



OFFICE OF
TITLE IX

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

JANUARY-DECEMBER

2020

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ANNUAL REPORT
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OUR CAMPUS COMMITMENT

Dear Volunteer community,

This has been a difficult year for many in our community and throughout the world. The events and experiences have required us all to work toward a more informed and engaged community. And while much has changed, our Title IX commitment remains.

On May 6, 2020, the US Department of Education's Office for Civil Rights released new Title IX regulations. Following the release, our office notified the campus and initiated weekly meetings of the Campus Implementation Team. We launched a month-long series of virtual office hours and held dedicated meetings with student organizations, faculty, and administration. Using the work of the Implementation Team and feedback from campus constituents, we introduced the new policy to our campus at an August 8 town hall meeting. On August 14, our campus policy launched and the University of Tennessee met our regulatory obligation while prioritizing our responsibility to provide a safe and non-discriminatory learning, living, and working environment.

Since 2014, the university has published an annual report. Each year we have expanded the scope and information to give you the ability to evaluate this work. The report includes an overview of prevention efforts, information about reports made to our office, and supportive measures provided. 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. As you review the report, please know that our door remains open year-round to your ideas, suggestions, questions, and concerns.

I look forward to our continued work together.

With gratitude,



Ashley Blamey
Title IX Coordinator

POLICY NOTE

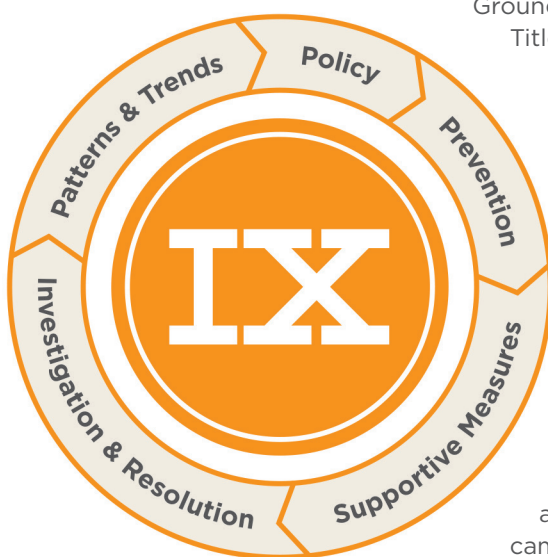
Two versions of the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking were in effect at different times during 2020. Because of changes in federal regulations, the version of the policy that had been in effect since August 19, 2019, was superseded by a new version on August 14, 2020.

This report uses the definitions of the newer policy, with notes as needed to clarify references in areas where there are substantive differences. Statistics use language that includes both policies unless otherwise indicated.

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.

Supportive measures. Our promise is to provide appropriate supportive 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.

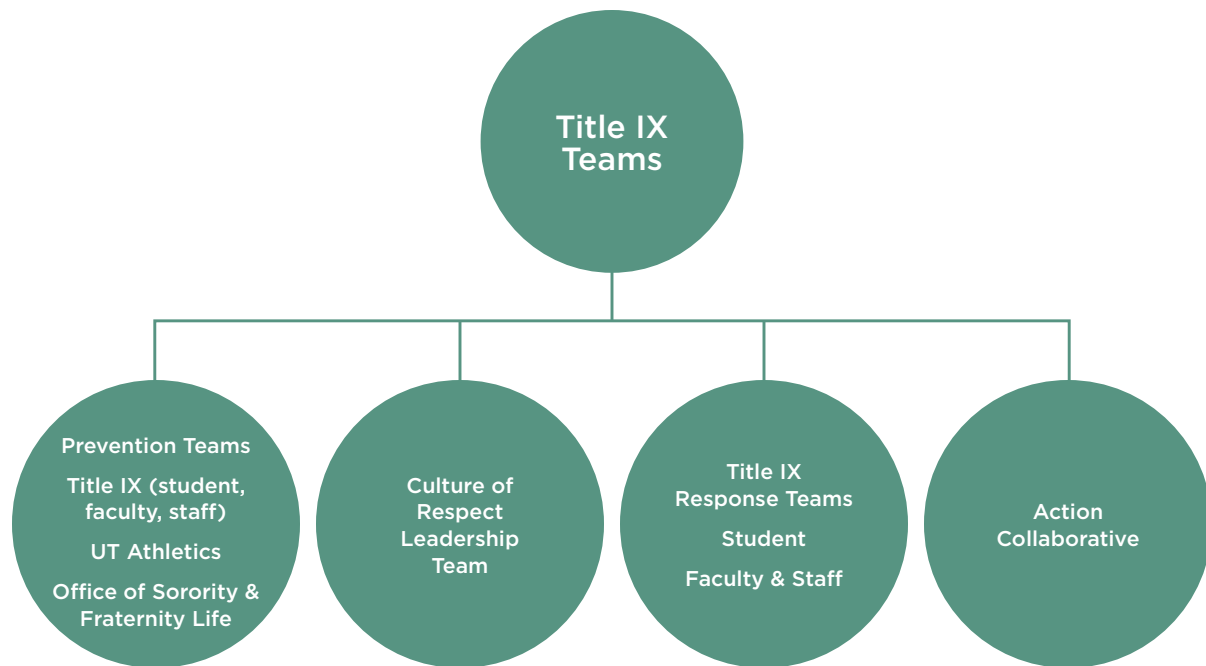
Our History

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

Culture of Respect Leadership Team

- Composed of nine team members
- Provides leadership for the university's two-year commitment to the Culture of Respect Collective, which focuses on expanding cross-campus collaboration to assess, make meaningful programmatic and policy changes as needed, and reassess progress as related to the six pillars:
 - > Survivor support with options on reporting
 - > Clear policies on misconduct, investigations, adjudications, and sanctions
 - > Multi-tiered education for the entire campus
 - > Public disclosure of statistics
 - > School-wide mobilization with student groups and leaders
 - > Ongoing self-assessment

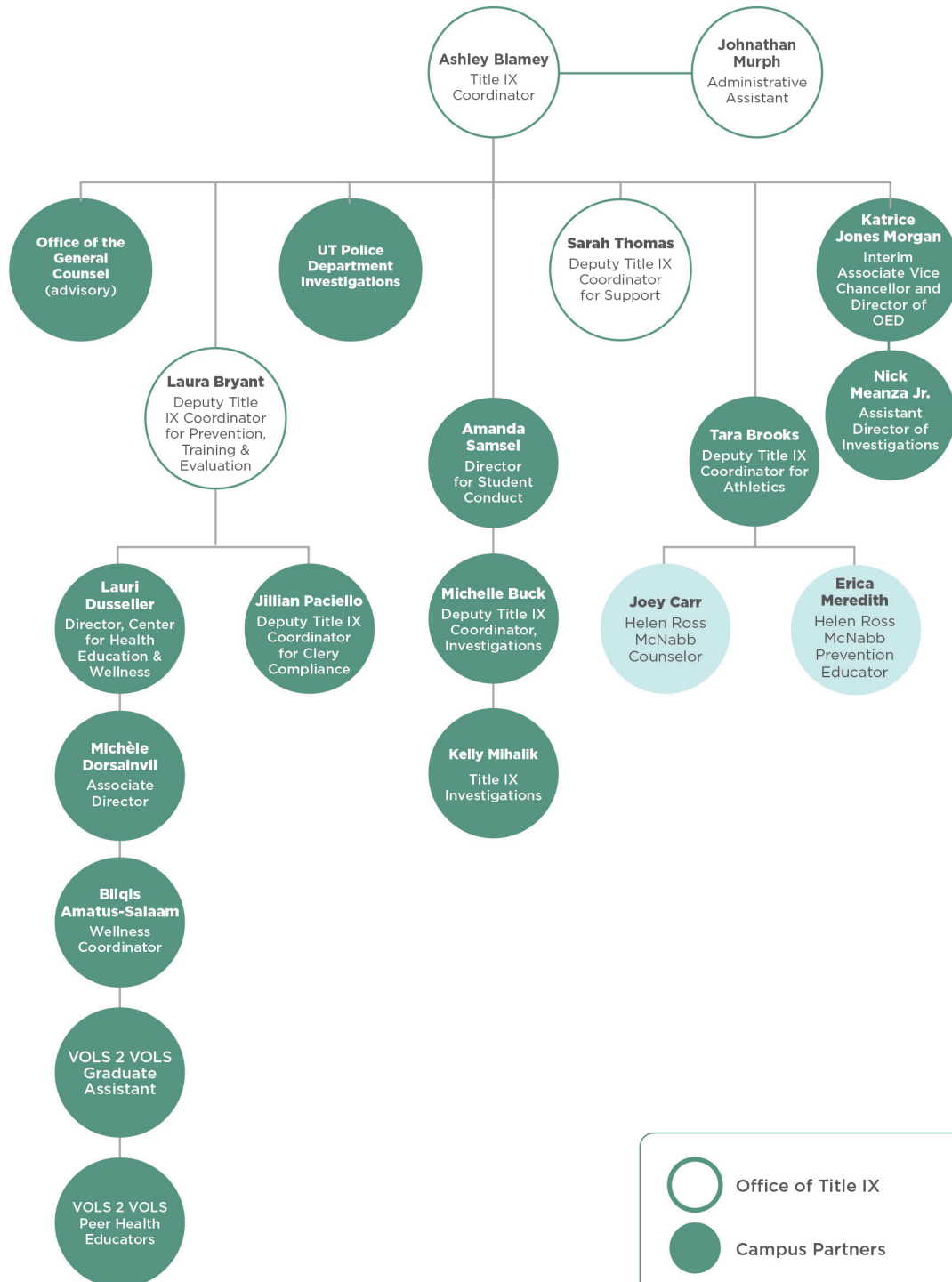
Title IX Response Team

- Addresses individual reports of sexual harassment, sexual assault, dating and domestic violence, and stalking
- Ensures consistency across case responses
- Provides oversight of supportive 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 term; 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 Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking was updated during the summer of 2020 following the May 6 release of the 2,033-page Final Rule on Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance by the US Department of Education. The 2020 Final Rule mandated how colleges and universities must address cases under Title IX, a federal statute that prohibits discrimination on the basis of sex in any federally funded education program or activity. All higher education institutions had 100 days to read, process, update, and disseminate policies and procedures that were compliant with the 2020 Final Rule.

During the 100 days from regulation release to implementation, a campus-wide Title IX working group was established. The group was chaired by the Title IX coordinator and comprised members representing the Office of Student Conduct and Community Standards, the Center for Health Education and Wellness, the UT Police Department, Human Resources, the Office of Equity and Diversity, Clery Compliance, the Office of Title IX, the Office of the Provost, Division of Student Life executive leadership, the Chancellor's chief of staff, Faculty Senate, the Student Government Association, and the Graduate Student Senate.

The Office of Title IX hosted dedicated meetings with deans and with the leadership of the Faculty Senate, Student Government Association, Graduate Student Senate, and student organizations. In June, the Office of Title IX hosted virtual office hours to provide working group updates, answer questions, and hear concerns from the campus community. Campus-wide communication and event updates were provided through various campus listservs, *Tennessee Today*, *Vol Update*, graduate coordinators, and the Vol Link platform for student organizations.

The final policy was published on August 14, 2020. One week before the release of the revised university policy, the Office of Title IX hosted a campus-wide town hall in which Ashley Blamey, Title IX coordinator, reviewed the efforts taken to incorporate stipulations detailed in the 2020 Final Rule. The presentation introduced participants to the final policy, addressed frequently asked questions, and allowed participants to engage in a question-and-answer session with the Title IX coordinator. After the release of the final policy, the Office of Title IX continued to hear feedback and answer questions from the UT community in monthly virtual office hours.

The primary purposes of the policy are to:

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

The updated policy is accessible at titleix.utk.edu along with additional information about campus procedures, training, and prevention programs related to prohibited conduct. The university will continue to review and update the policy annually to best serve our students, faculty, and staff.

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

August 14, 2020

titleix.utk.edu



EDUCATION, TRAINING, AND COMMUNICATION

Education

24 campus-wide events/851 participants

Spring 2020
(10 events,
476 participants)

**Valentine's Day—
Better Together Silent
Disco**

47 PARTICIPANTS



Safe Spring Break

256 PARTICIPANTS

Title IX Panel

**Stalking: It's Not a
Compliment**

Presentation and panel discussion

31 PARTICIPANTS



**Sexual Assault
Awareness Month**

5 virtual events

121 PARTICIPANTS

- Date Dive with Title IX
- Hike the Hill in Heels
- VOLS A.C.T. (faculty and staff)
- VOLS A.C.T. (graduate student)
- Vols Help Vols: Responding to Trauma

Tabling and Outreach

2 virtual events

21 PARTICIPANTS

- Healthy Relationships Outreach
- Consent Trivia

Fall 2020
(14 events,
375 participants)

**VOLS A.C.T.
Training for Resident
Assistants**

76 PARTICIPANTS

**Healthy Masculinity
and Campus Sexual
Harassment**

27 PARTICIPANTS



**Tarana Burke Meet and
Greet with Q&A**

115 PARTICIPANTS

Vols A.C.T. Bystander

Training for Graduate Students

8 PARTICIPANTS

Vols CARE

6 presentations

129 PARTICIPANTS

When to Swipe Left

6 PARTICIPANTS



World Sexual Health Day

4 PARTICIPANTS

Yes, No, Maybe? Alcohol & Consent at UT

1 PARTICIPANT

Title IX Panel

Your Campus, Your Rights

Presentation and panel discussion

9 PARTICIPANTS

Center for Health Education & Wellness Programs

58 Programs/1,182 Participants

Vols 2 Vols

22 PEER HEALTH EDUCATORS

13 PROGRAMS

228 PARTICIPANTS

Volunteers Speak Up!

4 PROGRAMS

112 PARTICIPANTS

Feeling Your Best at UT

12 PROGRAMS

286 PARTICIPANTS

Consent Program

2 PROGRAMS

30 PARTICIPANTS

Sexual Health

3 PROGRAMS

40 PARTICIPANTS

Healthy Relationships

5 PROGRAMS

97 PARTICIPANTS

Chit Chat with CHEW

19 PROGRAMS

389 PARTICIPANTS

Training

Training in Title IX

Housing Staff

100% of hall directors, assistant hall directors, resident assistants, and office assistants trained—refresher training for 150 RAs in January 2020

343

EMPLOYEES

First-Year Studies Peer Mentors

60

FIRST-YEAR
STUDENT EMPLOYEES,
100% TRAINED

5

COORDINATORS,
100% TRAINED

Ignite Team Leaders

70

TEAM LEADERS; 100% TRAINED

RecSports Student Employees

37

STUDENT EMPLOYEES, 100% TRAINED

Bridge Peer Mentors

8

PEER MENTOR STUDENT
EMPLOYEES; 100% TRAINED

Student Conduct Board Member Training

52

CURRENT BOARD MEMBERS
COMPLETED CONDUCT BOARD
MEMBER REFRESHER TRAINING

28

NEW BOARD MEMBERS
COMPLETED TRAINING

Title IX-Facilitated Training

3,483 **81**

PARTICIPANTS SESSIONS

New Employee Orientation

In-person and virtual sessions

587

PARTICIPANTS

Employee Online Title IX Mandatory Reporter Training

Full-time Faculty
and Staff

99%

COMPLETION RATE

Employee Online Title IX Mandatory Reporter Training

GTAs/GRAs

99%

UTK: COMPLETED

89%

UTIA: COMPLETED

Student Online Training The Vol Module—Social Responsibility

1,085

FIRST-YEAR STUDENTS
COMPLETED

In-Person/Virtual Training

Pre-Orientation Online Module with Title IX, and Wellness Information

5,996

FIRST-YEAR AND TRANSFER
STUDENT PARTICIPANTS

727

FAMILY AND GUEST
PARTICIPANTS

UTPD-Facilitated Trainings

For faculty, staff, and students

20

PROGRAMS

880

PARTICIPANTS

Title IX: Prevention, Intervention, and Response

1,445

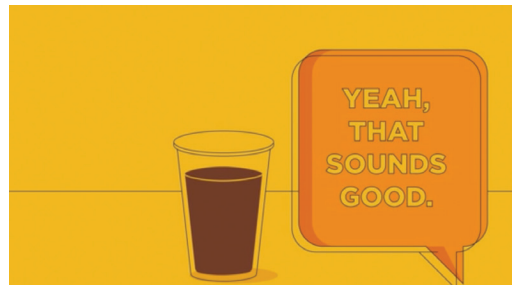
STUDENT-ATHLETES AND STUDENT ATHLETICS EMPLOYEES

Communication

Campus Digital Signage

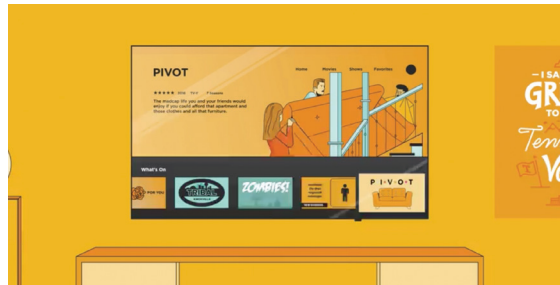
Consent Is... Personal, Specific, Clear, Yours

Consent Videos



Coffee and Consent

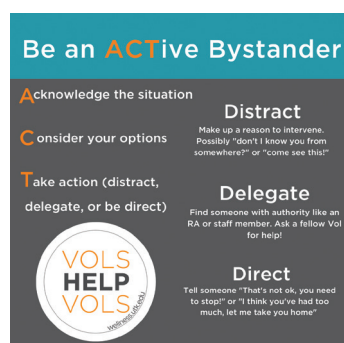
Consent is personal



Netflix and Consent

Consent is specific

Social Media



74 Twitter and
Instagram posts

Periodicals

3 *Daily Beacon*
Print and digital ads

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 Spotlights

Center for Health Education & Wellness

Prevention during the Time of COVID-19

The COVID-19 pandemic changed prevention and education initiatives significantly as many Center for Health Education and Wellness (CHEW) programs and events are held in person. Workshops and events have hands-on activities and opportunities to engage directly with staff, volunteers, and key campus and community partners. Flexibility and an open mind toward virtual modalities were key. Shifting the work involved coming to terms with less as CHEW had to reevaluate its capacity for programming.

Sexual Assault Awareness Month (SAAM) transitioned to a series of virtual events and opportunities for online engagement. Campus community members shared photos of themselves wearing their SAAM T-shirts, dressed in denim for Denim Day, and participating in the virtual Hike the Hill in Heels one-mile walk. For the fall semester, CHEW identified their most requested programs that include important content such as consent and active bystander education, and adapted them to a virtual format. Recognizing the impact of COVID-19, police brutality, and protests for racial justice on the well-being of incoming and returning students, Red Zone programming was reimaged as a brief presentation and Q&A called “Vols A.C.T., Vols CARE,” focusing on consent education, bystander intervention, and how to support a friend. The program sought to meet students where they are—during a student organization’s regular meeting. A second consent video and “Consent Is” campaign images rolled out across social media and campus digital displays to support consent education. Social media was also used to share resources related to Title IX concerns.

The work shifted in many ways but there were also exciting new opportunities, including changes to First-Year Seminar (FYS). FYS introduced modules—themed educational content received by all FYS students. CHEW provided content for the health and wellness module, which included the Vol Module (an online educational module that addresses active bystander skills, alcohol, consent, healthy relationships, sexual harassment, Title IX policy, and the Student Code of Conduct) and a recorded presentation of “Feeling Your Best at UT,” which briefly addresses active bystander skills. FYS instructors could also request the program “Chit Chat with CHEW” which reviews topics from the health and wellness module.

Tarana Burke

The Center for Health Education and Wellness was proud to host #MeToo movement founder Tarana Burke in October for a virtual moderated Q&A. Burke was originally scheduled for an in-person speaking engagement during Sexual Assault Awareness Month. With student Emily Medford (resident assistant and vice president of the VOLS 2 VOLS Peer Health Educators) moderating, 97 attendees heard Burke speak about her experience as an advocate for survivors, the origin of #MeToo, and the ways in which survivors, especially survivors of color, can be supported. Burke brought her wisdom and enthusiasm for the work as she shared her vision for survivor support and sexual violence prevention, gave advice for current and future professionals, and spoke candidly about trauma. It was an evening that left attendees feeling hopeful and inspired despite a challenging fall semester.

Athletics Prevention Programming and Wellness Plan

Through a contract with UT's Athletic Department, the Helen Ross McNabb Center continued to provide UT student-athletes with educational programming focused on improving and maintaining interpersonal wellness through the LIMITS curriculum and VOL IMPACT (Integrated Model for Prevention in Athletics Continuum of Training). The McNabb Center continued to partner with the Office of Title IX, the Thornton Athletics Student Life Center, and the Center for Health Education and Wellness to ensure campus-wide consistency with educational programming and outreach to student-athletes.

Educational programming focused on expanding student-athletes' knowledge and skills through evidence-based prevention education. Despite pandemic-related challenges, programming continued to be provided both in person and virtually. Program topics included healthy relationships, domestic and dating violence prevention, developing healthy coping and decision-making skills, consent, active bystander behaviors, sexual assault prevention, trauma, substance use risk reduction, social media, and online dating safety, including considerations for harm reduction in multiple facets and being an active bystander in an effort to reduce the risk to self and others. During the programming, student-athletes were provided with information regarding resources available both on and off campus for support and reporting options.

VOL IMPACT Program Data

14

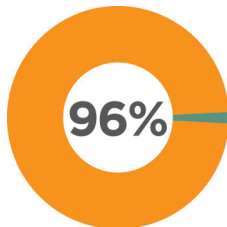
TEAMS

69

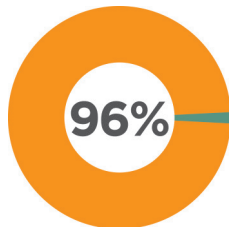
SESSIONS

511

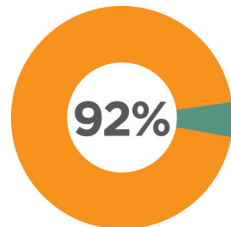
STUDENT-ATHLETES TRAINED



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



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



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

Office of Sorority and Fraternity Life Highlights

In 2020, the Office of Sorority and Fraternity Life (OSFL), with the Office of Title IX, the Center for Health Education and Wellness (CHEW), and the Office of Student Conduct and Community Standards (SCCS), worked collaboratively to develop and provide an online education module for the new members of the interfraternity and Panhellenic communities. The training, which was moved to an online platform due to the COVID-19 pandemic, addresses health and safety topics including, alcohol, drugs, sexual assault, mental health, and hazing through interactive scenarios. In total, 1,722 new members completed the module.

Following the completion of the new member training:

One hundred percent of students were able to identify one area in which their awareness had been enhanced. The following themes emerged from open-ended responses:

- Improved awareness of hazing, sexual assault, drugs, and alcohol
- Increased understanding of possible scenarios and strategies to help yourself and others
- Knowledge of available resources
- Better understanding of the rules and policies within UT and the Greek community
- Enriched general knowledge and reinforcement of previously acquired information

Ninety-eight percent of students were able to name two campus resources to contact for a health and safety issue

Almost all students (99.5 percent) were able to identify at least one risk factor or situation that could potentially occur during their new member period. The most common themes that emerged were:

- Peer pressure, particularly to drink
- Hazing
- Sexual assault

A total of 99.7 percent of students felt more empowered to manage health and safety risk factors.

Students shared the following qualitative statements about the module:

“Attending new member orientation has allowed me to fully understand how important it is to focus on what is happening around me, as it only takes one person to make a situation better.”

“Attending new member orientation has made me feel more empowered to manage these risk factors by showing me multiple real-life examples and solutions on how to properly handle a potentially dangerous situation that I or others could find themselves in the future.”

“I feel as though I am fully prepared to tackle any situation that I will be faced [with] as a student and new member on campus while also keeping myself and others safe. I have all the tools and knowledge needed to stay safe and healthy this year.”

“I feel like I have a better understanding and concrete examples of the situations I might experience. I have been given direct resources to rely on in the event of these situations. I may have not known of these before doing this orientation.”

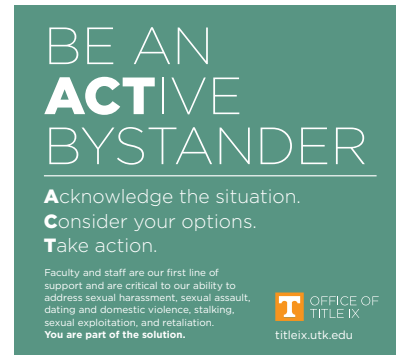
In addition to the new member module, in 2020 the OSFL conducted focus groups within the four councils to collect questions and misconceptions that Greek students may have of Title IX. The Office of Title IX used the focus group information to create a FAQ document for Greek students to provide accurate information about Office of Title IX processes and resources.

OSFL collaborated with the Office of Title IX, CHEW, and SCCS to develop case studies presented at OSFL’s Winter Health and Safety Summit for new and returning Greek leadership. The training was designed to help chapter and council leaders better understand health and safety issues as well as campus resources and supports that could benefit their membership. In 2020, 158 chapter and council leaders participated in the summit, and 99 percent of assessed participants reported that they felt more empowered to handle health and safety issues.

Office of Title IX

VOLS A.C.T.

Two new active bystander programs—VOLS A.C.T. for Faculty and Staff and VOLS A.C.T. for Graduate Students—were developed in 2020 by the Office of Title IX. VOLS A.C.T. teaches members of the UT community to *Acknowledge* the situation, *Consider* their options, and *Take* action. The new programs are added to the VOLS A.C.T. programs that were already being offered to undergraduate students by the Center for Health Education and Wellness. They are grounded in the recommendations of the *2018 Consensus Study Report: Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine* and customized for these unique university populations.



The VOLS A.C.T. programs were originally developed as an in-person learning experience with a maximum enrollment of 40 people. Due to COVID-19, the programs were modified to allow for a synchronous virtual audience incorporating small-group discussions in Zoom breakout rooms, large group sharing, audiovisual elements, and scenario-based learning through case studies.

Evaluations following the each program provided the following results:

- 100 percent of respondents were able to correctly define A.C.T.
- 100 percent of respondents agreed or strongly agreed with the statement “I know where to seek support if there are sexual harassing behaviors in my workplace.”
- 100 percent of respondents agreed or strongly agreed with the statement “Following this training I can identify behaviors that are red flags for sexual harassment.”
- 84 percent of respondents agreed or strongly agreed with the statement “Following this training I feel confident that I A.C.T. to low-level behaviors in my department that may not rise to a policy violation.” The remaining 16 percent of respondents were neutral.
- 100 percent of respondents agreed or strongly agreed with the statement “The training environment was a safe space in which I could share easily.”
- 100 percent of respondents agreed or strongly agreed with the statement “I would recommend this training to a colleague.”

The Office of Title IX staff had the opportunity to present about the development and implementation of the new VOLS A.C.T. programs at the second annual Action Collaborative on Preventing Sexual Harassment in Higher Education Public Summit in October 2020.

PARTNERSHIP HIGHLIGHTS

Annual Mandatory Reporter Training

The Office of Title IX was part of a team—led by Human Resources and the Office of Information Technology and also including representatives from Public Safety, the Office of the University Registrar, the Office of Equity and Diversity, and the Graduate School—that worked to combine all annual compliance trainings into a single annual training package in the K@TE Learning Management System for faculty, staff, and graduate students. The training courses included in the package were the Clery Act, the Code of Conduct, FERPA, Security Awareness Training, Title VI, and Title IX mandatory reporter training.

The Title IX mandatory report training was enhanced in 2020 to include increased interactivity and engagement with role play.

A number of individuals provided positive feedback about the updated training:

“I really enjoyed UTK’s TIX training deployed through the KATE training site.”

“The modules are very well done and informative.”

“This year’s [training] is so much more engaging. Staff and video scenarios came across great. I loved the mix of text to read and videos to watch and the quiz questions. Thank you and everyone involved. This conveys critical information and it also shows UT members as being leaders in looking out for one another and fostering, and safeguarding, a supportive climate for everyone.”

“The presentation was excellent and very interactive and easy to follow! The examples that were provided were a great addition to the training, providing an opportunity for trainees to see a more realistic scenario. Also, the format of the interactive portions of the training look fantastic!”

“I think the short videos by multiple folks in your office, in conjunction with the ability to do self-paced reading, was very effective. I also appreciated the UTK data from 2019 that you presented. It is so important that our community is aware of those. Thanks to you and your office for all your efforts on such an important topic!”

“I especially liked the acting videos and found them to be very helpful!”

“I wanted to quickly reach out and let you know I was very impressed with the Mandatory Reporter training this year! It was extremely well done, engaging, and helpful.”

In 2020, 99 percent of UT Knoxville full-time faculty and staff completed the Title IX training, along with 99 percent of graduate teaching assistants and graduate research assistants at UT Knoxville and 89 percent of GTAs and GRAs at the UT Institute of Agriculture.

Partner of the Year

Bilqis Amatus-Salaam serves as coordinator for interpersonal wellness and sexual health in the Center for Health Education and Wellness (CHEW). In her role, she develops and facilitates a number of health promotion initiatives for students through educational programs, events, and workshops. These initia-



tives focus on preventing sexual harassment, building active bystander skills, and educating the campus community about consent, healthy relationships, and campus and community resources. She is also responsible for oversight of the VOLS 2 VOLS peer education program. VOLS 2 VOLS is a group of undergraduate students who are trained to provide programs and events for the campus community on interpersonal wellness, sexual health promotion, alcohol and other drug education, and general wellness (for example, nutrition, sleep promotion, and stress reduction).

Amatus-Salaam describes her work as being rooted in connection and the belief that everyone deserves positive, healthy relationships and accurate education to help foster those relationships. Collaboration is an integral part of her work. She notes the relationships she has built with campus areas including the Office of Multicultural Student Life, the Jones Center for Leadership and Service, the Office of Sorority and Fraternity Life, and University Housing have been critical to educating student leaders to ensure that they are prepared to address concerns related to interpersonal wellness and sexual health.

Amatus-Salaam works closely with the Office of Title IX to ensure that university interpersonal wellness education is congruent with the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking. The relationship between the Office of Title IX and CHEW is part of the University of Tennessee's larger commitment to cross-campus collaboration for preventing and addressing issues of sexual harassment (sexual assault, dating and domestic violence, and stalking), sexual exploitation, and retaliation.

The relationship between the Office of Title IX and CHEW was intentionally created to ensure that prevention work for interpersonal wellness is supported and aligned with the education provided to the campus on alcohol and other drugs, general wellness, and sexual health. This ongoing relationship has three primary goals: to ensure compliance with federal, state, and campus level expectations; to support and promote consistent prevention messaging; and to support programming that addresses issues of sexual harassment, sexual exploitation, and retaliation.

As is true for many UT departments, the CHEW staff has had to adapt the work they do in alignment with COVID-19 guidelines. They have adjusted by providing programs virtually, assessing how to engage students in new ways that will allow the information they provide to resonate with individuals, increasing online engagement strategies, and learning how to navigate new tools and technologies through virtual platforms.

In 2021, Amatus-Salaam is looking forward to continuing to strengthen and improve prevention programming based on the Culture of Respect CORE Survey results and guidelines for prevention programming, and exploring new opportunities for educating incoming first-year and transfer students within the university's new orientation model. Although she believes it is possible to have meaningful conversations with students in virtual platforms, she is hopeful about being able to find ways to safely engage students through outdoor in-person activities.

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

In 2019, UT became a founding member of the 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 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 founding member of the collaborative.

A 2018 NASEM report concluded that existing systems for addressing sexual harassment placed the burden on targets, victims, and survivors, and have been ineffective in preventing harassment in academic institutions. In light of those findings, the 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 students, faculty, and staff with learning environments and workplaces free from harassment.

During 2020, UT participated in two national meetings and had the opportunity to present the poster “Teaching Bystander Intervention Through VOLS A.C.T. Programs.” The poster highlighted UT’s efforts to develop and implement the two VOLS A.C.T. programs, VOLS A.C.T. for Faculty and Staff and VOLS A.C.T. for Graduate Students, during 2020. Both programs are grounded in the recommendations of the 2018 *Consensus Study Report: Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine* and customized for a unique university population. The poster presentation included an overview of the development and decision-making that went into developing the program, a review of program components and activities that can be implemented both in person and virtually, ideas for institutions to modify the training for their unique campus communities, a review of outcome data, and recommendations for expanding future faculty, staff, and graduate student active bystander programming and engagement.

In 2019 UT 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

The UT Action Collaborative's objectives mirror the recommendations of National Academies Action Collaborative, with a focus on:

- Creating diverse, inclusive, and respectful environments
- Moving beyond legal compliance to address culture and climate
- Improving transparency and accountability
- Diffusing the hierarchical and dependent relationship between trainees and faculty
- Providing support for the target

Since the inception of the UT Action Collaborative, the team has done significant work toward creating diverse, inclusive, and respectful environments:

- Moving beyond legal compliance to address culture and climate
 - > Developing the Volunteers A.C.T. program by the Office of Title IX in collaboration with the Center for Health Education and Wellness to create a robust resource for faculty, staff, and graduate students mirroring the bystander and prevention work for current students.
 - > Creating a strategy for working with cross-campus constituents to include issues of sexual harassment in future campus-wide climate surveys. The survey results will be collected for all departments (clustering small department results to protect anonymity) and provided to the provost, deans, and department heads. Concerns and themes will be addressed through partnerships with the Office of Equity and Diversity, the Office of Title IX, Human Resources, and other appropriate support resources.
 - > Hosting listening sessions for the campus with topics that include gender issues, sex-based discrimination, and sexual harassment.
- Improving transparency and accountability
 - > Establishing a UT Action Collaborative website, housed on *titleix.utk.edu*, which links to a single accessible repository for all policies related to sexual misconduct definitions, processes, and appeals.
 - > Simplifying policy and procedure access of alleged employee misconduct through updated policy language and flow.
- Diffusing the hierarchical and dependent relationship between trainees and faculty
 - > Developing a statement of values by senior leadership to define a standard for respectful and supportive interactions on campus.
 - > Evaluating the Graduate Catalog and departmental graduate handbooks for content to ensure that issues of harassment, including sexual and gender harassment, are addressed, and ensuring that these documents include well-developed statements regarding graduate student rights and options if those rights are not upheld.
- Providing support for the target
 - > Broadly educating faculty and students on the consequences of retaliation and definition of retaliation in the academic setting.
 - > Widely publicizing role of the Office of Ombuds Services.
 - > Ensuring the safety of graduate student work and educational access if the allegation is against the student's primary advisor, and realigning advising roles as necessary.

2019–22 Membership

Brad Areheart, Associate Professor, College of Law

Ashley Blamey (chair), Title IX Coordinator, Office of Title IX

Austin Boyd, President, Graduate Student Senate

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

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

Paul Frymier, Associate Dean, College of Engineering

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

Karmen Jones, President, Student Government Association

Mary Lucal, Associate Vice Chancellor for Human Resources

Kim Newkirk, Associate Professor, College of Veterinary Medicine

Katrice Morgan, Interim 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

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

Erin Whiteside, Associate Professor, College of Communication and Information

Lisa Yamagata-Lynch, Ombudsperson

John Zomchick, Provost and Senior Vice Chancellor

National Engagement Highlight: Culture of Respect Collaborative



In 2019 The University of Tennessee was one of 20 universities accepted into the two-year Culture of Respect Collective, a initiative of the National Association of Student Personnel Administrators, and the program officially launched in January 2020. The collective is an ambitious two-year program that brings together institutions of higher education that are dedicated to ending campus sexual violence and guides them through a rigorous process of self-assessment and targeted organizational change.

The program is grounded in an expert-developed public health framework, cross-campus collaboration, and peer-led learning to make meaningful programmatic and policy changes. As a part of our membership in the collective, we receive strategic support and technical assistance as well as detailed documentation of campus-initiated changes that support survivors, prevent sexual violence, and communicate that violence is unacceptable.

A key component of the program's success its emphasis on cross-campus collaboration to assess, make meaningful programmatic and policy changes as needed, and reassess progress made across the following six pillars:

- Survivor support, which includes options on reporting
- Clear policies on misconduct, investigations, adjudications, and sanctions
- Multi-tiered education for the entire campus
- Public disclosure of statistics
- School-wide mobilization with student groups and leaders
- Ongoing self-assessment

Culture of Respect Leadership Team

Lamar Bryant, Associate Dean of Students

Laura Bryant (chair), Deputy Title IX Coordinator, Office of Title IX

Michele Dorsainvil, Associate Director, Center for Health Education and Wellness

Maggie Klotz, Assistant Director, Student Counseling Center

Nick Meanza, Assistant Director, Office of Equity and Diversity

Kelly Mihalik, Title IX Investigator, Office of Student Conduct and Community Standards

Jillian Paciello, Clery Compliance Coordinator, UT Public Safety

Jordan Smith-Porter, Assistant Director, Center for Student Engagement

Sarah Thomas, Deputy Title IX Coordinator, Office of Title IX

During the first year of the collective, the campus leadership team was formed. The CORE Evaluation was administered and baseline results generated. Specifically, the CORE Evaluation assessed the university's efforts to address sexual violence, including policies, programs, and procedures to educate stakeholders from across campus on the scope of the institution's efforts and raise awareness of federally required or expert-recommended practices that could be adopted. During 2021 the baseline data will be used to create a detailed action plan for improvement and growth and to measure progress at the end of the program.

SUPPORTIVE MEASURES

Supportive measures¹ are supports the university can provide to assist individuals addressing prohibited conduct² under the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.³ This report provides data on the number of supportive measures provided to those who made a report of prohibited conduct to the University of Tennessee, Knoxville, between January 1 and December 31, 2020. The data on this page does not include reports of prohibited conduct made to confidential resources such as the Student Counseling Center or the Office of Ombuds Services.

If the university receives a report of prohibited conduct that may fall under the policy, the university will provide supportive measures in support of students and employees so they can learn, live, and work in a safe and nondiscriminatory environment.

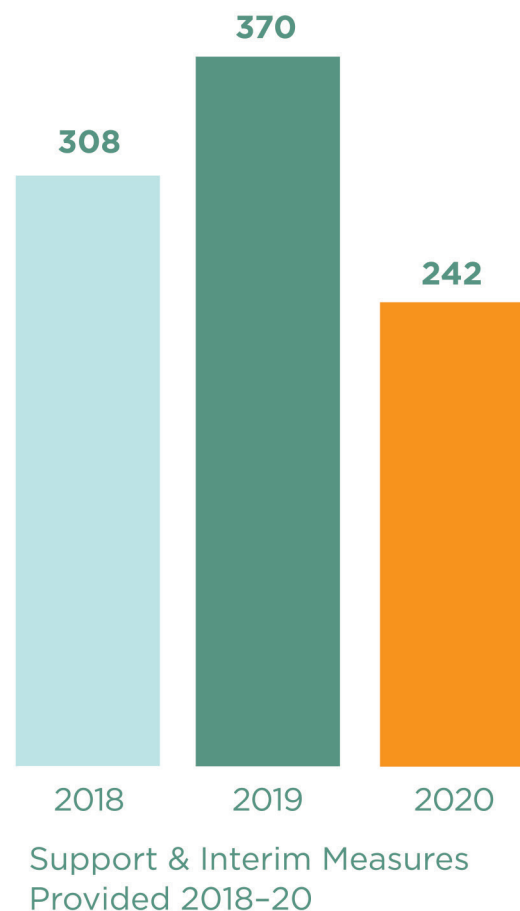
Supportive measures are available:

- Even if the complainant⁴ does not want to report the incident to the police.
- Even if the complainant does not file a formal complaint.⁵ (The university may be limited in the supportive 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,⁶ and witnesses, when determined to be appropriate by the Title IX coordinator or designee.
- Prior to, during, or after the investigation or resolution of a report of prohibited conduct.

After receiving a report of prohibited conduct, the Title IX coordinator or designee will take immediate and appropriate steps to ensure that individuals are made aware of all available supportive measures and reporting options, including filing a report with the police and/or filing a formal complaint with the Office of Title IX. The most common supportive measures were tracked (see page 23), although additional supportive measures are available. An individual may receive as many supportive measures as they accept.

This report does not reflect any comprehensive supportive measures provided in 2020 for individuals who reported incidents to the Office of Title IX in previous calendar years.

In 2020, 242 supportive measures were provided to students and employees through the Office of Title IX. This was a decrease from the 370 supportive measures provided in 2019. This decrease is attributed to adjustments the university made during the COVID-19 pandemic, in which all classes were moved to a virtual platform in March 2020 and all students except student-athletes and those with specific needs moved out of campus housing until August 2020.



Total Number of Supportive Measures: 242

	Sexual Misconduct	Relationship Violence	Stalking	Retaliation	Other	Total
Mental Health Services	21	6	5	0	7	39
Medical Services	5	0	0	0	0	5
Academic Support	36	10	8	1	17	72
No-Contact Directive	15	11	12	1	7	46
Housing	1	2	2	1	2	8
Referral to Sexual Assault Center of East Tennessee	11	0	0	0	1	12
Other	18	12	11	0	19	60
Total	107	41	38	3	53	242

REPORTS OF PROHIBITED CONDUCT

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 prohibited conduct alleged to have been committed by a university student in violation of the university's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.

The following notes apply to the data in this section:

- Definitions of prohibited conduct are provided on page 37.
- The data is on a calendar-year basis.
- The data does not include reports made to confidential resources such as the Student Counseling Center or the 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 prohibited conduct (for example, sexual harassment and domestic 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 a total of 271 student and employee concerns over the 2020 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 resources to support academic access (see page 23).

Student Concerns

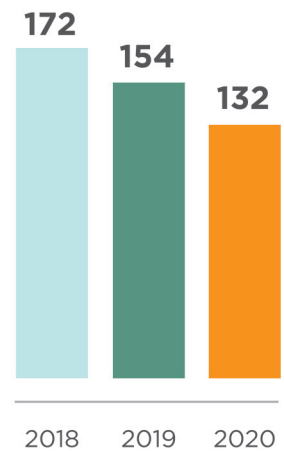
Of the 230 student concerns reported to the Office of Title IX:

- 132 involved alleged prohibited conduct committed by a university student in violation of university policy
- 84 involved concerns that did not rise to an allegation of prohibited conduct under university policy
- 14 involved pregnant and parenting students in need of support and accommodations

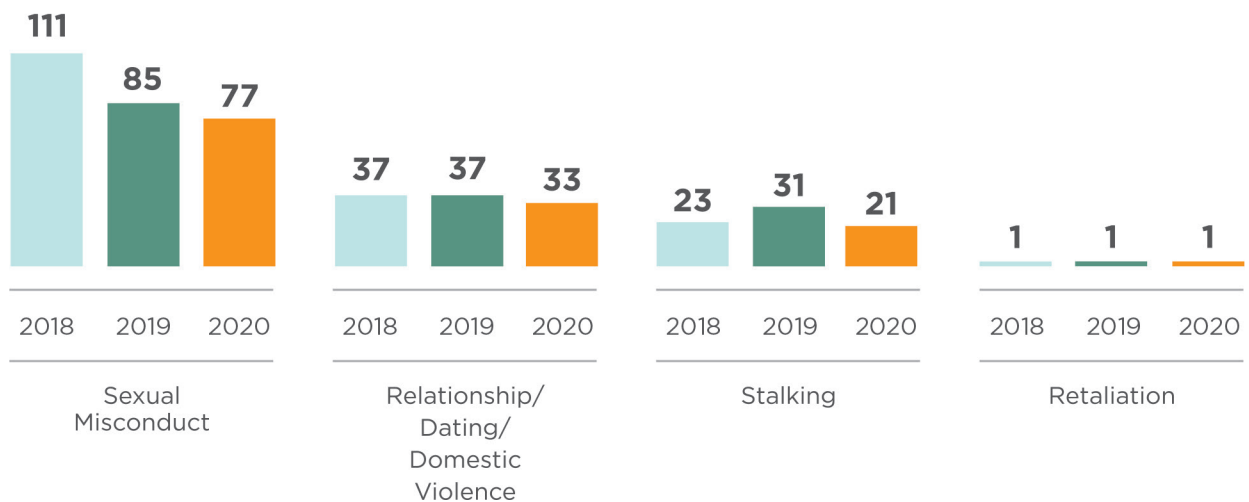
Prohibited Conduct

During 2020, the Office of Title IX had 132 reported prohibited conduct: 77 reports of sexual misconduct/sexual harassment, 33 reports of relationship/dating/domestic violence, 21 reports of stalking, and one report of retaliation.

Prohibited Conduct Reports 2018-20



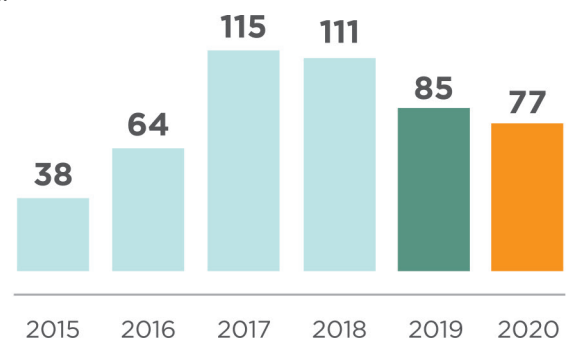
Prohibited Conduct Reports by Category



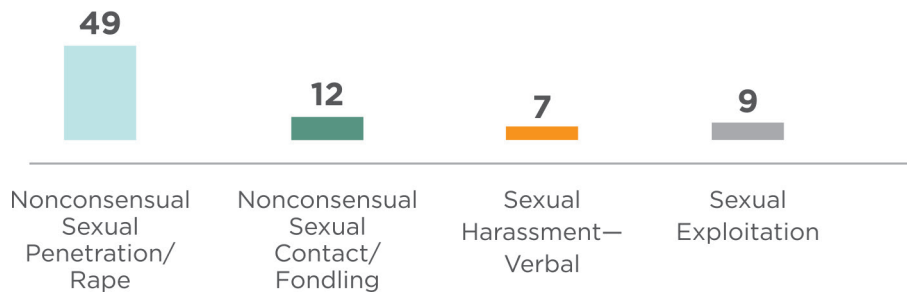
Sexual Misconduct

Sexual misconduct is an umbrella term that encompasses sexual assault, sexual harassment, and sexual exploitation. During 2020 there were 77 reports of sexual misconduct, representing a 9 percent drop from 2019 and a 30 percent decrease from 2018.

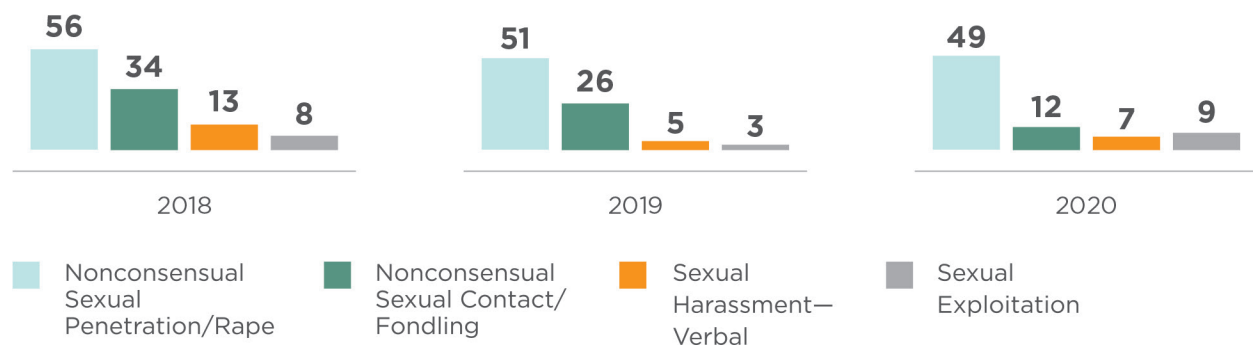
Sexual Misconduct Reports 2015-20



Sexual Misconduct Reported by Type in 2020 (n=77)



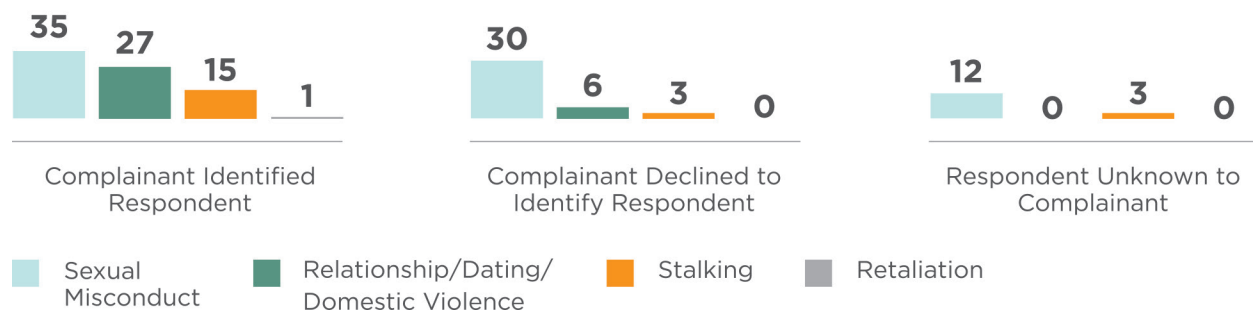
Sexual Misconduct Reported by Type 2018-20 (2018 n=111; 2019 n=85; 2020 n=77)



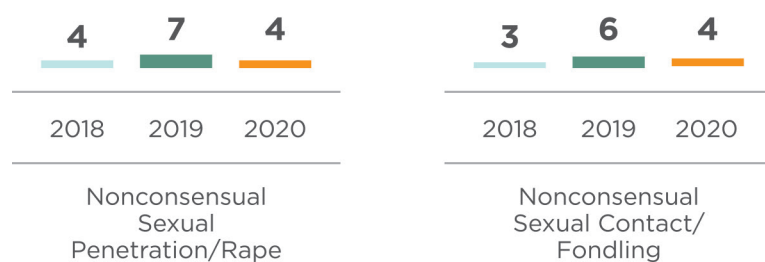
Report Details

When the Office of Title IX has contact with complainants, they are not required to provide information. 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 supportive measures.

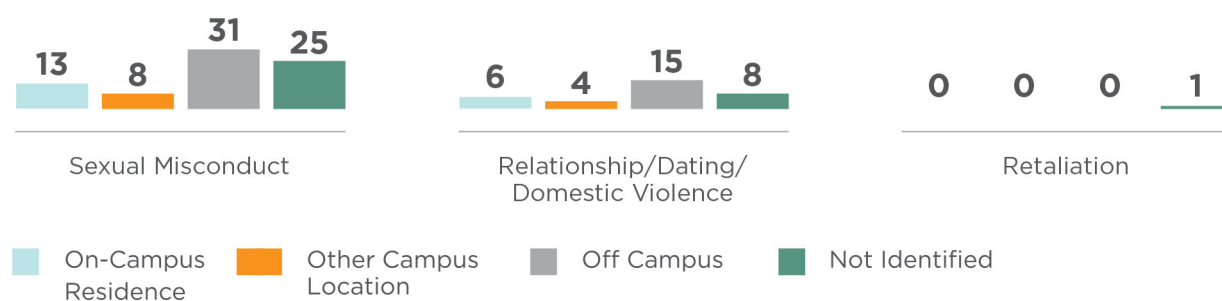
Respondent Identification 2020 (n=132)



Reports of Sexual Misconduct with Respondent Unknown to the Complainant



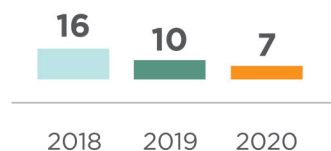
Reports of Sexual Misconduct by Type and Location



Sexual Misconduct Reports by Type and Location in 2020 (n=77)

	Nonconsensual Sexual Penetration/Rape	Nonconsensual Sexual Contact/Fondling	Sexual Harassment	Sexual Exploitation	Total
Not Identified	21	0	2	2	25
Off Campus	18	7	3	3	31
Campus Residence ⁷	7	3	0	3	13
Other Campus Location	3	2	2	1	8
Total	49	12	7	9	77

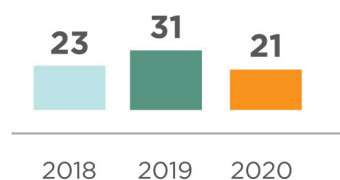
Campus Residence: Sexual Assault— Nonconsensual Penetration/Rape



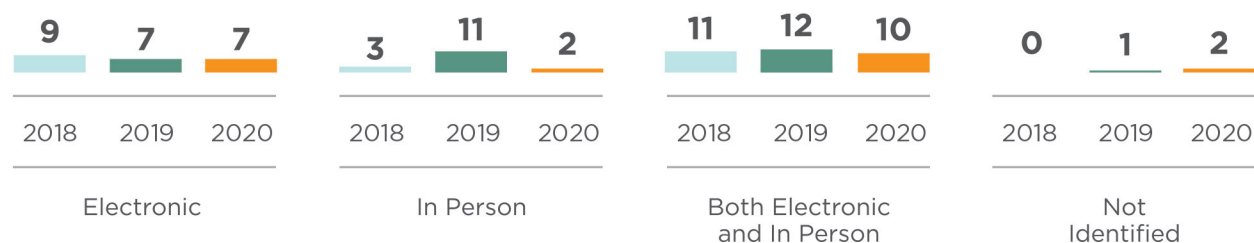
Stalking

Stalking means engaging in a course of conduct directed at a specific 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 2018–20



Stalking by Type⁸ (2018 n=23; 2019 n=31; 2020 n=21)



Student Report Resolutions

As of December 31, 2020

Note: Outcomes of the 10 cases pending investigation or disciplinary hearings will be included in the 2021 Title IX annual report.

In 2020, Office of Student Conduct and Community Standards Title IX investigators investigated 30 reports of prohibited conduct under the policy as listed in the 2020 report resolutions chart below.

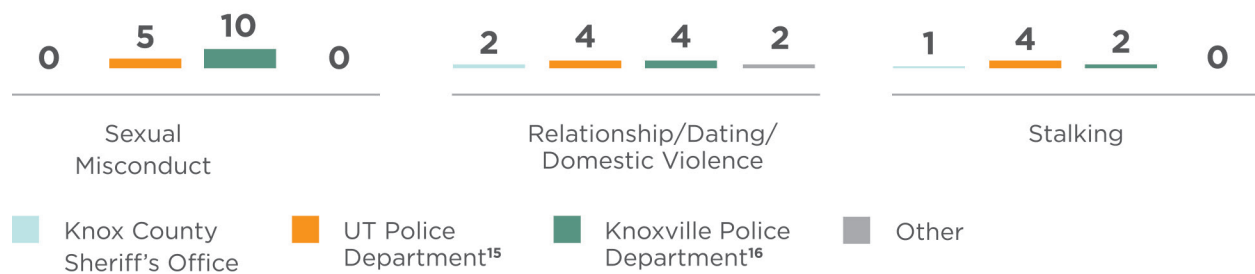
Additionally, SCCS Title IX investigators collaborated with the Office of Title IX, in a limited capacity, in response to 44 additional student reports. SCCS assisted in responding to the reports by issuing no-contact directives, contacting students to schedule informational meetings, investigating a report under a separate section of the Student Code of Conduct (not under the policy), providing referrals to another campus office or resource, and/or locating and preserving evidence for possible investigation at a later date.

Report Resolution	Sexual Misconduct	Relationship/ Dating/ Domestic Violence	Stalking	Retaliation	Total
Respondent not identified or unknown	43	6	6	0	55
Limited action: ⁹ complainant chose not to file formal complaint	17	16	11	0	44
Limited action: complainant is unknown or not able to be identified	0	1	1	0	2
Alternative/informal resolution ¹⁰	3	3	1	0	7
Accepted responsibility in an alternative resolution	0	1	0	0	1
Evidence did not support a charge of a policy violation based on preponderance of the evidence ¹¹	6	1	0	1	8
Respondent found responsible for violating the policy	2	1	1	0	4
University unable to complete investigation	0	1	0	0	1
Pending investigation or disciplinary hearing	6	3	1	0	10
Total	77	33	21	1	132

Rollover 2019 Report Resolutions—SCCS

Report Resolution	Relationship Violence	Sexual Misconduct	Stalking	Total
University honored request for limited action ¹²	2	1	1	4
Complainant did not participate in process, and the university did not have enough information to move forward without the complainant's participation	0	0	1	1
Alternative resolution ¹³	0	0	1	1
Evidence did not support a charge based on the preponderance of the evidence	2	2	1	5
Respondent found responsible for violating the policy after a hearing ¹⁴	2	0	0	2
Respondent found responsible for violating the policy	1	1	0	2
Accepted responsibility through an alternative resolution	1	1	0	2
Total	8	5	4	17

Law Enforcement Reports 2020

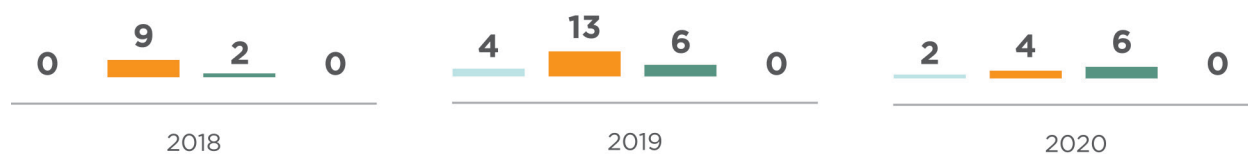


Reports of Prohibited Conduct by Faculty and Staff

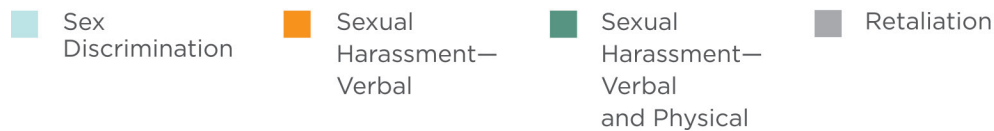
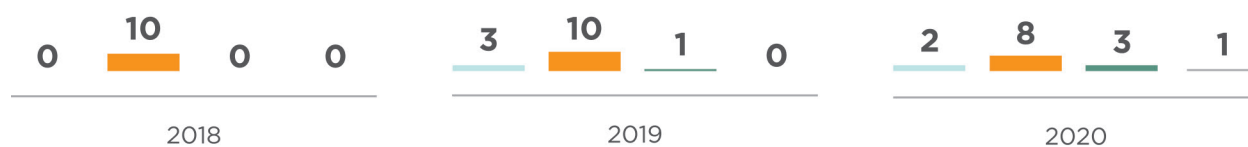
In 2020 there were 26 reports of prohibited conduct made against UT faculty and staff,¹⁷ a decrease of 28 percent from 2019. For complete information on faculty and staff reporting, see UT Policy HR0280 (tiny.utk.edu/HR0280) and the procedures listed in Appendix D of the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.

Complainant Status

Current or Former Student



Employee or Third Party



2020 Reports of Prohibited Conduct by Faculty & Staff

	Discrimination Based on Sex (Nonsexual Misconduct)	Retaliation	Sexual Harassment- Verbal	Sexual Harassment- Verbal and Physical	Total
Alternative resolution	0	0	1	1	2
Limited action—complainant chose not to file a formal complaint	1	0	5	2	8
Limited action—complainant is unknown or not able to be identified	0	0	1	0	1
Pending investigation	3	0	2	1	6
Respondent found not responsible for violating the policy	0	1	1	1	3
Respondent found responsible for violating the policy	0	0	1	4	5
Respondent no longer employed by the university or third party	0	0	1	0	1
Total	4	1	12	9	26

2019 Carryover Report Resolutions—OED

	Discrimination Based on Sex (Nonsexual Misconduct)	Sexual Harassment- Verbal and Physical	Sexual Harassment- Verbal (Electronic and In Person)	Total
University honored request for limited action	0	0	1	1
Informal resolution ¹⁸	0	1	0	1
Respondent found responsible for violating the policy	0	1	1	2
Respondent found not responsible; evidence did not support a charge ¹⁹	1	0	0	1
Total	1	2	2	5

Patterns and Trends

Using the information and data described in the previous section, the university can identify patterns and trends related to prohibited conduct. 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:

- In 2020, the total reports of prohibited conduct again decreased. The number of informational reports decreased, as did the number of requests for supportive measures from both complainants and respondents. The number of reports in which the respondent was unknown to the complainant decreased from 17 in 2019 to 15 in 2020.
- Recognizing the limitations of large in-person events and trainings, the Office of Title IX and the Center for Health Education and Wellness, the Office of Sorority and Fraternity Life, and Human Resources worked to move training related to Title IX online and increase opportunities for small-group discussions.
- During 2020, a Culture of Respect Campus Leadership Team was formed to lead the administration of the CORE Evaluation to assess the university's efforts to address sexual violence, including policies, programs, and procedures. During 2021 the baseline data will be used to create a detailed action plan for improvement and growth and to measure progress at the end of the Culture of Respect program.
- In addition to serving as a resource to students, faculty and staff are key partners in prevention. In 2020, 70 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 30 percent of reports came directly to the Office of Title IX through a self-report or concerned third party. This could mean that students are more aware of where and how to seek support and resources from the Office of Title IX.

The university will continue to track patterns and trends related prohibited conduct to better inform and enhance prevention, education, and training across campus.

Evaluation and Assessment

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 2020. Depending on the process each individual chose, the survey included 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 the UT Police Department. A total of 22 percent of complainants and 27 percent of respondents completed the survey. Results included the following points on support from the Office of Title IX:

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

Organizational Needs Assessment

In 2020, the Center for Student Engagement invited the Office of Title IX to include questions on an needs assessment they administered to 1,200 student organization leaders during the 2020 fall semester. Ten percent of the student leaders completed the survey. Results included:

- 95 percent of student leaders reported having a good understanding of the university Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.
- 91 percent of student leaders reported knowing where they can access supports and resources for students in their student organization related to the area of sexual misconduct.
- 92 percent of student leaders reported knowing how to access training and more information about sexual misconduct.
- 88 percent of student leaders reported they would feel comfortable referring a student in their organization to a campus office for a concern related to sexual misconduct.

NOTES

1 Supportive measures. Supportive measures are protective and remedial measures instituted by the Title IX coordinator following a report of prohibited conduct while the university assesses, investigates, and resolves the report.

2 Prohibited conduct. Sexual harassment (including sexual assault, domestic violence, dating violence, and stalking), sexual exploitation, and retaliation are collectively known as prohibited conduct.

3 Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking. The policy can be found at titleix.utk.edu.

4 Complainant. A complainant is an individual who is alleged to be the victim of conduct that could constitute prohibited conduct, regardless of whether that person makes a report or seeks action.

5 Formal complaint. A formal complaint is a document filed by the complainant (or, in some circumstances, signed by the Title IX coordinator) alleging prohibited conduct against a respondent and requesting that the university investigate the allegations.

6 Respondent. A respondent is an individual who has been reported to be the perpetrator of conduct that could constitute prohibited conduct.

7 Campus residence. In accordance with the Clery Act, the UT Police Department annually publishes data on sexual assault, relationship violence, and stalking in its Annual Security and Fire Safety Report. There may be differences between the data summarized here and the statistics reported 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 (for example, 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.

8 Stalking by type. 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.

9 Limited action. When the university receives notice of a potential incident of prohibited conduct, the Title IX coordinator will communicate with the complainant about how the complainant can file a formal complaint, supportive measures that the university can take in order to support the complainant, and on- and off-campus resources that the complainant can access for assistance. If the complainant declines to respond to outreach or states that they do not wish to file a formal complaint or participate in an investigation, the university will generally take limited action. Limited action includes providing supportive measures like academic support, safety escorts, no-contact directives, and campus support services. For more information about supportive measures, see section 4.6 of the policy. There are limited circumstances in which the Title IX coordinator may determine that the university must continue with an investigation without the complainant's participation or assent because of the university's commitment to providing a safe and nondiscriminatory learning, living, and working environment free from prohibited conduct.

10 Alternative/Informal Resolution. Alternative/informal resolutions are resolutions that are reached through an agreement. An alternative resolution is available in non-Title IX cases. An informal resolution is available for a limited type of Title IX cases.

11 Evidence did not support a charge of a policy violation based on preponderance of the evidence. The standard of proof used in disciplinary proceedings is the preponderance of the evidence standard.

12 University honored request for limited action. 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, non-discriminatory environment for all members of the community. More information regarding limited action can be found in the policy.

13 Alternative resolution. At any point during the investigation and resolution process, a report may be resolved through an alternative resolution process.

14 Respondent found responsible for violating the policy after a hearing. If a respondent does not wish to accept the charges and/or sanctions issued by the Office of Student Conduct and Community Standards, they have the right to request a disciplinary hearing.

15 UT Police Department. 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.

16 Knoxville Police Department. These numbers reflect complainants who self-disclosed a report to the Knoxville Police Department.

17 UT faculty and staff. Faculty and staff include graduate teaching assistants and student employees if the reported incident occurred while they were acting in their employment capacity.

18 Informal resolution. 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. 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 Respondent found not responsible; evidence did not support a charge. Even if there is not found to be a policy violation based on the preponderance of the evidence, the university provides educational interventions (for example, 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 Harassment

- Sexual Assault
 - > Rape
 - > Fondling
 - > Incest
 - > Statutory Rape
- Dating Violence
- Domestic Violence
- Stalking
- Sexual Exploitation
- Retaliation

Sexual Harassment is an umbrella term that encompasses sexual assault, dating violence, domestic violence, and stalking. Sexual harassment is conduct on the basis of sex that satisfies one or more of the following: (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, and/or Stalking. For the definition of Sexual Harassment, "reasonable person" means a reasonable person under similar circumstances as and with similar identities to the complainant. To determine whether words and/or conduct constitute Sexual Harassment, the University will consider the totality of the circumstances, including without limitation: the context in which the conduct and/or words occurred; and the frequency, nature, and severity of the words and/or conduct.

- **Sexual Assault** is an umbrella term for any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes Rape, Fondling, Incest, and Statutory Rape.
 - > **Rape** means the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - > **Fondling** means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - > **Incest** means sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.
 - > **Statutory Rape** means sexual intercourse with a person who is under the statutory age of consent.
- **Dating Violence** means violence committed by a person—(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child

in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs. In cases involving allegations of mutual acts or threats of acts of violence, the designated investigator(s) will, when appropriate, identify the primary aggressor in the situation based on the totality of the information gathered, including without limitation: the history of violence between the parties; the relative severity of the injuries inflicted on each person; information gathered from the persons involved in the situation and witnesses to the situation; and whether the acts or threats were done in self-defense. The primary aggressor will be considered the Respondent for purposes of evaluating Domestic Violence.

- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) fear for his or her safety or the safety of others; or (B) 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.
 - > For the definition of Stalking, "reasonable person" means a reasonable person under similar circumstances and with similar identities to the complainant.
- 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.

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. A person cannot actively agree to an act if: (1) the person is Incapacitated, if either the person claiming to have obtained the other person's active agreement knows that the other person is Incapacitated or a Reasonable Person would know that the other person is Incapacitated; or (2) the person is Forced to act or participate in an activity. Examples of Sexual Exploitation include, without limitation:

- Surreptitiously observing, photographing, audiotaping, videotaping, or recording an image of a person who is engaging in sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy;
- Allowing or enabling a person to surreptitiously observe, photograph, audiotape, videotape, or record an image of another person who is engaging in sexual act(s), or another person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy;

- Showing, posting, or sharing video, audio, or an image that depicts a person who is engaging in sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/ photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy, if all persons who are depicted have not agreed to having the video/audio/ image shown, posted, or shared;
- Prostituting another person or engaging in sex trafficking;
- Knowingly exposing another person to a sexually transmitted infection or disease without informing the other person that one has a sexually transmitted infection or disease;
- Forcing a person to participate in sexual act(s) with a person other than oneself;
- Forcing a person to expose the person's breasts, buttocks, groin, or genitals;
- Forcing a person to take an action against that person's will by threatening to show, post, or share video, audio, or an image that depicts the person's nudity or depicts the person engaging in sexual act(s);
- Forcing a person to take an action of a sexual nature against that person's will by threatening to disclose information that would harm a person's reputation;
- Forcing a person to take an action against that person's will by threatening to disclose information of a sexual or intimate nature that would harm a person's reputation; and/or
- Causing or requesting an incapacitated person to expose the person's breasts, buttocks, groin, or genitals or to participate in sexual act(s) with a person other than oneself.

Retaliation means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this Policy constitutes retaliation. (1) The exercise of rights protected under the First Amendment does not constitute retaliation. (2) Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation. 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. Determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.



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