



OFFICE OF
TITLE IX

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

JANUARY-DECEMBER

2021

SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION

OFFICE OF TITLE IX
ANNUAL REPORT
JANUARY-DECEMBER 2021

Contents

Our Campus Commitment: Letter from the Title IX Coordinator	2
Our Mission, Model, and History	2
Our Team.....	4
Campus Collaboration	6
Policy	7
Education, Training, and Communication	8
Prevention Spotlights	12
Supportive Measures	17
Reports of Prohibited Conduct	19
Notes.....	29
Appendix: Definitions of Prohibited Conduct	31

OUR CAMPUS COMMITMENT



Dear Volunteer community,

I want to begin by thanking you. The work of creating and maintaining a safe and nondiscriminatory learning, living, and working environment free from sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), sexual exploitation, and retaliation belongs to us all.

Each year the Office of Title IX publishes an annual report. Our goals are to support transparency, increase awareness, highlight the work of our campus and community partners, and ensure ongoing accountability. Our responsibility to the community is to show our work.

Each year we have expanded the scope of this report to give you the ability to evaluate our work. This year's report includes an overview of prevention efforts, information about reports made to our office, outcomes, 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,

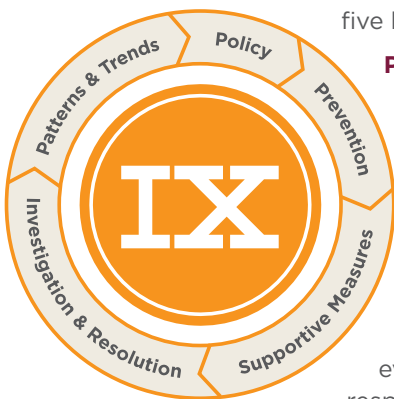
Ashley Blamey
Title IX Coordinator

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 is centrally located at 1817 Melrose Avenue.

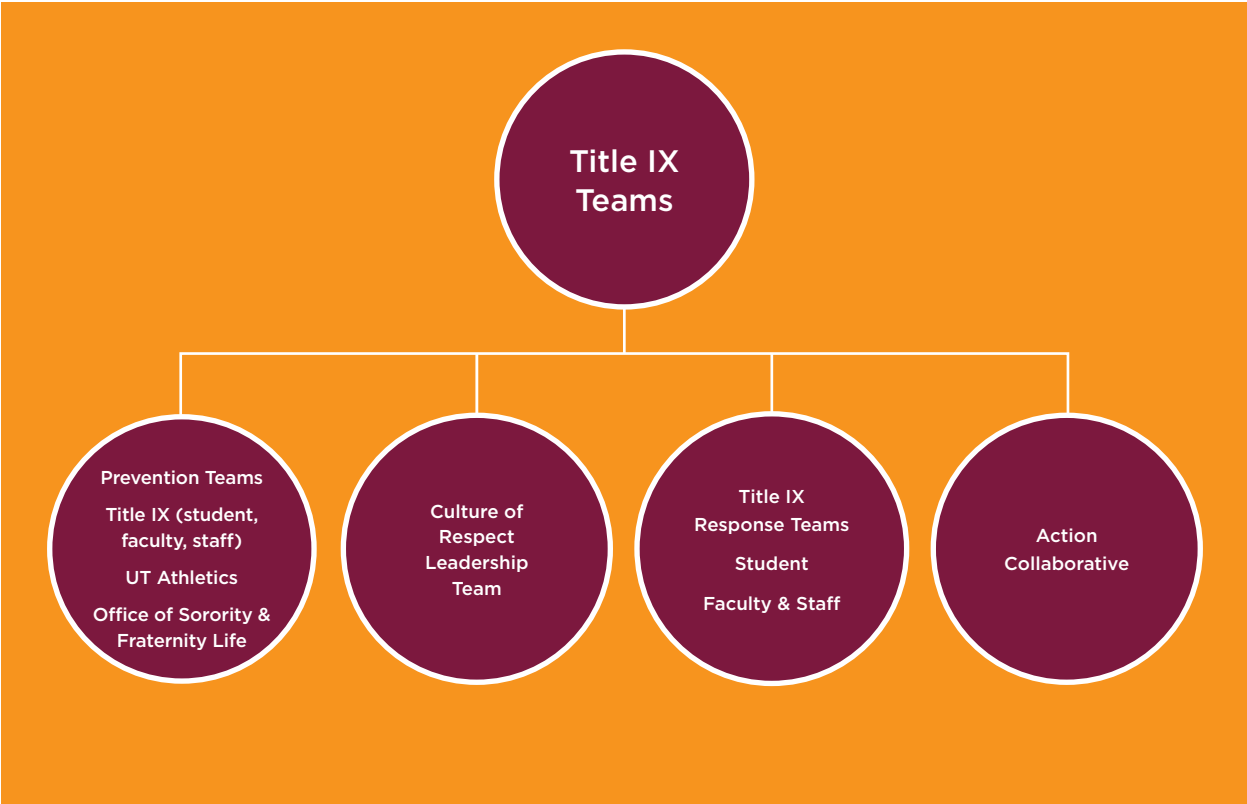
In 2019, UT became a founding member of the nationwide Action Collaborative on Preventing Sexual Harassment in Higher Education. This group of committed academic institutions and other key stakeholders is guided and convened by the National Academies of Science, Engineering, and Medicine (NASEM) to develop 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 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.

In 2019, UT was one of 20 universities accepted into the two-year Culture of Respect Collective, an 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, UT receives 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. Due to the COVID-19 pandemic, the university's membership in the Culture of Respect Collective was extended for one year and will conclude in 2022.

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

Provides leadership for the university's two-year commitment, which was expanded to a three-year commitment due to the COVID-19 pandemic, 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

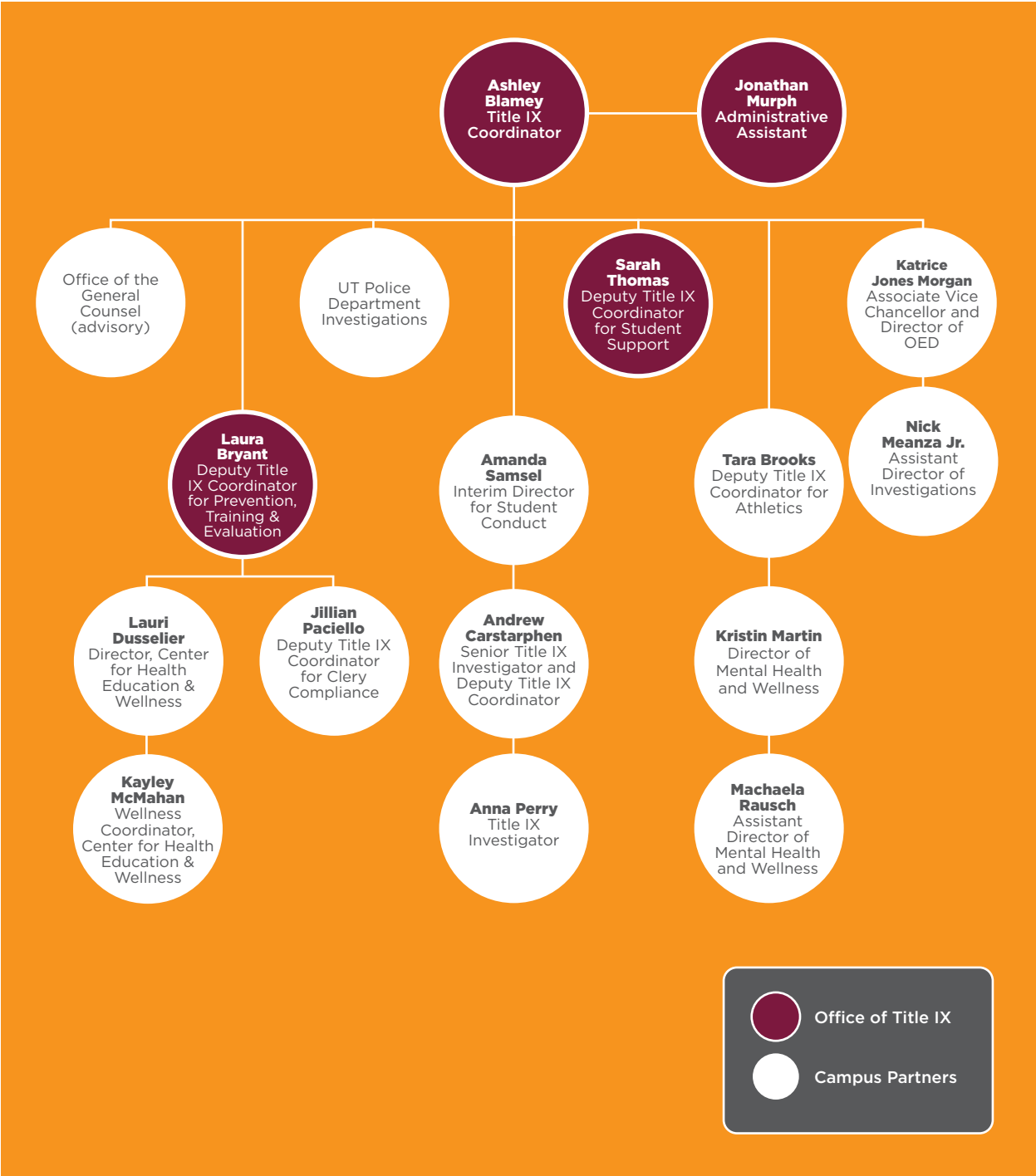
Title IX Response Team

- 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



 Office of Title IX
 Campus Partners

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 significantly 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 address cases under Title IX, a federal statute that prohibits discrimination on the basis of sex in any federally funded education program or activity. In 2021, the policy remained largely the same and remains in compliance with regulations. The policy was shared with the university community on August 16, 2021. 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 13, 2021
titleix.utk.edu

THE UNIVERSITY OF TENNESSEE

THE UNIVERSITY OF TENNESSEE KNOXVILLE

INSTITUTE OF AGRICULTURE THE UNIVERSITY OF TENNESSEE

INSTITUTE FOR PUBLIC SERVICE

EDUCATION, TRAINING, AND COMMUNICATION

EDUCATION

SPRING 2021

14 EVENTS, 602 PARTICIPANTS

“Embodying Healing and Joy in Relationships & Sexual Wellness”

Black Issues Conference presentation by Bilqis Amatus-Salaam

76 PARTICIPANTS

WELLNESS WEDNESDAYS

VOlentine’s Day Instagram Life

Education about healthy relationships and consent provided by VOLS 2 VOLS peer health educators

93 PARTICIPANTS

Mini Golf and Wellness Survival Kits

60 PARTICIPANTS

Sham-Rock Your Stress Away

101 PARTICIPANTS

Communication & Healthy Relationships at Your First Job

7 PARTICIPANTS

“How Does It Feel?”

Presentation by Shadeen Francis addressing healthy relationships and sexual health through the lens of emotional intelligence

5 PARTICIPANTS

SEXUAL ASSAULT AWARENESS MONTH

Day of Action

16 PARTICIPANTS

Chanel Miller Reading and Moderated Q&A

126 PARTICIPANTS

Trauma-Responsive Teaching

Workshop for faculty & GTAs

17 PARTICIPANTS

Trauma-Informed Responses to Sexual Assault

Workshop for students about how to respond when friends disclose sexual assault experiences

27 PARTICIPANTS

“I didn’t want to but I did it anyway”: The Power of Gendered Roles and Sexual Scripts”

Presentation by Megan Haselschwerdt, Department of Child and Family Studies

27 PARTICIPANTS

Wellness Wednesdays: Denim Day

30 PARTICIPANTS

Title IX Town Hall

10 PARTICIPANTS

“Sliding into Your DMs”

Stalking Awareness Week presentation by YWCA Knoxville

7 PARTICIPANTS

FALL 2021

9 EVENTS, 1,030 PARTICIPANTS

WELCOME WEEK

Multicultural Student Affairs Welcome Back

84 PARTICIPANTS

RecFest

112 PARTICIPANTS

Student Engagement Fair

134 PARTICIPANTS

Wellness Wednesdays:

Volunteers Speak Up

Interactive tabling activity to promote bystander intervention; T-shirt giveaway

103 PARTICIPANTS

Safe Fall Break

187 PARTICIPANTS

Big Orange Table Talk for First-Generation Students

32 PARTICIPANTS

Take Back the Night Tabling

30 PARTICIPANTS

Interdimensional Wellness Tabling Event

273 PARTICIPANTS

November T-Shirt Giveaway

75 PARTICIPANTS

TRAINING

Training in Title IX

During 2021 the Office of Title IX staff facilitated 100 in-person or virtual training and tabling events with a total of 5,483 individuals trained. Below is a snapshot of those trainings.

Housing Staff

100% of hall directors, assistant hall directors, resident assistants, and office assistants trained

Athletics Staff and Student-Athletes

1,350 TRAINED

First-Year Studies Peer Mentors

114 PEER MENTORS 100% TRAINED

Ignite Team Leaders

70 TEAM LEADERS 100% TRAINED

Graduate Student Orientation

TITLE IX

30 PARTICIPANTS

MANDATORY REPORTER

300 PARTICIPANTS

RecSports Employee Orientation

201 PARTICIPANTS

Employee Orientation

503 VIRTUAL SESSIONS

Annual Fall Title IX Town Hall

44 PARTICIPANTS

VOLS ACTIVE Bystander Training

12 TRAININGS 197 ATTENDEES

Online Annual Title IX Training

FULL-TIME FACULTY AND STAFF

97% COMPLETION RATE

GTAs/GRAs

88% COMPLETION RATE

Title IX Staff Presentations to External Groups

5 TRAININGS/ 361 PARTICIPANTS

Training was provided in partnership with UT's Teaching and Learning Institute, Tennessee Chiefs of Police, the UT Institute for Public Service, the National Association for Behavioral Intervention Teams and Training, and the Association for Human Resource Professionals in Higher Education.

Other Title IX-Related Training

Office of Student Conduct & Community Standards Title IX Advisor Training

31 PARTICIPANTS

Vol Values for New Staff

In partnership with Human Resources

141 PARTICIPANTS

UTPD-Facilitated Training

22 PROGRAMS 1,042 PARTICIPANTS

Other Trainings

13 TRAININGS 610 PARTICIPANTS

Includes custom trainings for Greek chapters, resident advisors, Office of Sorority and Fraternity Life Health and Safety Summit, etc.

Orientations

Vol Module Online Orientation

2,725 PARTICIPANTS

Online Pre-Orientation Module

7,108 PARTICIPANTS

OSFL Online Health and Safety Module

2,759 PARTICIPANTS

New Student Orientation

Be Safe, Be Smart, Be a Vol

4,853 PARTICIPANTS

Graduate Student Orientation

170 PARTICIPANTS

NPHC/MCG New Member Orientation

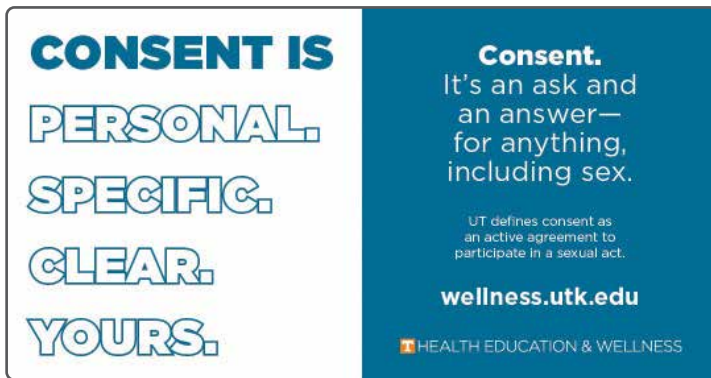
36 PARTICIPANTS

COMMUNICATION

Consent Campaign

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

Digital signage displayed throughout the academic year in buildings around campus.



Social Media

86 INTERPERSONAL WELLNESS & SEXUAL HEALTH POSTS

43,655 IMPRESSIONS

1,701 ENGAGEMENTS



Periodicals

Daily Beacon

Ad in "Welcome Back" issue: article about consent

On Rocky Top Magazine

Ad for CHEW's "Start the Conversation" guides for parents about consent and alcohol; sent to **6,600** households of incoming students plus additional **1,500** on campus

Emails

Campus-wide email notifying community of Title IX resources, policy updates, and mandatory reporter duties

PREVENTION SPOTLIGHTS



CENTER FOR HEALTH EDUCATION AND WELLNESS

ONGOING PREVENTION IN AN ONGOING PANDEMIC

The Center for Health Education and Wellness experienced many changes in wake of the COVID-19 pandemic in 2020, including work becoming largely virtual. In the spring of 2021, CHEW began the shift back to in-person prevention work, ensuring that it followed safe and socially distant protocols, while also continuing to offer virtual programming. CHEW partnered with various collaborators on and off campus to facilitate prevention programs and trainings, including the Office of Title IX, the Office of Multicultural Student Life, the Center for Student Engagement, RecSports, the Office of Sorority and Fraternity Life, the Jones Center for Leadership and Service, the Office of Ombuds Services, the College of Communication and Information, the College of Social Work, the Department of Child and Family Studies, and YWCA Knoxville. Through these partnerships, CHEW was able to facilitate numerous programs, events, trainings, and workshops in the areas of sexual violence prevention:

- “Embodying Healing and Joy in Relationships and Sexual Wellness” was presented during the Office of Multicultural Student Life’s Black Issues Conference by Bilqis Amatus-Salaam, 2020 Title IX Partner of the Year and former CHEW interpersonal wellness and sexual health coordinator.
- For Wellness Wednesdays: Sham-Rock Your Stress Away, part of the Center for Student Engagement’s Spring Week, VOLS 2 VOLS peer health educators provided giveaways, snacks, and—most importantly—postcards and safer sex kits featuring information about safer sex and consent.
- A presentation on consent, “‘I didn’t want to but I did it anyway’: The Power of Gendered Roles and Sexual Scripts,” was made by Megan Haselschwerdt of UT’s Department of Child and Family Studies in partnership with CHEW and the Office of Title IX for Sexual Assault Awareness Month.

In early fall, CHEW contributed content about sexual violence prevention and being an active bystander to the various online orientation and training modules, including the online pre-orientation module for incoming students, the Office of Sorority and Fraternity Life’s new member orientation online health and safety module, and the Vol Module, given to students enrolled in First-Year Studies 101. Additionally, CHEW was able to present “Be Safe, Be Smart, Be a Vol” at in-person new student orientation, which provides alcohol and consent education, a Title IX policy overview, and bystander intervention training. CHEW provided four training sessions at the Office of Sorority and Fraternity Life’s Health and Safety Summit, including “Vols Speak Up: Vols Help Vols,” about bystander intervention for sexual assault prevention, and “It’s Not Taboo,” about sexual health.

Later in the fall semester, CHEW continued to conduct tabling and deliver programs including Safe Fall Break, Big Orange Table Talk for first-generation students, and Take Back the Night, all of which included giveaways and information about consent and bystander intervention. Toward the end of the semester, CHEW joined the team of Safe Bar Tennessee, an initiative developed by the Sexual Assault Centers of East, Middle, and West Tennessee to train local bar employees in bystander intervention and raise awareness about the role of alcohol in sexual assault.

SPOTLIGHT: MEET THE STAFF



Following the departure of Bilqis Amatus-Salaam in July, CHEW began the search for a new interpersonal wellness and sexual health coordinator. Kayley Davis McMahan joined the team in that role in October. McMahan is a longtime Vol—she received her BA in psychology ('15), her MS in child and family studies ('18), and her PhD in child and family studies ('21), all from UT Knoxville. She studies young adult sexual and relational health and well-being, teaches human sexuality as an adjunct lecturer in the Department of Child and Family Studies, and is enthusiastic about preventing sexual violence and promoting sexual and relationship health. McMahan is excited to remain at UT and coordinate programming and content for the university.

ATHLETICS PREVENTION PROGRAMMING AND WELLNESS PLAN

The student-athlete wellness program continued to grow throughout 2021. Prevention, training, and mental health and wellness support for student-athletes expanded as the Athletics Department hired an assistant director of mental health and wellness in the fall. The assistant director is a licensed mental health therapist, and their role is to provide student-athletes with educational programming each semester and meet with student-athletes for counseling sessions.

Since beginning with the university, the assistant director has gained feedback from student-athletes to enhance wellness programming, allowing wellness sessions to be tailored to meet team-specific needs. Topics included being an active bystander, healthy relationships, sexual well-being, trauma, substance-use reduction, healthy social media use, and domestic and dating violence. Each program included information and resources for both on- and off-campus support and reporting options.

The Athletics Department continued to partner with the Office of Title IX, the Thornton Athletics Student Life Center, and the Center for Health and Education and Wellness. Through the support of the Office of Title IX, Athletics has also begun a relationship with the Office of Sorority and Fraternity Life to collaborate on prevention resources and opportunities for student engagement.

14 TEAMS **62** WELLNESS SESSIONS **518** STUDENT-ATHLETES TRAINED

When asked for feedback and suggestions through an anonymous survey in fall 2021, athletes had the following to say regarding the enhancements made to student wellness programming:

- “I really enjoyed the session. I liked how engaged you were with us and how open we were able to be with you. I may be coming to see you in the future.”
- “I thought the program was great. The program was great and informative.”
- “I thought she did really well and this is my 5th year in the meeting.”
- “I think it was helpful and spot on. Very fun and informational.”

TENNESSEE ATHLETICS COMMEMORATES SEXUAL ASSAULT AWARENESS MONTH

During Sexual Assault Awareness Month, student-athletes participated in the SAAM Day of Action, established to raise awareness among members of the UT community and start a conversation about sexual assault. Led by the student-athlete development staff in the Thornton Center, student-athletes assembled 100 aftercare kits for the Sexual Assault Center of East Tennessee. Each kit included a T-shirt, sweatpants, socks, a journal, a pen, and a toothbrush and toothpaste. Members of the Student-Athlete Advisory Council created a video that was shared on social media to raise awareness about SAAM and the ways in which student-athletes can take action. The video, which was viewed more than 3,500 times, depicted student-athletes stating how they will act:

- Actively listening
- Being respectful to others
- Educating myself with resources
- Being judgment free
- Setting an example with my behavior
- Supporting survivors
- Using my voice on social media to help spread awareness
- Believing when others speak up
- Offering support
- Validating others' experiences
- Empowering others to speak up

OFFICE OF SORORITY AND FRATERNITY LIFE HIGHLIGHTS

In the summer of 2021, the Office of Sorority and Fraternity Life created and filled a coordinator for harm and risk reduction position to focus on harm and risk reduction education, execute the Health and Safety Summit, develop and facilitate organizational risk management training, and chair the hazing prevention team and OSFL prevention team as well as serving on the Title IX prevention team. During fall semester OSFL conducted 20 health and safety programs and reached 6,909 students with information related to hazing education, alcohol and substance abuse, bystander intervention, decision-making, and safe event planning.

The new coordinator chaired the OSFL prevention team, which meets monthly and includes OSFL staff members and representatives from the Office of Title IX, the Center for Health Education and Wellness, and the Office of Student Conduct and Community Standards. The team discusses current health and safety trends within the sorority and fraternity community and carries out collaborative programming that includes the OSFL Health and Safety Summit, held once a semester. The summit aims to increase sorority and fraternity members' knowledge around alcohol, drugs, hazing, sexual misconduct, bias education, and mental health. Members of the prevention team all served as breakout session facilitators and developed health and safety scenarios for the 2021 programs. 310 students attended the summit, doubling the attendance from the previous year.

OSFL worked with the Office of Title IX, the Office of Information Technology, the Office of Student Conduct and Community Standards, and the Office of Assessment and Strategic Initiatives for Student Life to review and update the orientation module for new members of the Interfraternity and Panhellenic communities. In total, 2,841 students completed the module. Evaluation of the fall 2021 module, with 2,522 participants, showed a 91.16 percent increase in acknowledging that the Office of Title IX can support students in health and safety along with an increased awareness of the other offices that support those topics.

Participant comments included the following:

- “It showed me how committed everyone at UTK is to making sure all students stay safe and there are several resources. It also showed me that it is important to check up on your peers as well as yourself.”
- “It really made me understand how important it is to speak up and always watch out for our fellow Vols! Never be afraid to speak up if something is wrong. I learned about all the amazing ways UTK offers support and help for their students, and also how the students can take charge and watch out for their classmates.”
- “It helped me to better understand my options and resources when in a difficult situation. Now if I am ever in a situation like that, I will have a better idea of what to do instead of just panicking.”

OFFICE OF TITLE IX

In October, the Office of Title IX hosted three “Support with Sweets” tabling events on campus to share information about the role of Title IX on campus, supportive measures offered by Title IX, and other campus resources and community partners. Tabling locations included the lawn of Brown Hall, Johnson-Ward Pedestrian walkway, and Hodges Library. During the events, resource cards and information pamphlets were provided to students, faculty, and staff. Visitors were able to answer trivia questions to win prizes such as candy, pumpkins, and VOLS ACT mugs. During the three events, Title IX staff spoke with 112 students, faculty, and staff.

VOLS HELP ALL: CREATING CARE PACKAGES FOR SURVIVORS OF SEXUAL VIOLENCE

In spring, the Office of Title IX was awarded a \$1,990 grant from the Division of Diversity and Engagement’s sponsorship grant program, which supports initiatives that address UT’s land-grant mission of teaching, research, and service and public engagement. The funded project was titled VOLS HELP ALL: Creating Care Packages for Survivors of Sexual Violence, and its events were scheduled as part of the university’s Sexual Assault Awareness Month programming in partnership with the Center for Health Education and Wellness, the Office of Sorority and Fraternity Life, the Department of Child and Family Studies, and the Sexual Assault Center of East Tennessee.

The first portion of the project, which involved creating aftercare packages for survivors of sexual violence, was held in April. Before the event, the following items were ordered: bags, bag labels, shampoo, conditioner, soap, toothbrushes, toothpaste, journals, pens, sweatpants, shirts, and hand sanitizer. Students involved in leadership positions within the Greek community were invited to participate, and all activities were held in accordance with COVID-19 guidelines set by the university.

Aftercare package items were set up in an assembly line fashion, with fact sheets regarding topics such as consent, available resources, and statistics at each station. Representatives from the Office of Title IX, the Office of Sorority and Fraternity Life, and the Sexual Assault Center of East Tennessee were available throughout the event. Nine students attended, and all said they strongly agreed that, following the event, they had a greater understanding of consent, had a greater understanding of the available on- and off-campus resources, had a better understanding of the prevalence of sexual violence and the impact that it can have on individuals, had a better understanding of the steps to take when supporting a friend who has experienced sexual harassment, and felt gratitude for being able to support the Sexual Assault Center of East Tennessee. In total, 100 aftercare packages were assembled at the event and delivered to the Sexual Assault Center of East Tennessee.

The second portion of the event, which included a presentation titled “‘I didn’t want to, but I did it anyway’: The Power of Gendered Roles and Sexual Scripts,” was held April 20. The presentation was moderated by Bilqis Amatus-Salaam with the Center for Health Education and Wellness and facilitated by Megan Haselschwerdt, an associate professor in the Department of Child and Family Studies. Presentation topics included defining consent, what drives conscious and unconscious decisions regarding consent, gender roles, sexual scripts, and intersectionality theory. Of the 27 participants who attended,

11 completed the evaluation form: six faculty and staff members, three undergraduate students, and two graduate students. All of the respondents agreed or strongly agreed that following the presentation, they had a deeper understanding of what does and does not determine consent as it is related to sexual activity, understood the impacts of gender roles in a sexual relationship, and understood the impacts of sexual scripts in relationships. Further, 90.9 percent of respondents strongly agreed or agreed that following the presentation they had a greater understanding of what intersectionality theory entails. Additional feedback from respondents included the following statements:

- “The overall presentation was very informative. I appreciated the discussion about acquiescence and the many scenarios in which it occurs.”
- “I felt like you created a comfortable environment for a not-so-comfortable topic to be discussed.”
- “I was familiar with consent and the roles gender and race can play in sexuality, but I learned so much more about the intersection of all of these.”

ANNUAL TITLE IX TRAINING

The Office of Title IX continued to enhance and expand the annual Title IX training assigned to all employees during the fall of 2021. The training was packaged into a single annual training, which was housed in the K@TE learning management system for faculty, staff, and graduate students. The package covered the Clery Act, the Code of Conduct, the Family Educational Rights and Privacy Act, security awareness, Title VI, and Title IX.

The learning objectives for Title IX training included the following:

- How to contact the Office of Title IX for support, resources, and questions
- The definitions of prohibited conduct under the policy
- The role of a mandatory reporter
- How to respond to a report of prohibited conduct
- The supportive measures available to complainants and respondents through the Office of Title IX
- What happens if a university investigation is initiated
- How to recognize unhealthy relationships inside and outside of the workplace
- Roles and responsibilities of an ACTIVE bystander

A few individuals provided positive feedback about the training:

- “This revised method of annual Title IX training is excellent. Interactive, thorough, and well presented. Thank you for all of your efforts critical for the safety of our UTK students. WELL DONE!”
- “I am very pleased with the Title IX training I just completed. It seems like each year it becomes more extensive and informative and shows the university’s commitment to handling very difficult situations that may be faced by too many individuals. I appreciate the work that went into the information and presentations. You all did a great job.”
- “The staff videos were excellent!”

Completion rates were 96 percent for UT Knoxville and the UT Space Institute, 97 percent for the UT System administration, and 98 percent for the UT Institute of Agriculture. Across all campuses, 88 percent of graduate students completed the training.

SUPPORTIVE MEASURES



Supportive measures¹ are supports that 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, 2021. 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.

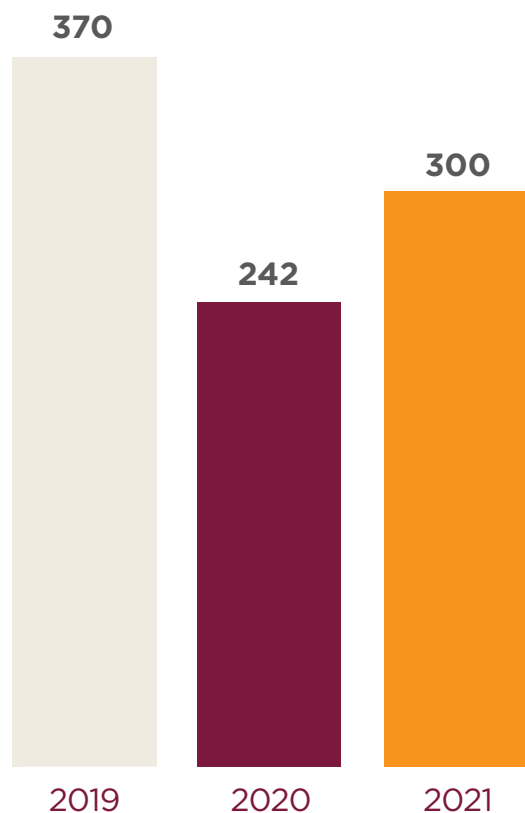
If the university receives a report of prohibited conduct that may fall under the policy, the university will provide supportive measures in support of students and employees so they can learn, live, and work in a safe and nondiscriminatory environment.

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 18), 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 2021 for individuals who reported incidents to the Office of Title IX in previous calendar years. In 2021, 300 supportive measures were provided to students and employees through the Office of Title IX. This was an increase from 242 supportive measures provided in 2020. This increase is attributed to the campus and students returning to a more traditional on-campus and in-person experience.



Support & Interim Measures Provided 2019-21

Total Number of Supportive Measures: 300

	Sexual Misconduct	Relationship Violence	Stalking	Retaliation	Other	Total
Housing	10	1	0	0	3	14
Academic Support	31	21	8	0	17	77
Medical	7	1	0	0	0	8
Mental Health Services	21	11	4	0	9	45
Referral to Sexual Assault Center of East Tennessee	14	1	1	0	1	17
No-Contact Directive	18	4	11	0	14	47
Other	31	21	11	0	29	92
Total	132	60	35	0	73	300

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 pages 31-33.
- The data is on a calendar-year basis.
- The data does not include reports made to confidential resources such as the Student Counseling Center, the Student Health Center, or the Office of Ombuds Services.
- 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 301 student and employee concerns over the 2021 calendar year.

Student Concerns

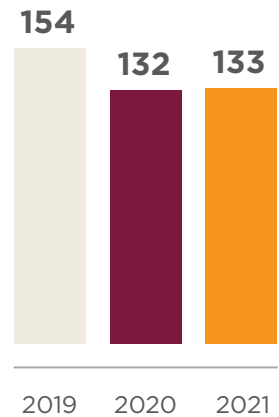
Of the 253 student concerns reported to the Office of Title IX:

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

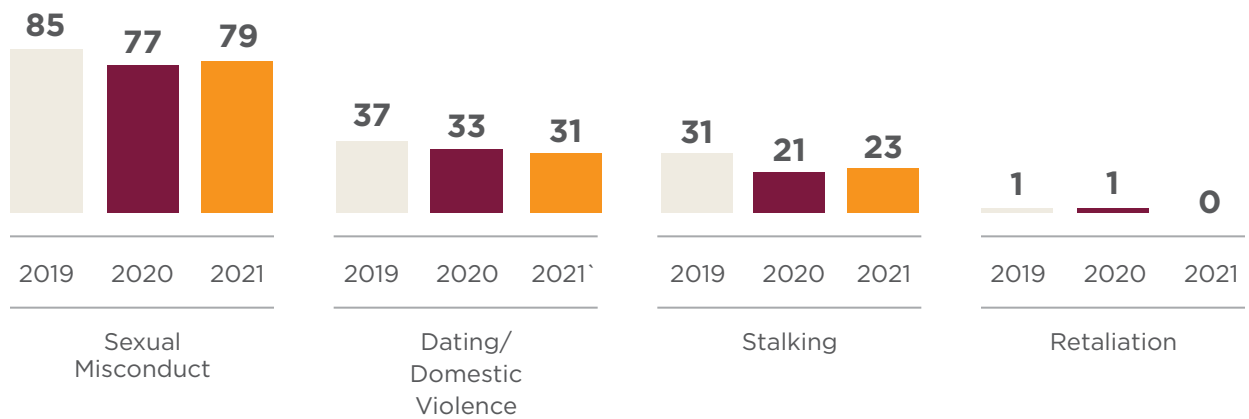
Prohibited Conduct

During 2021, the Office of Title IX had 133 reports of prohibited conduct: 79 reports of sexual misconduct/sexual harassment, 31 reports of dating/domestic violence, 23 reports of stalking, and zero reports of retaliation.

Prohibited Conduct Reports 2019-21



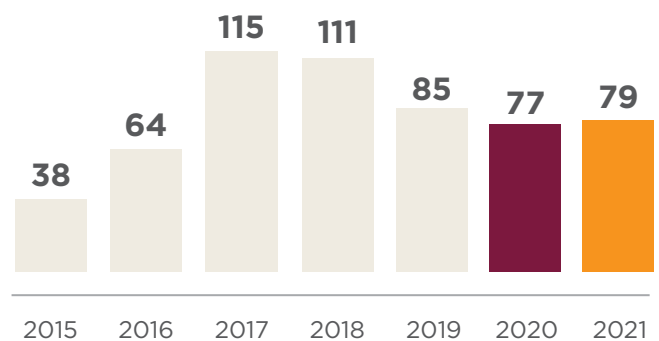
Prohibited Conduct Reports by Category



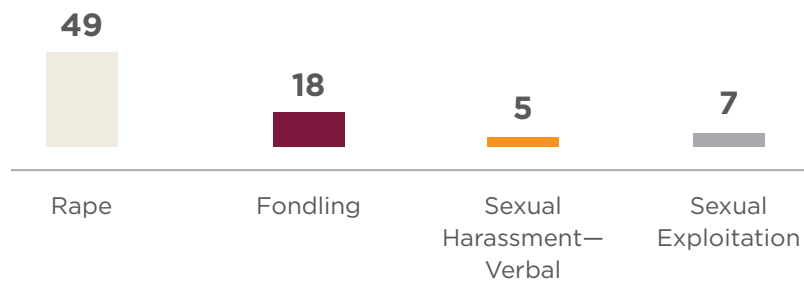
Sexual Misconduct

Sexual misconduct is an umbrella term that encompasses sexual harassment, sexual assault, and sexual exploitation. During 2021 there were 79 reports of sexual misconduct, just slightly higher than the 77 reports to the Office of Title IX in 2020.

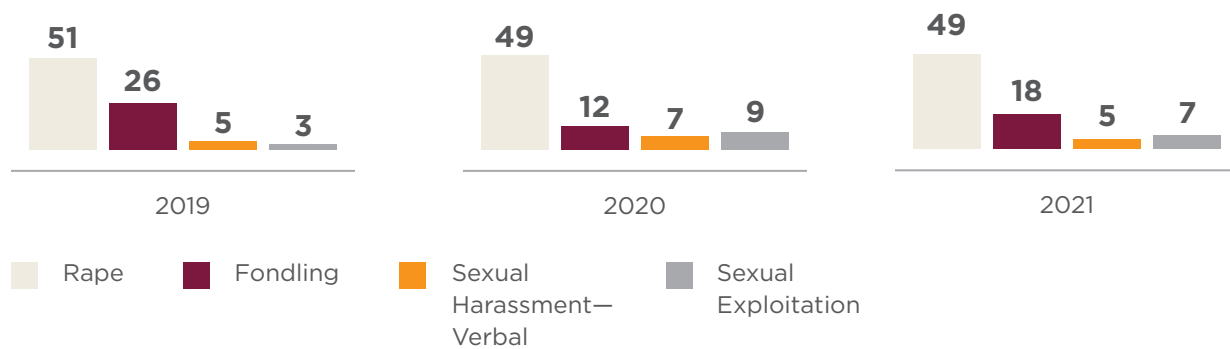
Sexual Misconduct Reports 2015-21



Sexual Misconduct Reported by Type in 2021 (n=79)



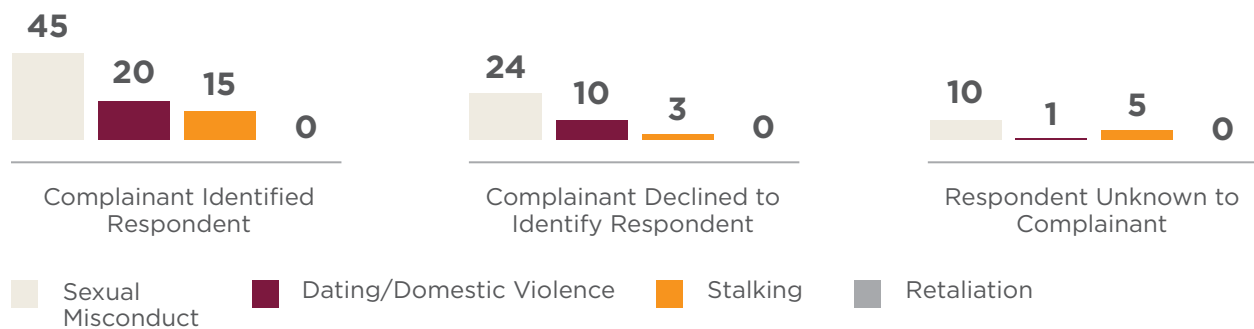
Sexual Misconduct Reported by Type 2019-21 (2019 n=85; 2020 n=77; 2021 n=79)



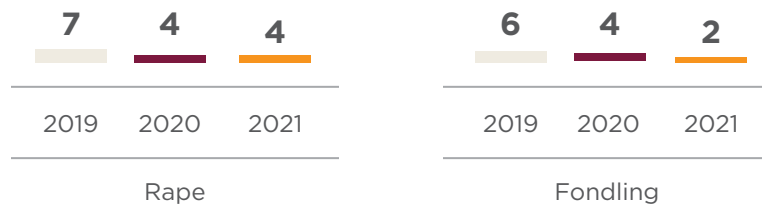
Report Details

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.

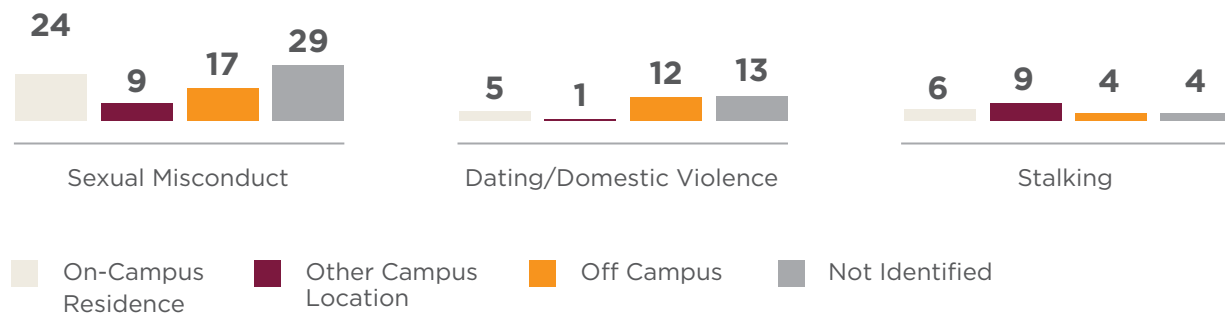
Respondent Identification 2021 (n=133)



Reports of Sexual Misconduct with Respondent Unknown to the Complainant



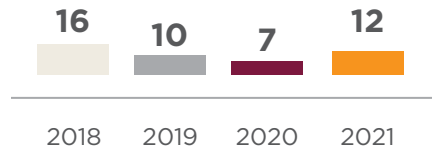
Reports of Prohibited Conduct by Type and Location (n=133)



Sexual Misconduct Reports by Type and Location (n=79)

	Rape	Fondling	Sexual Harassment— Verbal	Sexual Exploitation	Total
Not Identified	24	3	0	2	29
Off Campus	13	3	0	1	17
Campus Residence ⁷	12	11	1	0	24
Other Campus Location	0	1	4	4	9
Total	49	18	5	7	79

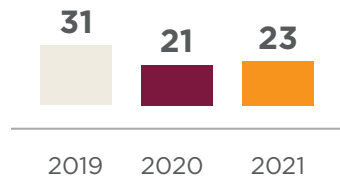
Campus Residence: Sexual Assault—Rape



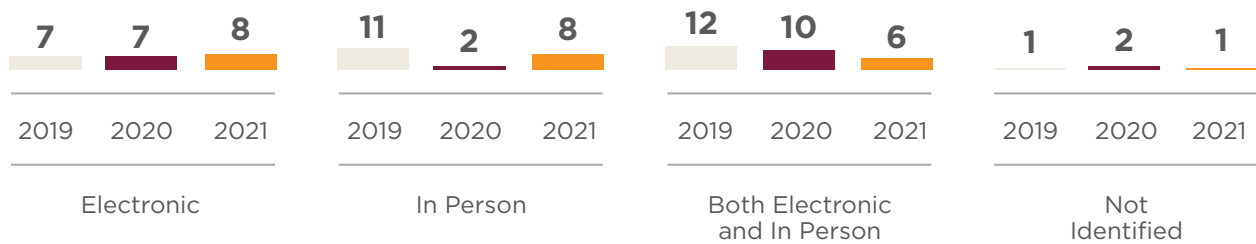
Stalking

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 2019-21



Stalking by Type⁸ (2019 n=31; 2020 n=21; 2021 n=23)



Student Report Resolutions (n=133)

As of December 31, 2021

Note: Outcomes of the two cases pending investigation or disciplinary hearings will be included in the 2022 Title IX annual report.

The Office of Student Conduct and Community Standards investigated 16 formal complaints under the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking in 2021. Of the 16 formal complaints, a total of 19 allegations of prohibited conduct were investigated.

The average timeline for Office of Student Conduct and Community Standards investigations of allegations reflected in the chart was 37 business days.

Additionally, SCCS assisted the Office of Title IX 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.

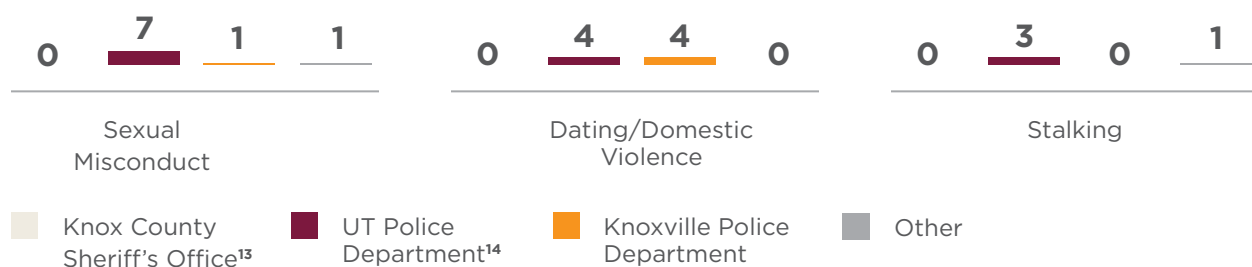
Report Resolution	Sexual Misconduct	Dating/ Domestic Violence	Stalking	Retaliation	Total
Respondent not identified or unknown to the university	28	12	8	0	48
Limited action ⁹ : complainant chose not to file a formal complaint or the formal complaint was outside the parameters of the policy ¹⁰	41	14	12	0	67
Limited action: complainant is unknown or not able to be identified	0	0	0	0	0
Alternative/informal resolution resulting in educational sanction, probation, deferred suspension	5	1	1	0	7
Alternative/informal resolution resulting in suspension or separation from the university	0	1	2	0	3
Evidence did not support a charge based on the preponderance of the evidence ¹¹	1	1	0	0	2
Respondent found responsible ¹² for violating the policy after a hearing, resulting in educational sanction, probation, deferred suspension	0	0	0	0	0
Respondent found responsible for violating the policy after a hearing, resulting in suspension or separation from the university	0	0	0	0	0
University unable to complete investigation	2	1	1	0	4
Pending investigation or hearing	2	0	0	0	2
Total	79	30	24	0	133

Rollover 2020 Report Resolutions

Report Resolution	Sexual Misconduct	Dating/ Domestic Violence	Stalking	Retaliation	Total
Alternative/informal resolution resulting in educational sanction, probation, deferred suspension	0	0	0	0	0
Alternative/informal resolution resulting in suspension or separation from the university	2	0	0	0	2
Evidence did not support a charge based on the preponderance of the evidence	0	0	0	0	0
Respondent found responsible for violating the policy after a hearing, resulting in educational sanction, probation, deferred suspension	2	0	0	0	2
Respondent found responsible for violating the policy after a hearing, resulting in suspension or separation from the university	0	0	0	0	0
Respondent found not responsible after a hearing	1	0	0	0	1
University unable to complete investigation	2	3	0	0	5
Total	7	3	0	0	10

*Note: There may be some discrepancy between the 2020 annual report and the 2021 annual report for rollover cases based on information gained during investigation.

Law Enforcement Reports 2021



Reports of Prohibited Conduct Against Faculty and Staff¹⁵

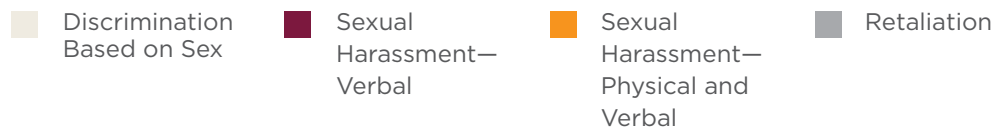
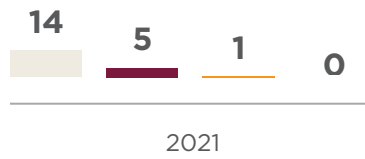
In 2021, OED received 22 reports of sex-based prohibited conduct made against UT faculty and staff. For complete information on faculty and staff reporting, see UT Policy HR0280 (tiny.utk.edu/HR0280) and the procedures listed in Appendix D of the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.

Complainant Status 2021

CURRENT OR FORMER STUDENT



EMPLOYEE OR THIRD PARTY



2021 Reports of Prohibited Conduct Against Faculty and Staff

	Discrimination Based on Sex (Nonsexual Misconduct)	Sexual Harassment— Verbal	Sexual Harassment— Physical and Verbal	Total
Limited action—complainant chose not to file a formal complaint	6	3	0	9
OED noninvestigative or administrative resolution (with complainant agreement)	1	1	0	2
Alternative/informal resolution	0	0	0	0
Pending investigation	4	0	0	4
Respondent found responsible for violating university policy	0	0	0	0
Respondent found not responsible for violating university policy	4	0	0	4
Respondent no longer employed by university or third party	1	1	1	3
Total	16	5	1	22

While the Office of Equity and Diversity engages in investigative actions in response to reports of prohibited conduct, OED staff members also engage in a range of noninvestigative actions. Such actions include contacting reporting parties to share resources and schedule meetings, conducting informational and/or OED process overview meetings, providing referrals to other offices (including the Offices of Human Resources, Title IX, the Provost, Ombuds Services, Dean of Students, and Student Conduct and Community Standards), contacting campus partners for information or party assistance, assisting with no-contact directive requests and/or implementation, providing information on campus care and support resources, and executing noninvestigation and/or administrative resolutions.¹⁶

OED's process generally includes a written outcome to a faculty or staff member with copy to their immediate supervisor after the conclusion of an investigation. While a report may not include a finding that an employee violated the Policy or HRO280, the outcome may (1) note behavior reviewed during the investigation that requires additional review by a supervisor, department, or office to determine if it implicates other departmental or university rules or standards (outside of the Policy or HRO280), and (2) recommend education, training, departmental process review, or other supportive or corrective actions to address any behavior that did not rise to the level of a violation, but warranted additional or ongoing departmental scrutiny or review.

2020 Carryover Resolutions—OED

As reflected on page 32 of the 2020 annual report, six Office of Equity and Diversity cases began in 2020 but were still pending resolution at the time of the 2020 annual report publication. The resolutions of the six cases are included below.

	Discrimination Based on Sex (Nonsexual Misconduct)	Sexual Harassment— Verbal and Physical	Sexual Harassment— Verbal (In-Person and/ or Electronic)	Total
University honored request for limited action	0	0	1	1
Informal resolution	0	0	0	0
Respondent found responsible for violating university policy	0	0	0	0
Respondent found not responsible for violating university policy	3	1	1	5
TOTAL	3	1	2	6

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 non-students). 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.** 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.
- 10 Complainant chose not to file a formal complaint or the formal complaint was outside the parameters of the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.** 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. If the complainant files a formal complaint, the Title IX coordinator must make an initial evaluation based on the nature of the conduct alleged to determine whether the alleged conduct meets the definitions outlined in the policy. 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.

- 11 Preponderance of the evidence.** 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).
- 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 Knox County Sheriff's Office.** These numbers reflect complainants who self-disclosed a report to Knox County Sheriff's Office and Knox County Police Department.
- 14 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.
- 15 Reports of prohibited conduct against faculty and staff.** As noted in Appendix D of the policy, "anyone can file a complaint under the University's Human Resources Policy prohibiting sexual harassment (HR0280). HR0280 prohibits sexual harassment (and other discrimination) in employment. The requirements for investigating and resolving a matter under HR0280 differ from the requirements under this policy, and the University may be obligated to investigate an allegation of harassment under HR0280 regardless of whether a Formal Complaint is filed." To provide complete data on reports of sex-based misconduct and/or discrimination, the information in this section includes reports and/or investigations reviewed under the policy and HR0280.
- 16 The Office of Equity and Diversity also completes both investigative and noninvestigative functions in response to reports that employees are engaging in other types of discriminatory misconduct in accordance with state and federal law.** At times, the gender- and sex-based discrimination reports outlined in this section may also include concurrent reports of discrimination based on a different protected-class status (such as race, age, or disability).

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.



THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

OFFICE OF TITLE IX

1817 Melrose Avenue

Knoxville, TN 37996

865-974-9600

titleix@utk.edu

titleix.utk.edu