Title IX Town Hall

Dr. Ashley Blamey
September 12, 2023
Today’s Agenda

• Title IX Overview
• Federal Landscape Update
• UT Office of Title IX Overview
• Q&A with Panelists
Agreements

For today, I ask you to agree to do three things.

1. Be honest with yourself
2. Think critically about this information
3. Be a leader in the room

It takes a Volunteer.
“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”
OVER THE YEARS


7% 41%
• 2011 Dear Colleague Letter (DCL) issued by the Office for Civil Rights (OCR).
• 2013 VAWA Reauthorization: Campus SaVE Act University expectation broadened
• 2014 Question and Answers Issued (OCR)
• 2016 Federal Guidance on Gender Issued
• 2017 2011 DCL was withdrawn, 2016 Guidance on Gender rescinded, and rule making process announced
• 2017 NCAA issues Campus Sexual Violence Policy
• 2020 Title IX Regulation issued May 6th and implementation deadline August 14th
• 2022 VAWA Reauthorization: Working Group on Climate
• 2022 Notice of Proposed Rulemaking on institutional response and grievance procedures
• 2023 Notice of Proposed Rulemaking on athletic participation
Federal Regulations- Grievance Procedures

Department of Education (DOE) review of May 2020 Title IX regulations began in March 2021, as directed by executive order.

The DOE published an NPRM focused on institution response and grievance process on June 23, 2022.

The DOE received more than 120,000 comments for the 2020 Title IX rule. This time the DOE must review 240,085 comments.

After reading all public comments and releasing a final rule, the DOE will set an implementation deadline. Expected release was May 2023 and has been delayed until October 2023 with an anticipated Fall 2024 implementation deadline.

Expected release October 2023.
Proposed Regulation

- Broadening the definition of "hostile environment sexual harassment" including behaviors that take place outside the University’s programs or activities.
- Eliminates cross-examination and live hearing requirements for campus hearings.
- Gender discrimination protections extended to sexual orientation and gender identity.
- Expanded availability of informal or restorative process resolution options.
- Identifies separate rulemaking process on student athletes due to current evolving legal decisions on transgender student involvement in sports.
Our Hometown

People
Undergrads  27,039
Graduate    6,766
Faculty & Staff  9,000+
Total       42,739
Game Day   101,915

Geography
910 acres
294 buildings
Studies Report ...

- 20-25% of female students experience attempted or completed rape during their college careers (Fisher, Cullen, & Turner, 2000; Krebs, Lindquist, Warner, Fisher & Martin, 2007), and rates are even higher when including non-penetrative sexual contact (Carr, 2005).

- One in five women and one in sixteen men experience sexual assault while in college (Fisher, Cullen, & Turner, 2000 & Krebs, Lindquist, Berzofky, Shook-Sa, & Peterson, 2016)

- 75-80% of sexual assaults are committed by an acquaintance/non-stranger (Krebs, et al., 2007)
Even the most conservative data supports a 2% - 3% minimum prevalence rate.

In our student body that is approximately 850
Policy. Our foundation is in the policy and procedures we follow.

Prevention and Education. Our goal is to prevent Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence, and Stalking), Sexual Exploitation, and Retaliation before they happen.

Supportive Measures. Our promise is to provide support and 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.
Office of Title IX

Ashley Blamey
Title IX Coordinator

Laura Bryant
Deputy Title IX Coordinator

Sarah Thomas
Deputy Title IX Coordinator

Kaylynn Hunt
Graduate Assistant

Office of Title IX
1817 Melrose Ave
865-974-9600
titleix.utk.edu
titleix@utk.edu
Community Collaboration

- Sexual Assault Center of East Tennessee
- Family Justice Center
- Knox County Health Department
Policy & Resources

THE UNIVERSITY OF TENNESSEE

HR0280 - Sexual Harassment & Other Discriminatory Harassment
Version: 1
Effective Date: 16/10/2017

Topics:

Objectives:
To state university policy prohibiting all employees from engaging in sexual harassment, other discriminatory harassment, and retaliation, and to inform members of the university community about how to complain about and to report potential violations of this policy.

THE UNIVERSITY OF TENNESSEE

HR0220 - Equal Employment Opportunity
Version: 12
Effective Date: 08/20/2019

Topics:

Objectives:
To state the university policy concerning fair employment practices, which is designed to promote equal employment opportunity for all university employees and applicants for employment.

THE UNIVERSITY OF TENNESSEE, KNOXVILLE

STUDENT PREGNANCY ACCOMMODATIONS POLICY

SECTION 1. OVERVIEW

The University of Tennessee, Knoxville (the "University") is committed to creating and maintaining a non-discriminatory learning environment for all students. This policy is intended to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex in education programs and activities. Title IX includes prohibiting discrimination against students on the basis of pregnancy.
Support Offered

• Academic Supports
  – Scholarship Appeals
  – Absence Notifications
• No Contact Directives
• Connection to Medical Care
• Assistance with Safety Planning and Orders of Protection
• Connection to Confidential Support/Counseling
• Connection to Advocacy/Support Groups

Reporting Options
  – University Options
  – Police/Criminal Process Options
2022 Annual Report

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

January-December 2022

Reports of Prohibited Conduct by Type and Location (n=165)

<table>
<thead>
<tr>
<th>Conduct Type</th>
<th>Campus Residence</th>
<th>Other Campus Location</th>
<th>Off Campus</th>
<th>Not Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Misconduct</td>
<td>30</td>
<td>13</td>
<td>50</td>
<td>16</td>
</tr>
<tr>
<td>Dating/Domestic Violence</td>
<td>7</td>
<td>1</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>Stalking</td>
<td>3</td>
<td>13</td>
<td>12</td>
<td>0</td>
</tr>
</tbody>
</table>

Sexual Misconduct Reported by Type in 2022 (n=109)

<table>
<thead>
<tr>
<th>Type</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rape</td>
<td>58</td>
<td>28</td>
<td>8</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Fondling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Harassment—Verbal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexual Exploitation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Sexual Misconduct, Relationship Violence, Stalking, and Retaliation Annual Report

**January-December 2022**

<table>
<thead>
<tr>
<th>Report Resolution</th>
<th>Sexual Misconduct</th>
<th>Dating/ Domestic Violence</th>
<th>Stalking</th>
<th>Retaliation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respondent not identified or unknown (university unable to resolve)</td>
<td>36</td>
<td>8</td>
<td>9</td>
<td>0</td>
<td>53</td>
</tr>
<tr>
<td>Limited action: complainant chose not to file a formal complaint or the formal complaint was outside the parameters of the policy</td>
<td>35</td>
<td>11</td>
<td>18</td>
<td>0</td>
<td>64</td>
</tr>
<tr>
<td>Limited action: complainant is unknown or not able to be identified</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Alternative/informal resolution resulting in educational sanction, probation, deferred suspension</td>
<td>0</td>
<td>19</td>
<td>0</td>
<td>0</td>
<td>19</td>
</tr>
<tr>
<td>Alternative/informal resolution resulting in suspension or separation from the university</td>
<td>5</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Evidence did not support a charge based on the preponderance of the evidence</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Respondent found responsible for violating the policy after a hearing, resulting in educational sanction, probation, deferred suspension</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Respondent found responsible for violating the policy after a hearing, resulting in suspension or separation from the university</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>University unable to complete investigation</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Pending investigation or hearing</td>
<td>2</td>
<td>13</td>
<td>1</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>81</strong></td>
<td><strong>56</strong></td>
<td><strong>28</strong></td>
<td><strong>0</strong></td>
<td><strong>165</strong></td>
</tr>
</tbody>
</table>
95.5% of employee survey participants reported being aware that UT has policies and procedures to address sexual misconduct.

87.2% of student survey participants reported being aware that UT has policies and procedures to address sexual misconduct.

98.4% of employees felt that UT would support someone making a report of sexual misconduct by providing formal and informal resources.

94.5% of students felt that UT would support someone making a report of sexual misconduct by providing formal and informal resources.
• National Academies Membership in the Action Collaborative on Preventing Sexual Harassment in Higher Education
• NASPA Culture of Respect Cohort 4
• UT Title IX Prevention Team
• Greek [Office of Sorority and Fraternity Life] Prevention Team
• Employee Application Sexual Misconduct Attestation
• Student Application Safety Questions
• 2022 Vol Voices Climate Survey
• Annual Employee Training Requirement
• Vols ACT campaign
• Social Media and Marketing Campaigns
• Sexual Assault Awareness Month
• Domestic Violence Awareness Month
• Tennessee Coalition to End Sexual and Domestic Violence Leadership Team and Safer Workplaces and Bystander Intervention Subcommittee Representation
• Knox County Sexual Assault Response Team
• Family Justice Center Coordinated Community Response Team
• Domestic Violence Death Review Team
• Safe Bar

• Resident Assistant and Office Assistant Training
• Greek Organization Bystander Training
• Greek Organization House Director Training
• Hall Director/ Assistant Hall Director Training
• Vols ACT bystander training for faculty, graduate, and undergraduate students
• Student Organization Leader Training
• Student Athlete Training
• Pride of the Southland Training
• New Graduate Student and new GTA/GRA Training
• New Student Veteran Training
• UTK Haslam Peer Mentor Training
• Family: Start the Conversation Guides
• Six Weeks of Welcome

• Annual training for all undergraduate students, graduate students, faculty, and staff
• Individual Supportive Measures
• Investigations
• Complaint Resolution
• Respondent training and follow up

CDC Social Ecological Model
VOLS ACT Training and Campaign

BE AN ACTIVE BYSTANDER

A — Acknowledge the situation.
C — Consider your options.
T — Take action.

Direct. Distract. Delegate.
Get Involved, Get Engaged

• Become a Peer Health Educator - VOLS 2 VOLS
• Attend an event hosted by CHEW or Title IX
• Visit the Office of Title IX’s website and review policy, annual reports, etc.
• Learn and practice UT’s the definition of consent and encourage others to do the same
• Learn to be an ACTive Bystander, and safely intervene when something doesn’t seem quite right
• Reach out if you have questions, and remember VOLS HELP VOLS
Be a part of the solution.

1. Be honest with yourself
2. Think about this information
3. Be a leader in the room

It takes a Volunteer.
## Panelists

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Office/Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Ashley Blamey</td>
<td>Title IX Coordinator</td>
<td>Office of Title IX</td>
</tr>
<tr>
<td>Ashley Blue</td>
<td>Investigator</td>
<td>UT Police</td>
</tr>
<tr>
<td>Dr. Laura Bryant</td>
<td>Deputy Title IX Coordinator for Prevention, Training, and Evaluation</td>
<td>Office of Title IX</td>
</tr>
<tr>
<td>Michelle Buck</td>
<td>Interim Director</td>
<td>Office of Investigation &amp; Resolution</td>
</tr>
<tr>
<td>Andrew Carstarphen</td>
<td>Deputy Title IX Coordinator for Student Investigations</td>
<td>Student Conduct &amp; Community Standards</td>
</tr>
<tr>
<td>Dr. Kayley McMahan</td>
<td>Relationship &amp; Sexual Violence Coordinator</td>
<td>Center for Health Education &amp; Wellness</td>
</tr>
<tr>
<td>Morgan Newman</td>
<td>CCR &amp; Outreach Director</td>
<td>Family Justice Center</td>
</tr>
<tr>
<td>Catherine Oaks</td>
<td>Director, Victim Services</td>
<td>Sexual Assault Center of East Tennessee</td>
</tr>
<tr>
<td>Jillian Paciello</td>
<td>Clery Compliance Coordinator</td>
<td>UT Public Safety</td>
</tr>
<tr>
<td>Alyssa Hendrick</td>
<td>Brief Intervention Specialist</td>
<td>Student Counseling Center</td>
</tr>
<tr>
<td>Dr. Sarah Thomas</td>
<td>Deputy Title IX Coordinator for Care and Support</td>
<td>Office of Title IX</td>
</tr>
</tbody>
</table>
You are not alone.
If you have experienced sexual harassment, sexual assault, dating or domestic violence, stalking, sexual exploitation, or retaliation, we encourage you to seek medical care and support, and to report the incident.

MEDICAL CARE
Emergency
911 (call from any phone)

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

Student Health Center*
865-974-5080

SUPPORT RESOURCES
Suicide & Crisis Lifeline*
988 (call or text from any phone)

Student Counseling Center*
865-974-2196
For after-hours mental health support, call 865-974-4357

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

Office of Title IX
865-974-9600
For after-hours mental health support, call 865-974-4357

Office of Ombuds Services*
865-974-6273

UT Psychological Clinic*
865-974-2161

UT Sexual Assault Survivor Support Group*
865-974-9291
ctc@utk.edu

Family Justice Center*
865-521-6336

REPORTING
Emergency/UT Police
911 (call from any phone)
865-974-3114

Office of Title IX
865-974-9600

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

*Confidential resource

titleix.utk.edu

OFFICE OF TITLE IX