Since all Attorney General opinions are available to the public at large, we forgo that privilege when we put that advice in the form of an Attorney General opinion. Second, to avoid intruding inappropriately into the administrative or judicial process, this Office has a longstanding policy of not opining on questions concerning matters or issues pending before administrative or judicial bodies or matters involving potential or threatened litigation. In particular, this Office cannot issue opinions related to litigation in which it is or may become involved. Thus, we may not opine on the questions you have posed because those questions directly implicate issues that could become the subject of litigation, as indeed at least one of the questions itself assumes. Moreover, this Office may be called upon to become involved in any



Page 2

Letter to Senator Richard Briggs

such litigation. We may, for example, be required to defend the constitutionality of the statute. Third, in most all instances, answers to the scenario-related questions would be contingent on facts and circumstances that are not included in the request and could vary depending on the particular facts and circumstances. Fourth, answers to the defense-and-indemnification questions, similarly, would depend on the particular facts and circumstances of each individual case.

I am sorry that we are unable to respond to this request but trust that you understand our position. We look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink that reads "Andrée Blumstein". The signature is written in a cursive, flowing style.

ANDRÉE SOPHIA BLUMSTEIN  
Solicitor General

cc: Herbert H. Slatery III, Attorney General and Reporter



## Appendix F: Exhibit 9



May 15, 2018

VIA U.S. MAIL AND E-MAIL (*rep.micah.vanhuss@capitol.tn.gov*)

The Honorable Micah Van Huss  
425 5th Avenue North  
Suite 430 Cordell Hull Bldg.  
Nashville, TN 37243

Re: Sex Week

Dear Representative Van Huss:

I am responding to your letter to President DiPietro dated April 24, 2018 regarding Sex Week, to which he responded on May 9. In addition to his response, President DiPietro asked that I address the statutory and constitutional questions raised in your letter.

Respectfully, I do not believe that The University of Tennessee violated Tennessee Code Annotated § 9-4-5119. Tennessee courts presume that statutes are constitutional and have a duty to adopt a statutory construction that avoids a constitutional conflict. After Tennessee Code Annotated § 9-4-5119 became law, my office consulted with the Tennessee Attorney General's Office, and following that conversation the University's intent was to apply the statute – including the undefined terms “state funds” and “fund or support” – in a manner that did not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution. If University employees are going to get sued for violating actions they take to comply with that statute, then I do not want there to be any dispute about whether they had discretion in the actions that they took to “shut down” Sex Week (i.e., if First Amendment liability results I want it to be clear that a University employee did not have any choice but to violate the Constitution). Accordingly, you may wish to amend the statute to define “state funds” and “fund or support” if you think the University has applied it in a manner contrary to the General Assembly's intent.

While the titles and descriptions of some of the Sex Week events are very offensive to the notions of decency and propriety of many Tennesseans, including many students and employees at the University, under decisions of the U.S. Supreme Court, personal offense cannot be the basis to deny expression of a particular viewpoint. Thus, the University's position is that the First Amendment prohibits the University from:



The Honorable Micah Van Huss  
May 15, 2018  
Page 2

- denying registration to a student organization because of the organization's viewpoint;
- denying a registered student organization the use of University facilities and requiring the organization to hold an event off campus because of the organization's viewpoint;
- applying the policy on the use of "UT" in a different way to a registered student organization because of an organization's viewpoint (University policy allows student organizations to say that they are [insert name of organization] "at UT" or "at the University of Tennessee"); or
- denying student activity fee funding available for allocation to registered student organizations because of an organization's viewpoint.

With respect to your question regarding a "hook-up" culture, I can understand why one might draw that conclusion. However, there are numerous programs and public campaigns that occur throughout the school year on campus that strongly encourage these young adults to make wise choices, be responsible, and to take into consideration the potential consequences with regard to sexual activity.

With respect to the notion that Sex Week is obscene, again although I agree that the titles and descriptions of many of the Sex Week events are offensive to the notions of decency and propriety of many citizens of Tennessee, University employees, and students, personal notions of decency and propriety do not establish the standard for obscenity. In *Papish v. Board of Curators of the University of Missouri*, 410 U.S. 667 (1973), the Supreme Court considered the case of a student who had been expelled for distributing a newspaper containing "indecent speech." Ruling in favor of the student, the Court stated: "[T]he mere dissemination of ideas—no matter how offensive to good taste—on a state university campus may not be shut off in the name alone of 'conventions of decency.'" 410 U.S. at 670.

The U.S. Supreme Court established the following test for obscenity in the case of *Miller v. California*, 413 U.S. 15 (1973):

- (1) The average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest in sex;
- (2) The work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and



The Honorable Micah Van Huss  
May 15, 2018  
Page 3

- (3) The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Under First Amendment law, a “prior restraint” — government action that prohibits speech or other expression before it can take place rather than punishing it after the fact if warranted — is presumptively unconstitutional. According to the Supreme Court, prior restraints are disfavored because “[it] is always difficult to know in advance what an individual will say, and the line between legitimate and illegitimate speech is often so finely drawn that the risks of freewheeling censorship are formidable.” *Southeastern Promotions, Ltd. v. Conrad*, 420 U.S. 546, 559 (1975). The Court has also stated that “prior restraints on speech and publication are the most serious and the least tolerable infringement on First Amendment rights.” The government bears the burden of justifying a prior restraint, and prior restraints bear a heavy presumption of unconstitutionality. *Bantam Books, Inc. v. Sullivan*, 372 U.S. 58, 70 (1963).

Before Sex Week began, I am not aware of any information that the University’s administration received that would meet the stringent standard for imposing a prior restraint on the basis of the obscenity laws. Furthermore, although the occurrence of Sex Week is widely known, we are not aware of any action initiated by local law enforcement authorities to prosecute anyone under the obscenity laws for speech or other expression during Sex Week. The Tennessee criminal statutes on obscenity, Tennessee Code Annotated § 39-17-901 *et seq.*, track the language of the *Miller* case. The primary responsibility for enforcing the obscenity statutes lies with the district attorney general of the relevant jurisdiction. Tennessee Code Annotated § 39-17-905. Therefore, you may wish to communicate your concerns to the Knox County District Attorney, Charmé Allen, and ask her to reevaluate whether Sex Week violates the Tennessee criminal law on obscenity.

Sincerely,



~~Matthew Scoggins~~  
General Counsel

cc: The Honorable Tilman Goins (via e-mail)  
The Honorable Dennis H. Powers (via e-mail)  
The Honorable Bud Hulsey (via e-mail)  
The Honorable Kevin Vaughn (via e-mail)  
The Honorable Judd Matheny (via e-mail)  
The Honorable Mark Pody (via e-mail)



The Honorable Micah Van Huss

May 15, 2018

Page 4

The Honorable Bryan Terry (via e-mail)  
The Honorable Terri Lynn Weaver (via e-mail)  
The Honorable Mike Sparks (via e-mail)  
The Honorable Dawn White (via e-mail)  
The Honorable Janice Bowling (via e-mail)  
The Honorable Debra Moody (via e-mail)  
The Honorable Bill Dunn (via e-mail)  
The Honorable Sam Whitson (via e-mail)  
The Honorable Dale Carr (via e-mail)  
The Honorable Rick Tillis (via e-mail)  
The Honorable Shane Reeves (via e-mail)  
The Honorable Paul Bailey (via e-mail)  
The Honorable Jimmy Eldridge (via e-mail)  
The Honorable Curtis Halford (via e-mail)  
The Honorable Jay Reedy (via e-mail)  
The Honorable Courtney Rogers (via e-mail)  
The Honorable John Crawford (via e-mail)  
The Honorable Susan Lynn (via e-mail)  
The Honorable John Ragan (via e-mail)  
The Honorable Mary Littleton (via e-mail)  
The Honorable Sheila Butt (via e-mail)  
The Honorable Jimmy Matlock (via e-mail)  
The Honorable David Alexander (via e-mail)  
The Honorable Matthew Hill (via e-mail)  
The Honorable Paul Sherrell (via e-mail)  
The Honorable David Hawk (via e-mail)  
Dr. Joseph A. DiPietro (via e-mail)  
Mr. Anthony C. Haynes (via e-mail)



## Appendix G: Exhibit I



### State of Tennessee PUBLIC CHAPTER NO. 429

SENATE BILL NO. 687

By Tate

Substituted for: House Bill No. 471

By Lois DeBerry, Fitzhugh, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 49, relative to higher education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 2, is amended by adding the following language as a new section:

49-7-211.

(a) Each institution of higher education shall report to the Tennessee higher education commission, on an annual basis, an accounting of student activity fees.

(b) The Tennessee higher education commission shall publish, as part of the Tennessee Postsecondary Education Fact Book, a financial disclosure statement for student activity fees.

(c) The financial disclosure statement shall account for the student activity fees on a campus-by-campus basis. At a minimum the following information shall also be included with the financial disclosure statement:

(1) The number of undergraduate and graduate students enrolled;

(2) Source of any student activity fees according to the number of students enrolled as undergraduate or graduate students;

(3) The expenditure of the student activity fees; and

(4) Funds not expended during the disclosure period.

(d) This section shall only apply to public institutions of higher education operated by the board of regents or the University of Tennessee board of trustees.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.



SENATE BILL NO. 687

PASSED: April 18, 2013



Handwritten signature of Ron Ramsey in black ink.

RON RAMSEY  
SPEAKER OF THE SENATE



Handwritten signature of Beth Harwell in black ink.

BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 16<sup>th</sup> day of May 2013



Handwritten signature of Bill Haslam in black ink.

BILL HASLAM, GOVERNOR



## Appendix G: Exhibit 2

### HOUSE JOINT RESOLUTION 661

By Floyd

A RESOLUTION condemning the administration of the University of Tennessee for permitting "Sex Week" to be held on the UT-Knoxville campus.

WHEREAS, the members of this body were most distressed to learn that "Sex Week" will once again be held on the University of Tennessee at Knoxville campus during March 2-7, 2014; and

WHEREAS, this news has also distressed countless University of Tennessee alumni and Tennessee taxpayers who are extremely upset by the event; and

WHEREAS, last year, approximately \$10,000 in state funding was revoked from this atrocious event after legislators expressed outrage over the subject matter; and

WHEREAS, the announced activities of "Sex Week" include an aphrodisiac cooking class, drag show, and condom scavenger hunt; and

WHEREAS, this year's budget for "Sex Week" is \$25,000, with most of that amount coming from student activity fees supplemented by a \$5,000 "Ready for the World" grant from UT; and

WHEREAS, the funding of "Sex Week" at UT-Knoxville is an outrageous misuse of student fees and grant monies; and

WHEREAS, "Sex Week" fits nowhere within the mission of the University of Tennessee, nor should it ever; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this Body hereby condemns the administration of the University of



Tennessee and expresses its displeasure with the University for permitting “Sex Week” to be held on the UT-Knoxville campus for a second consecutive year.

BE IT FURTHER RESOLVED, that certified copies of this resolution be prepared and transmitted to the Chancellor of the University of Tennessee at Knoxville and the President of the University of Tennessee.



**Education Committee 1**

**Amendment No. 1 to HJR0661**

**Brooks H**  
**Signature of Sponsor**

**AMEND**

**House Joint Resolution No. 661\***

by deleting from the first resolving clause the words "the administration of" and by substituting  
instead the following:

the organizers of sex week at



## Appendix G: Exhibit 3

### SENATE JOINT RESOLUTION 626

By Bell

A RESOLUTION to direct the University of Tennessee Board of Trustees to implement changes to the assessment and allocation of the student activity fees within the University of Tennessee system.

WHEREAS, most students in the University of Tennessee system are required to pay a student activity fee and have been required to do so since 1964; and

WHEREAS, the student activity fee funds various capital projects and student services, including student health services, student counseling services, student newspapers, and athletics; and

WHEREAS, the student activity fee also funds programming organized by student organizations on a variety of topics, which often include guest speakers who are not university students, faculty members, or staff members, and who espouse extreme viewpoints not held by the majority of the citizens of the state of Tennessee or a majority of students on a campus of the University of Tennessee; and

WHEREAS, concerns have been raised by the General Assembly, parents, and citizens of the state of Tennessee regarding the assessment of the student activity fee within the University of Tennessee system; and

WHEREAS, those concerns have focused on the issue of students and parents being required to fund programs organized by student organizations that reflect extreme viewpoints with which they disagree; and

WHEREAS, some public university systems, such as the State University of New York and the University of Wisconsin system, provide students with an opportunity to opt-out of paying at least a portion of the student activity fee; and



WHEREAS, other concerns have been raised by the General Assembly regarding the process by which the student activity fee is allocated to student organizations for programming organized by the student organizations and the transparency of that process; and

WHEREAS, those concerns have focused on a perceived imbalance in the composition of the student programming boards concerning viewpoints and the fact that the decisions on the allocation of student activity fee funds for student organization programming are made primarily by students; and

WHEREAS, this is not the first time that concerns have been raised about the student activities fee at the University of Tennessee; and

WHEREAS, in 1971, the University of Tennessee Board of Trustees studied the student activity fee, concluded that the mandatory nature of the fee should be continued, and made significant changes to the way in which the student activity fee was allocated; and

WHEREAS, pursuant to House Resolution No. 19 of the Eighty-eighth General Assembly (1973-1974), Speaker of the House Ned R. McWherter appointed a special select committee of the House of Representatives to study the use of student activities fees within the University of Tennessee system; and

WHEREAS, the special select committee held a two-day public meeting on the campus of the University of Tennessee at Knoxville on November 30 and December 1, 1973; and

WHEREAS, the meeting of the special select committee was attended by more than fifty representatives of the UT system, including students, former students, and alumni from the campuses at Chattanooga, Knoxville, Martin, and Memphis, and testimony by twenty-eight of those persons was heard; and

WHEREAS, the special select committee submitted a report to the 1974 session of the Eighty-eighth General Assembly; and

WHEREAS, the special select committee “concluded that the subject of student activities fees within the University of Tennessee system is not a matter in which the Legislature should involve itself” and recommended to the House that “no further action be taken on this subject by



the House and that any decisions regarding the University Programs and Services Fee [student activity fee] be made by the University of Tennessee Board of Trustees which has this responsibility”; and

WHEREAS, the student activity fee has served students in the University of Tennessee system well for over forty years since the issuance of the report of the special select committee; and

WHEREAS, for two consecutive years, an event called “Sex Week” has been held on the campus of the University of Tennessee, Knoxville; and

WHEREAS, the organizers of Sex Week have promoted the event as a sexual health event, when in reality the aim of the organizers is to thrust a radical agenda on the students of the University of Tennessee; and

WHEREAS, it nevertheless is the responsibility of the administrators of the University of Tennessee, rather than a student organization registered with the University of Tennessee, to educate students about sexual health issues; and

WHEREAS, the student activity fee at the University of Tennessee, Knoxville, has provided approximately twenty-six thousand dollars of funding to the student organization that organized Sex Week; and

WHEREAS, the content of Sex Week is offensive to many parents, students, and citizens of the state of Tennessee; and

WHEREAS, even if the First Amendment provides the organizers of Sex Week with the right to hold the event on the campus of the University of Tennessee, Knoxville, students and parents should have the right to not fund such a despicable event; and

WHEREAS, in light of the funding of Sex Week, the time has come for the University of Tennessee Board of Trustees to reconsider the assessment and allocation of the student activity fee; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the University of Tennessee Board of Trustees is directed to work with the administration of the University of Tennessee to implement a way in which each person



responsible for paying the student activity fee may opt in to the allocation of fees to student organizations for student programming. In implementing such policy, the University is strongly urged to include a written acknowledgement to be provided to each person responsible for paying the student activity fee; such acknowledgment should include language substantially similar to the following:

A PORTION OF STUDENT ACTIVITY FEES MAY BE ALLOCATED TO STUDENT ORGANIZATIONS FOR STUDENT PROGRAMMING WHICH MAY BE OF A CONTROVERSIAL OR OBJECTIONABLE NATURE TO YOU. BY CHECKING THE FOLLOWING BOX ☐, I EXPRESSLY AUTHORIZE THE UNIVERSITY TO ALLOCATE A PORTION OF MY FEES FOR SUCH STUDENT PROGRAMMING.

BE IT FURTHER RESOLVED, that the University of Tennessee Board of Trustees is directed to work with the administration of the University of Tennessee to publish a list of programs funded by the portion of the student activity fee that is allocated to student organizations for student programming, which will enable students and parents to make informed choices whether to opt in to such allocation.

BE IT FURTHER RESOLVED, that the University of Tennessee Board of Trustees is directed to work with the administration of the University of Tennessee to consider ways in which to increase the transparency and accountability in the process by which student activity fee funds are allocated to student organizations for student programming.

BE IT FURTHER RESOLVED, that the University of Tennessee Board of Trustees is directed to work with the administration of the University of Tennessee in order to restructure the University Programs and Services Fee Board at the Knoxville campus to ensure a majority of nonstudent representation on such board.

BE IT FURTHER RESOLVED, that the President of the University of Tennessee, by January 1, 2015, shall report to the chairs of the education committees of the senate and house of representatives concerning actions taken by the University of Tennessee in response to this resolution.



BE IT FURTHER RESOLVED, that appropriate copies of this resolution be prepared and sent to the Chair of the University of Tennessee Board of Trustees and to the President of the University of Tennessee with this final clause omitted from such copies.



## Appendix G: Exhibit 4



### State of Tennessee

#### PUBLIC CHAPTER NO. 1066

##### HOUSE BILL NO. 2248

**By Representatives Van Huss, Sanderson, Keisling, Jerry Sexton, Holt, Cameron Sexton, Calfee, Matthew Hill, Alexander, Rogers, Doss, Goins, Timothy Hill, Powers, Daniel, Harry Brooks, Womick, Ragan, Kevin Brooks, Sargent, McDaniel, Durham, Lollar, Hulsey, Byrd, Weaver, Terry, Zachary, Butt, Lynn, Sparks**

**Substituted for: Senate Bill No. 1912**

**By Senators Gardenhire, Kelsey**

AN ACT to amend Tennessee Code Annotated, Title 9 and Title 49, relative to state funds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, Part 51, is amended by adding the following language as a new section:

State funds shall not be expended by the University of Tennessee to promote the use of gender neutral pronouns, to promote or inhibit the celebration of religious holidays, or to fund or support sex week.

SECTION 2. All funds in the budget of the office for diversity and inclusion at the University of Tennessee, Knoxville, for fiscal year 2016-2017, shall be reallocated in the university's budget and used by the university solely for scholarships to be awarded through a minority engineering scholarship program. Any funds from the budget of the office for diversity and inclusion that are not used for minority engineering scholarships in fiscal year 2016-2017 shall remain in the scholarship program for use in future fiscal years.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.



HOUSE BILL NO. 2248

PASSED: April 21, 2016



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 20<sup>th</sup> day of May 2016

\_\_\_\_\_  
BILL HASLAM, GOVERNOR



## Appendix G: Exhibit 5



### *State of Tennessee*

#### **PUBLIC CHAPTER NO. 336**

#### **SENATE BILL NO. 723**

**By Overbey, Tracy, Bailey, Bowling, Briggs, Crowe, Gresham, Kelsey, Niceley, Stevens, Yager**

Substituted for: House Bill No. 538

By Smith, McCormick, Lamberth, Harry Brooks, Mark White, DeBerry, Dunn, Williams, Moody, Kane, Coley, Ragan, Rogers, Daniel, Terry, Powers

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, is amended by adding Sections 2 through 9 of this act as a new part.

SECTION 2. This part shall be known and may be cited as the "Campus Free Speech Protection Act."

SECTION 3. The requirements of this part shall apply to every public institution of higher education in this state.

SECTION 4. (a) The general assembly finds and declares that public institutions of higher education in Tennessee are not immune from the sweep of the First Amendment to the United States Constitution or Article I, Section 19, of the Tennessee Constitution, which guarantees freedom of speech and expression.

(b) It is the intent of the general assembly that the public institutions of higher education embrace a commitment to the freedom of speech and expression for all students and all faculty.

(c) It is further the intent of the general assembly that public institutions of higher education, including their faculty, shall not require students or other faculty to adopt or to indicate their adherence to beliefs or orthodoxies on any particular political, philosophical, religious, social, or other such subject, although institutions may require students and faculty to conform their conduct to the requirements of law and policy.

(d) It is further the intent of the general assembly that public institutions of higher education not stifle freedom of speech and expression by implementing vague or overbroad speech codes, establishing free speech zones, imposing unconstitutional prior restraints on speech, or disinviting speakers based on the anticipated reaction or opposition of others to the content of speech.

SECTION 5. As used in this part, unless the context requires otherwise:

(1) "Constitutional time, place, and manner restrictions" means restrictions on the time, place, and manner of free speech that do not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution that are reasonable, content- and viewpoint-neutral, narrowly tailored to satisfy a significant institutional interest, and leave open ample alternative channels for the communication of the information or message to its intended audience;

(2) "Faculty" or "faculty member" means any person, whether or not the person is compensated by a public institution of higher education, and regardless of political affiliation, who is tasked with providing scholarship, academic research, or teaching. For purposes of this part, the term "faculty" shall include tenured and non-tenured professors, adjunct



professors, visiting professors, lecturers, graduate student instructors, and those in comparable positions, however titled. For purposes of this part, the term "faculty" shall not include persons whose primary responsibilities are administrative or managerial;

(3) "Free speech" means speech, expression, or assemblies protected by the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution, verbal or written, including, but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution of printed materials, carrying signs, displays, or circulating petitions. "Free speech" does not include the promotion, sale, or distribution of any product or service;

(4) "Institution" means an institution of public higher education in this state; and

(5) "Student" means:

(A) An individual currently enrolled in a course of study at the institution; and

(B) An organization that is comprised entirely of individuals currently enrolled in a course of study at the institution, that is registered with an institution pursuant to institutional rules.

SECTION 6. (a) The governing body of every institution shall adopt a policy that affirms the following principles of free speech, which are the public policy of this state:

(1) Students have a fundamental constitutional right to free speech;

(2) An institution shall be committed to giving students the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to Section 9;

(3) An institution shall be committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed;

(4) It is for an institution's individual students and faculty to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose;

(5) It is not the proper role of an institution to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed;

(6) Although an institution should greatly value civility and mutual respect, concerns about civility and mutual respect shall never be used by an institution as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty;

(7) Although all students and all faculty are free to state their own views about and contest the views expressed on campus, and to state their own views about and contest speakers who are invited to express their views on the institution's campus, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, an institution has a responsibility to promote a lively and fearless freedom of debate and deliberation and protect that freedom;

(8) An institution shall be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who shall always remain free to inquire, to study and to evaluate, and to gain new understanding;

(9) The primary responsibility of faculty is to engage an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence;



(10) Although faculty are free in the classroom to discuss subjects within areas of their competence, faculty shall be cautious in expressing personal views in the classroom and shall be careful not to introduce controversial matters that have no relationship to the subject taught, and especially matters in which they have no special competence or training and in which, therefore, faculty's views cannot claim the authority accorded statements they make about subjects within areas of their competence; provided, that no faculty will face adverse employment action for classroom speech, unless it is not reasonably germane to the subject matter of the class as broadly construed, and comprises a substantial portion of classroom instruction;

(11) An institution shall maintain the generally accessible, open, outdoor areas of its campus as traditional public forums for free speech by students;

(12) An institution shall not restrict students' free speech only to particular areas of the campus, sometimes known as "free speech zones" ;

(13) An institution shall not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates;

(14) An institution shall not establish permitting requirements that prohibit spontaneous outdoor assemblies or outdoor distribution of literature, although an institution may maintain a policy that grants members of the college or university community the right to reserve certain outdoor spaces in advance;

(15) An institution shall not charge students security fees based on the content of their speech, the content of the speech of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech;

(16) An institution shall allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers; and

(17) An institution shall not disinvite a speaker invited by a student, student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public.

(b) The policy adopted pursuant to subsection (a) shall be made available to students and faculty annually through one or more of the following methods:

(1) Published annually in the institution's student handbook and faculty handbook, whether paper or electronic;

(2) Made available to students and faculty by way of a prominent notice on the institution's internet site other than through the electronic publication of the policy in the student handbook and faculty handbook;

(3) Sent annually to students and employees to their institutionally-provided email address; or

(4) Addressed by the institution in orientation programs for new students and new faculty.

(c) Nothing in this section shall be construed to grant students the right to disrupt previously scheduled or reserved activities occurring in a traditional public forum.

SECTION 7. (a) With respect to disciplining students for their speech, expression, or assemblies, an institution shall adopt a policy on "student-on-student harassment" defining the term consistent with and no more expansively than the language contained in subsection (b).

(b) As used in this section, "student-on-student harassment" means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.



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SECTION 8. Nothing in this part shall require an institution to fund costs associated with student speech or expression. An institution shall not impose costs on students or student organizations on the basis of the anticipated reaction or opposition to a person's speech by listeners.

SECTION 9. Nothing contained in this part shall be construed as prohibiting an institution from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution such as:

- (1) Constitutional time, place, and manner restrictions;
- (2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;
- (3) Restricting the use of the institution's property to protect the free speech rights of students and faculty and preserve the use of the property for the advancement of the institution's mission;
- (4) Prohibiting or limiting speech, expression, or assemblies that are not protected by the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution; or
- (5) Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by faculty.

SECTION 10. The governing body of each public institution of higher education in this state is authorized to promulgate rules to effectuate the purposes of this act in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 11. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it.



SENATE BILL NO. 723

PASSED: May 1, 2017

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 9<sup>th</sup> day of May 2017

  
BILL HASLAM, GOVERNOR







**Appendix H: Exhibit I**

<b>System-wide Policy: BT0011 - Policy on a Student Programs and Services Fee</b>	
<b>Version: 1</b>	<b>Effective Date: 06/19/2014</b>

**BOARD OF TRUSTEES  
POLICY ON A STUDENT PROGRAMS AND SERVICES FEE**

**SECTION 1. PRIOR POLICIES AND FEES SUPERSEDED**

This policy shall supersede any and all Board of Trustees' policies or statements concerning student activity fees that fund Student-Organized Programming, as defined in Section 10 of this policy, including the University Programs and Services Fee authorized by the Board on August 18, 1971. The Student Programs and Services Fee (SPSF) authorized by this policy shall supersede any and all previously authorized student activity fees, including the University Programs and Services Fee.

**SECTION 2. AUTHORIZATION OF THE FEE**

The campuses of The University of Tennessee are authorized to assess, use, and allocate funds derived from a student activity fee only in accordance with this policy. Campuses may exempt certain classes of students from paying all or part of the SPSF (e.g., part-time students; distance education students). The SPSF authorized by this policy shall be the only campus fee that funds Student-Organized Programming.

**SECTION 3. PURPOSE OF THE FEE**

The purpose of the SPSF is to advance the University's educational mission by funding non-instructional services, activities, programs, and facilities that promote student satisfaction and retention or promote the intellectual, physical, emotional, social, cultural, or leadership development of students.

**SECTION 4. RESTRICTIONS ON THE USE OF SPSF FUNDS**

- A. All expenditures of SPSF funds shall comply with University fiscal policies and procedures. The expenditure of SPSF funds shall be audited in the same manner as other University funds.
- B. Funds derived from the SPSF may be used only to fund the following:
  1. expenses relating to student services, activities, and programs organized or operated under the auspices of the Chief Student Affairs Officer (e.g., operating expenses and equipment; wages, salaries, and benefits);
  2. Student-Organized Programming;
  3. the student government association recognized by the campus administration;





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4. student media (e.g., student newspaper, student yearbook) recognized by the campus administration;
5. intercollegiate and intramural athletics;
6. the costs of acquiring, constructing, installing, or enhancing any University property or facilities primarily used for non-instructional purposes, including the satisfaction of indebtedness; and
7. the operating and maintenance costs of facilities primarily used for non-instructional purposes.

C. Campuses may establish additional restrictions on the use of SPSF funds.

## SECTION 5. CONTROL OF THE FEE

- A. The **Board of Trustees** retains ultimate control of the SPSF by virtue of this policy and by setting the amount of the SPSF at each campus annually upon the recommendation of the Board's Finance and Administration Committee.
- B. The **President** shall:
  1. exercise ultimate executive control over the administration and fiscal management of the SPSF;
  2. make recommendations to the Finance and Administration Committee at the Annual Meeting of the Board of Trustees concerning the amount of the SPSF at each campus, after considering the recommendations of the Chancellors; and
  3. submit an annual written report to the Finance and Administration Committee at the Annual Meeting of the Board of Trustees concerning the use of SPSF funds at each campus for the previous academic year, which shall include a report detailing the use of SPSF funds at each campus that discloses the activities, services, programs, and facilities were funded by the Student Programming Allocation Committee.
- C. The **Chancellor** shall:
  1. exercise executive control over the administration and fiscal management of the SPSF at the campus, subject to the general supervision of the President;
  2. make an annual recommendation to the President concerning the amount of the SPSF prior to the Annual Meeting of the Board of Trustees;
  3. review and approve an annual budget for the use of SPSF funds submitted by the Chief Student Affairs Officer;





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4. provide the President with information to include in the President's annual report to the Board's Finance and Administration Committee concerning the use of SPSF funds; and
5. perform any other duties described in this policy.

D. The **Chief Student Affairs Officer** shall:

1. establish procedures for the general administration and fiscal management of SPSF funds;
2. designate and supervise a fiscal officer for SPSF funds, who shall be responsible for the day-to-day administration and fiscal management of SPSF funds;
3. solicit and consider the recommendations of the recognized student government association regarding the amount of the SPSF and the budget for SPSF funds, after providing the recognized student government association with information concerning projections of SPSF funds reasonably sufficient to make informed recommendations;
4. make a recommendation to the Chancellor concerning the amount of the SPSF prior to the Annual Meeting of the Board of Trustees;
5. submit an annual budget for the use of SPSF funds to the Chancellor; and
6. perform any other duties described in this policy.

**SECTION 6. STUDENT PROGRAMMING ALLOCATION COMMITTEE**

- A. The Chancellor shall establish a Student Programming Allocation Committee (SPAC), whose primary task shall be to allocate SPSF funds for Student-Organized Programming. The SPAC shall also make recommendations to the Chief Student Affairs Officer regarding how to use SPSF funds that students, pursuant to the opt-in procedure described in Section 7, have directed for a use other than Student-Organized Programming. The Chancellor may assign other tasks to the SPAC that do not conflict with this policy. The Chancellor may not assign the task of allocating SPSF funds to Campus Student Programming Boards, Registered Student Organizations, or to any other person or group other than the SPAC.
- B. The Chancellor shall determine the number of members of the SPAC, which shall be composed of University students and non-student University employees. A majority of the members of the SPAC shall be non-student University employees, but at least 40 percent of the SPAC shall be composed of University students. The Chancellor shall appoint the employee members of the SPAC. The Chief Student Affairs Officer shall appoint the student members of the SPAC after soliciting and





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considering the recommendations of the recognized student government association.

- C. The Chief Student Affairs Officer shall establish SPAC procedures for: (1) meetings; (2) recordkeeping; (3) the process and timing for the submission of funding requests to the SPAC; and (4) communicating funding decisions, including procedures for documenting the reasons for a denial of funding.

#### SECTION 7. OPTIONAL FUNDING OF STUDENT-ORGANIZED PROGRAMMING

- A. Unless a campus is exempt under the provisions of Section 7.H., the Chancellor shall establish an opt-in procedure by which every student is allowed the opportunity to expressly authorize the University to allocate a certain amount or percentage of the SPSF for Student-Organized Programming. If a student fails, for any reason, to expressly authorize the University to allocate a certain amount or percentage of the SPSF for Student-Organized Programming, then that amount or percentage of the student's SPSF shall be allocated by the Chief Student Affairs Officer for a use that benefits students, within the limits described in Section 3 and 4, but the funds shall not be used for Student-Organized Programming.
- B. The opt-in procedure shall be implemented before the beginning of the Fall Semester of 2014.
- C. As part of the opt-in procedure, the campus shall inform students in writing (printed or electronic) that Student-Organized Programming may be of a controversial nature or may be objectionable to students.
- D. The Chief Student Affairs Officer shall make available to students a list of every program funded by the SPSF during the preceding academic year that was Student-Organized Programming. The campus may provide additional information to students as long as it does not conflict with this policy. For example, the campus may inform students that the total amount of the SPSF will not change, regardless of whether they authorize the University to allocate SPSF funds for Student-Organized Programming.
- E. The opt-in procedure, including the written communication to students described in Section 7.C, shall be presented to the President for approval prior to implementation. Any subsequent material changes to the opt-in procedure shall be presented to the President prior to implementation.





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- F. The Chief Student Affairs Officer shall determine the amount or percentage of the SPSF that is subject to the opt-in procedure. The Chief Student Affairs Officer shall solicit and consider the recommendations of the SPAC regarding how to use SPSF funds that students have not expressly authorized for allocation to Student-Organized Programming.
- G. Only programs organized by Campus Student Programming Boards and/or Registered Student Organizations, as defined in Section 10 of this policy, are eligible to receive funding from the SPSF.
- H. The Chancellor shall not be required to develop the SPAC, the opt-in procedure, and other procedures described in Sections 6-9 of this policy if:
  - 1. all student programming funded by the SPSF is sponsored by the campus, and the Chief Student Affairs Officer or his/her staff designee is the final decision maker concerning student programming funded by the SPSF; and
  - 2. the campus engages students in the student programming process only to generate ideas and/or to assist in the organization or execution of student programming selected by the Chief Student Affairs Officer or his/her staff designee.

#### **SECTION 8. CRITERIA FOR ALLOCATING SPSF FUNDS FOR STUDENT-ORGANIZED PROGRAMMING**

- A. The SPAC shall consider the following criteria exclusively in evaluating requests for Student-Organized Programming:
  - 1. Whether, and to what degree, the program would advance the University's educational mission by promoting student satisfaction and retention and/or by promoting the intellectual, physical, emotional, social, cultural, or leadership development of students;
  - 2. Whether the request complied with the procedures established the Chief Student Affairs Officer for the submission of funding requests to the SPAC, including whether the request was timely submitted to the SPAC;
  - 3. Whether the program will be held on campus, and, therefore, will be easily accessible to students (priority shall be given to programs held on campus, unless ongoing construction to University facilities funded by the SPSF substantially impairs the ability of students to hold programs on campus);
  - 4. The clarity of the request;





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5. The amount of the request;
  6. The total amount of SPSF funds available for allocation by the SPAC;
  7. Whether, and to what degree, the request demonstrates that the Campus Student Programming Board or Registered Student organization has been diligent in determining the anticipated costs of the program;
  8. Whether, and to what degree, the funding proposal is fiscally responsible;
  9. If applicable, how effectively and efficiently the Campus Student Programming Board or Registered Student Organization used SPSF funds in the past;
  10. If applicable, whether the Campus Student Programming board or Registered Student Organization complied with University policies concerning SPSF funds in the past;
  11. If a Registered Student Organization, whether, and to what degree, the program is relevant to the Registered Student Organization's purpose, as described in the Registered Student Organization's constitution on-file with the University;
  12. Whether the proposed program is substantially similar to a program that was funded by the SPSF (or the former fee known as University Programs and Services Fee at the University of Tennessee, Knoxville) and organized by any Registered Student Organization within the past two (2) years;
  13. Whether the proposed program duplicates, in whole or in part, separate services or programs offered by other Registered Student Organizations, but this criterion shall not prohibit Registered Student Organizations from collaborating and submitting a joint funding request to the SPAC; and
  14. Whether the proposed program duplicates, in whole or in part, services or programs offered by an academic, administrative, or auxiliary department or division of the University.
- B. The viewpoint of a Registered Student Organization or of the speaker(s) included in a proposed program shall not be considered by the SPAC when making a funding decision.
- C. Student-Organized Programming funded by the SPAC must be open to attendance by all students who opted in to directing that a portion of their SPSF funds be allocated for Student-Organized Programming or who are exempt from payment of the SPSF by campus policy or law.





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#### SECTION 9. APPEALS

A Campus Student Programming Board or Registered Student Organization may appeal the SPAC's decision to deny funding. An appeal shall be submitted in writing to the Chief Student Affairs Officer within five (5) business days of the date on which the SPAC informed the Campus Student Programming Board or Registered Student Organization of the SPAC's decision to deny funding. There shall be only two grounds for appealing a decision of the SPAC: (1) the SPAC denied funding based on the viewpoint of a Registered Student Organization or of the speaker(s) included in a proposed program; and/or (2) the SPAC failed to follow its procedures in making the funding decision. The Chief Student Affairs Officer shall issue a decision on the appeal within ten (10) business days of the receipt of the appeal. The decision of the Chief Student Affairs Officer is not appealable.

#### SECTION 10. DEFINITIONS

The following definitions apply for the purposes of this policy:

- A. The term **"Campus Student Programming Board"** means a group of students recognized by the campus administration to organize campus-wide student programming and advised by a University staff member designated by the Chancellor or a Vice Chancellor.
- B. The term **"Registered Student Organization"** means a student organization registered with the University in accordance with University rules.
- C. The term **"Student-Organized Programming"** means programs organized by Campus Student Programming Boards and/or Registered Student Organizations.

History:

Adopted	06/19/2014
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## Appendix H: Exhibit 2



System-wide Policy: BT0021 - Policy Affirming Principles of Free Speech for Students and Faculty	
Version: 1	Effective Date: 11/03/2017

### BOARD OF TRUSTEES POLICY AFFIRMING PRINCIPLES OF FREE SPEECH FOR STUDENTS AND FACULTY

#### SECTION 1. PURPOSE

This purpose of this policy is to affirm certain principles of free speech for students and faculty at The University of Tennessee in accordance with the First Amendment to the United States Constitution, Article I, Section 19 of the Tennessee Constitution, and the Campus Free Speech Protection Act.

#### SECTION 2. DEFINITIONS

- A. "Constitutional time, place and manner restrictions" means restrictions on the time, place, and manner of free speech that do not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution that are reasonable, content- and viewpoint-neutral, narrowly tailored to satisfy a significant University interest, and leave open ample alternative channels for the communication of the information or message to its intended audience.
- B. "Faculty" or "Faculty Member" means any person, whether or not the person is compensated by the University, and regardless of political affiliation, who is tasked with providing scholarship, academic research or teaching. For the purposes of this policy, "faculty" includes tenured and non-tenured professors, adjunct professors, visiting professors, lecturers, graduate student instructors and those in comparable positions, however titled. For the purposes of this policy, "faculty" does not include persons whose primary responsibilities are administrative or managerial.
- C. "Free Speech" means speech, expression, or assemblies protected by the First Amendment of the United States Constitution or Article I, Section 19 of the Tennessee Constitution, verbal or written, including but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution of printed materials, carrying signs, displays, or circulating petitions. "Free speech" does not include the promotion, sale, or distribution of any product or service.
- D. "Student" means:





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1. An individual currently enrolled in a course of study at the University; and
2. An organization that is comprised entirely of individuals currently enrolled in a course of study at the University and is registered with the University pursuant to University rules.

### SECTION 3. POLICY

The Board of Trustees of The University of Tennessee affirms the following principles of free speech with respect to University students and University faculty:

- A. Students have a fundamental constitutional right to free speech.
- B. The University must be committed to giving students the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to Section 4.
- C. The University must be committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of the University's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrongheaded.
- D. It is for the University's individual students and faculty to make judgments about ideas for themselves, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose.
- E. It is not the proper role of the University to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- F. Although the University greatly values civility and mutual respect, concerns about civility and mutual respect must not be used by the University as a justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrongheaded those ideas may be to some students or faculty.





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- G. Although all students and all faculty are free to state their own views about and contest the views expressed on University property, and to state their own views about and contest speakers who are invited to express their views on University property, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, the University must promote a lively and fearless freedom of debate and deliberation and protect that freedom.
- H. The University must be committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who shall always remain free to inquire, to study and to evaluate, and to gain new understanding.
- I. The primary responsibility of faculty is to engage an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.
- J. Although faculty are free in the classroom to discuss subjects within areas of their competence, faculty shall be cautious in expressing personal views in the classroom and shall be careful not to introduce controversial matters that have no relationship to the subject taught, and especially matters in which they have no special competence or training and in which, therefore, faculty's views cannot claim the authority accorded statements they make about subjects within areas of their competence; provided, that no faculty will face adverse employment action for classroom speech, unless it is not reasonably germane to the subject matter of the class as broadly construed, and comprises a substantial portion of classroom instruction.
- K. The University must maintain the generally accessible, open, outdoor areas of its campus as traditional public forums for free speech by students (i.e., limited public forums because the University has intentionally opened those areas for the limited purpose of free expression activities by a certain group, students).

NOTE: As stated in Chapter 1720-01-12 of the Rules of The University of Tennessee, University property is not a traditional public forum or a designated public forum for non-affiliated persons (persons or entities who are not University units, students, student organizations, employees, or volunteers) and thus is not





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open for use by non-affiliated persons, either by tradition or by University policy, for free expression activities, except as otherwise expressly provided in Chapter 1720-01-12.

- L. The University must not restrict students' free speech only to particular areas of a campus, sometimes known as "free speech zones."
- M. The University must not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates.
- N. The University must not establish permitting requirements that prohibit spontaneous outdoor assemblies or outdoor distribution of literature, although the University may maintain policies that grant members of the University community the right to reserve certain outdoor spaces in advance.
- O. The University must not charge students security fees based on the content of their speech, the content of the speech of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech.
- P. The University must allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers.
- Q. The University must not disinvite a speaker invited by a student, student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public.

#### SECTION 4. EXCEPTIONS

Nothing in this policy shall be construed as prohibiting the University from imposing measures that do not violate the First Amendment to the United States Constitution or Article I, Section 19 of the Tennessee Constitution such as:

- A. Constitutional time, place, and manner restrictions;
- B. Reasonable and viewpoint-neutral restrictions in nonpublic forums;





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- C. Restricting the use of University property to protect the free speech rights of students and faculty and preserve the use of the property for the advancement of the University's mission;
- D. Prohibiting or limiting speech, expression, or assemblies that are not protected by the First Amendment to the United States Constitution or Article 1, Section 19 of the Tennessee Constitution; or
- E. Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as classroom rules enacted by faculty.

#### **SECTION 5. CAMPUS AND INSTITUTE POLICIES**

University campuses and institutes must adopt policies on the use of University property that are consistent with this policy.

#### **SECTION 6. ANNUAL PUBLICATION OF THIS POLICY**

Campuses and institutes must make this policy available to students and faculty annually through one or more of the following methods:

- A. Published annually in the campus/institute student handbook and faculty handbook, whether paper or electronic;
- B. Made available to students and faculty by way of a prominent notice on the internet site for the campus/institute other than through the electronic publication of the policy in the student handbook and faculty handbook;
- C. Sent annually to students and employees to their University-provided email address; or
- D. Addressed by the campus/institute in orientation programs for new students and new faculty.



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