



OFFICE OF
TITLE IX

**SEXUAL
MISCONDUCT,
RELATIONSHIP
VIOLENCE,
STALKING, AND
RETALIATION**
ANNUAL
REPORT

JANUARY-DECEMBER

2019



SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION

OFFICE OF TITLE IX
ANNUAL REPORT
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OUR CAMPUS COMMITMENT

Dear UT students, faculty, and staff,

As I look back on the year, I am grateful for your work toward a campus where Vols truly help Vols. This year, we worked to engage with our campus community in new ways. From office assistants in residence halls to orientation leaders welcoming new students, our community is trained and showing others what it means to be an active bystander.

Our campus partners, including the UT Police Department, the Office of Student Conduct and Community Standards, UT Athletics, and the Center for Health Education and Wellness, work collaboratively on prevention and response efforts related to Title IX issues. For a second year in a row, our faculty and staff completed trainings in record numbers to ensure that everyone, inside and outside the classroom, is prepared to connect to support resources and reporting options.

Each of these positive steps is a direct result of your commitment to expect more from your community, to support one another, and to ensure that sexual violence, relationship violence, and stalking have no place on this campus.

The Office of Title IX is not just about compliance. Our purpose is to provide the best possible care to our shared campus community, and part of that care is to give you data about the place you live and learn. We track reports to better understand how we can support you and how to create a safe and inclusive campus.

Our annual report gives a snapshot of the past academic year, providing an overview of prevention efforts, information about reports made to our office, and interim support measures we offer to students at any time when they are in need. This data is specific to UT and informs the way we work to meet the needs of our campus community.

This work takes all of us, and the annual report shows that collective effort. Through partnerships across campus, we are creating a system of consistent and holistic support in which every member of our community has a vital role to play. Asking for consent, respecting boundaries, and serving as an active bystander are steps we can take together to build the community we envision.

Our reflection on the past year guides us as we move ahead, and we want to hear from you. You can email me directly at ashleyblamey@utk.edu, stop by the Office of Title IX, or submit a suggestion at Title IX boxes located in the Office of the Dean of Students, the Office of Sorority and Fraternity Life, the Office of Student Conduct and Community Standards, One Stop, the Office of Multicultural Student Life, the International House, Pendergrass Library, and the Pride Center.

Our doors are always open, and we look forward to working with you.

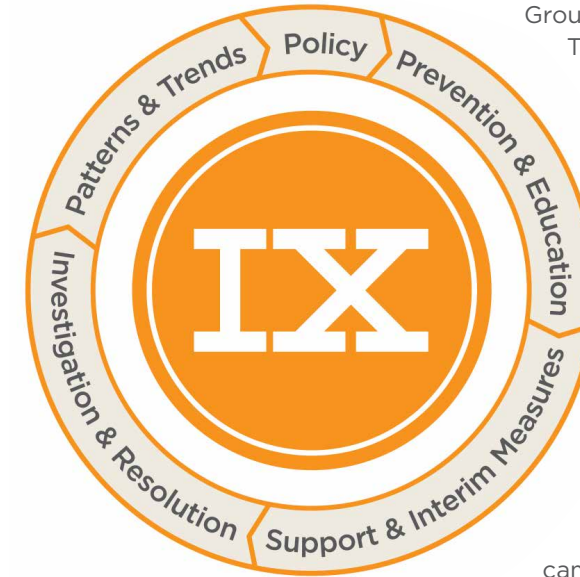


Ashley Blamey
Title IX Coordinator

OUR MISSION

To serve the University of Tennessee community through our comprehensive Title IX commitment of ensuring access to education.

OUR MODEL



Grounded in the social ecological model, the university's Title IX commitment emphasizes five key areas:

- Policy.** Our foundation is in the policy and procedures we follow.
- Prevention.** Our goal is to prevent sexual misconduct, relationship violence, stalking, and retaliation before they happen.
- Support and interim measures.** Our promise is to provide support and appropriate interim measures to individuals involved in the Title IX process.
- Investigation and resolution.** Our commitments to due process, campus safety, and encouraging reporting guide how we investigate and resolve reports.
- Patterns and trends.** Our responsibility is to utilize the best available research, evidence-based practice, and our own campus trends in our prevention and response efforts.

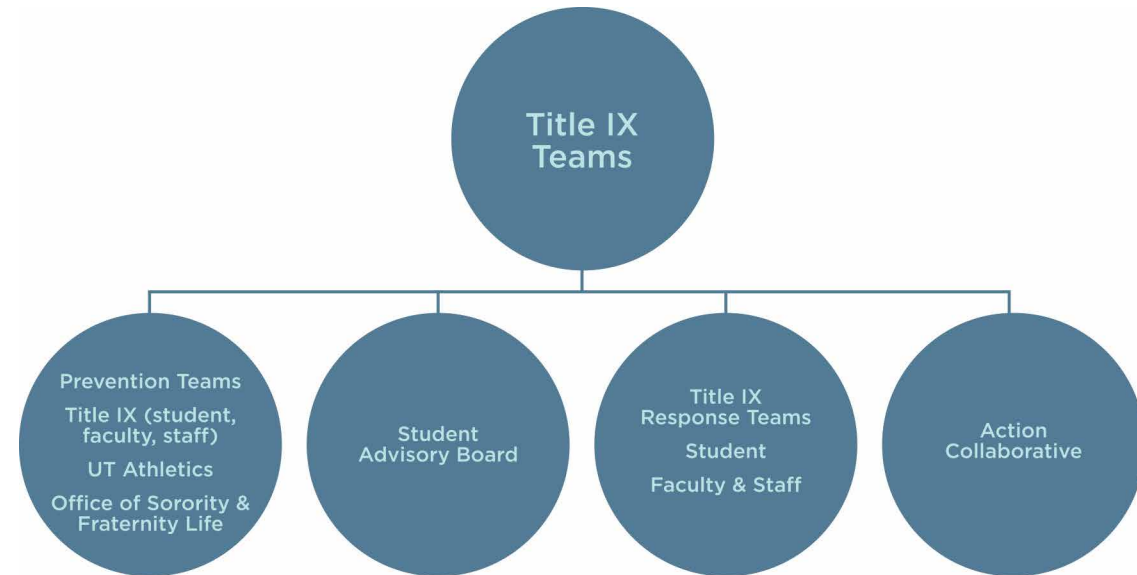
OUR HISTORY

In September 2016, then UT President Joe DiPietro appointed an independent commission to review and address Title IX compliance across the UT System. The commission acted with full authority to access and review existing programs and resources. Information gathered by the commission was released in June 2017 with observations and recommendations. This report was reviewed by the president, chancellors, general counsel, and others to ensure effective implementation of selected enhancements. The report made five major recommendations:

- Creation of a system-wide Title IX coordinating presence
- Campus Title IX staffing and resource enhancements
- Policy, grievance procedure, and Student Code of Conduct updates and modifications
- Case management and care and support enhancements
- Enhanced education, prevention, and training

In response to these suggestions, UT Knoxville established the Office of Title IX in August 2017. The Office of Title IX is centrally located at 1817 Melrose Avenue.

OUR TEAM



Title IX Prevention Team

- Composed of more than 30 members across the campus and greater Knoxville community
- Includes student, faculty, and staff representation from UT Athletics, University Housing, the Office of Student Conduct and Community Standards, the Office of the Dean of Students, the Office of Sorority and Fraternity Life, the Office of Multicultural Student Life, and numerous other campus departments, as well as the Sexual Assault Center of East Tennessee and the Knoxville Family Justice Center
- Establishes a long-term commitment to prevention across the campus community through primary, secondary, and tertiary prevention
- Ensures that campus-wide prevention (student, faculty, and staff) is aligned with evidence-based research and the patterns and trends of the UT community
- Provides oversight and support in the development of annual prevention plans for student life, inter-collegiate athletics, and faculty and staff

Student Advisory Board (SAB)

- Composed of undergraduate and graduate students committed to prevention at UT
- Provides an excellent way for students to become involved in a high-impact area
- Includes students from an array of academic programs and student organizations who have applied for membership or been nominated by a faculty or staff member
- Reviews programs, policies, and communication regarding sexual violence prevention on campus
- Familiarizes members with sexual misconduct policy with a half-day training that includes representatives from the Office of Title IX, the UT Police Department, and the Office of Student Conduct and Community Standards
- Provides volunteers for Red Zone and domestic violence events

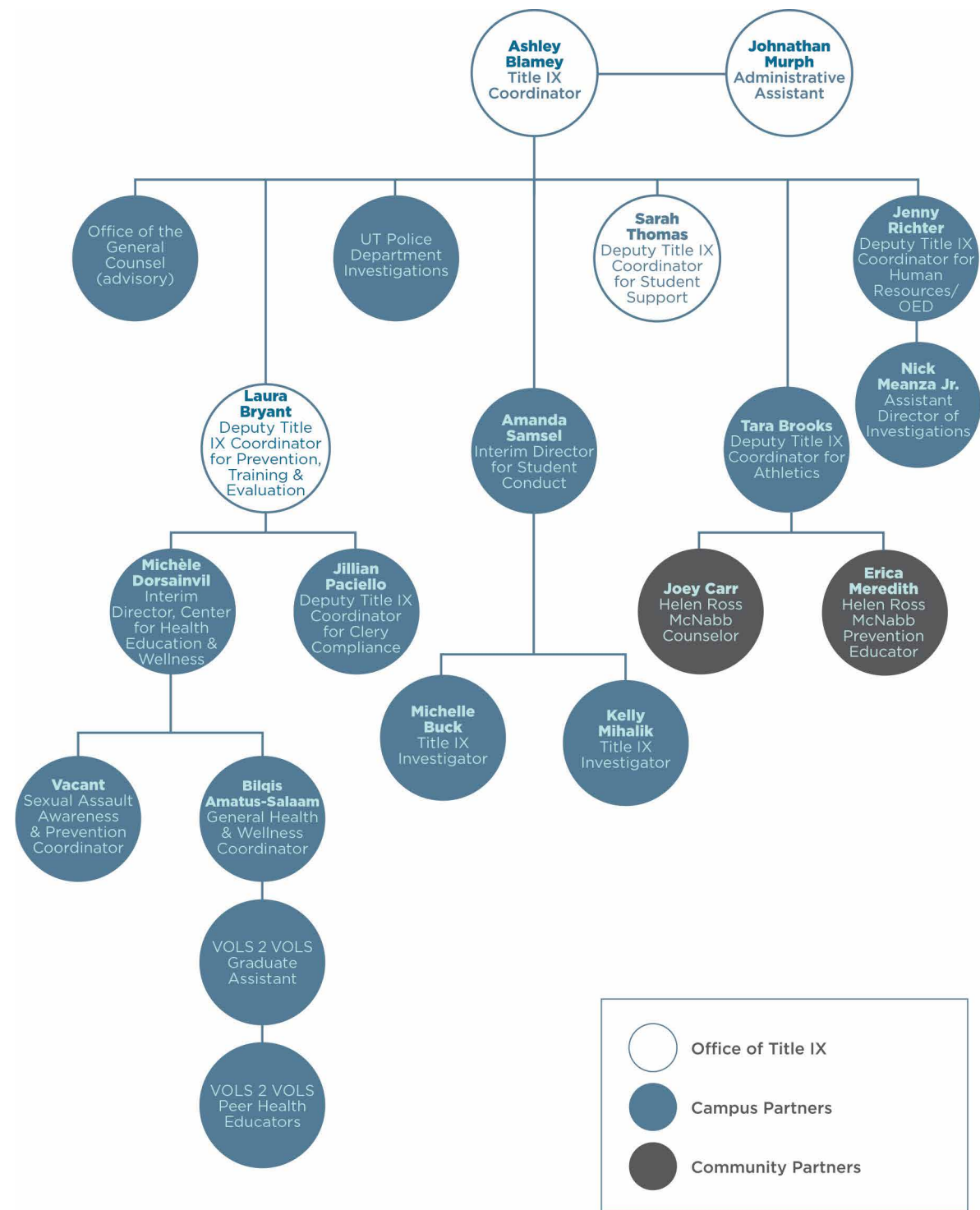
Title IX Response Team

- Addresses individual reports of sexual misconduct, relationship violence, and stalking
- Ensures consistency across case responses
- Provides oversight of interim measures, investigations, and individual case resolutions

University of Tennessee Action Collaborative

- Members (currently more than 15) include faculty representatives appointed by the dean of each college to serve a three-year team; staff from the Office of Title IX, Human Resources, the Office of Equity and Diversity, the Office of the Provost, and the Office of Ombuds Services; and representatives of Faculty Senate, Graduate Student Senate, and Undergraduate Senate
- Guides the university in addressing the underlying issues that allow sexual harassment to exist and persist in the academic environment
- Works to implement the following recommendations through prevention, response, remediation, and evaluation:
 - › Create diverse, inclusive, and respectful environments
 - › Move beyond legal compliance to address culture and climate
 - › Improve transparency and accountability
 - › Diffuse the hierarchical and dependent relationship between students and faculty
 - › Provide support for those who have experienced sexual harassment

CAMPUS COLLABORATION



POLICY

The University of Tennessee, Knoxville, is committed to implementing policy that is fair, effective, and informed. The Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation was updated in August 2019. The 2019 policy implements the requirements of Title IX and the Clery Act, including amendments to the Clery Act made by the Violence Against Women Reauthorization Act. The policy includes updated definitions and more clearly articulates the process by which allegations of prohibited conduct are resolved. The updated policy is divided into distinct sections for ease of use and is accessible at titleix.utk.edu.

The primary purposes of the policy are to:

1. Define, eliminate, prevent, and remedy the effects of prohibited conduct
2. Identify care, support, and reporting options for students and employees
3. Explain the obligations of employees to report prohibited conduct to the university
4. Identify the procedures the university will follow to thoroughly, equitably, and promptly investigate and resolve reports of prohibited conduct

The university will continue to review and update the policy annually to best serve our students, faculty, and staff.

Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation

August 2019

titleix.utk.edu



EDUCATION, TRAINING, AND COMMUNICATION

56 CAMPUS-WIDE EVENTS/6,190 PARTICIPANTS

SPRING 2019

Stalking Awareness Week
4 events, 4 locations, 1 week

296 student participants

Stalking: It's Not a Compliment
Presentation and panel discussion

51 participants

Healthy Relationships
Valentine's Day | 3 events, 3 days

259 student participants

Vols 2 Vols Tabling
11 events

Healthy Communication
1 event

69 participants

Safe Spring Break
398 participants



Sexual Assault Awareness Month
6 events, 4 weeks

796 participants

- Hike the Hill in Heels
- VOLS Against Human Trafficking
- Our Hometown: Title IX Presentation and Panel Discussion
- Healthy Relationship Ice Cream Social
- Denim Day
- Lunch & Learn: Intimate Partner Violence

Self-care Fair

482 participants

FALL 2019

Cookies and Consent Event with Office of Title IX
3 events, 1 location

61 participants

UTPD Safety Awareness Event

25 participants

Domestic Violence Awareness Month Event with Human Resources

25 participants

Red Zone
10 events, 8 locations, 8 weeks

2,390 student participants

Safe Fall Break

324 participants

Take Back the Night

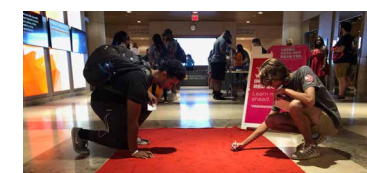
97 participants

Title IX Panel

12 participants

Domestic Violence Awareness Month—Don't Be Beanboozled
3 events, 3 locations

135 participants



Men's Health: Mo Bro Bash and Barbecue

143 participants

Healthy Masculinity: Speaker Tim Mousseau, Mo-Men-Tum

169 participants

VOLS 2 VOLS Cozy Up with Consent Tailgate

309 participants

World Sexual Health Day

149 participants

Vols 2 Vols Tabling
3 events

CENTER FOR HEALTH EDUCATION & WELLNESS PROGRAMS

100 PROGRAMS/2,073 PARTICIPANTS

Vols 2 Vols

30 PEER HEALTH EDUCATORS

27 PROGRAMS

645 PARTICIPANTS

Volunteers Speak Up!

27 PROGRAMS

670 PARTICIPANTS

Feeling Your Best at UT

6 PROGRAMS

118 PARTICIPANTS

Know the Standard

7 PROGRAMS

144 PARTICIPANTS

Consent Program

5 PROGRAMS

86 PARTICIPANTS

Sexual Health

9 PROGRAMS

303 PARTICIPANTS

Healthy Masculinity

4 PROGRAMS

15 PARTICIPANTS

Healthy Relationships

7 PROGRAMS

71 PARTICIPANTS

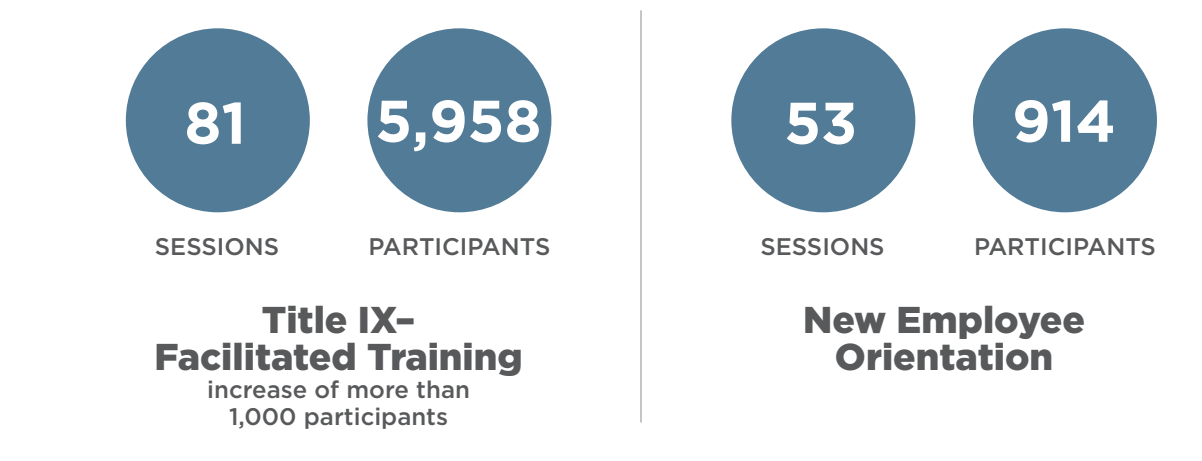
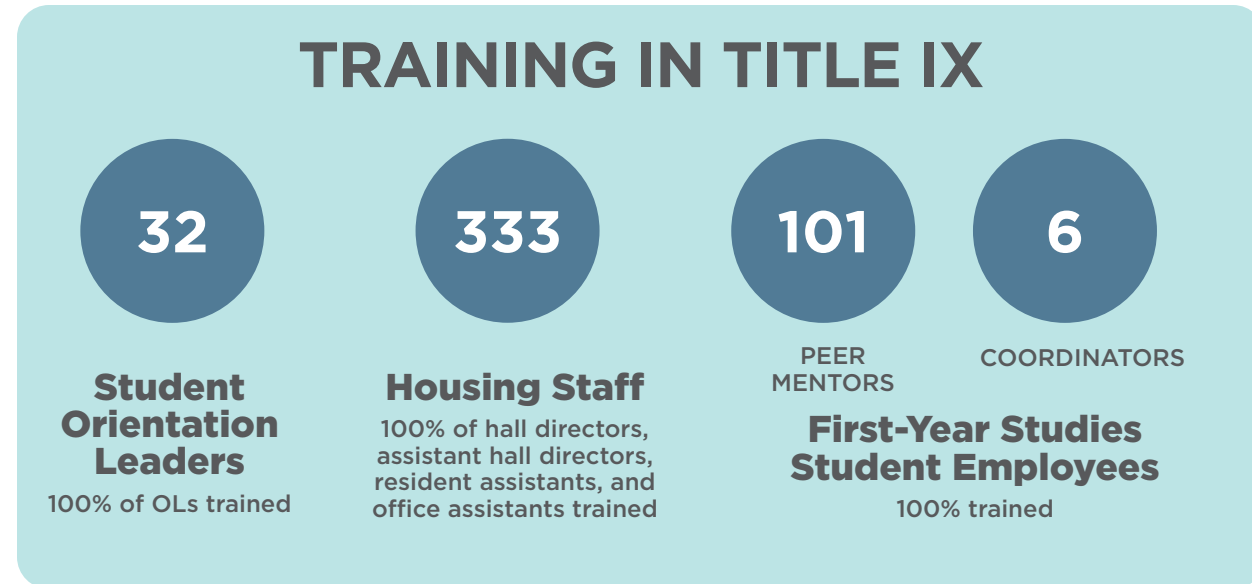
Yoga for Healing

8 PROGRAMS

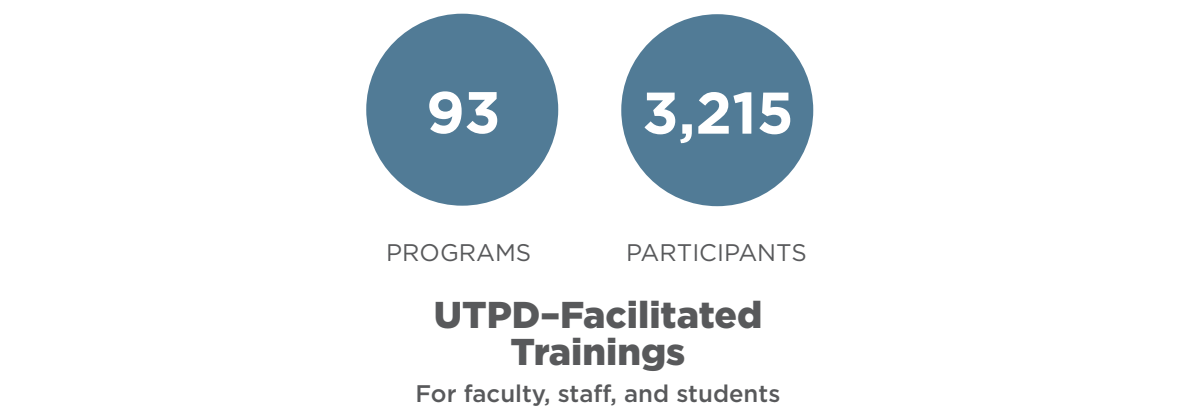
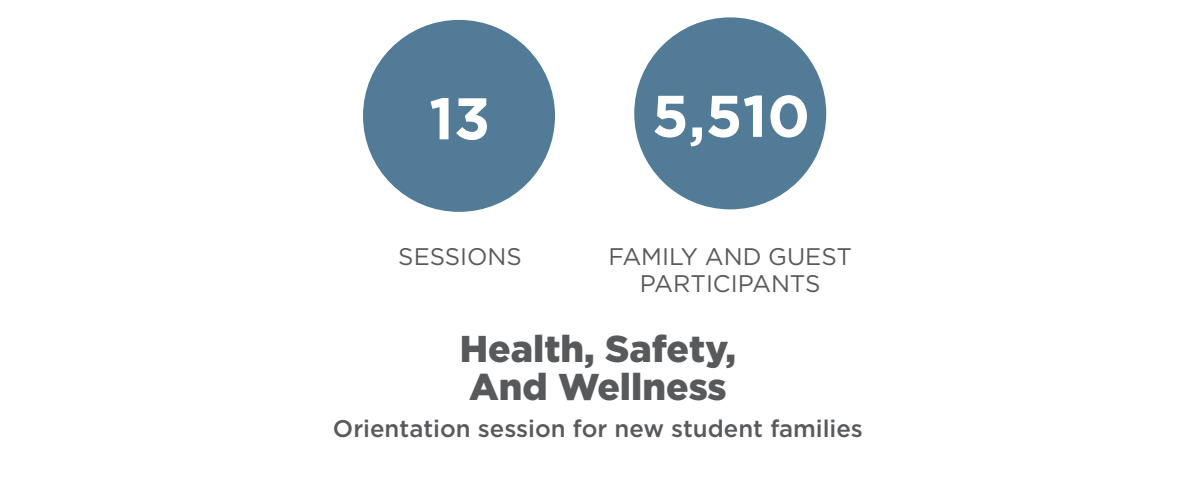
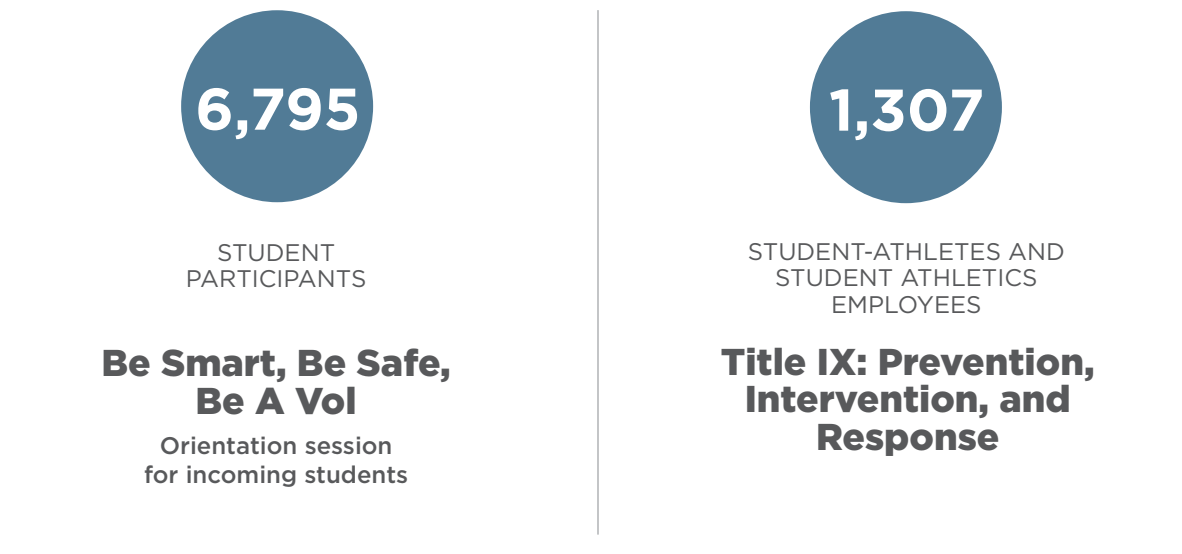
21 PARTICIPANTS



TRAINING



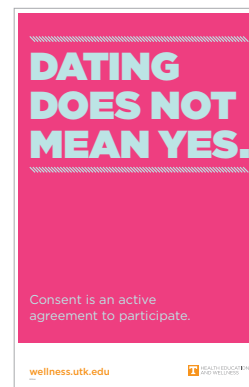
IN-PERSON TRAINING



COMMUNICATION



Posters
525
You Are Not Alone resource/services/reporting posters
60+ campus locations



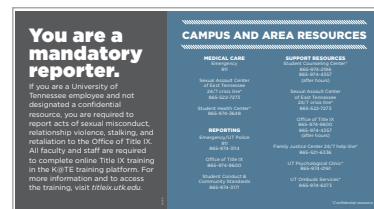
1,232
Consent posters
60+ campus locations

Campus locations include all residence halls, sorority and fraternity houses, and athletic facilities.

Cards

1,200

Consent cards with bookmarks provided to all student-athletes, student workers, and athletics staff



9,056

Vols A.C.T./You Are a Mandatory Reporter postcards to faculty and staff

6,101

Sexual Assault Awareness Month postcards to faculty and staff

1,000+

You Are Not Alone cards

2,000+

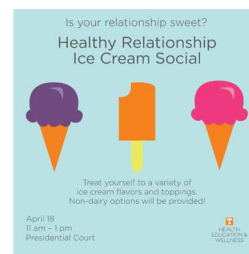
You Are Not Alone wallet cards

Newspaper

6

Daily Beacon
Print and digital ads

Social Media



250

Twitter and Instagram posts

Campus Digital Signage



Tennessee Today and Vol Update

Emails

Campus-wide emails notifying community of Title IX resources and improvements, policy updates, mandatory reporter duties, and instructional staff reporting duties

PREVENTION SPOTLIGHT

Athletics Prevention Programming and Wellness Plan

Through a contract with UT's Athletic Department, the Helen Ross McNabb Center (HRMC) provided UT student-athletes with education, outreach, and prevention programming focused on increasing awareness of healthy choices and decision making, positive communication, and successful relationships. Programming included education regarding domestic and dating violence, sexual assault, establishing healthy boundaries, and being an active bystander. During the programming, student-athletes were provided information regarding resources available on and off campus for support and reporting options.

In 2019, HRMC enhanced programming through a new curriculum, VOL IMPACT (Integrated Model for Prevention in Athletics' Continuum of Training), to expand student-athlete education with relevant evidence-based prevention education. The LIMITS curriculum continued to be used for freshman and transfer student-athletes as part of the Vol Start orientation process. In addition, HRMC continued to work alongside the Office of Title IX and the Center for Health Education and Wellness (CHEW) to ensure campus-wide consistency with educational programming and outreach to student-athletes.

In the spring and fall of 2019, all 14 teams completed the VOL IMPACT program, and all student-athletes attended at least four mandatory small-group sessions. Other trainings and educational events regarding health and wellness featured speakers including Chamique Holdsclaw, Garth Brooks, and Inky Johnson.

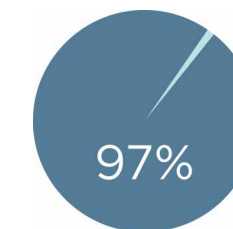
Outreach events were facilitated in the athletics complex each month. The Red Zone event, which brings awareness to the increased risk of sexual misconduct on college campuses from August to Thanksgiving, took place in Neyland-Thompson Sports Center again this year during the fall semester. Other outreach event topics included healthy communication, stalking awareness and prevention, sexual assault prevention, healthy relationships (with Valentine's Day and "Don't Be Beanboozled" activities), self-care, and men's health. The UT Police Department facilitated a self-defense class for female student-athletes.

In May 2019 Erica Meredith, HRMC wellness specialist; Laura Bryant, UT's deputy Title IX coordinator; and Donna Thomas, former senior associate athletics director and Title IX coordinator for Athletics, gave a presentation at the second annual statewide Title IX Summit, held at UT Chattanooga. The presentation, "Engaging Your Athletics Department to Prevent Sexual Violence: Promising Practices and Lessons Learned," discussed the benefits and challenges of campus and community collaboration in preventing and responding to sexual violence, components of a comprehensive prevention strategy to meet the needs of the student-athlete community, and program ideas and resources.

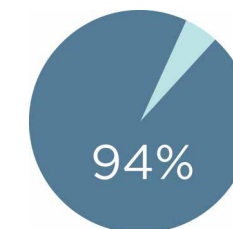


VOL IMPACT Program Data

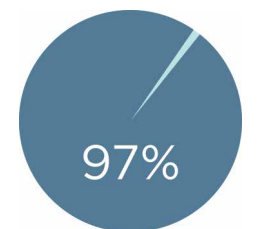
14 Teams
66 Sessions
489 Student-Athletes Trained



Student-athletes reported that they believe they have a support system at UT



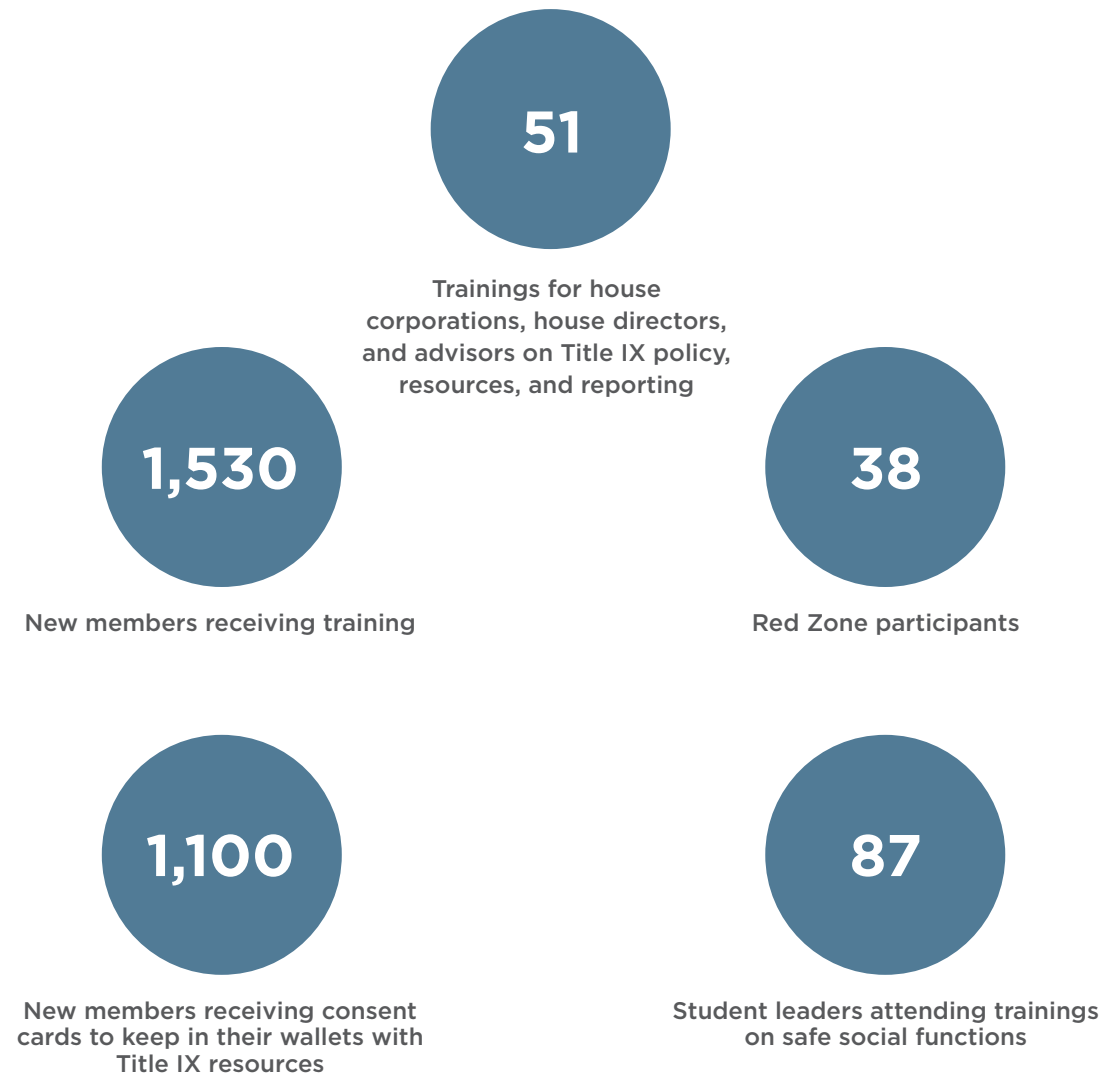
Student-athletes reported knowing where to report sexual misconduct or relationship violence



Student-athletes reported that they plan to act as an active bystander

Office of Sorority and Fraternity Life Highlights

The prevention team for the Office of Sorority and Fraternity Life was expanded in 2019 to include representation from the Office of Title IX, the Center for Health Education and Wellness, and the Office of Student Conduct and Community Standards. The team meets monthly to discuss health and safety issues and trends with the sorority and fraternity community and collaborates on prevention and response initiatives. Looking forward to 2020, the team hopes to add a representative from the Student Counseling Center and to develop a comprehensive strategic plan to address the primary health and safety focus areas of alcohol, drugs, sexual misconduct, hazing, and mental health.



PARTNERSHIP HIGHLIGHT



In 2019, the Center for Health Education and Wellness partnered with the Office of Sorority and Fraternity Life's Interfraternity Council to host Movember, a month dedicated to men's health. As part of the observation, UT hosted Movember Foundation "spokesmo" Tim Mousseau, who led a conversation on men's health, masculinity, and how to support men.

Partner of the Year

Jillian Paciello, Clery Compliance Coordinator



Jillian Paciello was hired as the university's first Clery compliance coordinator in 2014. As part of UT Public Safety, she works to ensure compliance with the Clery Act—officially the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act—which requires colleges and universities that participate in federal financial aid programs to record and disclose information about crime on and near their campus. At UT, this information is collected, analyzed, and reported through a daily crime log, safety notices (timely warnings), an annual security and fire safety report, and submission of a campus safety survey to the US Department of Education.

Paciello attributes her success as Clery compliance coordinator to her studies in communications at Oral Roberts University and her years of experience with the UT Police Department, where she worked with accreditation, special events, and records management before moving into her current role.

Collaboration is key in Clery reporting, and Paciello works alongside several teams on campus to ensure compliance. She receives incident reports from campus security authorities, or CSAs, a designation that includes UTPD officers as well as other select employees. She collaborates with the Office of Title IX for incidents involving sexual assault, domestic violence, dating violence, or stalking, working to ensure that the community stays safe, supported, and aware of resources for crime victims. Clery requirements have become increasingly complex, going from just a few policies when the act was passed in 1990 to more than 100 today, and Paciello expects that trend to continue.

Paciello describes her working relationship with the Title IX staff as one of her greatest strengths, and she wishes all universities had such successful collaboration between the two areas. In July 2020, she'll be helping to make that happen by giving a presentation on the importance of the relationship between Clery and Title IX staff at the annual meeting of the National Association of Clery Compliance Officers and Professionals.

In addition to her Clery work, Paciello is pursuing a master's degree in educational psychology with a concentration in adult education through UT's College of Health, Education, and Human Sciences. After completing that degree later this year, she plans to apply for doctoral study in the same field.

Learn more about Clery and view UT's safety reports at clery.utk.edu.

National Engagement Highlight: Action Collaborative on Preventing Sexual Harassment in Higher Education

In 2019, UT became a founding member of a nationwide Action Collaborative on Preventing Sexual Harassment in Higher Education. This group of committed academic institutions and other key stakeholders is guided and convened by the National Academies of Science, Engineering and Medicine (NASEM) to develop new strategies and share innovative ideas for preventing and addressing sexual harassment and gender discrimination. UT is the only large public institution in the Southeast to be a member of the collaborative.

A 2018 NASEM report concluded that existing systems for addressing sexual harassment have placed the burden on targets, victims, and survivors, and have been ineffective in preventing harassment in academic institutions. In light of those findings, the Action Collaborative developed four primary goals:

- Raise awareness about sexual harassment, its consequences, and approaches for addressing and preventing it
- Share and elevate evidence-based policies and strategies for reducing and preventing sexual harassment
- Contribute to setting a shared research agenda for this work, and gather and apply research results across institutions
- Develop a standard for measuring progress toward reducing and preventing sexual harassment in higher education

Members exchange ideas and information as they work to provide learning environments and workplaces free from harassment for students, faculty, and staff.

In 2019, UT participated in two national meetings and served on a panel at the Action Collaborative Public Summit held in Seattle. In addition, UT served as a resource for other member organizations on the creation of a Title IX annual report. UT's report is being held up by other academic institutions as a model to follow for their own campus reporting.

UT has also formed its own campus action collaborative to guide the university in addressing the underlying issues that allow sexual harassment to persist in the academic environment, mirroring the national focus on prevention, response, remediation, and evaluation. The collaborative working group is composed of representatives from across campus:

- A representative of each college, appointed by their respective dean to a three-year term
- A representative of the Student Government Association, Graduate Student Senate, and Faculty Senate, appointed annually by their respective group
- A representative of Human Resources, the Office of the Provost, the Graduate School, the Office of Title IX, and the Office of Equity and Diversity, appointed by their respective office to a three-year term
- A chair, appointed by the chancellor to a three-year term

2019-22 Membership

Brad Areheart, Associate Professor, College of Law

Ashley Blamey (chair), Title IX Coordinator

Laura Bryant, Deputy Title IX Coordinator for Prevention, Training, and Evaluation

Natalie Campbell, President, Student Government Association

Melissa Cardon, Nestle Professor of Entrepreneurship and Innovation, Haslam College of Business

Megan Haselschwerdt, Assistant Professor, College of Education, Health, and Human Sciences

Mary Lucal, Associate Vice Chancellor for Human Resources

Kim Newkirk, Associate Professor, College of Veterinary Medicine

Jenny Richter, Associate Vice Chancellor and Director of the Office of Equity and Diversity

Patricia Roberson, Assistant Professor, College of Nursing

Dixie Thompson, Vice Provost and Dean of the Graduate School

Phyllis Thompson, Clinical Associate Professor, College of Social Work

Paul Frymier, Associate Dean, College of Engineering

Deb Welsh, Head, Department of Psychology, College of Arts and Sciences

Erin Whiteside, Associate Professor, College of Communication and Information

David Willis, President, Graduate Student Senate

Lisa Yamagata Lynch, Ombudsperson

John Zomchick, Vice Provost for Faculty Affairs

SUPPORT AND INTERIM MEASURES

INTERIM MEASURES

Interim measures¹ are supports and resources the university can provide to assist students addressing a Title IX-related issue. This report provides data on the number of interim measures provided to students who made a report of sexual misconduct to the University of Tennessee, Knoxville, in the calendar year January 1-December 31, 2019. The data on this page does not include reports of sexual misconduct made to confidential resources such as the Student Counseling Center.

If the university receives a report of conduct that may fall under the Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation,² the university will provide interim measures in support of the student and in protection of the student's educational access.

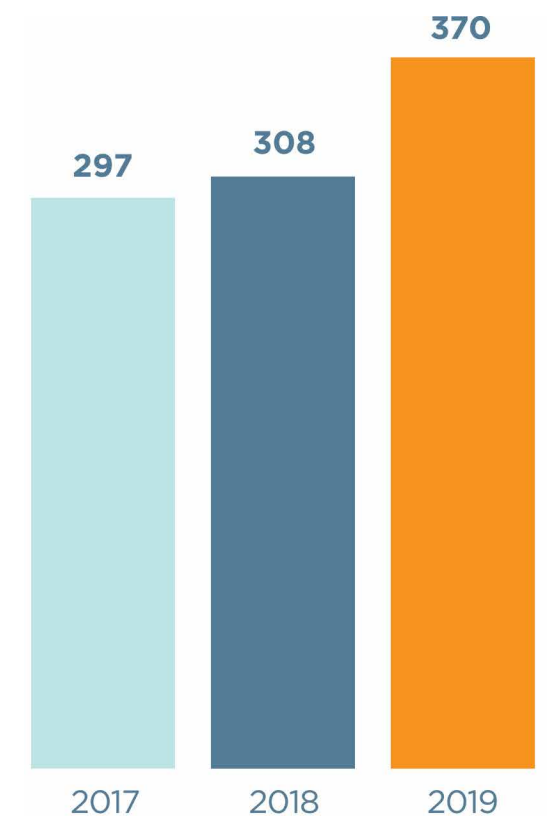
Interim measures are available:

- Even if the complainant³ does not want to report the incident to the police
- Even if the complainant has made a request for limited action and the university has granted the request. (The university may be limited in the interim measures it can implement while keeping the identity of the complainant private, such as providing support services to the complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the prohibited conduct occurred.)
- To the complainant, the respondent,⁴ and witnesses, when determined to be appropriate by the Title IX coordinator
- Prior to, during, or after the investigation or resolution of a report of prohibited conduct

During the first contact⁵ with the university, students are made aware of all available interim measures and reporting options, including filing a report with police and/or the Office of Title IX. The most common interim measures were tracked, although additional interim measures are available. In meeting with the Office of Title IX, the student's options and needs are identified. A student may receive as many interim measures as the student accepts.

This report does not reflect comprehensive interim measures provided in 2019 to students who reported in previous calendar years as the office may provide supportive resources for students who reported incidents to the Office of Title IX in previous calendar years.

In 2019, 370 interim measures were provided to students through the Office of Title IX, an increase of 62 measures over the 2018 calendar year.



Support & Interim Measures Provided 2017-19

Total Number of Support & Interim Measures: 370

	Sexual Misconduct	Relationship Violence	Stalking	Retaliation	Other	Total
Mental Health Services	27	12	14	0	17	70
Medical Services	9	0	0	0	3	12
Academic Supports	49	18	11	0	24	102
No-Contact Directive	18	18	16	0	11	63
Housing	6	6	3	0	4	19
Referral to Sexual Assault Center of East Tennessee	23	0	1	0	5	29
Other	21	12	9	0	33	75
Total	153	66	54	0	97	370

REPORTS OF SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION

The Office of Title IX is publishing the data in this report to enhance transparency and inform the campus community about the number of reports of misconduct alleged to have been committed by a university student (prohibited conduct) in violation of the university's Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation.

We hope the following notes will help clarify the data:

- Definitions of prohibited conduct are provided on page 29.
- The data reported is on a calendar-year basis.
- The data does not include reports made to confidential resources such as the Student Counseling Center or Student Health Center.
- To provide the most accurate portrayal of reporting, the data includes all cases in which at least one of the following applies:
 - › The university knows the identity of the respondent, and the respondent is affiliated with the university.
 - › The identity of the respondent is known to the complainant but is not provided to the university.
 - › The identity of the respondent is unknown to the complainant.
- If an incident involved more than one type of misconduct (e.g., sexual misconduct and relationship violence), they are all reflected in this data.

We did not include reports in which the respondent was identified and not affiliated with the university.

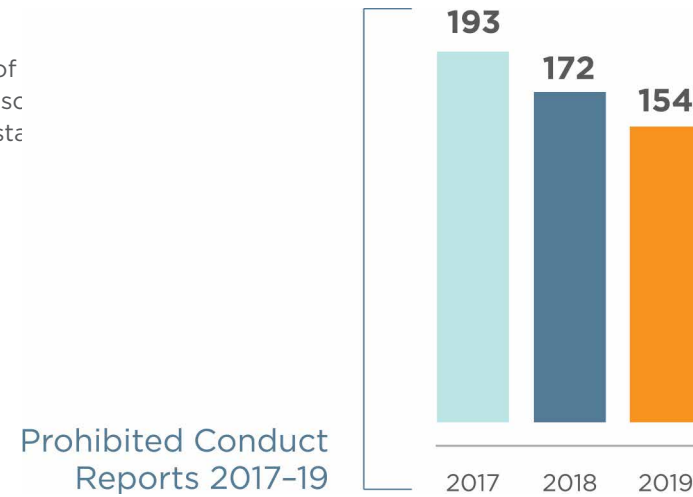
The Office of Title IX worked with 453 student concerns over the 2019 calendar year. The majority of students who sought services from the Office of Title IX were seeking services related to experiences off campus and with individuals not affiliated with the university. For these students, the university provided interim measures and support resources to support academic access (see page 18).

Of the 453 student concerns reported to the Office of Title IX

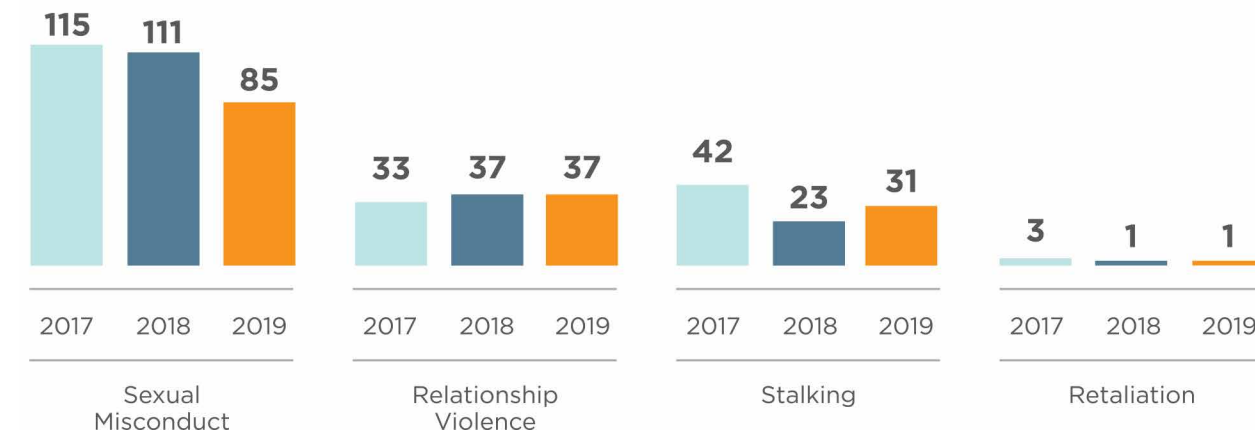
- 154 reports involved alleged sexual misconduct, relationship violence, stalking, or retaliation (collectively, "prohibited conduct") committed by a university student in violation of university policy
- 283 reports involved concerns that did not rise to an allegation of prohibited conduct under university policy
- 16 reports involved pregnant and parenting students in need of support and accommodations

Prohibited Conduct

During 2019, the Office of Title IX had a total of 193 reports of prohibited conduct: 85 reports of sexual misconduct, 37 reports of relationship violence, 31 reports of stalking, and one report of retaliation.

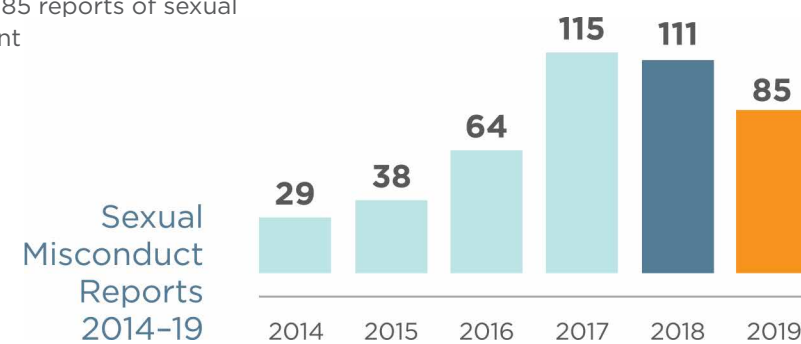


Prohibited Conduct Reports by Category 2018-19



Sexual Misconduct

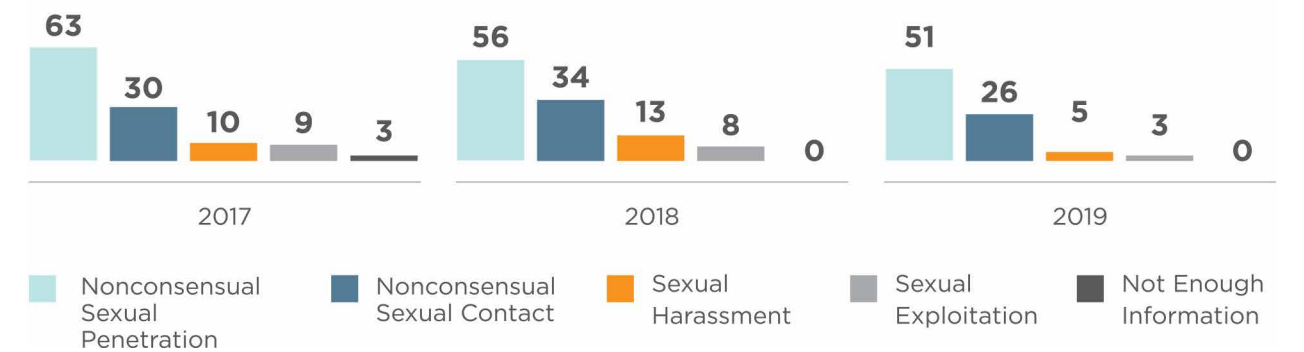
Sexual misconduct is an umbrella term that encompasses sexual assault (nonconsensual sexual penetration and non-consensual sexual contact), sexual harassment, and sexual exploitation. During 2019 there were 85 reports of sexual misconduct, representing a 23 percent decrease from 111 reports in 2018.



Sexual Misconduct Reported by Type in 2019 (n=85)



Sexual Misconduct Reported by Type 2017-19 (2017 n=271; 2018 n=111; 2019 n=85)



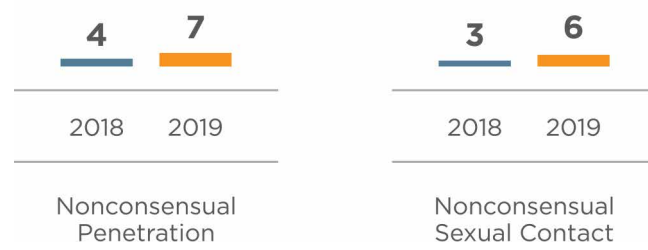
Report Details

When complainants meet with a staff member at the Office of Title IX, they are not interviewed or questioned. Some choose to identify the respondent, others decline to do so, and in some cases the respondent is unknown to the complainant. Some complainants may also choose to share the location where prohibited conduct took place. Regardless of whether they identify a respondent or location, students who seek services from the Office of Title IX are offered supports and interim measures.

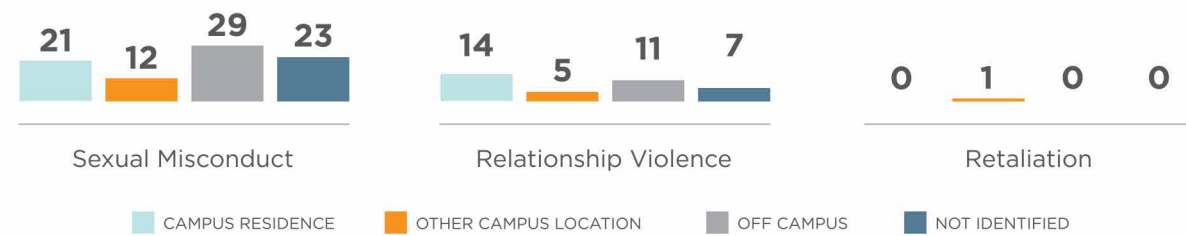
Respondent Identification 2019 (n=154)



Reports of Sexual Misconduct with Respondent Unknown to the Complainant



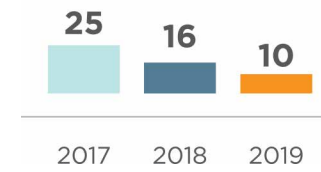
Sexual Misconduct, Relationship Violence, and Retaliation Reports by Location in 2019 (n=123)



Sexual Misconduct Reports by Type and Location in 2019 (n=85)

	Alleged Violation				Total
	Nonconsensual Sexual Penetration	Nonconsensual Sexual Contact	Sexual Harassment	Sexual Exploitation	
Not Identified	20	1	0	2	23
Off campus	19	8	1	1	29
Other campus location	2	6	4	0	12
Campus residence ⁶	10	11	0	0	21
Total	51	26	5	3	85

Campus Residence: Sexual Assault—Nonconsensual Penetration



Stalking

Stalking means engaging in a course of conduct directed at a specific person, regardless of one's relationship with that person, which would cause a reasonable person to fear for the person's safety or the safety of another person, suffer substantial emotional distress, or both. Stalking can occur in person, through electronic communications such as texts, phone calls, and social media, or a combination of the two.

Total Reports of Stalking 2017-19



Stalking by Type⁷ (2017 n=42; 2018 n=23; 2019 n=31)



Report Resolutions

As of December 31, 2019

Note: Outcomes of the 17 cases pending investigation or disciplinary hearings will be included in the 2020 Title IX annual report.

	Sexual Misconduct	Relationship Violence	Stalking	Retaliation	Total
Respondent not identified or unknown	45	6	3	1	55
University honored request for limited action ⁸	18	10	17	0	45
Complainant did not participate in process, and the university did not have enough information to move forward without the complainant's participation	1	4	0	0	5
Alternative resolution ⁹	2	1	3	0	6
Evidence did not support a charge of a policy violation based on the preponderance of the evidence ¹⁰	10	4	3	0	17
Respondent found not responsible for violating the policy after a hearing ¹¹	0	0	0	0	0
Respondent found responsible for violating the policy ¹²	4	4	1	0	9
Respondent left university and received a disciplinary hold ¹³	0	0	0	0	0
Pending investigation or disciplinary hearing	5	8	0	4	17
Total	85	37	27	5	154

Law Enforcement Reports 2019



Reports of Prohibited Conduct by Faculty and Staff

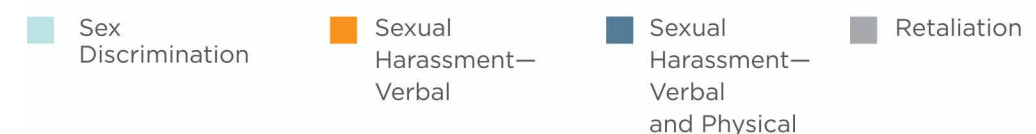
In 2019, there were 36 reports of prohibited conduct made against UT faculty and staff.¹⁶ Not included in these numbers are six reports by students against a third-party respondent. As the respondent was not affiliated with the university, the cases were resolved in a process external to the university. For complete information on faculty and staff reporting, see UT Policy HRO280 (tiny.utk.edu/HRO280) and the procedures listed in Appendix D of the Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (tiny.utk.edu/2019appendix-d).

Complainant Status

Current or Former Student



Employee or Third Party



Resolutions

If a complainant does not wish to seek resolution directly with the employment unit or academic department, they may decide to seek either an informal or formal resolution with the Office of Equity and Diversity (OED). A complainant who chooses an informal resolution process may decide to proceed with a formal complaint at any time during the informal process or after completion of the informal process if a mutually acceptable resolution is not reached. The goal of the informal process is to attempt to reach a resolution that is acceptable to both the complainant and the respondent. The university does not make a determination as to whether a respondent has violated university policy. Instead, OED attempts to facilitate a mutually acceptable resolution. In the informal process, OED will speak to those people whose involvement is necessary to facilitate a resolution. Frequently, this includes only the complainant and respondent, followed by notification to the supervisor(s) or appropriate administrator(s) to help implement a resolution. Possible informal resolutions might include, but are not limited to: (1) an agreement by the respondent to cease the behavior; (2) assisting the respondent to better understand the effects of their conduct and ways in which the behavior might be changed; or (3) participation in education programs.

The goal of the formal complaint process is to reach a determination as to whether a respondent has violated one or more university policies prohibiting discrimination and unlawful harassment. All investigations and proceedings, including any disciplinary proceedings, are conducted using a “preponderance of the evidence” standard. As a part of the formal complaint process, OED conducts an investigation into the allegations and prepares a written report. At the conclusion of an investigation, the appropriate administrator is responsible for reviewing the OED report and making a determination whether the respondent violated one or more university policies. OED does consider requests for privacy and other limited action but may not be able to honor such requests during the formal complaint process.

	Discrimination Based on Sex— Non-Sexual Misconduct	Sexual Harassment— Verbal (Electronic and In Person)	Sexual Harassment— Verbal and Physical	Retaliation	Total
University honored request for limited action ¹⁷	2	1	1	0	4
Informal resolution ¹⁸	2	13	1	0	16
Complainant declined to participate in process; university didn't have enough information to move forward	0	2	0	0	2
Respondent found responsible for violating policy	0	2	2	0	4
Respondent found not responsible; evidence did not support a charge ¹⁹	1	2	1	0	4
Respondent not identified or unknown	1	0	0	0	1
Pending investigation	1	2	2	0	5
Total	7	22	7	0	36

Patterns and Trends

Using the information and data described in the previous section, the university can identify patterns and trends related to sexual misconduct, relationship violence, stalking, and retaliation. Use of this information can improve prevention work and increase safety through intentional preventative measures and education. The following patterns were selected to highlight in this report:

- Reports of prohibited conduct decreased in 2019. The number of informational reports increased, as did the number of requests for interim measures from both complainants and respondents. The number of reports in which the respondent was unknown to the complainant decreased from 22 in both 2017 and 2018 to 17 in 2019.
- Training for hall staff was enhanced again in 2019 through active bystander and environmental management for desk assistants in residence halls. Desk assistants were equipped with the knowledge and skills to greet residents and visitors to the residence halls, follow up with them, and call for support if needed. For the second year in a row, there was a decrease in the number of reports of nonconsensual sexual penetration reported in campus residence halls.
- Through an expanded consent campaign that included more events for students and faculty and staff engagement, students, faculty, and engaged both face-to-face and online.
- The Red Zone initiative continued for the fifth year to educate students about the definition of consent and encourage students to sign a pledge committing to be an active bystander and look out for their fellow volunteers. Prevention and education efforts concerning the Red Zone were expanded by the staff at the Center for Health Education and Wellness.
- In addition to serving as a resource to students, faculty and staff are key partners in prevention. In 2019, 75 percent of students who reported an incident made their first report to faculty, staff, a graduate research assistant, or a graduate teaching assistant. The remaining 25 percent of reports came directly to the Office of Title IX through a self-report or concerned third party.

The university will continue to track patterns and trends related to sexual misconduct, relationship violence, stalking, and retaliation to better inform and enhance prevention, education, and training across campus.

360-Degree Evaluation of Supports

In an effort to assess the supports and resources offered, a 360-degree anonymous survey was provided to all individuals—complainants and respondents—who had contact with the Office of Title IX during 2019. Depending on the process each student chose, the survey includes all offices and resources with which they could have engaged, including the Office of Title IX, the Office of Student Conduct and Community Standards, the Office of Equity and Diversity, and UT Police Department. A total of 20 percent of complainants and 16 percent of respondents completed the survey. Results included the following points:

- 97 percent of both complainants and respondents recalled receiving information on resources and supports.
- 95 percent of complainants recalled receiving information on reporting options.
- 96 percent of complainants stated they would recommend the Office of Title IX to a friend who needed help.

Individual responses affirmed

- The staff responding to needs in a timely fashion
- The staff being very helpful and investing in the student's well being
- The staff clarifying roles and procedures
- The staff being warm, caring and sensitive to student needs

NOTES

- 1 “Interim measures” is a term defined by university policy that identifies and provides for reasonable and appropriate measures, as determined by the university, which are designed to eliminate reported prohibited conduct and protect the persons involved in the matter (i.e., complainant, respondent, potential witnesses).
- 2 The policy can be found at titleix.utk.edu.
- 3 “Complainant” means a person who may have been subjected to prohibited conduct regardless of whether that person makes a report or seeks action under the university’s policy. This term does not imply prejudice concerning whether the person was subjected to prohibited conduct.
- 4 “Respondent” means a person or registered student organization that has been accused of committing prohibited conduct. This term does not imply prejudice concerning whether the person or registered student organization committed prohibited conduct.
- 5 “First contact” is defined as contact with a member of the Office of Title IX, the Office of Conduct and Community Standards, or the University of Tennessee Police Department (all members of the Title IX Response Team). If a student reports to another mandatory reporter, the student will be connected with one of those offices.
- 6 In accordance with the Clery Act, UTPD annually publishes data on sexual assault, relationship violence, and stalking in its Annual Security and Fire Safety Report (ASFSR). There may be differences between the data summarized here and the statistics reported by UTPD in the ASFSR because of differences between definitions of prohibited conduct in the university’s policy and the definitions of criminal offenses in the Clery Act, the exclusion of reports in the ASFSR that were determined to be unfounded by UTPD, and differences in reporting definitions. Data in the ASFSR is limited to reports of crimes that occurred on campus, on public property, or on university-controlled off-campus property, regardless of whether the individuals involved were students (e.g., ASFSR data may include sexual assaults committed against employees or other nonstudents). Unlike the ASFSR, the data summarized here includes sexual misconduct, relationship violence, stalking, and retaliation committed by a student off campus.
- 7 Stalking can occur in person and/or electronically by means of unwanted contact or harassment through social media, texting, calling, emailing, or any other electronic means.
- 8 A complainant has the right to request limited action, in which case the university will weigh the request against the university’s obligation to provide a safe, nondiscriminatory environment for all members of the community. More information regarding limited action can be found in the policy.
- 9 At any point during the investigation and resolution process, a report may be resolved through an alternative resolution process.
- 10 All investigations and proceedings, including disciplinary hearings, must be conducted using a preponderance of the evidence standard, meaning whether it is more likely than not that prohibited conduct occurred. In some cases, there may have not been a policy violation, but the conduct was addressed separately under the code of conduct violation (e.g., harassment).
- 11 If a respondent does not wish to accept the charges and/or sanctions issued by Student Conduct, they have the right to request a disciplinary hearing.
- 12 “Responsible” is the term used when it is found that a respondent violated the Student Code of Conduct by the preponderance of evidence standard. The finding can be made by the Office of Student Conduct and Community Standards after a respondent accepts responsibility for the misconduct, by the Student Disciplinary Board following a hearing under the procedures described in Hilltopics, or by an administrative law judge following a hearing under the Uniform Administrative Procedures Act.
- 13 When a respondent receives a disciplinary hold, they must address the investigation or hearing before and/or upon their return.
- 14 It is important to note that the UTPD definitions of related charges may be different than policy definitions and therefore may be classified differently in the police report.
- 15 These numbers reflect complainants who self-disclosed a report to the Knoxville Police Department.
- 16 Faculty and staff include graduate teaching assistants and student employees if the reported incident occurred while they were acting in their employment capacity.
- 17 A complainant may request that the complainant’s contact with OED not be disclosed to the respondent, that no investigation be conducted, or that no disciplinary action be taken. If a complainant does not wish to seek resolution directly with the employment unit or academic department, they may decide to seek either an informal or formal resolution with OED. The goal of the informal process is to attempt to reach a resolution that is acceptable to both the complainant and the respondent. The university does not make a determination as to whether a respondent has violated university policy.
- 18 If a complainant does not wish to seek resolution directly with the employment unit or academic department, they may decide to seek either an informal or formal resolution with OED. The goal of the informal process is to attempt to reach a resolution that is acceptable to both the complainant and the respondent. The university does not make a determination as to whether a respondent has violated a university policy.
- 19 Even if there is not found to be a policy violation based on the preponderance of the evidence, the university provides educational interventions (e.g., training).

APPENDIX DEFINITIONS OF PROHIBITED CONDUCT

This appendix provides a summary of relevant definitions. For more complete definitions and the full policy, see titleix.utk.edu.

“**Sexual Misconduct**” is an umbrella term that encompasses sexual assault, sexual harassment, and sexual exploitation.

“**Sexual Assault**” is an umbrella term that encompasses nonconsensual sexual penetration; nonconsensual sexual contact; and conduct that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting Program.

- “**Nonconsensual Sexual Penetration**” means sexual penetration, however slight, performed upon another person that occurs without that person’s consent. “Sexual Penetration” means penetration of a vagina or anus by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person.
- “**Nonconsensual Sexual Contact**” means sexual contact, however slight, performed upon another person that occurs without that person’s consent. “Sexual Contact” means intentional physical contact with another person’s breasts, buttocks, groin, or genitals, whether clothed or unclothed; intentional contact with another person using one’s breasts, buttocks, groin, or genitals, whether clothed or unclothed; causing another person to physically contact oneself with or on the other person’s breasts, buttocks, groin, or genitals, whether clothed or unclothed; or any other type of intentional physical contact done in a sexual manner or for the purpose of sexual arousal or gratification, based on the perspective of a reasonable person.

“**Sexual Harassment**” means (1) unwelcome words and/or conduct, (2) that are sexual in nature, sex-based, and/or gender-based, (3) that are pervasive, persistent, or sufficiently severe, (4) that are objectively offensive, and (5) that unreasonably deny, unreasonably limit, or unreasonably interfere with a person’s ability to participate in or benefit from a university educational program or activity.

“**Sexual Exploitation**” means taking sexual advantage of another person, without that person’s active agreement. An active agreement is words and/or conduct that communicate a person’s willingness to participate in an act.

“**Relationship Violence**” means an act of violence, or a threat of an act of violence, committed by a person who is or has been in a sexual, dating, spousal, romantic, or other intimate relationship with the complainant.

- “**Act of violence, or a threat of an act of violence**” means causing physical harm to any person; endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to their health or safety; or making an oral or written statement that a reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.
- The existence of a sexual, dating, spousal, romantic, or other intimate relationship shall be determined based on the totality of the circumstances including, without limitation: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

- Relationship violence also may be a form of sex discrimination prohibited by federal and state anti-discrimination laws, such as Title VII and Title IX, and/or may constitute a crime in Tennessee.
- Relationship violence does not include roommates who do not have an intimate relationship.

“**Stalking**” means engaging in a course of conduct directed at a specific person, regardless of one’s relationship with that person, which would cause a reasonable person to (1) fear for the person’s safety or the safety of another person; and/or (2) suffer substantial emotional distress.

- “**Course of conduct**” means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person’s property.
- “**Substantial emotional distress**” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Acts that may be involved in a course of conduct include, without limitation:
 - › Cyberstalking, a particular type of stalking in which electronic media such as the internet, social networks, apps, blogs, texts, cell phones, or a similar action, method, device, or means is used;
 - › Following a person;
 - › Being or remaining in close proximity to a person;
 - › Entering or remaining on or near a person’s property, residence, or place of employment;
 - › Monitoring, observing, or conducting surveillance of a person;
 - › Threatening a person (directly or indirectly);
 - › Giving gifts or objects to, or leaving items for, a person; or Damaging or harming a person’s property (including pets) or interfering with a person’s use of property.
- Stalking also may be a form of sex discrimination prohibited by federal and state anti-discrimination laws, such as Title VII and Title IX, and/or may constitute a crime in Tennessee.

“**Retaliation**” means an action taken because of a person’s participation in a protected activity and that would discourage a reasonable person from engaging in protected activity.

“**Protected activity**” means a person’s good faith (1) opposition to prohibited conduct or assisting a person who opposes prohibited conduct; (2) report of prohibited conduct to the university, the police, or to a state or federal agency or assisting a person who reports prohibited conduct; (3) participation (or reasonable expectation of participation) in any manner (e.g., in an investigation, proceeding, or hearing relating to prohibited conduct) or requesting an interim measure under this policy; and/or (4) exercise of rights or responsibilities under any provision of the Clery Act.

- An action is not taken in good faith if done with knowing or reckless disregard for information that would negate the accuracy of the report or information. Retaliation is a violation of this policy regardless of whether the underlying allegation of a violation of this policy is ultimately found to have merit.

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