

Policy on Sexual Harassment,
Sexual Assault, Domestic
Violence, Dating Violence, and
Stalking

and

2020 Title IX Regulations



THE UNIVERSITY OF
TENNESSEE
KNOXVILLE



Timeline

Major Events

- May 6, 2020 Regulation issued
- May 12, 2020 System-wide Title IX Working Group initiated weekly meetings
- May 13, 2020 Campus Notification of New Regulation
- May 21, 2020 Campus Implementation Team initiated weekly meetings
- June 1, 2020 Launched month long weekly virtual Office Hours
- June 9, 2020 Office Hours
- June 17, 2020 Office Hours
- June 25, 2020 Office Hours
- July 6, 2020 Campus Update on New Regulations
- July 17, 2020 Policy submitted for approval
- August 3, 2020 Campus Town Hall Invitation
- August 8, 2020 Town Hall
- August 14, 2020 Regulation Required Implementation Deadline

Communications & Additional Information

- Dedicated meetings with SGA leadership, GSS, leadership, student organizations, deans, and faculty senate leadership
- Communication and Events updates to DDDH listserv, TN Today, Vol Update, UTK Graduate Coordinators, and all Student Organization via Vol Link
- August 4, 2020 Board Approval for Student Code of Conduct revisions and BT0006 for Faculty Appeals
- August 5-6, 2020 Regulation training provided by Grand River Junction for campus Title IX related position

Regulation Key Provisions

Title IX Sexual Harassment defined:

- (1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) Sexual assault, dating violence, domestic violence, or stalking.

Regulation Key Provisions

Location of Incidents:

Title IX only applies to incidents that occur within the school's education program or activities, and does not apply outside the United States.

Regulation Key Provisions

Grievance Process:

- (1) Students, faculty, and staff
- (2) Standard of evidence
- (3) Right to an advisor
- (4) Investigations
- (5) Live hearing
- (6) Cross examination
- (7) Appeals

Implementation Team

Ashley Blamey, Office of Title IX (Chair)

Austin Boyd, Graduate Student Senate

Laura Bryant, Office of Title IX

Michelle Buck, Office of Student Conduct & Community Standards

Michele Dorsainvil, Center for Health Education & Wellness

Lauri Dusselier, Center for Health Education & Wellness

Karmen Jones, Student Government Association

Troy Lane, UT Police

Mary Lucal, Human Resources

Nick Meanza, Office of Equity & Diversity

Kelly Mihalik, Office of Student Conduct & Community Standards

Katrice Morgan, Office of Equity & Diversity

Jillian Paciello, Clery

Rachel Powell, Office of the General Counsel (advisory)

Matthew Scoggins, Chief of Staff

Shawn Spurgeon, Faculty Senate

Sarah Thomas, Office of Title IX

David Whitcomb, Office of the General Counsel (advisory)

Jill Zambito, Division of Student Life

John Zomchick, Office of the Provost

Title IX & Non Title IX: Prohibited Conduct

Prohibited Conduct

TITLE IX PROHIBITED CONDUCT

NON TITLE IX PROHIBITED CONDUCT

SEXUAL HARASSMENT

SEXUAL ASSAULT

DATING VIOLENCE

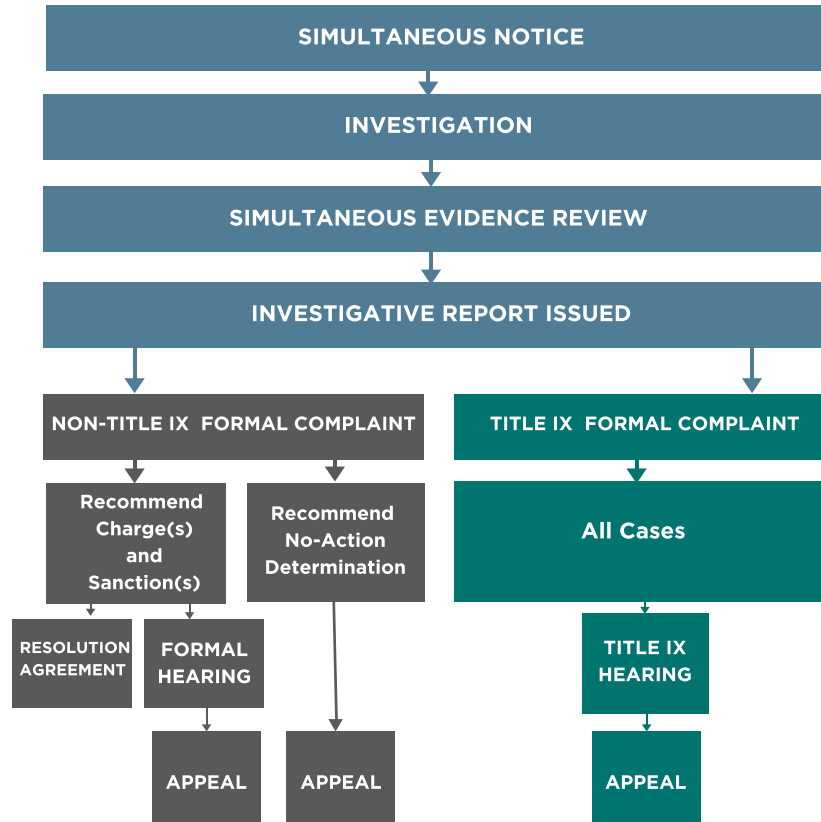
DOMESTIC VIOLENCE

STALKING

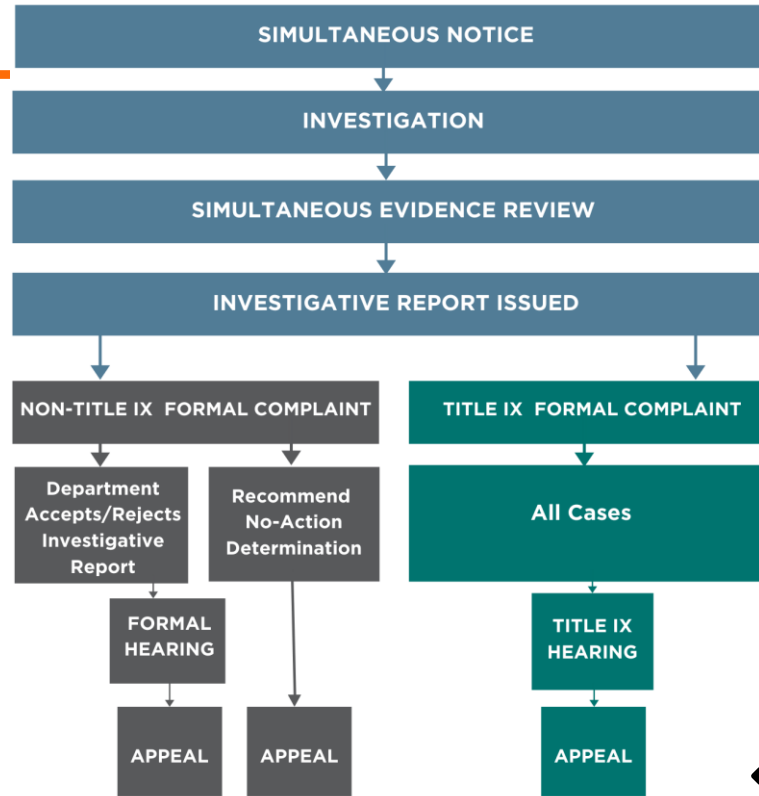
RETALIATION

SEXUAL EXPLOITATION*

Student Cases



Faculty/Staff Cases



← **BT0006**



Frequently Asked Questions

What evidentiary standard will the University use?

We currently use and will continue to use the Preponderance of the Evidence standard.

Is the University changing their definitions?

Yes, we will incorporate the mandatory definitions from the Title regulations including rape, fondling, domestic violence, dating violence and stalking **and** we will also continue to address Sexual Exploitation and Retaliation.

Will the University address Sexual Harassment outside of the Title IX jurisdiction (study abroad, private apartments, etc.)?

Yes, we will still address sexual harassment occurring in our campus community that takes place inside and outside of academic programs and activities, both on and off campus.

Will the University still offer support resources to students who experience sexual harassment no longer covered under Title IX?

Yes

What does it mean that people can use informal resolutions (example: restorative justice /mediation) in sexual assault cases?

In the cases where it is allowed, informal resolution can only be considered if both the complainant and respondent agree to participate. No one can force a party into an informal resolution and if at any time either party determines they want to go back to the formal process, they can. The University cannot facilitate an informal resolution without that agreement

Frequently Asked Questions

Who are our mandatory reporters now?

The University of Tennessee mandatory reporters will remain the same.

We will continue to receive reports and make students aware of the available support measures, resources, and reporting options.

In 2019, 75% of reports to the Office of Title IX came from faculty or staff. In 2018, 97% of reports started with a student sharing their concerns with a faculty or staff member.

What does it mean that you can be cross examined during a hearing?

The parties and witnesses are subject to cross examination in a formal hearing. The parties are never allowed to directly question each other. Each question will be asked by an advisor to the party and prior to responding the hearing officer will make a determination if the question is relevant. If not, the person does not have to respond.

Does a live hearing have to be in person?

No, it must be in real time, but can be over the internet (video and audio).

How will the University's timeline change on investigations? Will we keep 60 days?

In mapping out the process we have incorporated the regulation timelines and will generally complete investigations in 65 days. Each segment of the process is broken down in the Policy.

Questions

Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking

August 14, 2020

titleix.utk.edu



 INSTITUTE FOR PUBLIC SERVICE

You are not alone.

The University of Tennessee has resources and support services for individuals who have experienced sexual harassment, sexual assault, dating or domestic violence, stalking, sexual exploitation, or retaliation. Students are encouraged to seek **medical care** and **support resources** and to **report** the incident.

MEDICAL CARE

Emergency
911

Sexual Assault
Center of

East Tennessee
24/7 crisis line*
865-522-7273

Student
Health Center*
865-974-3648

SUPPORT RESOURCES

Student
Counseling Center*
865-974-2199
865-974-4357 (after hours)

Sexual Assault Center
of East Tennessee
24/7 crisis line*
865-522-7273

Office of Title IX
865-974-9600
865-974-4357 (after hours)

Office of Ombuds Services*
865-974-6273

UT Psychological Clinic*
865-974-2161

Family Justice Center*
865-521-6336

REPORTING

Emergency/UT Police
911
865-974-3114

Office of Title IX
865-974-9600

Office of Student
Conduct & Community
Standards
865-974-3171

*CONFIDENTIAL RESOURCE

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