

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.