

UTC ADVISORY BOARD MEETING - MAY 6, 2021

Proposed Modifications to the Bylaws of the UTC Advisory Board.

1. Insertion of Table of Contents

Rationale: To improve the ease of navigating the Bylaws and locating information in them, headings have been added to each section and a table of contents has been added at the beginning of the bylaws with internal links to each section.

2. Addition of Sections 3.6 and 3.7:

Section 3.6 Governor-Appointed Board Member Vacancies. If a vacancy on the Advisory Board occurs by death, disability, or resignation of a Governor-appointed board member, the Governor shall appoint a successor for the remainder of the term. If a vacancy occurs by reason of expiration of a term, the board member whose term has expired will serve until a successor is appointed. If the Tennessee General Assembly is not in session at the time a member is appointed by the Governor to fill a vacancy resulting from the expiration of a term, the member whose term has expired will serve until a new appointee is confirmed by joint resolution of both houses of the Tennessee General Assembly. If the Tennessee General Assembly is not in session at the time a member is appointed by the Governor to fill a vacancy not resulting from the expiration of a term, the new appointee will serve for the term appointed unless the appointment is not confirmed by joint resolution of both houses of the Tennessee General Assembly within ninety (90) calendar days after the Tennessee General Assembly next convenes in regular session following such appointment.

Section 3.7 Student and Faculty Board Member Vacancies. The cessation of the faculty member's employment or full-time faculty status with the University during the faculty member's appointment term vacates the faculty member position on the Advisory Board, and the Governor shall appoint a faculty member satisfying the eligibility requirements for serving on the Advisory Board as a successor for the remainder of the term. The cessation of the student member's full-time enrollment status during the student member's appointment term (excluding enrollment status during the summer semester) vacates the student member's position on the Advisory Board, and the Governor shall appoint a student satisfying the eligibility requirements for serving on the Advisory Board as a successor for the remainder of the term.

Rationale: The Bylaws do not currently address how vacancies on the Board are to be filled or what happens if a Board member's term expires before a successor has been appointed and approved. The proposed new Section 3.6 addresses how vacancies of Governor-appointed positions are filled when a vacancy occurs because of the expiration of a Board member's term or

when a vacancy occurs because of the resignation, disability, or death of a Board member. The proposed new Section 3.7 addresses how vacancies of the student and faculty Board member positions are filled when the student or faculty member cease to meet the eligibility requirements for serving on the Board. These provisions incorporate the requirements for filling Board vacancies provided under the FOCUS Act, Tenn. Code Ann. § 49-9-501.