



UTC ADVISORY BOARD MEETING

Tuesday, September 23, 2025 | 1:30 – 3:00 p.m. | James R. Mapp Building, Room 102

MEETING AGENDA

Item	Agenda Topic	Presenter(s)
I	Call to Order	▪ Mr. Scott LeRoy , Advisory Board Chair
II	Roll Call & Quorum Confirmation	▪ Ms. Christy Waldrep , Assistant to the Chancellor
III	Approval of Minutes Action Required	▪ Mr. Scott LeRoy , Chair
IV	Chancellor's Report	▪ Dr. Lori Mann Bruce , Chancellor
V	Strategic Plan Update Action Required	▪ Dr. Lori Mann Bruce , Chancellor, with Dr. Frank Butler , Richard X. Zhang Endowed Professor of Business; Faculty Director, Veterans Entrepreneurship Program
VI	Enrollment Growth Goals for 2030	▪ Dr. Lori Mann Bruce , Chancellor, with Dr. Artanya Wesley , Vice Chancellor for Enrollment Management and Student Affairs
VII	Athletics & NIL Updates	▪ Mr. Mark Wharton , Vice Chancellor and Director of Athletics ▪ Mr. Yousef Hamadeh , Assistant General Counsel
VIII	DEI Policy Landscape: Federal & State Updates	▪ Dr. Lori Mann Bruce , Chancellor, with Mr. Yousef Hamadeh , Assistant General Counsel
IX	Active Shooter Preparedness Update	▪ Mr. Sean O'Brien , Associate Vice Chancellor for Public Safety and Chief of Police ▪ Mr. Brett Fuchs , Director of Emergency Management, Threat Assessment, and Emergency Communications; Public Information Officer
X	Adjournment	

Agenda Item II.

Summary

Date: September 23, 2025

Agenda Item: Roll Call & Quorum Confirmation



**Action
Required**



**No action
required**

PRESENTER(S): Christy Waldrep, Assistant to the Chancellor

PURPOSE & KEY POINTS: A quorum was confirmed prior to the meeting, and at the start of the meeting Ms. Waldrep will call the roll of Advisory Board members, using a roll call sheet to record attendance as the formal record of members present.

- Mr. Scott LeRoy (Chair)
- Isabella Craig (Student)
- Garnett Decosimo
- Mario Duarte
- Don Reising (Faculty)
- Elaine Swafford
- Todd Womack



Agenda Item III.

Summary

Date: September 23, 2025

Agenda Item: Approval of Minutes



**Action
Required**



**No action
required**

PRESENTER(S): Scott LeRoy, Advisory Board Chair

PURPOSE & KEY POINTS: Mr. LeRoy will present the minutes from the May 16, 2025 meeting to the Advisory Board, and a voice roll call vote will be taken to approve the minutes as the official record of proceedings.



UTC ADVISORY BOARD MEETING MINUTES

**1:00 PM EST
Friday
May 16, 2025**

**Mapp Building
Room 102**

I. CALL TO ORDER AND ROLL CALL

Chair Scott LeRoy called the meeting to order at 1:02pm. The roll was called with the following Board members present: Isabella Craig, Garnett Decosimo, Mario Duarte, Scott LeRoy, Elaine Swafford, and Todd Womack.

David Watson, a Board of Trustees member, was also in attendance.

II. OPENING REMARKS

Chair LeRoy welcomed everyone to the last meeting of the board for this academic year.

III. APPROVAL OF THE MINUTES OF JANUARY 8, 2025

Chair LeRoy noted the first item of business was the approval of the January 8, 2025 meeting minutes. Chair LeRoy called for a motion to approve the minutes as submitted; Ms. Craig made a motion to approve, which Mr. Decosimo seconded. The motion was approved unanimously by a roll call vote.

IV. CHANCELLOR'S REPORT

Chair LeRoy then turned the meeting over to Interim Chancellor Dooley for remarks. Dr. Dooley shared that the Board of Trustees approved this morning the appointment of Dr. Lori Mann Bruce as the next chancellor at UTC effective June 30, 2025. He also announced that Dr. Kumar Yelamarthi has been appointed Dean of the College of Engineering and Computer Science effective July 1, 2025. Dr. Yelamarthi is also from Tennessee Tech. Dr. Bruce's husband will also be joining the faculty in the College of Engineering and Computer Science. The acceptance rate for new students is up about 14%, with retention rates potentially up over 4%. The Development House has been torn down as part of the expansion of Fletcher Hall. The School of Nursing building is back on track and in the bid process. Mr. Jason McNeal will be talking with the Advisory Board later in this meeting about the new chancellor and what the Board wants to share with her.

Mr. Decosimo asked if there was any information on what was causing the uptick in retention. Dr. Dooley responded that there have been two task forces appointed this semester to look at this – one was a faculty task force out of the Faculty Senate and one was a staff and faculty task force that the Provost's Office was involved in. The UTC administration got some good information in terms of what it thinks UTC needs to be doing and will share that with Dr. Bruce when she starts at UTC. UTC implemented some short term initiatives. UTC

started retention grants for students who are in good standing but for whatever reason have decided not to enroll for the fall, offering them financial support to come back. UTC put in place a scholarship program for collaborative students; these are students who have applied to UTC but have the ability to transfer to UT Knoxville if they maintain a certain GPA and are successful in completing a certain number of credit hours. UTC lost a number of those students last year; this year UTC has specifically targeted them and offered them a scholarship to stay at UTC. UTC has also committed to expanding the Honors College, adding 20 additional students this year and committing to add more over the next five years.

V. FY26 BUDGET

Vice Chancellor for Administration and Finance Brent Goldberg shared information on the proposed budget for the FY26 fiscal year. He noted UTC has a record number and dollar amount of capital projects in process; UTC currently has half a billion dollars in capital projects either in progress or in planning.

Mr. Goldberg shared information on the state appropriations and productivity formula adjustments, noting that everyone lost money except for UT Knoxville and the University of Memphis – those are the two universities that had the least impact coming out of COVID. In terms of the new funding for formula growth, THEC recommended \$40M but the state budget allocated \$17M, so overall it is a smaller pot of money, which means a smaller allocation to each institution. UTC is in about in the middle, with \$864,200 of new formula revenue. For salary pool, the state did a 2.6% salary pool, which will fund about 60% of the funds needed to do a 6.2% raise, so UTC will have to come up with the remainder.

A 3% tuition increase for in-state, out-of-state and international students, both undergraduate and graduate, is being recommended. THEC is allowing up to 5.5%; UTC could use the revenue, but UTC wants to maintain affordability, especially in comparison to other universities across the state.

Budget adjustments have been made for FY 26 to try to free up some funds within UTC's existing budget; \$3.2M has been freed up on top of the state appropriation and the tuition increase.

With the proposed 3% tuition increase, the total cost for an academic year would be \$10,762 – a \$314 increase for in-state undergraduate students; \$19,068 for out-of-state undergraduate students – a \$556 increase; and international students would pay \$27,308 – a \$796 increase. For graduate tuition and fees, the 3% increase looks similar to undergraduate. That gives a total revenue of \$262M, with 54% of that coming from tuition and fees, 32% from state appropriations, and the remainder from primarily auxiliaries. On the expense side, UTC will be spending 65% of its budget on salaries and benefits, an amount which has increased slightly each year for the past four years as UTC has invested in compensation. The remainder is for UTC operations and mandatory transfers such as debt service.

A summary of year-to-year budget highlights from FY2021 to the proposed FY2026 budget shows quite a bit of budget growth in that timeframe from \$204M to \$262M. UTC is fortunate that Tennessee still invests in higher education at the level it does, so UTC has been able to accomplish this with an average tuition increase over 5 years of 1.8%. 2023 was a big year for state appropriations after COVID; the salary pool is also smaller this

year than in the past several years. From a compensation plan standpoint, in 2021 UTC did nothing but faculty promotions; starting in 2022 UTC started increasing minimum wage so UTC could get up to \$15/hour. UTC also invested in the compression that was caused by moving to \$15/hr in FY2024, and last year UTC didn't have any funds to do anything outside of 3% increase in its normal faculty promotions. This year UTC is proposing \$5.7M in compensation; \$1.5M would go to faculty, \$800,000 would go to staff to deal with compression and market issues, and then 2.5% to everyone. Mr. Goldberg noted that the revenue trends graphic shows that tuition and fees have been relatively flat, barely increasing from 2018 until now, but the state appropriations are a bigger percentage than they were back in 2018. In 2018 UTC had a \$184M budget and now it has a \$260M budget, so that is a testament to the state investing in higher education, especially here at UTC.

Mr. Goldberg thanked Chris Sherbesman for his work on the budget and also thanked Dr. Laure Pou for her work on compensation. For the faculty, UTC has two benchmarks that it is chasing: one is Tennessee Public Higher Education universities, which is all the public universities in Tennessee. UTC needs to invest about \$2.2M in compensation just to get its faculty to the market median across the board as compared to other Tennessee universities. With a 2.5% increase plus the \$1.5M investment, that should get UTC really close to having all faculty members at the appropriate place compared to the market in terms of comparisons of other Tennessee universities. The other benchmark UTC is chasing is the SREB 2/3 – a group of universities that are more similar to UTC – that would be about \$3M to get to that benchmark. Right now, UTC is trying to get to the \$2.2M total investment in faculty and then continue to chase that other benchmark as it goes. For staff compression, UTC needs to invest at least \$3M; UTC is only able to do \$800,000 this year but UTC did do quite a bit a few years ago.

Mr. Goldberg concluded his presentation by noting that this year's budget is heavily focused on compensation, with adjustments and cuts being made to prevent having a higher tuition rate increase above 3%. He then asked if there were any questions. Mr. Decosimo asked what the functional change was regarding the transitional expenses. Mr. Goldberg responded it gets it into the recurring budgets so that, for example, departments can actually see the funds as available in their budgets and spend them, instead of them being on a non-recurring basis and coming out of UTC's reserves.

Mr. Womack asked about tuition increases at the other Tennessee universities. Mr. Goldberg responded that the other UT campuses are asking for 3% except for UT Knoxville, which is not asking for any increase but is increasing some mandatory fees but not maintenance. UT Martin is definitely asking for 3% and UT Southern is asking 2.5% if not 3%. The LGIs are asking for increases between 3% and 5%. Tennessee Tech is asking for 5% or 5.5%; MTSU and ETSU are asking for 4%. UTC and Martin are both asking for 3% increases, but UTC's tuition is still lower than UT Martin's tuition.

Mr. LeRoy asked if the revenue tuition and fees are based on current enrollment or a projected increase in enrollment. Mr. Goldberg responded that UTC's enrollment for this past fall was 11,775; the enrollment target for this coming fall is 12,105 total, including graduate and undergraduate. This budget is based on an 11,995-

student enrollment. If UTC does not hit 11,995, UTC may need to look at some budget reduction during the year when it does its revised budget.

Mr. LeRoy then asked about internal costs to UTC associated with the School of Nursing building and the Rollins College of Business expansion and where the money comes from for those costs. Mr. Goldberg responded that over the next three years the costs will be built out in UTC's recurring budget. The new buildings will not be occupied until Fall 2027 at the earliest. New utilities, new custodial support, etc., will be required. The SON building had to be rebid due to the contractor being unable to provide a bond – the goal is to start construction in the next three weeks and open in the fall of 2027. The RCOB expansion is in progress. The State Office Building renovation is in process; the University Center renovation is in process, with Phase 1 being finished and starting Phase 2; a new dining hall is to be built in Maclellan Gym that will add 750 seats is in the planning phase; a new parking structure at 8th Street and Houston is moving into design; and a new residence hall is starting next week. The new dining hall will be a big deal for UTC from a capacity standpoint. Currently UTC can only fit 363 people into our dining hall; this new dining hall will add 750 seats and then UTC will renovate the current dining hall to be a kind of auxiliary dining hall for things like farm-to-table and allergen free fare. These will all help UTC with capacity as it grows – and they will all be at capacity by 2030 - if UTC hits its enrollment goals. So this is just to get UTC to its 2030 goal of 14,800 students. And there are also costs associated with all those auxiliaries that UTC will have to look at over time as well.

Mr. Womack noted this is the third year raising tuition – should this be expected every year? Mr. Goldberg responded that UTC is doing the same thing that everyone else is – it is practical and realistic to plan on a 2% increase practically every year to keep up with inflation and changes in the political environment and the operational environment.

Mr. Decosimo asked if there was any price sensitivity among students. Mr. Goldberg responded that it would depend on the student but the net cost is really low. Most students at UTC have financial aid of some kind and the Hope Scholarship covers a lot of costs. Mr. Womack asked if the Hope Scholarship would be going up. Mr.

Chris Sherbesman, Associate Vice Chancellor for Finance & Administration, shared that they have not yet heard but are anticipating a 3% increase.

Mr. Watson asked if a breakdown of the increase by category and what it means in total dollars by category was available. Mr. Goldberg responded that he could provide that. He noted that the in-state 3% increase is \$2.8M and out-of-state is \$207K. Mr. Watson asked what would happen if UTC did not increase its in-state tuition but increased everything else. Mr. Goldberg noted that 80% or more of UTC students are regular in-state, so 80% of that \$2.8M is regular in-state tuition, just because of UTC's demographics. UTC has much more local and much more in-state than UT Knoxville, for example. Mr. Watson asked how UTC compared with its out-of-state peers, to which Mr. Goldberg responded UTC does not normally compare tuition to out-of-state peers on a regular basis. Mr. Watson noted that Tennessee is one of the few states that is showing an increase in growth in high school graduations. All the other states around Tennessee are showing a decline, so they have to come in and start raiding Tennessee to steal Tennessee students and so we will be in competition. One of the things they

will do is drop their price. Mr. Sherbesman noted that, looking at the 3% increase, that includes undergraduates and graduates; roughly 85% of that is going to be undergraduates, 15% graduates and then in-state vs out-of-state is roughly 90% and 10% out-of-state. In looking at UTC's out-of-state total cost per student, UTC is not among the highest among its peers, but UTC also has other specific discounts or programs put in place for surrounding counties that are out-of-state – Hamilton County has eight surrounding out-of-state counties, seven in Georgia and one in North Alabama in which students get a 50% discount on out-of-state tuition to come to UTC. UTC also offers graduate assistantships for which out-of-state tuition is waived, and veterans have all their out-of-state waived. Mr. Goldberg noted that sometimes it is hard to compare to universities in other states – comparing our in-state to their out-of-state, are they going to decrease their out-of-state enough, do they have other waivers in place? UTC looks at them, but it is hard to compare – it is easier to compare with other universities in Tennessee. When UTC looks at its enrollments or who it is competing against for enrollment, UTC's three top competitors for enrollment are UT Knoxville, UT Martin and ETSU.

Mr. Duarte asked if the compensation increases would get UTC closer to the noted benchmarks, taking into consideration that those benchmarks will also increase. Mr. Goldberg responded it would. Dr. Laure Pou, Assistant Vice Chancellor for Human Resources, noted that an updated compensation analysis project for faculty has been done with a third party vendor this year and one is being done systemwide with UTC's UT colleagues for both faculty and staff to make sure that UTC has the most updated market data, and so in that process and projecting the allocation, the 2.5% for UTC's current salaries, UTC is also aging the data forward to make sure it is current with the market, realizing it will move each year. Hopefully UTC will have some funding available each year to continue to make progress.

Mr. Goldberg noted one thing he forgot to mention was that UTC is adding a dual enrollment fee/tuition rate to dual enrollment grants. Currently when someone registers at UTC for dual enrollment, they register as a regular student

Mr. Decosimo made a motion to send the proposed FY2026 budget forward to the Board of Trustees; Dr. Swafford seconded the motion, which was approved unanimously by a roll call vote.

VI. STRATEGIC PLAN

Dr. Dooley shared the vote on UTC's new strategic plan has been postponed until the September 23, 2025, meeting of the Advisory Board; the plan will be send the new strategic plan to the Board of Trustees for approval at the October 2025 BOT meeting. He asked that the Advisory Board members review the strategic plan and provide comments to him. He noted the plan has been shared with Dr. Bruce.

VII. APPOINTMENT OF STUDENT MEMBER

Mr. LeRoy called for a vote on the next student member of the Advisory Board. Mr. Womack made a motion to approve Mr. Isaac Durby; Ms. Craig seconded the appointment. The appointment of Mr. Durby was unanimously approved by roll call vote.

VIII. FACILITATED DISCUSSION: WELCOMING THE NEW CHANCELLOR

Mr. Jason McNeal led a discussion with a series of guided questions on what the Board can do to welcome and support the new chancellor.

XI. OTHER BUSINESS

There was no other business.

XII. CLOSING REMARKS

Chair LeRoy thanked everyone for their time and participation.

XIII. ADJOURNMENT

A motion to adjourn was made by Mr. Womack and seconded by Ms. Craig.

The roll call vote was unanimous, and the meeting was adjourned at approximately 2:55pm.



Agenda Item IV.

Summary

Date: September 23, 2025

Agenda Item: Chancellor's Report

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**Action
Required**

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**No action
required**

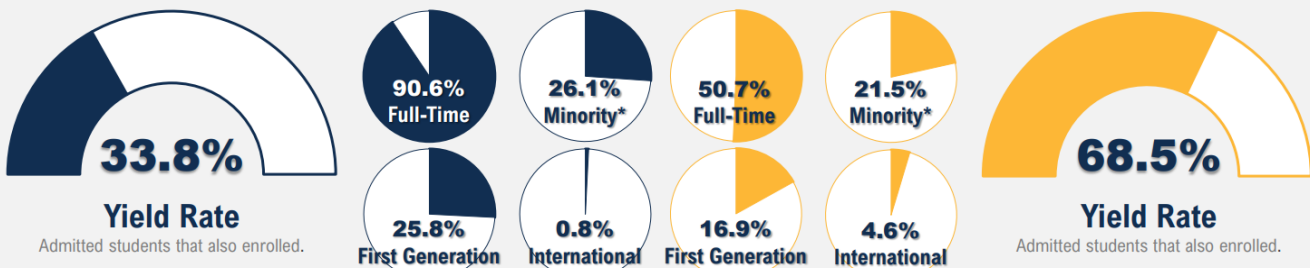
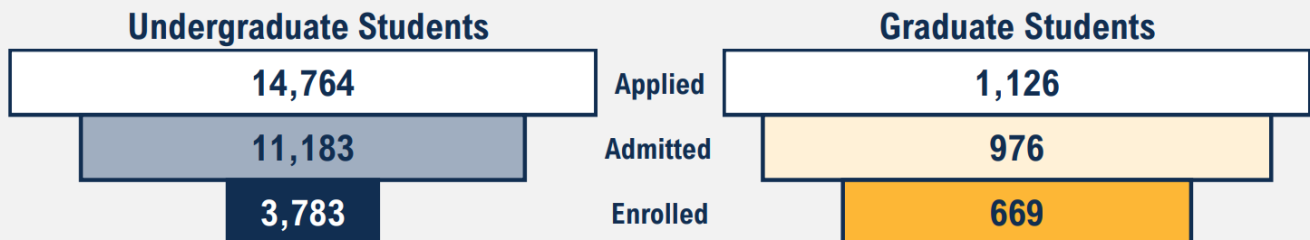
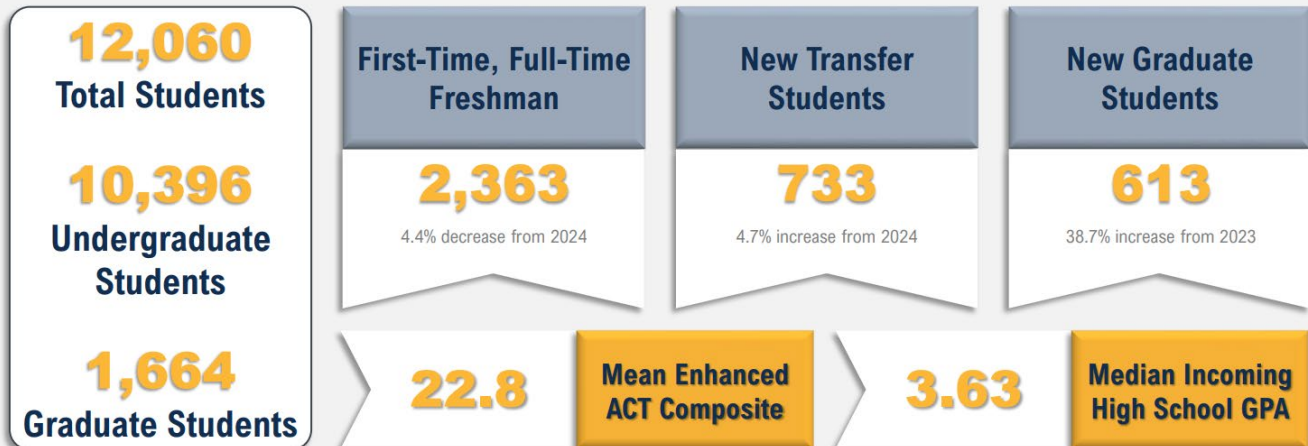
PRESENTER(S): Dr. Lori Mann Bruce, Chancellor

PURPOSE & KEY POINTS: Chancellor Bruce will provide campus-wide updates for the fall 2025 semester, highlighting record enrollment, growth in graduate student numbers, student success measures, major research achievements, and campus life highlights.

Fall 2025

UTC Quick Facts

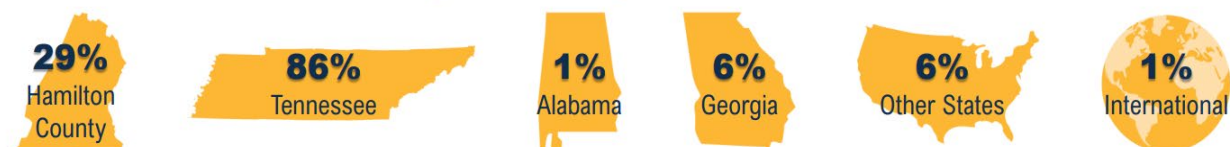
OUR STUDENTS



*Includes American Indian or Alaskan Native, Asian, Black or African American, Hispanic/Latino, and Multiracial.



Student Region of Origin for Total Enrolment



Fall 2025

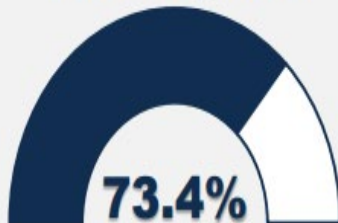
UTC Quick Facts

OUR INSTITUTION



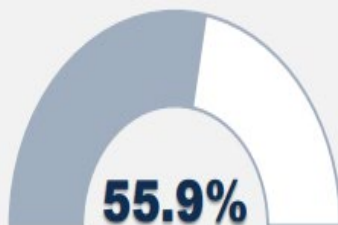
\$252,861,841

FY 2024 Expenses



First-Year Retention

Initial cohort term of Fall 2024



Six-Year Graduation

Initial cohort term of Fall 2019

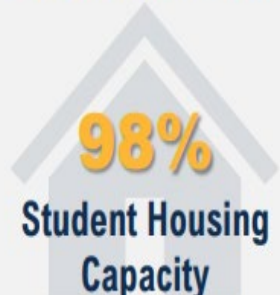
Annual Tuition Type	Undergraduate	Graduate
In-State	\$10,762	\$11,446
Out-of-State	\$19,068	\$19,752
Online & Distance In-State	\$10,366	\$10,714
Online & Distance Out-of-State	\$11,008	\$11,586
International	\$27,308	\$27,992

Level	Programs Offered	Concentrations Offered	Degrees 2024-2025
Baccalaureate	49	116	2,146
Master	23	49	379
Education Specialist	1	3	7
Doctorate	6	10	119
Certificates*	38	-	18
Total	117	178	2,669

*Offered includes undergraduate and graduate certificates, degrees includes only graduate level.

\$267,038,578

FY 2024 Revenue



3,733 capacity for Fall 2025



2024-25 Undergraduate Students



Agenda Item V. Summary

Date: September 23, 2025

Agenda Item: Strategic Plan Update



**Action
Required**



**No action
required**

PRESENTER(S): Dr. Lori Mann Bruce, Chancellor, and Dr. Frank Butler, Richard X. Zhang Endowed Professor of Business and Faculty Director, Veterans Entrepreneurship Program

PURPOSE & KEY POINTS: Chancellor Bruce and Dr. Butler will present the University's 2025–2030 Strategic Plan for Advisory Board review, discussion, and action. The presentation will highlight the plan's strategic priorities, enrollment and student success goals, and pathways to achieving long-term growth. Board members will be asked to provide feedback and vote on the plan before it is advanced to the UT Board of Trustees in October 2025.



THE UNIVERSITY OF TENNESSEE
CHATTANOOGA

Strategic Plan

2025-2030

Strategic Pillars



UTC's Vision and Mission set the foundation for this Strategic Plan. In the following pages, you'll see how these commitments are carried forward into five strategic pillars that guide our direction through 2030.

Planning Process

- **Started** Spring of 2024
- Former Executive Vice Chancellor Bryan Johnson started the initial charge with the planning committee
- Vice Chancellor Vicki Farnsworth led an effort to collect **over 2,000 data points**
- Dr. Dooley assumed the role of Interim Chancellor in January 2025 with the directive from President Boyd to **finish the plan**
- Current draft developed by Richard X. Zhang Endowed Professor in Business Frank Butler, Ph.D.
- **Road shows and surveys** conducted during the spring semester
- Identified existing baselines and are developing additional metrics to ensure full **measurability**
- Vision, Mission and all five pillars had over **75% agree or strongly agree** responses
- Mission and four of the pillars were **over 80%**

Agree & Strongly Agree Responses

Vision Statement: 79%

Mission Statement: 80%

Pillar 1: 76%

Pillar 2: 86%

Pillar 3: 83%

Pillar 4: 85%

Pillar 5: 81%

81%
AVERAGE SCORE

Metric Driven

The goal of this plan is to be
measurable.

65 trackable data points in the plan.

Metrics by Pillars

Pillar 1: 22 metrics

Pillar 2: 15 metrics

Pillar 3: 9 metrics

Pillar 4: 8 metrics

Pillar 5: 11 metrics

Vision and Mission

VISION

To be a model metropolitan university that unites learner success, innovative research, and community partnerships to spark transformative growth and prosperity.

MISSION

The University of Tennessee at Chattanooga enriches lives through accessible and innovative education, impactful research, and dynamic community partnerships, driving progress and well-being across Tennessee and beyond.

Values

BE ONE UTC

B: Bold and impactful

E: Embrace diversity

O: Optimistic and visionary

N: Nimble and innovative

E: Excel in all we do

U: United and connected

T: Transparent and trusted

C: Community engaged

Aspirations by 2030

The University of Tennessee at Chattanooga will . . .

...become a **Carnegie Classified R2 University**,
a designation for "Doctoral University: High Research Activity."

...strategically expand to **15,000 students**.

Academic Excellence and Student Outcomes

Leveraging innovative curricula to ensure lifelong learner success through the MOC Experience from recruitment to retention to employment and beyond.

Goal 1.1 Expand UTC's Educational Footprint

By 2030, we will:

- **Objective 1.1.1:** Grow UTC to 15,000 students through strategic recruiting at the undergraduate and graduate levels to meet institutional growth while providing a pipeline of talent meeting workforce demands.

Goal 1.2 Enhance Learner Success

By 2030, we will:

- **Objective 1.2.1:** Increase freshman-to-sophomore fall-to-fall first-year retention rates to 80%.
- **Objective 1.2.2:** Increase 4-year and 6-year graduation rates to 45% and 60%, respectively.
- **Objective 1.2.3:** Every undergraduate student will have completed one high-impact practice designated course.
- **Objective 1.2.4:** Increase the number of scholarship opportunities or financial support for student experiences (e.g., study abroad, unpaid internships) to 65%.
- **Objective 1.2.5:** Develop new programming (e.g., micro-credentialing, certifications, professional development units) that provide lifelong learning opportunities.

PILLAR #1

Academic Excellence and Student Outcomes

continued . . .

Goal 1.3 Placement

By 2030, we will:

- **Objective 1.3.1:** Offer high-demand degrees/credentialing programs aligned with UTC's faculty expertise and our community's workforce needs.
- **Objective 1.3.2:** Increase the percentage of graduates who are gainfully employed or enrolled in graduate/professional study within six months of graduation.
- **Objective 1.3.3:** Advance upward mobility by ensuring UTC graduates earn competitive salaries that reflect the value of their degree within one year of graduation.

Goal 1.4 Alumni Development & Engagement

By 2030, we will:

- **Objective 1.4.1:** Increase total engaged alumni to 75%.
- **Objective 1.4.2:** Increase the number of alumni returning for advanced degrees.

PILLAR #2

Developing and Supporting Our People

Create a workplace that inspires excellence by cultivating talent and making UTC a great place to work.

Goal 2.1 Faculty/Staff Experience

By 2030, we will:

- **Objective 2.1.1:** Strategically adjust qualified faculty/staff salaries to align with peer institution medians.
- **Objective 2.1.2:** Improve faculty/staff performance evaluation and feedback processes through management training.
- **Objective 2.1.3:** Enhance the university's workplace environment to increase faculty/staff overall satisfaction.

Goal 2.2 Faculty/Staff Success

By 2030, we will:

- **Objective 2.2.1:** Enhance faculty/staff recognition programs that focus on our mission around education, research, and service.
- **Objective 2.2.2:** Increase faculty/staff participation in professional development activities (e.g., degree programs, conferences).
- **Objective 2.2.3:** Increase staff retention to over 90% and faculty retention to over 95%.

Innovative and Impactful Research

Faculty, staff, and students at UTC will advance solutions for the Chattanooga region and Tennessee's future through cutting-edge research and practical solutions while attaining national Carnegie R2 status as a university recognized for high research activity.

Goal 3.1: Innovative and Impactful Research

By 2030, we will:

- **Objective 3.1.1:** Create and support research centers that address critical societal and workforce needs in the Chattanooga region and beyond.
- **Objective 3.1.2:** Expand the number of doctoral research programs that prepare graduates to address the needs of the Chattanooga region and beyond.
- **Objective 3.1.3:** Increase the number of research Ph.D. graduates to 25 per year.
- **Objective 3.1.4:** Increase the recognition of faculty/staff/students receiving prestigious external research awards.
- **Objective 3.1.5:** Increase support for and the number of graduate assistantships.
- **Objective 3.1.6:** Increase research expenditures by 3%, on average, each year.
- **Objective 3.1.7:** Increase support for translational research resulting in new commercial licenses, patents, and other intellectual property.

Operational Excellence

We promote operational excellence through service excellence focus, responsible resource management, and the strategic development of diverse revenue streams.

Goal 4.1: Service Excellence Focus

By 2030, we will:

- **Objective 4.1.1:** Implement student and employee satisfaction surveys that holistically evaluate the campus community experience.
- **Objective 4.1.2:** Develop a center dedicated to virtual learners to ensure they receive the MOCS experience and satisfaction with online programming to ensure a lifelong connection with UTC.

Goal 4.2: Responsible Resource Management

By 2030, we will:

- **Objective 4.2.1:** Optimize business processes throughout the university to ensure fiscal stability, enabling the university to invest in future growth and emerging opportunities.
- **Objective 4.2.2:** Strategically invest in university facilities to meet the growth of the campus community.

Goal 4.3: Diverse Revenue Streams

By 2030, we will:

- **Objective 4.3.1:** Achieve and sustain a minimum of \$40 million in annual donations, reflecting a strong and lasting culture of philanthropy.
- **Objective 4.3.2:** Increase the university endowment to \$260 million.
- **Objective 4.3.3:** Increase total donors to 7,500.
- **Objective 4.3.4:** Identify and cultivate new major gifts that support the research, facilities, and instructional growth.
- **Objective 4.3.5:** Align and expand non-credit bearing programs to meet the diverse needs of employers and the workforce in the Chattanooga region.

Community Engagement and Impact

Through community engagement and impact, UTC brings together diverse partners to transform and solve regional challenges.

Goal 5.1: Community Engagement

By 2030, we will:

- **Objective 5.1.1:** Earn the Carnegie Community Engagement Classification by 2026, recognizing UTC's commitment to meaningful community partnerships.
- **Objective 5.1.2:** Develop and publish a dashboard that tracks and provides information on community engagement by UTC faculty/staff and students.
- **Objective 5.1.3:** Foster, expand, and track community partnerships to drive economic, social, and cultural growth.
- **Objective 5.1.4:** Ensure each key academic unit has an advisory board that includes community partners and UTC Alumni.
- **Objective 5.1.5:** Increase attendance in ticketed sports at UTC athletics events by 3% year over year.
- **Objective 5.1.6:** Expand UTC's role in hosting and sponsoring campus and civic events that engage members of the community.

Goal 5.2: Community Impact

By 2030, we will:

- **Objective 5.2.1:** Assess UTC's regional economic impact.
- **Objective 5.2.2:** Increase UTC's measurable impact on economic development in the region by 15%.
- **Objective 5.2.3:** Track and boldly showcase UTC's impact on urban, rural, and suburban regions (e.g., number of patients treated, new programs to support these areas).



Agenda Item VI. Summary

Date: September 23, 2025

Agenda Item: Enrollment Growth Goals for 2030

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**Action
Required**

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**No action
required**

PRESENTER(S): Dr. Lori Mann Bruce, Chancellor, and Dr. Artanya Wesley, Vice Chancellor for Enrollment Management and Student Affairs

PURPOSE & KEY POINTS: Chancellor Bruce and Dr. Wesley will present UTC's enrollment growth goals for 2030, aligned with the University of Tennessee System's target of enrolling 71,000 students across its five campuses. UTC has set a goal of reaching 15,000 students by 2030. The presentation will outline the strategic priorities and initiatives designed to achieve this growth, including an illustrative year-over-year pathway and specific strategies to increase transfer student enrollment. Board members will hear how these efforts build toward sustainable enrollment growth in support of the System's 2030 objectives.

UT Chattanooga

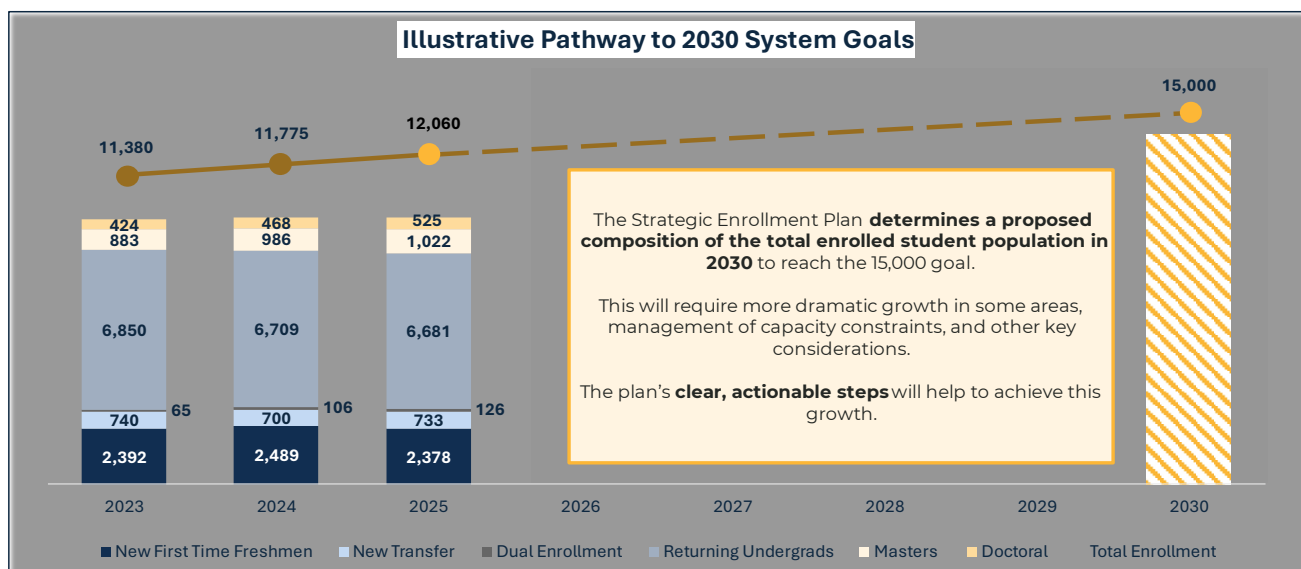
STRATEGIC ENROLLMENT PLAN:

Strategic Enrollment Plan Workshop

September 15, 2025

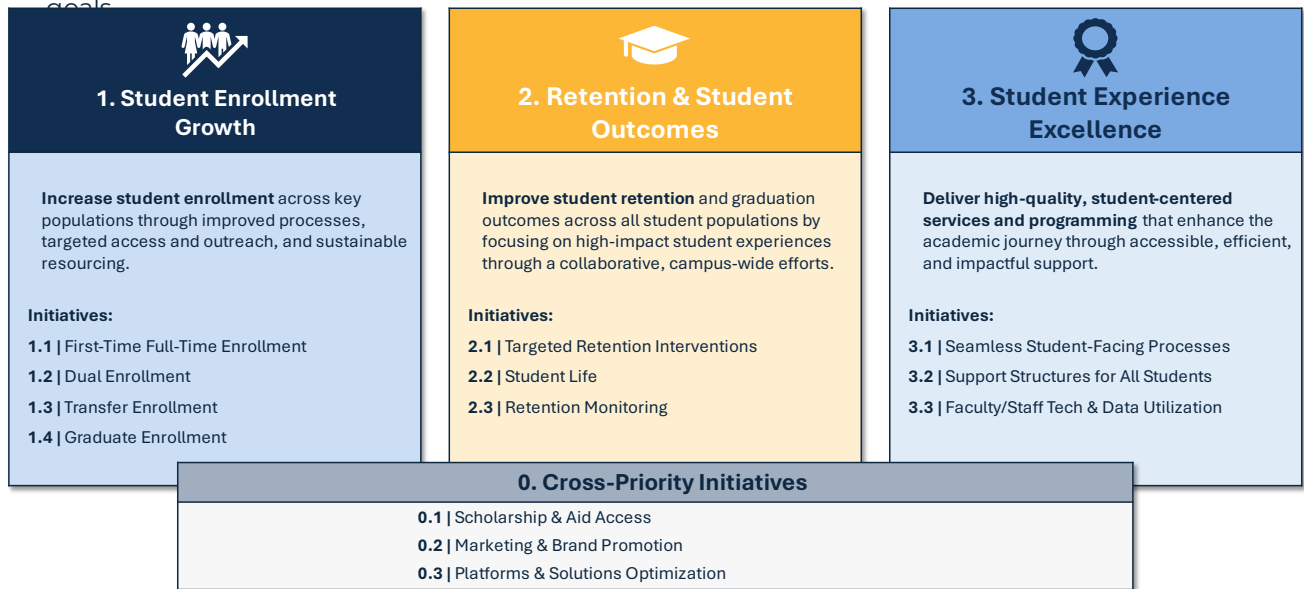
2030 System-Established UTC Goals in Context

- The University of Tennessee System has established a goal of enrolling 71,000 total students across its five campuses by 2030, UTC plans to enroll 15,000 students by 2030.



Strategic Priorities & Initiatives

- These three strategic priorities will serve as foundational elements for the Strategic Enrollment Plan, with initiatives and associated actions supporting each to ensure the achievement of the enrollment goals.



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Illustrative Year-over-Year Pathway to 15,000

- As initiatives are implemented across campus, their effects will reach populations at different times, therefore enrollment targets are incremental to match the gradual impact.

	2024	2025	2026	2027	2028	2029	2030	'25-'30 % Growth
New First Time Freshmen	2,489	2,378	2,400	2,450	2,500	2,525	2,550	7%
New Transfer	700	733	800	875	970	1,065	1,140	56%
Dual Enrollment	106	126	175	250	350	475	630	400%
Returning Undergrad*	6,907	7,159	7,273	7,445	7,685	7,974	8,325	16%
Masters	986	1,022	1,075	1,150	1,275	1,425	1,575	54%
Doctoral	468	525	535	550	565	595	630	20%
Grad Specialist & Ed Specialist**	119	117	120	125	135	145	150	28%
Total	11,775	12,060	12,378	12,845	13,480	14,204	15,000	24%

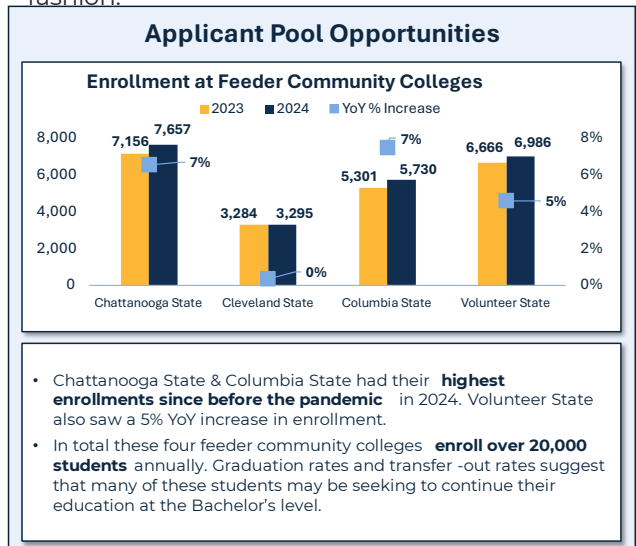
* - Includes Readmitted, Transient, & NonDegree Undergraduates

** - Includes Ed Specialist, Certificate & NonDegree Graduates

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Pathway to Achieving Transfer Goals

- To achieve aggressive transfer growth, initiative 1.3 and aligned action items will help to drive an increase in applications plus growth in yield rates to meet the 2030 enrollment target in a sustainable fashion.



Reaching 1,050 New Enrolled Transfers

		Applicant Volume					
		1,627	1,700	1,750	1,800	1,850	1,900
Yield	45%	732	765	788	810	833	855
	48%	781	816	840	864	888	912
	50%	814	850	875	900	925	950
	55%	895	935	963	990	1,018	1,045
	60%	976	1,020	1,050	1,080	1,110	1,140
	62%	1,009	1,054	1,085	1,116	1,147	1,178
	65%	1,058	1,105	1,138	1,170	1,203	1,235

- Over the past three years, the average **yield rate for transfer applicants is 45%** , with a total of **1,627 applicants** .
- In 2019, UTC had a total of **1,884 apps with a 54% yield rate** , enrolling **969 new transfer students** , demonstrating historic success with reaching this volume of applicants.
- Transfer **peer mentor interventions** for Spring 2025 transfer applicants led to an ***estimated +10% increase in yield** (~72% compared with a ~62% 3-year average from prior terms).

Source: [Tennessee Higher Education Factbook 2025](#)
*Estimates are from a CIF report in January of 2025 and use unofficial numbers from admission reports.



Agenda Item VII.

Summary

Date: September 23, 2025

Agenda Item: Athletics & NIL Updates

☐

**Action
Required**



**No action
required**

PRESENTER(S): Mr. Mark Wharton, Vice Chancellor and Director of Athletics, and Mr. Yousef Hamadeh, Assistant General Counsel

PURPOSE & KEY POINTS: Mr. Wharton and Mr. Hamadeh will provide updates on Mocs Athletics and the evolving Name, Image, and Likeness (NIL) landscape. The presentation will highlight recent athletic and academic achievements, new fundraising initiatives, and UTC's approach to supporting student-athletes while ensuring compliance with NIL regulations.

ATHLETIC HIGHLIGHTS 2024–25

- **MEN'S BASKETBALL** – First-ever **NIT National Championship**; Coach Dan Earl signed to 6-year extension
- **BEACH VOLLEYBALL** – OVC Regular Season & Tournament Champions; NCAA Tournament berth
- **MEN'S TENNIS** – Captured first national postseason title in **UTR Sports NIT Championship**
- **TRACK & FIELD** –
 - *Ryleigh Simmons*: First-ever SoCon Champion in 100m
 - *Lesley Boyd*: SoCon Champion in 5000m (2nd career title)
- **SOFTBALL** – Back-to-back SoCon Regular Season Champions (16th under Coach Frank Reed)
- **WOMEN'S BASKETBALL** – 2nd in SoCon regular season, SoCon Tournament Finalist, advanced to **WNIT Second Round**
- **WRESTLING** – 3 NCAA Qualifiers

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ACADEMIC SUCCESS 2024–25

- RECORD 3.4339 GPA – HIGHEST IN DEPARTMENT HISTORY
- ALL 16 MOCS PROGRAMS SCORED A 3.0 OR HIGHER TEAM GPA FOR THE 14TH CONSECUTIVE YEAR.
- SIXTY-FIVE STUDENT-ATHLETES EARNED PERFECT 4.0 GPAS.
- 71.9% DEAN'S LIST | 81.94% A.D. HONOR ROLL

SoCon \$ RANKING

2024 - 2025

School	Estimated NIL \$ Per Year
1	550k+
2	350k+
3	300k+
4	200k+
5	150k+
6	<100k
CHATTANOOGA	<100k
8	50k
9	50k
10	50k

2025 - 2026

School	Estimated NIL \$ Per Year
1	800k-1m
2	800k-1m
3	750k+
CHATTANOOGA	500k
5	500k+
6	<500k+
7	350k+
8	250k+
9	200k+
10	100k+

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MOCS CLUB

New initiative model that represents our commitment to giving our coaches a competitive edge by providing the necessary resources for our student-athletes to succeed.

KEY CAMPAIGN FUNCTIONS

\$5M
OVER THE NEXT
5 YEARS

**TAX-
DEDUCTIBLE
BENEFIT**

\$1M
ANNUALLY

*MULTI-YEAR COMMITMENTS UP TO 5 YEARS ARE ALLOWED

- Allows us to use funds to make immediate impacts on high that affect the student - athletes experience
- Adds additional monies to student - athlete scholarships
- Allows us to lower the cost of obtaining a college degree
- impact areas

DRAFT

THANK YOU!



West's Tennessee Code Annotated
Title 49. Education
Chapter 7. Postsecondary and Higher Education Generally
Part 28. Intercollegiate Athlete's Name, Image, or Likeness

T. C. A. T. 49, Ch. 7, Pt. 28, Refs & Annos

Currentness

T. C. A. T. 49, Ch. 7, Pt. 28, Refs & Annos, TN ST T. 49, Ch. 7, Pt. 28, Refs & Annos
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[West's Tennessee Code Annotated](#)

[Title 49. Education](#)

[Chapter 7. Postsecondary and Higher Education Generally](#)

[Part 28. Intercollegiate Athlete's Name, Image, or Likeness \(Refs & Annos\)](#)

T. C. A. § 49-7-2801

§ 49-7-2801. Part definitions

[Currentness](#)

- (1) “Athlete agent” has the same meaning as defined in [§ 49-7-2102](#);
- (2) “Athletic association” means a corporation, association, or any other group organized or with authority to set common rules, bylaws, standards, procedures, policies, or guidelines in administering, sponsoring, or arranging intercollegiate athletics and its athletic competitions between and amongst multiple member institutions and intercollegiate athletes in more than one (1) state;
- (3) “Athletic program” means an intercollegiate athletic program at an institution;
- (4) “Compensation” means payments, benefits, or other forms of remuneration that may be provided to an intercollegiate athlete pursuant to [§ 49-7-2802\(a\)](#), but does not include state appropriated funds;
- (5) “Institution”:
- (A) Means a four-year public or private institution of higher education located in this state and includes an officer, director, or employee thereof, including athletic program coaches and staff; and
- (B) Does not include an institution of higher education governed by the board of regents of the state university and community college system; and
- (6) “Intercollegiate athlete” means a student who is enrolled in an institution and participates in an athletic program or a

prospective student who has started or completed ninth grade and can, in the future, enroll in an institution and participate in an athletic program.

Credits

[2025 Pub.Acts, c. 300, § 1, eff. May 1, 2025.](#)

T. C. A. § 49-7-2801, TN ST § 49-7-2801

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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[Part 28. Intercollegiate Athlete's Name, Image, or Likeness \(Refs & Annos\)](#)

T. C. A. § 49-7-2802

§ 49-7-2802. Intercollegiate athletes; compensation for use of name, image, and likeness; representation

[Currentness](#)

(a) An intercollegiate athlete may perform diligence and receive compensation related to the use of the intercollegiate athlete's name, image, or likeness, the intercollegiate athlete's enrollment at an institution, roster position with its athletics program, or any other categories of compensation available to or received by similarly situated intercollegiate athletes in interstate commerce.

(b)(1)(A) A third party, including, but not limited to, an institution and its affiliated foundations, or a third party authorized to act on behalf of such institution or affiliated foundation, may facilitate, offer, and provide compensation described in subsection (a) to an intercollegiate athlete unless expressly prohibited or limited by:

(i) Federal law;

(ii) A valid court order with binding jurisdiction over an institution and its intercollegiate athletes; or

(iii) An institution's athletic association that satisfies the requirements in subdivision (b)(3).

(B) A third party acting or purporting to act on behalf of an institution or its affiliated foundation pursuant to this subdivision (b)(1) shall provide the intercollegiate athlete, upon request by the intercollegiate athlete, with written evidence and the ability to verify such evidence with the institution or its affiliated foundation within one (1) week of the request; provided, that if the third party does not comply with the request in a timely manner or the intercollegiate athlete is otherwise unable to verify authorization, then, upon notice by the intercollegiate athlete, any contract entered into between an unauthorized third party and an intercollegiate athlete is deemed null and void from its inception without penalty, loss, or fault.

(2) Neither a grant-in-aid for athletics awarded to an intercollegiate athlete by an institution, including the cost of attendance, nor an institution's or its affiliated foundation's involvement in support of name, image, or likeness activities under this part constitutes compensation to, or representation of, an intercollegiate athlete by the institution for purposes of this section. Such institutional and affiliated foundation involvement shall be in furtherance of public policy and may include, but not be limited to, entering into or otherwise participating in any business arrangements with third parties that may provide economic incentives, foster start-ups, make investments, explore business combinations, develop licensing opportunities, or involve any other commercial activity that directly or indirectly benefits the state, the institution, the affiliated foundation, intercollegiate athletes, or industry participants.

(3) Regardless of the source of authority of an institution's athletic association pursuant to subdivisions (b)(1) or (b)(2), or any of its arrangements, agreements, contracts, transactions, settlements, or vote of any kind, the athletic association shall:

(A) Preserve all rights afforded to intercollegiate athletes under applicable state and federal law;

(B) Preserve all immunities and rights available to each of its member institutions under applicable state and federal law;

(C) Not establish, adopt, promulgate, implement, or enforce any rule, standard, procedure, policy, or guideline that violates an applicable state or federal antitrust law and, prior to any implementation or enforcement thereof, the athletic association must ensure that any action or conduct expected to be carried out, executed, required, or otherwise performed thereunder by any institution, its affiliated foundation, the athletic association itself, an intercollegiate athlete, or an authorized third party thereof is and will be legally exempt from applicable antitrust laws and meets the requirements of subdivisions (b)(3)(A) and (B), regardless of whether a choice or option is made available by the association; and

(D) Not directly or indirectly condition, threaten, lessen, refuse, remove, terminate, cancel, circumvent, penalize, disrupt, or otherwise interfere with, in any way or degree, an institution's full enjoyment of its current and future membership, status, or any related rights in the same, including, but not limited to, voting rights, participation in athletic events, broadcasts, revenue, or athlete eligibility based, in whole or part, on such association's failure to adhere to, uphold, or otherwise satisfy the requirements of this subdivision (b)(3) or any applicable law.

(4) An institution's athletic association shall not create or impose unfair, anticompetitive, or unlawful conditions that directly or indirectly compel an institution or intercollegiate athlete to participate under such conditions or risk violating state or federal law, regardless of whether a choice or option is made available by the association. The availability of a choice, vote, authorization, or mitigation attempt of any kind does not absolve or relieve the athletic association of its obligations under subdivision (b)(3) or this subdivision (b)(4). The requirements of subdivision (b)(3) and this subdivision (b)(4) apply irrespective of a party's participation in such conditions. The athletic association shall fully indemnify and hold harmless the state, its institutions, and intercollegiate athletes from any damages, losses, claims, or remedies of any kind arising from its noncompliance or failure under such applicable law. Any violation of subdivision (b)(3) is unenforceable against institutions and intercollegiate athletes without penalty, loss, or fault.

(c) An institution and its affiliated foundations must not be held liable to a third party or an intercollegiate athlete for any

damages, losses, or claims of any kind resulting from, or related to, its good faith decisions, actions, or involvement in name, image, or likeness activities taken in the course of its participation in intercollegiate athletics or matters otherwise concerning this section. This chapter, including this section, does not waive or abrogate, in any way, sovereign immunity or any other right of immunity available at law.

(d) Intercollegiate athletes who earn third-party compensation pursuant to subsection (a) may be required to disclose any agreement and the terms of such agreement, subject to any commercially reasonable terms or conditions contained therein, to an athletic association or an institution, and file annual reports at a time and in a manner designated by the athletic association or the institution.

(e) Any diligence performed, or compensation earned, does not affect the intercollegiate athlete's grant-in-aid or athletic eligibility. To the extent that intercollegiate athletes receive need-based financial aid, an institution may adjust an intercollegiate athlete's need-based financial aid as a result of compensation earned under this part in the same manner as the institution would for other students with equivalent levels of financial need.

(f) An institution may adopt reasonable time, place, and manner restrictions to prevent an intercollegiate athlete's name, image, or likeness activities from interfering with team activities, the institution's operations, or the use of the institution's facilities, or where an athlete is engaged, or expected to be engaged, in any academic or athletic program activities at the institution.

(g)(1) An institution may prohibit an intercollegiate athlete's involvement in name, image, and likeness activities that are reasonably considered to be in conflict with the values of the institution.

(2) An institution may prohibit use of the institution's intellectual property, including, but not limited to, its trademarks, trade dress, and copyrights, by the institution's intercollegiate athletes in the athletes' personal name, image, and likeness activities.

(3) Intercollegiate athletes are prohibited from involvement in name, image, or likeness activities that promote gambling, tobacco, tetrahydrocannabinol products or derivatives, alcohol, and adult entertainment.

(h)(1) An intercollegiate athlete may obtain representation by a third party, including, but not limited to, an athlete agent, for the purpose of performing diligence and securing compensation contemplated pursuant to this part. Any third-party representative of an intercollegiate athlete under this part is a fiduciary for the represented intercollegiate athlete. All athlete agents who represent intercollegiate athletes under this part for purposes of securing compensation must be licensed under § 49-7-2104, and must satisfy the requirements of chapter 7, part 21 of this title. If the athlete's representative is an attorney who represents an intercollegiate athlete for purposes of performing diligence and securing compensation, then the attorney must be active and in good standing with the board of professional responsibility or equivalent entity in the state in which the attorney is licensed.

(2) Parents, siblings, grandparents, spouses, and legal guardians of an intercollegiate athlete who represent the intercollegiate athlete for the purpose of performing diligence and securing compensation for the use of the intercollegiate athlete's name, image, or likeness are not considered to be athlete agents for purposes of this part and are not subject to the requirements for athlete agents as prescribed by this part or part 21 of this chapter.

(3) An institution and its affiliated foundations who assist, facilitate, or otherwise provide support to an intercollegiate athlete for the purpose of performing diligence and securing third-party compensation contemplated under subsections (a) and (b) are not athlete agents for purposes of this part, and are not subject to the requirements for athlete agents as prescribed by this part or part 21 of this chapter; provided, that an individual of such institution or affiliated foundation shall not have a direct pecuniary or financial interest in the specific terms of the intercollegiate athlete's third-party compensation other than a third-party agreement described in subdivision (b)(1), and such individual does not coerce, compel, or interfere with an intercollegiate athlete's decision to earn such compensation.

(i)(1) An intercollegiate athlete or the athlete's representative shall not enter into an agreement for compensation pursuant to subsection (a) if the agreement conflicts or unreasonably competes with the terms of an existing agreement entered into at any time by the institution the athlete attends or its affiliated foundations.

(2) The institution or affiliated foundation asserting a conflict or unreasonable competition under this subsection (i) shall disclose the relevant terms of the institution's existing agreement that conflicts or unreasonably competes with the athlete's agreement to the intercollegiate athlete or the athlete's representative.

(j) Any agreement entered into by an intercollegiate athlete under eighteen (18) years of age for the use of the athlete's name, image, or likeness must be in accordance with the Tennessee Protection of Minor Performers Act, compiled in title 50, chapter 5, part 2.

(k) An agreement for representation of an intercollegiate athlete must not be in effect any longer than the duration of the athlete's participation in an athletic program at an institution. If an intercollegiate athlete enters into a third-party agreement other than an agreement described in subdivision (b)(1), and the agreement with the third party is in conflict with an athlete's eligibility to participate in an athletic program at an institution, or will prevent an athlete from participating in any athletic program event, then the agreement must be immediately rescinded or modified to adequately remove the defect and preserve the athlete's eligibility prior to participating in the athletic program or the event and, if the agreement is not timely resolved or the third party is otherwise in default, then the athlete has the right to have such agreement immediately deemed null and void from its inception, and all rights under the agreement must immediately revert to the athlete without fault, loss, or penalty.

(l) Institutions shall conduct a financial literacy workshop for intercollegiate athletes during the athlete's first full-time term of enrollment. The workshop must cover, at a minimum, information related to the requirements of this part, budgeting, and debt management. An institution and its affiliated foundations may contract with qualified persons or entities to conduct the workshop.

(m)(1) Notwithstanding § 10-7-503 or another law to the contrary, any records, materials, information, or other data received, developed, generated, ascertained, or discovered in the course of diligence, compensation, or other activities pursuant to this section, including, but not limited to, planning, strategies, recruitment, eligibility, competition, marketing, commercial opportunities, financial strategies, or other matters pertaining thereto, regardless of physical form or characteristics, are confidential and not subject to public inspection under the open records laws.

(2) Notwithstanding subdivision (m)(1), upon an institution receiving a public records request pursuant to the open records laws, compiled in title 10, chapter 7, the institution shall make available annualized, aggregated compensation data representing actual amounts provided by such institution to its intercollegiate athletes for an academic year pursuant to subdivision (b)(1) for an intercollegiate athlete's name, image, and likeness; provided, however, such data must not reveal any personally identifiable information of an intercollegiate athlete protected under state or federal law nor reveal any proprietary business information of a third party, including confidential commercial terms.

(3) The attorney general and reporter or a state agency performing an official function may review all records, materials, or other information subject to this subsection (m); provided, however, that any information obtained remains confidential and is not subject to disclosure.

(4) This subsection (m) does not prohibit voluntary disclosure by an intercollegiate athlete, the athlete's representative, an institution, an affiliated foundation, or an authorized third party.

(5) This subsection (m) is repealed on July 1, 2032.

Credits

[2025 Pub.Acts, c. 300, § 1, eff. May 1, 2025.](#)

T. C. A. § 49-7-2802, TN ST § 49-7-2802

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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[Chapter 7. Postsecondary and Higher Education Generally](#)

[Part 28. Intercollegiate Athlete's Name, Image, or Likeness \(Refs & Annos\)](#)

T. C. A. § 49-7-2803

§ 49-7-2803. Athletic associations; intercollegiate athletes; interference prohibited

[Currentness](#)

(a) An institution's athletic association shall not:

(1) Interfere with, prohibit, restrict, or otherwise adversely affect an intercollegiate athlete's ability to earn compensation, seek representation, perform diligence, or otherwise participate in an activity described in [§ 49-7-2802](#) and shall not otherwise impact an intercollegiate athlete's eligibility or full participation in intercollegiate athletic events;

(2) Interfere with, prohibit, restrict, or otherwise punish an institution and its affiliated foundation for participating in an activity described in [§ 49-7-2802](#);

(3) Threaten, condition, or cause an institution or a governing body of this state to repeal any state law and suffer any detrimental harm, economic or otherwise, in order to participate in such association and enjoy its full rights of membership or otherwise thereunder; or

(4) Violate [§ 49-7-2802\(b\)\(4\)](#); unless, in each case, this part is invalidated or rendered unenforceable by operation of law. The attorney general and reporter may bring any appropriate action or proceeding against an institution's athletic association in any court of competent jurisdiction pursuant to this part.

(b) This section does not authorize, create, or afford any private cause of action, liability, or basis for injunctive or equitable relief by any private person or entity by virtue of such party's or entity's relationship with an institution's athletic association.

Credits

[2025 Pub.Acts, c. 300, § 1, eff. May 1, 2025.](#)

T. C. A. § 49-7-2803, TN ST § 49-7-2803

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Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 28. Intercollegiate Athlete's Name, Image, or Likeness (Refs & Annos)

T. C. A. § 49-7-2804

§ 49-7-2804. Private institutions; athletic associations; opt-out provisions; notice

Currentness

(a) Notwithstanding §§ 49-7-2802 and 49-7-2803, a private institution of higher education and an athletic association of which the private institution is a member may, upon mutual agreement between the institution and the athletic association, opt out of the requirements of § 49-7-2802(b)(3) or (b)(4) or § 49-7-2803 with respect to the athletic association's common rules, bylaws, standards, procedures, policies, or guidelines pertaining to intercollegiate athletes enrolled at the private institution; provided, that no private institution's agreement can modify or prevent the application of this chapter with regard to the athletic association and its relationship to other institutions or other intercollegiate athletes.

(b) The private institution shall provide notice to all intercollegiate athletes enrolled at the institution and all members of the relevant athletic association described in subsection (a) of any mutual election to opt out of any provision of this part within the earlier of thirty (30) days of the mutual election or thirty (30) days of an intercollegiate athlete's first enrollment at the institution where the athlete intends to participate in the institution's athletic program.

Credits

2025 Pub.Acts, c. 300, § 1, eff. May 1, 2025.

T. C. A. § 49-7-2804, TN ST § 49-7-2804

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Agenda Item VIII.

Summary

Date: September 23, 2025

Agenda Item: DEI Policy Landscape: Federal and State Updates

☐

**Action
Required**

☒

**No action
required**

PRESENTER(S): Dr. Lori Mann Bruce, Chancellor, and Mr. Yousef Hamadeh, Assistant General Counsel

PURPOSE & KEY POINTS: Chancellor Bruce and Mr. Hamadeh will provide an overview of the current federal and state policy landscape related to diversity, equity, and inclusion (DEI). The update will address recent legislative changes and compliance requirements, outline how UTC is adapting institutional practices to remain aligned with state and federal law, and highlight memos from UT System President Randy Boyd clarifying the role of Access and Engagement. The presentation will also provide context on the system-wide compliance review currently underway.

Office of the President

Clarifying the Role of Access and Engagement

Colleagues,

I want to take a moment to make clear our position regarding access and engagement at the University of Tennessee System and all its campuses, especially in light of recent questions and public commentary.

The purpose of access and engagement is to support academic access, foster community partnerships and promote merit-based student success. These efforts are directly aligned with our System's Statement of Aspirations, which commits us to removing barriers to educational opportunity and ensuring every Tennessean has the chance to succeed.

Let me be clear: access and engagement is not DEI in disguise. All our work must and will remain fully compliant with state and federal law.

In 2023 I directed all of our chancellors to make necessary changes in their organizational structures and strategies. The goal was – and still is – to better reflect a mission rooted in expanding educational opportunity, rewarding excellence and merit across our system, and promoting service and community connection for all students. That directive set campus efforts on a new path embodying our land-grant mission.

To bolster our compliance efforts, I have launched an independent review of our access and engagement activities across the UT System. This review will be prioritized to ensure our ongoing compliance with federal and state laws, as well as adherence to my charge.

As an additional measure, we are instituting mandatory training for all employees across the system to ensure that everyone knows the laws and regulations applicable in this space.

The University of Tennessee System has always complied with both the letter and the spirit of the law. We will continue to do so. Thank you for all you do to advance our mission and serve the people of Tennessee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Boyd', with a long, sweeping underline.

Randy Boyd
President, University of Tennessee System

Follow Randy on social:



The University of Tennessee is a statewide system of higher education with campuses in Knoxville, Chattanooga, Pulaski, Martin and Memphis; the UT Institute of Agriculture with a presence in every Tennessee county; and the statewide Institute for Public Service. The UT

Office of the President

Update on Compliance Review

Colleagues,

Our responsibility to students, our state and the people of Tennessee includes strict adherence to all state and federal laws regarding unlawful discrimination. I want to share where we currently stand in that work.

As referenced in my [July 24 email](#), the UT System Offices of Audit and Compliance and General Counsel are conducting a review of our compliance with DEI-related laws and regulations. To assist with this work, we have engaged outside counsel from Saul Ewing, LLP, a national law firm with significant expertise in this area. The review is underway and will be comprehensive – examining policies and activities at all campuses, institutes and throughout our administrative offices at the system level.

The scope of the review also will include [new guidance issued July 29 by the U.S. Department of Justice](#). This guidance outlines legal risks associated with initiatives that may be interpreted as discriminatory and offers recommended approaches to help organizations reduce the likelihood of violations.

Compliance is a top priority, as well as a priority shared by every campus and institute leader. Failing to meet this responsibility would undermine the trust placed in us and our ability to fulfill our mission.

Finally, we need — and expect — your cooperation in this work. Please be proactive: review the latest federal guidance and work with your campus, institute and system administration leaders to do all that you can to help ensure that your department is in compliance. If you are contacted by team

members from audit and compliance, general counsel or our outside counsel, you are expected to be responsive and helpful in this process.

Thank you for your dedication to our mission. I have complete confidence in our ability to comply while continuing to advance our mission of education, research and outreach. Working together, we will continue to build a university system that serves every county and community in our state and all who call Tennessee home.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Boyd', with a long, sweeping underline.

Randy Boyd
President, University of Tennessee System

Follow Randy on social:



The University of Tennessee is a statewide system of higher education with campuses in Knoxville, Chattanooga, Pulaski, Martin and Memphis; the UT Institute of Agriculture with a



Office of the Attorney General
Washington, D. C. 20530

July 29, 2025

MEMORANDUM FOR ALL FEDERAL AGENCIES

FROM:

THE ATTORNEY GENERAL

A handwritten signature in black ink, appearing to be "JD", is written over the words "THE ATTORNEY GENERAL".

SUBJECT:

GUIDANCE FOR RECIPIENTS OF FEDERAL FUNDING
REGARDING UNLAWFUL DISCRIMINATION

I. INTRODUCTION

One of our Nation's bedrock principles is that all Americans must be treated equally. Not only is discrimination based on protected characteristics illegal under federal law, but it is also dangerous, demeaning, and immoral. Yet in recent years, the federal government has turned a blind eye toward, or even encouraged, various discriminatory practices, seemingly because of their purportedly benign labels, objectives, or intentions. No longer. Going forward, the federal government will not stand by while recipients of federal funds engage in discrimination.

This guidance clarifies the application of federal antidiscrimination laws to programs or initiatives that may involve discriminatory practices, including those labeled as Diversity, Equity, and Inclusion ("DEI") programs.¹ Entities receiving federal funds, like all other entities subject to federal antidiscrimination laws, must ensure that their programs and activities comply with federal law and do not discriminate on the basis of race, color, national origin, sex, religion, or other protected characteristics—no matter the program's labels, objectives, or intentions. In furtherance of that requirement, this guidance identifies "Best Practices" as non-binding suggestions to help entities comply with federal antidiscrimination laws and avoid legal pitfalls; these are not mandatory requirements but rather practical recommendations to minimize the risk of violations.

Entities that receive federal financial assistance or that are otherwise subject to federal anti-discrimination laws, including educational institutions, state and local governments, and public and private employers, should review this guidance carefully to ensure all programs comply with their legal obligations.

¹ DEI programs go by other names as well, such as Diversity, Equity, Inclusion, and Accessibility ("DEIA") and Diversity, Equity, Inclusion, and Belonging ("DEIB").

II. EXECUTIVE SUMMARY

This guidance emphasizes the significant legal risks of initiatives that involve discrimination based on protected characteristics and provides non-binding best practices to help entities avoid the risk of violations. Key points include:

- **Statutory nondiscrimination requirements:** Federal law prohibits discrimination based on protected characteristics like race, sex, color, national origin, or religion.
- **Legal pitfalls of DEI Programs:** The use of terms such as “DEI,” “Equity,” or other euphemistic terms does not excuse unlawful discrimination or absolve parties from scrutiny regarding potential violations.
- **Prohibition on Protected Characteristics as Criteria:** Using race, sex, or other protected characteristics for employment, program participation, resource allocation, or other similar activities, opportunities, or benefits, is unlawful, except in rare cases where such discrimination satisfies the relevant level of judicial scrutiny.
- **Importance of Sex-Separated Intimate Spaces and Athletic Competitions:** Compelling employees to share intimate spaces with the opposite sex or allowing men to compete in women’s athletic competitions would typically be unlawful.
- **Unlawful Proxy Discrimination:** Facially neutral criteria (e.g., “cultural competence,” “lived experience,” geographic targeting) that function as proxies for protected characteristics violate federal law if designed or applied with the intention of advantaging or disadvantaging individuals based on protected characteristics.
- **Scrutiny of Third-Party Funding:** Recipients of federal funds should ensure federal funds do not support third-party programs that discriminate.
- **Protection Against Retaliation:** Individuals who object to or refuse to participate in discriminatory programs, trainings, or policies are protected from adverse actions like termination or exclusion based on that individual’s opposition to those practices.²

III. KEY FEDERAL ANTIDISCRIMINATION PROVISIONS AND LAW

Federal antidiscrimination laws prohibit discrimination on the basis of protected characteristics, including race, color, religion, sex, and national origin. The U.S. Supreme Court has consistently held that policies or practices based upon protected characteristics are subject to

² Unlawful retaliation occurs when a federally funded entity takes adverse actions against employees, participants, or beneficiaries because they engage in protected activities related to opposing DEI practices they reasonably believe violate federal antidiscrimination laws.

rigorous judicial scrutiny. Race-based classifications are subject to strict scrutiny, requiring a compelling governmental interest and narrowly tailored means to achieve that interest.³ Sex-based classifications are subject to heightened scrutiny, requiring an exceedingly persuasive justification and substantial relation to an important governmental objective.⁴ Discrimination based on other protected characteristics, such as religion, is also evaluated under analogous standards.⁵ Entities receiving federal funds must comply with applicable civil rights laws, including:

- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance. This includes most educational institutions, healthcare providers, and state and local government agencies.
- **Title VII of the Civil Rights Act of 1964:** Prohibits employment discrimination based on, or motivated by, race, color, religion, sex, or national origin, in any terms, conditions, or privileges of employment, including hiring, promotion, demotion, termination, compensation, job transfers, training, or access to employment privileges and benefits.
- **Title IX of the Education Amendments of 1972:** Prohibits discrimination based on sex in education programs or activities receiving federal financial assistance. Title IX protections extend beyond athletics and include addressing sexual harassment, sex-based harassment, admissions policies, and equal access to resources and programs.

³ See, e.g., *Students for Fair Admissions, Inc. v. Harvard*, 600 U.S. 181, 214 (2023) (holding racial classifications by public institutions are subject to strict scrutiny and racial classifications by private institutions can serve as basis for revoking funding under Title VI); *Ricci v. DeStefano*, 557 U.S. 557, 579 (2009) (“[E]xpress, race-based decision-making violates Title VII’s command that employers cannot take adverse employment actions because of an individual’s race.”); see also *Vitolo v. Guzman*, 999 F.3d 353, 361 (6th Cir. 2021) (holding grant program with race and sex preferences is unlawful under Equal Protection Clause).

⁴ See, e.g., *United States v. Virginia*, 518 U.S. 515, 531 (1996).

⁵ See, e.g., *Espinoza v. Montana Dep’t of Revenue*, 591 U.S. 464, 479 (2020) (“The Free Exercise Clause, which applies to the States under the Fourteenth Amendment, protects religious observers against unequal treatment and against laws that impose special disabilities on the basis of religious status [S]trict scrutiny applies . . . because Montana’s no-aid provision discriminates based on religious status”); *Shapiro v. Thompson*, 394 U.S. 618, 631 (1969) (holding discriminating against individual for exercising fundamental constitutional rights is subject to heightened scrutiny), *overruled on other grounds by Edelman v. Jordan*, 415 U.S. 651 (1974); see also *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 540 (1993) (relying on Equal Protection principles in holding intentional discrimination against exercise of religion is subject to strict scrutiny).

- **Equal Protection Clause of the Fourteenth Amendment:** Prohibits States from denying any person the equal protection of the laws, relevant in the context of discrimination claims involving state or local government actions.

IV. UNLAWFUL DISCRIMINATORY POLICIES AND PRACTICES

The following is a non-exhaustive list of unlawful practices that could result in revocation of grant funding. Federal funding recipients may also be liable for discrimination if they knowingly fund the unlawful practices of contractors, grantees, and other third parties.

A. Granting Preferential Treatment Based on Protected Characteristics

1. What Constitutes Unlawful Preferential Treatment?

Preferential treatment occurs when a federally funded entity provides opportunities, benefits, or advantages to individuals or groups based on protected characteristics in a way that disadvantages other qualified persons, including such practices portrayed as “preferential” to certain groups. Such practices violate federal law unless they meet very narrow exceptions.

2. Examples of Unlawful Practices

Race-Based Scholarships or Programs: A university’s DEI program establishes a scholarship fund exclusively for students of a specific racial group (e.g., “Black Student Excellence Scholarship”) and excludes otherwise qualified applicants of other races, even if they meet academic or financial need criteria. This extends to any race-exclusive opportunities, such as internships, mentorship programs, or leadership initiatives that reserve spots for specific racial groups, regardless of intent to promote diversity. Such race-exclusive programs violate federal civil rights law by discriminating against individuals based solely on their race or treating people differently based on a protected characteristic without meeting the strict legal standards required for race-conscious programs.

Preferential Hiring or Promotion Practices: A federally funded entity’s DEI policy prioritizes candidates from “underrepresented groups” for admission, hiring, or promotion, bypassing qualified candidates who do not belong to those groups, where the preferred “underrepresented groups” are determined on the basis of a protected characteristic like race.

Access to Facilities or Resources Based on Race or Ethnicity: A university’s DEI initiative designates a “safe space” or lounge exclusively for students of a specific racial or ethnic group.

B. Prohibited Use of Proxies for Protected Characteristics

1. What Constitutes Unlawful Proxies?

Unlawful proxies occur when a federally funded entity intentionally uses ostensibly neutral criteria that function as substitutes for explicit consideration of race, sex, or other protected characteristics. While these criteria may appear facially neutral, they become legally problematic under any of the following circumstances:

- They are selected because they correlate with, replicate, or are used as substitutes for protected characteristics.
- They are implemented with the intent to advantage or disadvantage individuals based on protected characteristics.

2. Examples of Potentially Unlawful Proxies

“Cultural Competence” Requirements: A federally funded university requires job applicants to demonstrate “cultural competence,” “lived experience,” or “cross-cultural skills” in ways that effectively evaluate candidates’ racial or ethnic backgrounds rather than objective qualifications. This includes selection criteria that advantage candidates who have experiences the employer associates with certain racial groups. For instance, requiring faculty candidates to describe how their “cultural background informs their teaching” may function as a proxy if used to evaluate candidates based on race or ethnicity.

Geographic or Institutional Targeting: A federally funded organization implements recruitment strategies targeting specific geographic areas, institutions, or organizations chosen primarily because of their racial or ethnic composition rather than other legitimate factors.

“Overcoming Obstacles” Narratives or “Diversity Statements”: A federally funded program requires applicants to describe “obstacles they have overcome” or submit a “diversity statement” in a manner that advantages those who discuss experiences intrinsically tied to protected characteristics, using the narrative as a proxy for advantaging that protected characteristic in providing benefits.

C. Segregation Based on Protected Characteristics

1. What Constitutes Unlawful Segregation?

Segregation based on protected characteristics occurs when a federally funded entity organizes programs, activities, or resources—such as training sessions—in a way that separates or restricts access based on race, sex, or other protected characteristics. Such practices generally violate federal law by creating unequal treatment or reinforcing stereotypes, regardless of the stated goal (e.g., promoting inclusion or addressing historical inequities). Exceptions are narrow

and include only cases where federal law expressly permits race-based remedies for specific, documented acts of past discrimination by the institution itself, or in specialized contexts such as correctional facilities where courts have recognized compelling institutional interests.

While compelled segregation is generally impermissible, failing to maintain sex-separated athletic competitions and intimate spaces can also violate federal law. Federally funded institutions that allow males, including those self-identifying as “women,” to access single-sex spaces designed for females—such as bathrooms, showers, locker rooms, or dormitories—undermine the privacy, safety, and equal opportunity of women and girls. Likewise, permitting males to compete in women’s athletic events almost invariably denies women equal opportunity by eroding competitive fairness. These policies risk creating a hostile environment under Title VII, particularly where they compromise women’s privacy, safety, or professional standing, and can violate Title IX by denying women access to the full scope of sex-based protections in education. To ensure compliance with federal law and to safeguard the rights of women and girls, organizations should affirm sex-based boundaries rooted in biological differences.

2. Examples of Unlawful Practices

Race-Based Training Sessions: A federally funded university hosts a DEI training program that requires participants to separate into race-based groups (e.g., “Black Faculty Caucus” or “White Ally Group”) for discussions, prohibiting individuals of other races from participating in specific sessions. In contrast, a “Faculty Academic Support Network” open to all faculty interested in promoting student success avoids reliance on protected characteristics and complies with federal law.

Segregation in Facilities or Resources: A college receiving federal funds designates a “BIPOC-only study lounge,” facially discouraging access by students of other races. Even if access is technically open to all, the identity-based focus creates a perception of segregation and may foster a hostile environment. This extends to any resource allocation—such as study spaces, computer labs, or event venues—that segregates access based on protected characteristics, even if intended to create “safe spaces.” This does not apply to facilities that are single-sex based on biological sex to protect privacy or safety, such as restrooms, showers, locker rooms, or lodging.

Implicit Segregation Through Program Eligibility: A federally funded community organization hosts a DEI-focused workshop series that requires participants to identify with a specific racial or ethnic group (e.g., “for underrepresented minorities only”) or mandates sex-specific eligibility, effectively excluding others who meet objective program criteria. Use of Protected Characteristics in Candidate Selection

3. What Constitutes Unlawful Use of Protected Characteristics?

Unlawful use of protected characteristics occurs when a federally funded entity or program considers race, sex, or any other protected trait as a basis for selecting candidates for employment

(e.g., hiring, promotions), contracts (e.g., vendor agreements), or program participation (e.g., internships, admissions, scholarships, training). This includes policies that explicitly mandate representation of specific groups in candidate pools or implicitly prioritize protected characteristics through selection criteria, such as “diverse slate” requirements, diversity decision-making panels, or diversity-focused evaluations. It also includes requirements that contracting entities utilize a specific level of working hours from individuals of certain protected characteristics to complete the contract. Such practices violate federal law by creating unequal treatment or disadvantaging otherwise qualified candidates, regardless of any intent to advance diversity goals.

4. Examples of Unlawful Practices

Race-Based “Diverse Slate” Policies in Hiring: A federally funded research institute adopts a policy requiring that all interview slates for faculty positions include a minimum number of candidates from specific racial groups (e.g., at least two “underrepresented minority” candidates), rejecting otherwise qualified candidates who do not meet this racial criterion. This extends to any policy that sets racial benchmarks or mandates demographic representation in candidate pools, such as requiring a certain percentage of finalists to be from “diverse” backgrounds.

Sex-Based Selection for Contracts: A federally funded state agency implements a DEI policy that prioritizes awarding contracts to women-owned businesses, automatically advancing female vendors or minority-owned businesses over equally or more qualified businesses without preferred group status. This includes any contract selection process that uses sex or race as a tiebreaker or primary criterion, such as policies favoring “minority- or women-owned” businesses without satisfying the appropriate level of judicial scrutiny.

Race- or Sex-Based Program Participation: A federally funded university’s internship program requires that 50% of selected participants be from “underrepresented racial groups” or female students, rejecting equally or more qualified applicants who do not meet these demographic criteria. This extends to any program—such as scholarships, fellowships, or leadership initiatives—that uses race, sex, or any other protected characteristic as a selection criterion, even if framed as addressing underrepresentation.

D. Training Programs That Promote Discrimination or Hostile Environments

1. What Constitutes Unlawful DEI Training Programs?

Unlawful DEI training programs are those that—through their content, structure, or implementation—stereotype, exclude, or disadvantage individuals based on protected characteristics or create a hostile environment. This includes training that:

- Excludes or penalizes individuals based on protected characteristics.

- Creates an objectively hostile environment through severe or pervasive use of presentations, videos, and other workplace training materials that single out, demean, or stereotype individuals based on protected characteristics.

2. Examples of Unlawful Practices

Trainings That Promote Discrimination Based on Protected Characteristics: A federally funded school district requires teachers to complete a DEI training that includes statements stereotyping individuals based on protected characteristics—such as “all white people are inherently privileged,” “toxic masculinity,” etc. Such trainings may violate Title VI or Title VII if they create a hostile environment or impose penalties for dissent in ways that result in discriminatory treatment.⁶

E. Recommendations on Best Practices

Ensure Inclusive Access: All workplace programs, activities, and resources should be open to all qualified individuals, regardless of race, sex, or other protected characteristics. Avoid organizing groups or sessions that exclude participants based on protected traits. Some sex separation is necessary where biological differences implicate privacy, safety, or athletic opportunity.

Focus on Skills and Qualifications: Base selection decisions on specific, measurable skills and qualifications directly related to job performance or program participation. For example, rather than asking about “cultural competence,” assess specific skills such as language proficiency or relevant educational credentials. Criteria like socioeconomic status, first-generation status, or geographic diversity must not be used if selected to prioritize individuals based on racial, sex-based, or other protected characteristics.

Prohibit Demographic-Driven Criteria: Discontinue any program or policy designed to achieve discriminatory outcomes, even those using facially neutral means. Intent to influence demographic representation risks violating federal law. For example, a scholarship program must not target “underserved geographic areas” or “first-generation students” if the criteria are chosen to increase participation by specific racial or sex-based groups. Instead, use universally applicable criteria, such as academic merit or financial hardship, applied without regard to protected characteristics or demographic goals.

Document Legitimate Rationales: If using criteria in hiring, promotions, or selecting contracts that might correlate with protected characteristics, document clear, legitimate rationales unrelated to race, sex, or other protected characteristics. Ensure these rationales are consistently applied and are demonstrably related to legitimate, nondiscriminatory institutional objectives.

Scrutinize Neutral Criteria for Proxy Effects: Before implementing facially neutral criteria, rigorously evaluate and document whether they are proxies for race, sex, or other protected

⁶ Federal law allows for workplace harassment trainings that are focused on preventing unlawful workplace discrimination and that do not single out particular groups as inherently racist or sexist.

characteristics. For instance, a program targeting “low-income students” must be applied uniformly without targeting areas or populations to achieve racial or sex-based outcomes.

Eliminate Diversity Quotas: Focus solely on nondiscriminatory performance metrics, such as program participation rates or academic outcomes, without reference to race, sex, or other protected traits. And discontinue policies that mandate representation of specific racial, sex-based, or other protected groups in candidate pools, hiring panels, or final selections. For example, replace a policy requiring “at least one minority candidate per slate” with a process that evaluates all applicants based on merit.

Avoid Exclusionary Training Programs: Ensure trainings are open to all qualified participants, regardless of protected characteristics. Avoid segregating participants into groups based on race, sex, or other protected characteristics. Trainings should not require participants to affirm specific ideological positions or “confess” to personal biases or privileges based on a protected characteristic.

Include Nondiscrimination Clauses in Contracts to Third Parties and Monitor Compliance: Incorporate explicit nondiscrimination clauses in grant agreements, contracts, or partnership agreements, requiring third parties to comply with federal law, and specify that federal funds cannot be used for programs that discriminate based on protected characteristics. Monitor third parties that receive federal funds to ensure ongoing compliance, including reviewing program materials, participant feedback, and outcomes to identify potential discriminatory practices. Terminate funding for noncompliant programs.

Establish Clear Anti-Retaliation Procedures and Create Safe Reporting Mechanisms: Implement and communicate policies that prohibit retaliation against individuals who engage in protected activities, such as raising concerns, filing complaints, or refusing to participate in potentially discriminatory programs. Include these policies in employee handbooks, student codes of conduct, and program guidelines. Provide confidential, accessible channels for individuals to report concerns about unlawful practices.

V. CONCLUSION

Entities are urged to review all programs, policies, and partnerships to ensure compliance with federal law, and discontinue any practices that discriminate on the basis of a protected status. The recommended best practices provided in this guidance are non-binding suggestions to assist entities in avoiding legal pitfalls and upholding equal opportunity for all. By prioritizing nondiscrimination, entities can mitigate the legal, financial, and reputational risks associated with unlawful DEI practices and fulfill their civil rights obligations.

West's Tennessee Code Annotated

Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 1. Miscellaneous Provisions

T. C. A. § 49-7-189

§ 49-7-189. Admission practices; compliance with federal law

Currentness

To ensure compliance with the United States supreme court's ruling in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181 (2023), the office of the comptroller of the treasury shall include in any audit conducted by the office of the board of trustees of the University of Tennessee system, the board of regents of the state university and community college system, or a local governing board of trustees of a state university an examination into whether each institution governed by the respective board is complying with the equal protection provisions of the Fourteenth Amendment to the United States Constitution and [Article XI, § 8 of the Constitution of Tennessee](#) in the institution's admission program and practices.

Credits

[2024 Pub.Acts, c. 1067, § 1, eff. July 1, 2024.](#)

T. C. A. § 49-7-189, TN ST § 49-7-189

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 1. Miscellaneous Provisions

T. C. A. § 49-7-190

§ 49-7-190. Institutions of higher education; prohibition against discrimination based on race, color, ethnicity, or national origin

[Currentness](#)

(a) As used in this section, “institution” means a four-year public or private institution of higher education located in this state.

(b) A person must not be excluded from participating in, denied the benefits of, or subjected to discrimination by an institution, or any program or activity at an institution, on the basis of one’s race, color, ethnicity, or national origin, including those resulting from affirmative action practices.

(c) An institution, a program or activity at an institution, or an officer, employee, or agent of an institution, shall not exclude a person from participating in, deny a person the benefits of, or subject a person to discrimination at the institution based on the person’s race, color, ethnicity, or national origin, as prohibited by this section.

(d) An institution shall not consider an applicant’s race, color, ethnicity, or national origin in determining whether the applicant qualifies for admission to the institution, or for scholarships or financial aid offered at the institution. Institutions shall not use aggregated data to develop admissions or student population quotas based on race, color, ethnicity, or national origin, or use any such data in making admissions decisions. An institution is not prohibited from awarding different scholarships to students, or the same scholarship to students in different amounts, so long as the scholarship awarded or the scholarship amount awarded is not solely based on the student’s race, color, ethnicity, or national origin.

(e) Each institution shall provide notice of this section and of any relevant policies adopted by the institution in response to this section to all:

(1) Employees of the institution’s central admissions or financial aid offices prior to the start of the 2025-2026 academic year; and

(2) Employees of the institution’s central admissions or financial aid offices upon their employment, if the employee is hired

on or after the start of the 2025-2026 academic year.

(f) An individual who believes that a violation of this section has occurred may seek injunctive and declaratory relief in a court of competent jurisdiction, pursuant to [§ 1-3-121](#).

Credits

2025 Pub.Acts, c. 245, § 1, eff. April 24, 2025.

T. C. A. § 49-7-190, TN ST § 49-7-190

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 1. Miscellaneous Provisions

T. C. A. § 49-7-191

§ 49-7-191. Residential educational facilities; segregation of multi-occupancy restrooms (Unofficial classification editorially supplied by West)

[Currentness](#)

All residential educational programs in this state, regardless of type or duration, that allow minors enrolled in elementary or secondary schools, as defined in [§ 49-6-301](#), to stay overnight in residential facilities must segregate by sex, as defined in [§ 1-3-105\(c\)](#), all multi-occupancy restrooms, changing areas, and showers that are located in the facility at which minors stay overnight for purposes of the residential educational program.

Credits

[2025 Pub.Acts, c. 134, § 3, eff. April 3, 2025.](#)

T. C. A. § 49-7-191, TN ST § 49-7-191

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 1. Miscellaneous Provisions

T. C. A. § 49-7-192

§ 49-7-192. Discriminatory preferences; prohibition (Unofficial classification editorially supplied by West)

Currentness

(a)(1) A public institution of higher education in this state shall not use a discriminatory preference in an effort to increase diversity, equity, or inclusion or establish or maintain an office, division, or department for such purposes. All mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, or other declarations of a public institution of higher education, or an office, division, or department thereof, in existence prior to the effective date that are in conflict with this section of this act are void.

(2) As used in this subsection (a), “discriminatory preference” means a policy, practice, or requirement that grants or withholds benefits, opportunities, advantages, or disadvantages to an individual or group based on race, ethnicity, sex, age, or any other demographic characteristic, rather than on individual merit, qualifications, or lawful eligibility criteria.

(b)(1) This section does not apply to a public institution of higher education that submits notice in writing to the comptroller of the treasury that compliance with this section would result in a loss of federal funding, to the extent such an exemption is necessary to conform to federally awarded or amended contracts, subcontracts, or postsecondary grants as a condition to receipt of federal funds. The comptroller of the treasury shall create guidelines as to what information is required in the notice. The comptroller shall review a notice submitted by a public institution of higher education and, if the comptroller finds that compliance would result in the loss of federal funding, then the comptroller shall notify the public institution of higher education in writing of its exemption.

(2) After one (1) calendar year from the date on which the comptroller exempts a public institution of higher education from this section, the public institution of higher education shall submit in writing to the comptroller to have the exemption renewed for an additional one-year period. A public institution of higher education shall notify the comptroller within fourteen (14) days if the conditions or justifications for the comptroller granting the exemption no longer exist.

Credits

2025 Pub.Acts, c. 458, § 6, eff. May 9, 2025.

T. C. A. § 49-7-192, TN ST § 49-7-192

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 1. Miscellaneous Provisions

T. C. A. § 49-7-193

§ 49-7-193. Employment decisions; merit-based criteria (Unofficial classification editorially supplied by West)

Currentness

(a) The general assembly finds that public institutions of higher education are at their most effective when the faculty members and employees of the institutions are the most highly qualified candidates for employment with the institutions and that hiring decisions should be based on merit rather than any other metric.

(b) A public institution of higher education shall not base an employment decision on any metric that considers an applicant's or employee's race, ethnicity, sex, age, or any other similar demographic characteristic, rather than on individual merit, qualifications, veteran status, or lawful eligibility criteria.

(c)(1) This section does not apply to an employment decision of a public institution of higher education government, if the public institution of higher education submits notice in writing to the comptroller of the treasury that compliance with this section would result in a loss of federal funding, to the extent such an exemption for the employment decision is necessary to conform to federally awarded or amended contracts, subcontracts, or postsecondary grants as a condition to receipt of federal funds. The comptroller of the treasury shall create guidelines as to what information is required in the notice. The comptroller shall review a notice submitted by a public institution of higher education and, if the comptroller finds that compliance would result in the loss of federal funding, then the comptroller shall notify the public institution of higher education in writing of its exemption.

(2) After one (1) calendar year from the date on which the comptroller exempts an employment decision by a public institution of higher education from this section, the public institution of higher education shall submit in writing to the comptroller to have the exemption renewed for an additional one-year period. A public institution of higher education shall notify the comptroller within fourteen (14) days if the conditions or justifications for the comptroller granting the exemption no longer exist.

(d) For the purposes of this section, "employment decision":

(1) Means any action or determination relating to the hiring, firing, retention, promotion, demotion, discipline, evaluation, compensation, training, reassignment, or any other term, condition, or privilege of employment; and

(2) Does not include actions required under applicable state or federal employment laws.

Credits

[2025 Pub.Acts, c. 494, § 6, eff. May 21, 2025.](#)

T. C. A. § 49-7-193, TN ST § 49-7-193

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 4. State Government

Chapter 1. General Provisions

Part 4. Miscellaneous

T. C. A. § 4-1-427

§ 4-1-427. Discriminatory preferences; prohibition (Unofficial classification editorially supplied by West)

[Currentness](#)

(a)(1) A department, agency, or other unit of state government shall not use a discriminatory preference in an effort to increase diversity, equity, or inclusion or establish or maintain an office, division, or department for such purposes. All mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, or other declarations of a department, agency, or other unit of state government, or an office, division, or department thereof, in existence prior to the effective date that are in conflict with this section of this act are void.

(2) As used in this subsection (a), “discriminatory preference”:

(A) Means a policy, practice, or requirement that grants or withholds benefits, opportunities, advantages, or disadvantages to an individual or group based on race, ethnicity, sex, age, or any other demographic characteristic, rather than on individual merit, qualifications, veteran status, or lawful eligibility criteria; and

(B) Does not include:

(i) Public health, medical research, or disease prevention programs that use demographic-based outreach for medically substantiated reasons, such as initiatives addressing health conditions that disproportionately affect specific populations; or

(ii) Lawful and neutral outreach programs that ensure equal access to state services or contracting based on objective eligibility criteria, so long as such programs do not mandate quotas, alter selection criteria, or require preferential treatment based on demographic characteristics.

(b)(1) This section does not apply to a department, agency, or other unit of state government that submits notice in writing to the comptroller of the treasury that compliance with this section would result in a loss of federal funding, to the extent such

an exemption is necessary to conform to federally awarded or amended contracts, subcontracts, or postsecondary grants as a condition to receipt of federal funds. The comptroller of the treasury shall create guidelines as to what information is required in the notice. The comptroller shall review a notice submitted by a department, agency, or other unit of state government and, if the comptroller finds that compliance would result in the loss of federal funding, then the comptroller shall notify the department, agency, or other unit of state government in writing of its exemption.

(2) After one (1) calendar year from the date on which the comptroller exempts a department, agency, or other unit of state government from this section, the department, agency, or other unit of state government shall submit in writing to the comptroller to have the exemption renewed for an additional one-year period. A department, agency, or other unit of state government shall notify the comptroller within fourteen (14) days if the conditions or justifications for the comptroller granting the exemption no longer exist.

Credits

[2025 Pub.Acts, c. 458, § 2, eff. May 9, 2025.](#)

T. C. A. § 4-1-427, TN ST § 4-1-427

Current with effective legislation through Chapter 529 of the 2025 First Regular Session of the 114th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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Agenda Item IX.

Summary

Date: September 23, 2025

Agenda Item: Active Shooter Preparedness Update

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**Action
Required**



**No action
required**

PRESENTER(S): Mr. Sean O'Brien, Associate Vice Chancellor for Public Safety and Chief of Police, and Mr. Brett Fuchs, Director of Emergency Management, Threat Assessment, and Emergency Communications; Public Information Officer

PURPOSE & KEY POINTS: Mr. O'Brien and Mr. Fuchs will provide an update on active shooter preparedness at UTC. Their remarks will include reference to the August 21, 2025 campus lockdown, which was prompted by a false active shooter report but resulted in no injuries. They will share observations from that incident and provide a general update on UTC's ongoing efforts to strengthen training, communication, and emergency response protocols in coordination with campus partners and local law enforcement.