



# S N A P S H O T

## Sex Week at the University of Tennessee–Knoxville

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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.

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.

In 2016, the Tennessee General Assembly passed Public Chapter 1066, prohibiting the expenditure of state funds to fund or support Sex Week, and there are conflicting opinions concerning if 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. UTK 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.

### Key Conclusions

The Comptroller’s Office reached several key conclusions about the Sex Week event. These include:

- SEAT is one of about 600 RSOs at UTK, all of which are eligible to request student activity fee funding. 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 also received gift funds, private donations, and indirect benefits, such as use of campus facilities, for Sex Week, all of which are options for RSOs at UTK.
- If SEAT were not a registered student organization, it would have been charged about \$4,500 annually to use campus facilities for Sex Week events.
- The university has taken some actions to address the Sex Week controversy, but the most significant change, to give students the choice whether to allocate their mandatory activity fee to student-organized programming (such as Sex Week), was made reluctantly.
- 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.
- Sex Week at UTK is not the only such event that has occurred at a public university in Tennessee; similar events have taken place on at least four other university campuses.

The Comptroller’s Office also examined policies and practices at other Tennessee public universities that could be applied at UTK. For example, other Tennessee universities limit the amount of funding student organizations may request or receive.

The report includes 14 policy considerations ranging from minor changes to campus policy to an outright ban on the event. Some policy considerations may have potential legal implications.

The University of Tennessee–Knoxville reviewed a draft of the Comptroller’s report in January 2019 and indicated its willingness to work with its Board of Trustees to implement a number of changes. A letter from the University’s Interim President and Interim Chancellor is included in the report.