



OFFICE OF
TITLE IX

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

JANUARY-DECEMBER

2022

SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION

OFFICE OF TITLE IX
ANNUAL REPORT
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Our Campus Community

Dear Volunteer community,

Each year, as we compile the Title IX annual report, I am reminded of the collective efforts of our community. The ongoing work of cultivating a safe and nondiscriminatory learning, living, and working environment belongs to us all.

The Office of Title IX exists to provide a comprehensive approach to the university's Title IX responsibility. Title IX team members, housed in critical areas across campus, work collaboratively to educate the campus community, prevent incidents, support those in need, and address concerns related to Title IX.

We publish our annual report to provide transparency, increase awareness, recognize the work of our campus and community partners, and ensure ongoing accountability. Our responsibility to the community is to show our work.

This data is specific to UT and informs the way we work to meet the needs of our campus community.

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.

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 (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.

Culture of Respect Collective

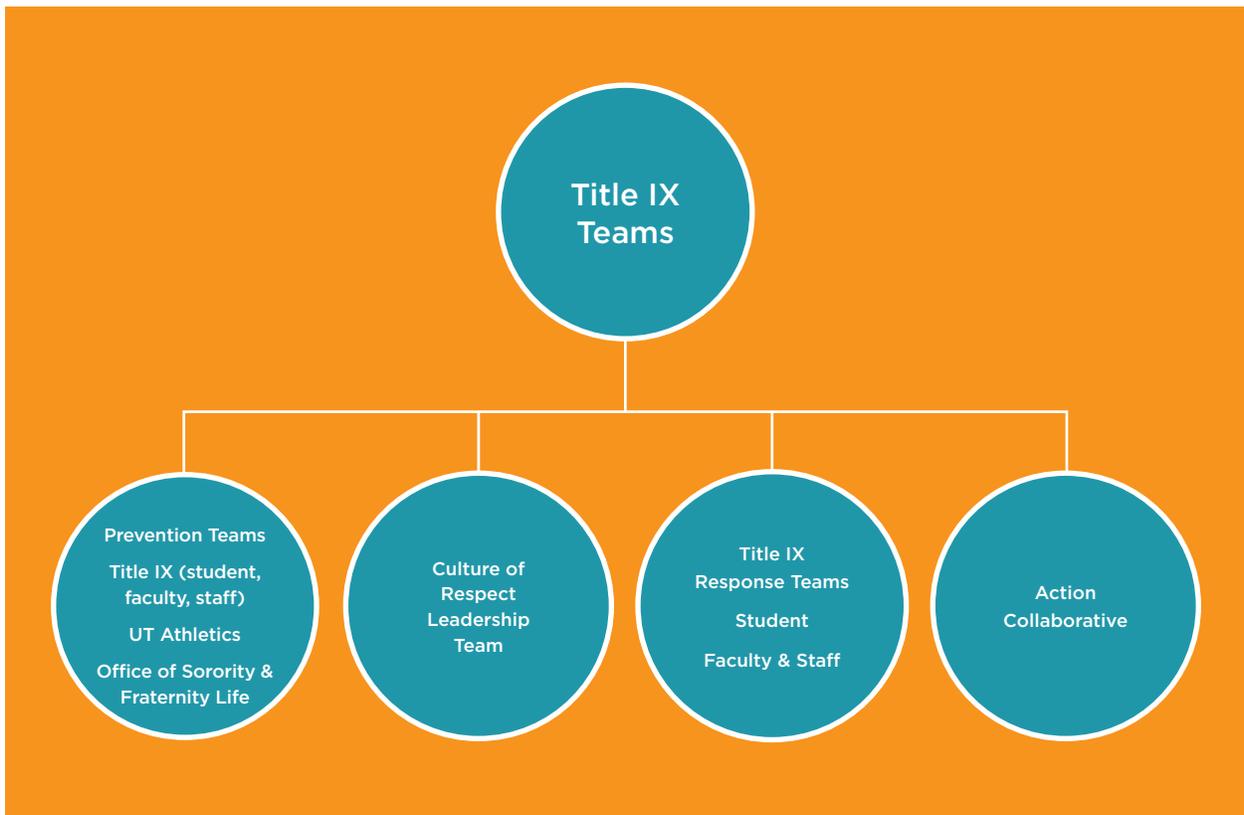
In 2019, UT was one of 20 universities accepted into the two-year Culture of Respect Collective, an initiative of the National Association of Student Personnel Administrators. The program launched in January 2020 with an ambitious assessment and plan for change designed to address campus sexual violence at an institutional level focused on the collective's 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
- Institution-wide mobilization with student groups and leaders
- Ongoing self-assessment

UT's participation in the collective was extended by a year due to the COVID-19 pandemic and concluded at the end of 2022.

Our Teams



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, Athletics, and faculty and staff

Culture of Respect Leadership Team

- Composed of members of the Title IX Prevention Team
- Provided leadership for the university's commitment to the Culture of Respect Collective during its term with the collective, which ran from 2019 through 2022

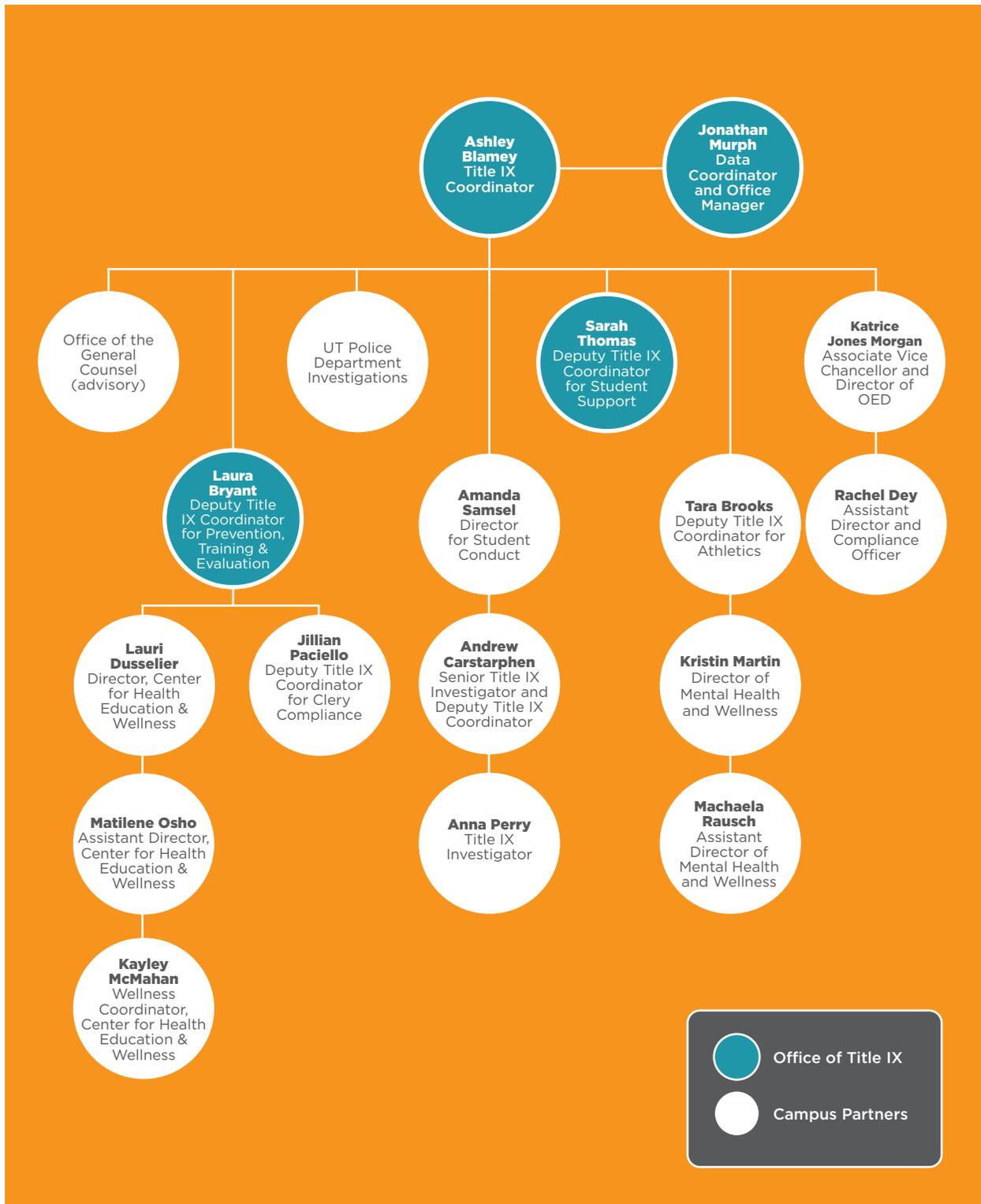
Title IX Response Teams

- Address individual reports of sexual harassment, sexual assault, dating and domestic violence, and stalking
- Ensure consistency across case responses
- Provide oversight of supportive measures, investigations, and individual case resolutions

University of Tennessee Action Collaborative

- More than 15 members including 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 both 2021 and 2022 the policy remained largely the same and remains in compliance with regulations. The policy was shared with the university community on August 12, 2022. 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 12, 2022

titleix.utk.edu



Education, Training, and Communication

EDUCATION

SPRING 2022

40 events

1,338 participants

HIGHLIGHTS INCLUDE

■ Stalking Awareness

Tabling event hosted by the Office of Sorority and Fraternity Life

50 participants

■ Safe Spring Break

50 participants

■ Valentine's Day

82 participants

■ Wellness Wednesday

May the 4th Be With You

300 participants

SEXUAL ASSAULT AWARENESS MONTH

■ Tabling

10 events with campus and community partners

248 participants

■ VOLS A.C.T.

2 trainings

16 participants (students and employees)

■ Pop-Up Speaker Series

5 sessions: Trauma-Informed Responses to Sexual Assault, Intimate Partner Violence and Victimization, and Alcohol Use Experiences; Office of Ombuds Services—Accessing Support at UT; The Relationship Between Alcohol Use and Sexual Assault; Trauma-Responsive Practice for Adult Trauma Survivors

69 participants

■ Title IX Town Hall

11 participants

■ Lunch Hours with Title IX

6 sessions (in-person and virtual)

63 participants

■ Denim Day

11 participants

FALL 2022

27 events

3,762 participants

HIGHLIGHTS INCLUDE

■ Six Weeks of Welcome

Chill Out with CHEW: Paint the Rock and Chat about Consent

40 participants

■ Pop Up Title IX Care Packages

300 participants

■ Multicultural Student Affairs
Welcome Back
150 participants

■ RecFest
250 participants

■ LGBTQ Resource and Organization Fair
75 participants

■ T-Shirt Tuesdays
4 Events
1,163 participants

■ VOLS 2 VOLS Large Event: Trick or
Treat Me Right
250 participants

■ Breaking Barriers Series in Partnership
with RecSports: Consent and Climb
25 participants

■ Annual Fall Title IX Town Hall
27 participants

WELLNESS WEDNESDAYS

■ Vols A.C.T. Day
168 participants

■ Let Love Bloom
218 participants

■ Wellness Fair
155 participants

TRAINING

CHEW TRAININGS

Throughout 2022, the Center for Health Education and Wellness facilitated **39 in-person trainings** with a total of **1,510 individuals** trained. Below is a snapshot of training provided to undergraduate students.

■ Consent Training
3 trainings
144 participants

■ Feeling Your Best at UT
17 trainings
324 participants

■ Healthy Relationships
7 trainings
437 participants

■ It's Not Taboo: Sexual Health
2 trainings
39 participants

■ VOLS A.C.T. Training
for Undergraduates
10 trainings
566 participants

TRAINING IN TITLE IX

Throughout 2022 the Office of Title IX staff facilitated **157 in-person or virtual training** and tabling events with a total of **7,088 individuals trained**, a 29.3 percent increase in individuals trained and a 57 percent increase in the number of trainings provided since 2021. Below is a snapshot of training provided to employees, graduate students, and undergraduate students.

■ Housing Staff
100% of hall directors, assistant hall directors, residence assistants, and office assistants trained

■ **Athletics Staff and Student-Athlete Training**

1,065 participants (training included all staff training, all student-athlete beginning-of-the-year training, and new student-athlete training)

■ **Facilities Management Trainings**

8 trainings
48 participants

■ **First-Year Program Peer Mentors**

86 participants

■ **Ignite Team Leaders**

50 participants

■ **RecSports Student Employee Training**

Outdoors Pursuits student staff

15 participants

RecSports student assistants, student building managers, and student supervisors

49 participants

RecSports graduate and professional staff

23 participants

■ **Student Union Student Employees**

51 participants

■ **VOLS ACTIVE Bystander Training**

15 trainings

118 employee and graduate student participants

■ **Student Organization Conference at Knoxville through the Center for Student Engagement**

320 participants

Other university units that requested and received training included the Center for Global Engagement, the College of Veterinary Medicine, the Department of Chemistry, the Department of Educational Psychology and Counseling, the Department of English, the Department of Geography, the Department of Physics, the Department of Psychology, the Department of Public Health, the Division of Student Life, the Haslam College of Business, the Office of the Provost, One Stop Student Services, the School of Music, the Tickle College of Engineering, United Campus Workers, and the UT Police Department. Custom trainings were developed for Greek chapters, Office of Sorority and Fraternity Life Safety Summits, and other organizations and event participants.

■ **Online Annual Title IX Training**

Full-Time Faculty and Staff

96% completion rate

■ **Graduate Teaching Assistants and Graduate Research Assistants**

90% completion rate

■ **Title IX Staff Presentations to External Groups**

3 trainings

85 participants

Office of Title IX staff presented at three national conferences: National Association of Student Personnel Administrators, Association of Student Conduct Administration, and Association of Fraternity/Sorority Advisors.

OTHER TITLE IX-RELATED TRAINING

■ **Office of Student Conduct and Community Standards Title IX Advisor Training**

11 participants

■ **UT Police Department-Facilitated Training**

49 programs

1,533 participants

ORIENTATIONS

SPRING 2022

- Be Smart, Be Safe, Be a Vol
57 participants
- Division of Student Life
New Staff Orientation
24 participants
- Office of Sorority and Fraternity Life
New Member Health and
Safety Module
434 completions
- OSFL Spring Health and
Safety Summit
140 participants



FALL 2022

- Online Pre-Orientation
Module in Partnership with
New Student Orientation
8,917 completions
- Graduate Student Orientation
Title IX Overview
33 participants
Mandatory Reporter Training
230 participants
- New Veteran Student Orientation
In partnership with the Office of the
Dean of Students and CHEW
70 participants
- OSFL New Member Health and
Safety Module
3,102 completions
- OSFL Fall Health and Safety Summit
177 participants
- Division of Student Life
New Staff Orientation
52 participants
- Ready, Set, Connect
(Human Resources)
85 participants

COMMUNICATION

CONSENT CAMPAIGN

Consent Is... campaign rebrand

*Consent Is Mutual. Consent Is Ongoing.
Consent Is Required.*

- Digital signage and 460 consent posters displayed in buildings around campus
- More than 1,200 consent T-Shirts distributed at events throughout fall



VOLS A.C.T. CAMPAIGN

- Digital signs circulated on all campus monitors beginning in the fall
- 10 sidewalk stickers strategically placed around campus
- More than 4,000 Vols A.C.T. T-shirts distributed to students who completed Vols A.C.T. and Greek Bystander Intervention training



**VOLS
A.C.T.**

SOCIAL MEDIA

30 interpersonal wellness and sexual health posts

23,341 impressions

670 shares

189 saves

298 profile visits

PERIODICALS

Daily Beacon

Consent campaign ad

On Rocky Top Magazine

Ad for Vols A.C.T. in partnership with the Office of Title IX and “Start the Conversation” consent guides; mailed to **7,000** households of incoming students with an additional **1,500** copies distributed on campus

RESOURCE DISTRIBUTION

Distributed “Start the Conversation” (consent guide) ads to parents at Summer Welcome

Sexual misconduct awareness and prevention postcards distributed to **9,525** faculty, staff, and graduate assistants in partnership with the Office of Title IX

MEDIA COVERAGE

“Campus offices collaborate to host event promoting stalking awareness.”

Daily Beacon, January 31

“Stalking: How to spot the signs, what to do if it happens to you.”

Daily Beacon, April 19

“Sexual Assault Awareness Month event trains students to be active bystanders.”

Daily Beacon, April 25

EMAILS

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

Prevention Spotlights

CENTER FOR HEALTH EDUCATION AND WELLNESS

The Center for Health Education and Wellness leads and collaborates on initiatives focused on sexual misconduct awareness and prevention and on sexual and relationship health promotion. In 2022, CHEW facilitated some very exciting and successful initiatives.

During the fall semester, CHEW officially re-launched the “Consent Is...” campaign. The campaign has existed for several years in different iterations, but CHEW brought it back in full force. Led by Kayley McMahan, interpersonal wellness and sexual health coordinator, the consent campaign has been a major success. The kickoff event for the campaign, “Chill Out with CHEW: Paint the Rock and Chat about Consent,” was held in August. Participants painted the Rock with words and phrases describing what consent is to them. In September, CHEW launched T-Shirt Tuesdays, a monthly event where staff set up at different locations across campus distributing hundreds of consent T-shirts and educational materials. CHEW hosted four T-Shirt Tuesday events in fall, attracting 1,163 participants. T-Shirt Tuesdays are ongoing and will continue into 2023.

In September, CHEW co-facilitated “Let Love Bloom” with the Office of Title IX as part of the Wellness Wednesdays series. The event, which took place in the Presidential Courtyard, connected healthy relationships programming with creative expression by inviting the campus community to build bouquets with six uniquely colored flowers—each representing the different components of a healthy relationship—tied together with burlap ribbon representing equality. The same components are incorporated within healthy relationship presentations and educational materials offered by CHEW and the Office of Title IX. More than 215 participants built bouquets. One student said, “I loved that each flower represented a different element of healthy relationships and together they formed a bouquet. I also loved the hand outs and stickers!”

In October, CHEW collaborated with the Office of Title IX, the Office of Student Conduct and Community Standards, the Student Counseling Center, the Center for Care and Resilience, the Office of the Dean of Students, the Hazing Prevention Team, and the UT Police Department to host Vols A.C.T. Day, a passport-style event held as part of the Wellness Wednesdays series. Vols A.C.T. Day took place the Wednesday before fall break and provided an opportunity for students to learn and practice active bystander skills in fall break scenarios. Each table had a scenario specific to the representatives at that table (for example, a dating violence scenario at the Office of Title IX table). Students had to read the scenario, explain how they would use Vols A.C.T. and one or more of the “three Ds” of bystander intervention (direct, distract, delegate) to intervene. More than 150 students participated in Vols A.C.T. Day, walking away with pizza, a Vols A.C.T. T-shirt, and the knowledge they need to be active bystanders.

Looking ahead to 2023 and beyond, CHEW will continue to spearhead engaging and innovative awareness and prevention initiatives for UT, including T-Shirt Tuesdays, events like “Let Love Bloom” and Vols A.C.T. Day, and Sexual Assault Awareness Month in April. It is also CHEW’s goal to educate as many undergraduate students about sexual misconduct awareness and prevention as possible through its educational programs on consent, healthy relationships, sexual health, and bystander intervention.

ATHLETICS PREVENTION PROGRAMMING AND WELLNESS

In 2022, the Tennessee Athletics Department continued to partner with the Office of Title IX, the Thornton Athletics Student Life Center, the Office of Sorority and Fraternity Life, and the Center for Health and Education and Wellness. To increase collaboration on campus, the assistant director of mental health and wellness collaborated with OSFL and presented at the Health and Safety Summit about wellness topics related to eating disorders and body image. Tabling events were completed by Tennessee Athletics to encourage athletes' engagement with campus events. During Sexual Assault Awareness Month, 80 student-athletes participated in a SAAM tabling event and shared how they would be an ACTIVE bystander to support someone in need.

Tennessee Athletics aimed to improve the wellness sessions for athletes with the first full year of new wellness initiatives. Teams were given the opportunity to request a topic for their second wellness session of each semester to personalize the topics for each team and create a comfortable environment that they looked forward to engaging in.

A total of 75 wellness sessions were held throughout 2022.

In spring, 96 percent of student-athletes found the wellness program they attended helpful, and 97 percent reported understanding the university's definition of consent.

In fall, 99.9 percent of student-athletes reported that they understood the university's definition of consent, and 99.6 percent reported they could define consent and provide an example to a fellow Vol.

Student-athletes were provided the opportunity to give anonymous feedback and make anonymous requests for the wellness sessions. Here is what they had to say:

- "The wellness sessions are a safe and comforting environment."
- "It was great. I will use some of the consent questions."
- "I thought it was very specific and useful. It was really good information and presented very clearly."
- "I thought it was very helpful and I learned a lot of different ways to give consent."
- "This was very informative and interactive. 10/10."

Although it cannot be directly correlated to wellness initiatives, the number of athletes reaching out for mental health services increased. Many athletes approached the facilitator after presentations to inquire about getting set up or obtain contact information for a friend, and in 2022, 73 student-athletes self-reported for individual therapy.



OFFICE OF SORORITY AND FRATERNITY LIFE

The Office of Sorority and Fraternity Life reached 19,824 individuals in 2022 through health- and safety-related programming. This number was record breaking for OSFL as they enhanced their efforts to reach a broader audience, facilitated programs including the new member health and safety module and bystander intervention training for the entire Greek life community, and had more one-on-one touchpoints with chapter executive boards that included conversations about accountability and practices for hosting safe social events.

Throughout these trainings, OSFL worked with its Prevention Team, which is composed of staff members from OSFL, the Office of Title IX, the Center for Health Education and Wellness, the Center for Care and Resilience, the Office of the Dean of Students, the Bias Education Referral Team, and the Office of Student Conduct and Community Standards.

The major highlights of 2022, developed by OSFL in collaboration with the Prevention Team, include four programs:

Psi Society. OSFL officially launched and integrated Psi Society—a peer education group composed of members of Greek organizations who educate the sorority and fraternity community on leadership, health, and safety—into the sorority and fraternity community. Psi Society facilitated sober monitor training and Leading Against the Tide, and hosted tabling events for the “We’re Committed” campaign. The peer health education group will continue to receive training and execute other large-scale programs. Psi Society has 65 members representing all four councils and 30 of the 46 active organizations.

“We’re Committed” campaign. The “We’re Committed” campaign was launched to bring awareness to the six health and safety priorities of OSFL. Each month of the academic year is themed, often corresponding to national awareness months, allowing OSFL and Psi Society to develop programming around specific prevention topics. For example, April’s theme was “We’re Committed to Sexual Misconduct Awareness.” OSFL partnered with the OSFL Prevention Team to develop the We’re Committed Resource Guide, which provides students with monthly information specific to Greek life.

Health and Safety Summits. The annual Health and Safety Summits sought to increase sorority and fraternity members’ knowledge of alcohol, drugs, hazing, sexual misconduct, bias education, and mental health. Members of the OSFL Prevention Team served as breakout session facilitators. In the fall they assisted in transition to a track model, presenting topics based on the “We’re Committed” campaign. The Office of Title IX co-presented with staff from CHEW, the Sexual Assault Center of East Tennessee, and the Family Justice Center in the “We’re Committed to Sexual Misconduct Awareness” session, which included information about healthy relationships, consent, the spectrum of harm, impact of trauma, and the resources and supports available to UT students for themselves or a brother or sister in need.

Here are some typical responses when participants were asked why they feel more confident in handling health and safety issues:

- “Because I have not only been educated by those who are more informed than I am, I also have been informed of more resources to help me if need be.”
- “I didn’t understand Title IX and CHEW and now I have a much better understanding of how they can help.”
- “I have learned how to become a better leader while keeping my brothers and my chapter safe and how to reduce harm within my chapter.”
- “I feel better informed of my responsibility as an officer and a brother and I know the resources I can use to better my chapter when it comes to health and safety.”

Bystander intervention training for Greek life students. Bystander intervention training was developed by OSFL in collaboration with the OSFL Prevention Team in the spring and offered in the fall. The training, specific to Greek life students, was based on specific interactive scenarios for each council based on its trends and social culture. In total, 45 chapters were trained across all four councils. At least one member of the OSFL staff was present at each training. This element was important, as much of the training discussed trends in the Greek life community and students asked questions specific to those trends. More than 5,200 students took part in these trainings.

Participants were invited to complete an assessment following the training. Of the 4,162 who completed the survey, 92.3 percent identified the Office of Title IX as the place they would go for support.

This percentage represents a huge improvement from previous assessments, in which responses showed that students were unsure about the support role of the Office of Title IX compared to a university investigative process.

Here are a few quotes that share the program's significant impact on students:

- "I learned how to ACT within a situation which I think will be super helpful in the future especially while being in Greek life. I'm also thankful I learned what resources to go to for different situations."
- "All the resources available were clearly stated and described. The scenarios made it clear which sources to use for what events/scenarios."
- "I feel I am more prepared to take on situations in which I need to be an active bystander, as well as gained knowledge to many places on campus to seek help in different situations, especially bias, I wasn't aware that existed."
- "I know the right places to go to get help for me or my friends when we need. I learned that the Title IX office can take measures to help before getting officials involved."

Other programs and events from the four councils—National Pan-Hellenic Council, Multicultural Greek Council, Interfraternity Council, and Panhellenic—related to sexual misconduct awareness:

- **Tabling events.** All four councils partnered with the Office of Title IX to host Sexual Assault Awareness Month tabling events on April 4 and April 7.
- **Lori Hart Healthy Relationships Program.** IFC and Panhellenic partnered to invite health and safety expert Lori Hart to UT to discuss healthy relationships on April 12. The Office of Title IX supported in planning the event and provided resources. In addition, the Sexual Assault Center of East Tennessee was present to provide support and resources. This session was split into Panhellenic sororities and IFC fraternities to allow for specialized programs that were applicable to each community. There were more than 400 attendees at this event.
- **Denim Day door designs.** Facilitated by the IFC, IFC chapters (unhoused and housed) decorated their facilities or a door in OSFL April 26 to commemorate Denim Day and raise awareness for Sexual Assault Awareness Month.

OFFICE OF TITLE IX

The Office of Title IX was active in numerous areas throughout 2022. The office continued its work through ongoing programs, assessments, and evaluations, and several units and individuals received honors and awards for their contributions.

APPLICANT SEXUAL MISCONDUCT ATTESTATION

Starting in 2019, the UT Knoxville Action Collaborative began working to identify and support implementation of a process to assess applicants who have adverse findings and pending cases. The working group developed and launched a pilot protocol for applicants starting November 1, 2022.

The new process was developed to meet three overarching goals:

- To communicate university community expectations to all applicants
- To provide a procedure for evaluating applicant history with regard to sexual misconduct
- To establish a structure that ensures that applicants have an obligation to notify the university of any previous violation of a sexual harassment policy, any current or ongoing investigations of alleged violations, and any resignation (including by agreement) in lieu of a finding of responsibility for alleged violations; that the university can review any previous violation of a sexual harassment policy, any current or ongoing investigation of alleged violations, and any resignation (including by agreement) in lieu of a finding of responsibility for alleged violations; and that the university facilitates a dedicated reference check

CULTURE OF RESPECT WRAP-UP

The University of Tennessee joined the Culture of Respect Collective in late 2019, and in January 2020 began an ambitious assessment and plan for change designed to address campus sexual violence at an institutional level.

The collective's framework consists of 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
- Schoolwide mobilization with student groups and leaders
- Ongoing self-assessment

Culture of Respect Leadership Team members worked collaboratively to complete the collective's CORE evaluation, which covers recommended practices for addressing campus sexual violence that are based in research, expert guidance, and promising practices. Based on the results of the evaluation, leadership team members developed SMART goals for each of the six pillars through an individual implementation plan. After completion of the plan, the team again completed the CORE evaluation to measure improvement.

In July 2022, the UT completed its final CORE evaluation, which showed improvement in all six CORE blueprint areas. The most significant changes were in survivor support, which increased by 9 percent, and enhancements in multi-tiered education, which increased by 8 percent.

Many of the changes to survivor support policies focused on improved information sharing. As a result of the initial CORE Evaluation assessment, the Care and Threat Assessment Team adjusted internal processes to enhance communication. Sexual violence response resources were added to the Tennessee app, increasing their accessibility to the university community. Other improvements to survivor support included the addition of an anonymous reporting option to the LiveSafe App. The university also enhanced its partnerships with off-campus support services, confirming its memorandum of understanding with the Sexual Assault Center of East Tennessee and establishing an MOU with the Knoxville Family Justice Center, a hub for local domestic violence resources.

Across campus, training for students and employees began to include information about microaggressions, rape myths, and the spectrum of violence that contributes to sexual misconduct on college campuses. Additionally, the Center for Health Education and Wellness and the Office of Title IX committed to providing information about survivor support and resources in all prevention programming.

Overall, the university completed 25 improvement objectives, with engagement across 15 campus departments. Participating in the Culture of Respect Collective provided an opportunity to go above and beyond compliance with state and federal regulations to create meaningful large-scale changes that enhance the well-being of UT students, faculty, and staff.

ANNUAL TITLE IX TRAINING

The Office of Title IX continued to enhance and expand the annual Title IX training assigned to all employees during fall 2022. Training was expanded to delve deeper into sexual harassment in the workplace, with an increased focus on quid-pro-quo harassment and hostile work environments. The training remained housed in the K@TE learning management system for faculty, staff, and graduate students.

A few individuals provided feedback about the training:

- "The training is much more in depth (and clearer) than last year—great job in continuous improvement processes!"
- "Thanks for sharing the excellent training material re: Title IX. I found it to be very sensitively handled and thorough throughout."

- “Overall, I was very impressed with the level of reader involvement, the smooth transitions, and the variety of activities involved in this training. The text and examples were clear and I now have a much better understanding of Title IX requirements and processes.”

The completion rate was 96 percent for UT Knoxville, 97 percent for the UT Institute of Agriculture, 94 percent for the UT Space Institute, and 99 percent for UT System administration. Across all campuses, 90 percent of graduate students completed the training.

TITLE IX IMPACT ON THE UNIVERSITY AND BEYOND

The summer of 2022 marked 50 years since the passing of Title IX, the federal law that prohibits discrimination on the basis of sex in educational programs and activities that receive federal funding. During 2022, the College of Education, Health, and Human Sciences hosted a number of events in honor of Title IX’s anniversary. Ashley Blamey, Title IX coordinator, moderated an event hosted by the University of Tennessee Press in which Mary Ellen Pethel, author of “Title IX, Pat Summitt, and Tennessee’s Trailblazers: 50 Years, 50 Stories,” Sarah Hillyer, director of the CEHHS Center for Sport, Peace, and Society, and Debby Schriver, author of “In the Footsteps of Champions: The University of Tennessee Lady Volunteers, the First Three Decades” were able to share their individual and collective experiences.

ASSESSMENT AND EVALUATION

Vol Voices Survey

As a part of the university’s ongoing efforts to prevent and address sexual misconduct, the Office of Title IX partnered with the College of Social Work Office of Research and Public Service to implement the Vol Voices survey to better understand the campus climate regarding sexual misconduct. The Vol Voices survey was administered in April to all undergraduate and graduate students and employees. The survey was anonymous and confidential and was used to assess the perceptions and experiences of the campus community. The information gathered from university students and employees will inform policy, shape prevention, and assist us with targeted interventions.



The survey is based on an instrument created by the Administrator Researcher Campus Climate Collaborative. It was developed for US institutions of higher education by expert researchers in sexual harassment and interpersonal violence in collaboration with Title IX professionals, campus law enforcement, advocates, counselors, and student affairs personnel. It is recommended by the National Academies of Science, Engineering, and Medicine Action Collaborative, of which UT Knoxville is a founding member. Assessing campus perceptions and experiences in the areas of Title IX is a best practice. Sexual harassment and interpersonal violence have a direct and negative impact on our students, employees, and our mission of education and research. The full results of the Vol Voices survey will be shared with the UT community in spring 2023.

360-Degree Evaluation of Supports

In an effort to assess the supports and resources offered to those who engage with the Office of Title IX, a 360-degree anonymous survey was provided to all individuals—complainants, respondents, and pregnant and parenting students—who had contact with the Office of Title IX. These evaluations have been conducted since spring 2018. Initially only complainants were surveyed. Over the past five years, the scope expanded to include all those who receive support from the Office of Title IX. Depending on which supports and processes the individual received, they are asked about their experience with offices and resources 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. Following is a snapshot of the five years of data.

COMPLAINANT RESULTS

- 94 percent of student complainants and 90 percent of employee complainants stated that they the Office of Title IX informed them of the resources and support available to them.

- 94 percent of student complainants and 85 percent of employee complainants stated that they would recommend the Office of Title IX to a friend if they needed help.

RESPONDENT RESULTS

- 92 percent of student complaint respondents and 67 percent of employee complaint respondents stated that they were informed of the resources and support available to them when speaking with a staff member from the Office of Title IX.
- 72 percent of student complaint respondents and 67 percent of employee complaint respondents stated they would recommend the Office of Title IX to a friend if they needed help.

PREGNANT AND PARENTING STUDENTS RESULTS

- 100 percent of pregnant and parenting students stated that they were informed of the resources and support available to them when speaking with a staff member from the Office of Title IX.
- 88 percent of pregnant and parenting students stated they would recommend the Office of Title IX to a friend if they needed help.

AWARDS AND RECOGNITION

Several individuals and units whose work is associated with the Office of Title IX, as well as the office itself, were recognized with honors and awards during the year.

PARTNER OF THE YEAR FOR STUDENT SERVICE: HAILEY FLAVIN



Hailey Flavin serves as the assistant director for harm and risk reduction in the Office of Sorority and Fraternity Life. Flavin came to UT as an OSFL coordinator in August 2021 after working in student conduct roles at Texas A&M University and Brown University. Within six months of being named coordinator, she was promoted to her current position. As assistant director, Flavin works with the university’s four sorority and fraternity councils (comprising more than 6,000 students), ensuring the completion of training and policy compliance related to leadership, health, and safety. Additionally, Flavin serves as a liaison for fraternities and sororities undergoing conduct investigations and sanctions.

Flavin found her passion for harm and risk reduction during her undergraduate years at the University of Rhode Island, where as Panhellenic Council president she spearheaded a sexual misconduct education program. She enjoys seeing meaningful changes happen through policy and helping individuals and organizations make positive changes within themselves. She says transitioning to assistant director for harm and risk reduction was an easy decision: “I saw this position and thought that it combined all of the things I really care about . . . along with a student population that, I think, has the ability to enact a lot of change on a college campus.”

Prevention and harm reduction require collaboration across campus. Flavin’s leadership of the OSFL Prevention Team and Hazing Prevention Team brings together the knowledge and expertise of dozens of campus partners to create relevant, engaging, and effective programming for students. One of Flavin’s most frequent campus partners is the Office of Title IX, whose joint efforts earned recognition at the Association of Fraternity/Sorority Advisors 2022 annual meeting. Recent initiatives related to Title IX and sexual misconduct prevention include bystander intervention training, the “We’re Committed” campaign to promote wellness and sexual violence prevention, training modules for new sorority and fraternity members, and bringing Lori Hart—a renowned guest speaker and advocate for health and safety within the Greek life community—to campus.

Looking forward, Flavin sees the need to continue educating students on policy, intervention, and support. Recent assessments and survey data show that sorority and fraternity students desire peer education, which led to Flavin creating Psi Society, a group of peer mentors and educators specific to the Greek life community. She hopes to continue collecting data on the needs and gaps in current programming: “I think we are just scratching the surface of what prevention can look like and how we can engage our students in that education,” she says.

PARTNER OF THE YEAR FOR EMPLOYEE SERVICE: REBECCA ALCORN



Rebecca Alcorn serves as the training coordinator for the Facilities Services Department. With a master's degree in business education from Middle Tennessee State University and skills in corporate training, Alcorn joined the Facilities Services team in 2017. Since assuming her role as training coordinator, Alcorn has fully committed to the university and its mission, due in large part to her peers. "They're fantastic people and I love my work—it's really fulfilling." Alcorn takes responsibility for the well-being of the department's employees, who play a critical role in university operations.

Alcorn and her team oversee training for the 600+ employees within Facilities Services, including new employee orientation, OSHA compliance training, emergency management courses, and training on university policy, in addition to providing personal and professional development opportunities. This work includes ensuring that employees know their rights and responsibilities according to Title IX and UT's sexual harassment policy. While Facilities Services completes the annual Title IX compliance training required for all university employees, Alcorn saw an opportunity to build on the existing curriculum. "I wanted to expand on what [Title IX] looks like for our staff," she says.

This desire for tailored training has led to the Office of Title IX developing presentations for Facilities Services supervisors focusing on sexual harassment and mandatory reporting requirements. By giving supervisors the knowledge and confidence to address questions and concerns, they are empowered to act in the interest of their employees' well-being. Alcorn has also worked with the Office of Title IX to provide training materials translated into 11 languages spoken by Facilities Services staff, increasing accessibility and knowledge of university policy.

Making connections and building relationships fulfill Alcorn, especially within Facilities Services. "The relationships I have built with these people over the last five and a half years are some of the most valuable, entertaining, and fun I've ever had," she says. She also delights in seeing the light-bulb moments during training when employees fully grasp a concept and its relevance. Alcorn and her team will offer expanded training related to Title IX for the next several years, continuing with their model of integrated training for department supervisors. In the future, Alcorn hopes to host additional awareness and training events related to university policy regarding sexual misconduct.

VOLUNTEER SPIRIT AWARD: ASHLEY BLAMEY



Ashley Blamey was honored at the Chancellor's Honors Banquet, the university's largest recognition event of the year. The Volunteer Spirit Award is the highest honor given to a staff member at the university. It is open to all University of Tennessee employees, and its purpose is to recognize someone who has gone above and beyond what is expected of them in their professional role. Candidates exemplify the Volunteer spirit by having the courage to act and giving of themselves in extraordinary ways. Blamey was nominated for the award by 11 members of the campus community.

Blamey considers serving in her role as a privilege. "I have often done the work behind the scenes. I enjoy that, but it's an incredible feeling to know your colleagues took the time to nominate you," she says.

The driving force of everything Blamey and her team in the Office of Title IX do is finding ways to reduce harm. She reminds herself every day that they work for students, the families who sacrifice access to education, and the opportunity to prepare students for the next stage of their lives.

"To be a Volunteer means working with others towards a greater good," Blamey says. "It's putting others before yourself and building a community where you want to learn and work."

FRIEND OF STUDENT LIFE AWARD AND RISING STAR AWARD: LAURA BRYANT



Laura Bryant received the Division of Student Life's Friend of the Division Award for her demonstrated commitment to fostering the intellectual, cultural, social, and emotional development of UT's students. Serving in her role as deputy Title IX coordinator for prevention, training, and evaluation, Bryant led the planning and execution of Sexual Assault Awareness Month, the 2022 Vol Voices campus climate survey, and a multitude of trainings and presentations geared toward targeted groups on campus. Her commitment to the well-being of students and the professional development of her peers led to her nomination and selection for the award.

Bryant was also honored with the Rising Star Award winner by UT's College of Social Work. The award recognizes field instructors who have gone above and beyond in their work to mentor and educate social work students. Field education is a requirement for both bachelor's- and master's-level students pursuing a social work degree, helping students integrate research, theory, and practice in real-world settings. As experienced social workers, field instructors help students master the competencies necessary for academic and professional growth. Bryant serves as a field instructor for graduate students working in the Office of Title IX, facilitating hands-on experiences with policy implementation, training, interdisciplinary collaboration, and research.

OFFICE OF SORORITY AND FRATERNITY LIFE CAMPUS-COMMUNITY PARTNER RECOGNITION AWARD: OFFICE OF TITLE IX

The Office of Title IX received recognition as a campus partner at the 2022 Fraternal Excellence Awards. Demonstrating commitment to the success of sorority and fraternity members, the office works consistently with the Office of Sorority and Fraternity Life to engage campus partners and Greek life students. Initiatives highlighted in the award include an action plan to address sexual misconduct within the Greek life community, partnership during Sexual Assault Awareness Month, and developing bystander intervention training targeted at Greek life students.

DIVISION OF STUDENT LIFE COLLABORATIVE PROGRAM OF THE YEAR AWARD: OFFICE OF SORORITY AND FRATERNITY LIFE, OFFICE OF TITLE IX, OFFICE OF THE DEAN OF STUDENTS, AND CENTER FOR HEALTH EDUCATION AND WELLNESS

The Office of Title IX was honored for its role in partnering with the Office of Sorority of Fraternity Life, the Office of the Dean of Students, the Bias Education Referral Team, and the Center for Health Education and Wellness to create bystander intervention programming for student leaders at OSFL's spring Health and Safety Summit. The preparation, planning, and execution of the summit was described as intentional, organized, and effective. The summit included a large-group presentation, large activities, discussions, and breakout groups. The ability to connect campus content area experts led to a successful and engaging summit.

ASSOCIATION OF FRATERNITY/SORORITY ADVISORS OUTSTANDING CHANGE INITIATIVE AWARD: OFFICE OF SORORITY AND FRATERNITY LIFE

The Office of Sorority and Fraternity Life received the Outstanding Change Initiative Award at the Association of Fraternity/Sorority Advisors annual meeting. The award recognizes long-term positive initiatives that strengthen Greek life communities on college campuses. UT's OSFL Prevention Team was recognized for bringing together campus partners to create prevention programming and proposals that reduce harm, demonstrated positive outcomes in education, collaboration, student engagement, and risk management.

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, 2022. 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.

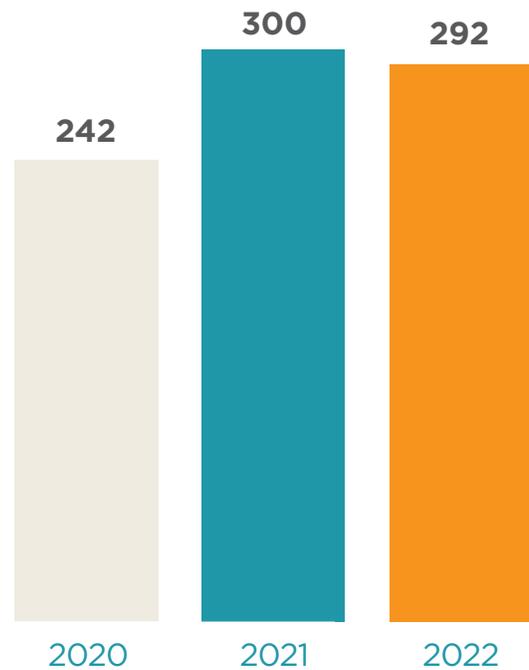
If the university receives a report of prohibited conduct that may fall under the policy, the university will provide supportive measures in support of students and employees so they can learn, live, and work in a safe and nondiscriminatory environment.

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 2022 for individuals who reported incidents to the Office of Title IX in previous calendar years. In 2022, 292 supportive measures were provided to students and employees through the Office of Title IX. This was a decrease from 300 supportive measures provided in 2021.



Support and Interim Measures Provided 2020-22

Total Number of Supportive Measures: 292

	Sexual Misconduct	Dating/ Domestic Violence	Stalking	Retaliation	Other	Total
Housing	6	4	0	0	2	12
Academic Support	49	16	6	0	25	96
Medical	6	2	0	0	0	8
Mental Health Services	29	13	3	0	7	52
Referral to Sexual Assault Center of East Tennessee	7	0	0	0	0	7
No-Contact Directive	24	5	16	0	7	52
Other	26	10	12	0	17	65
Total	147	50	37	0	58	292

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, 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.

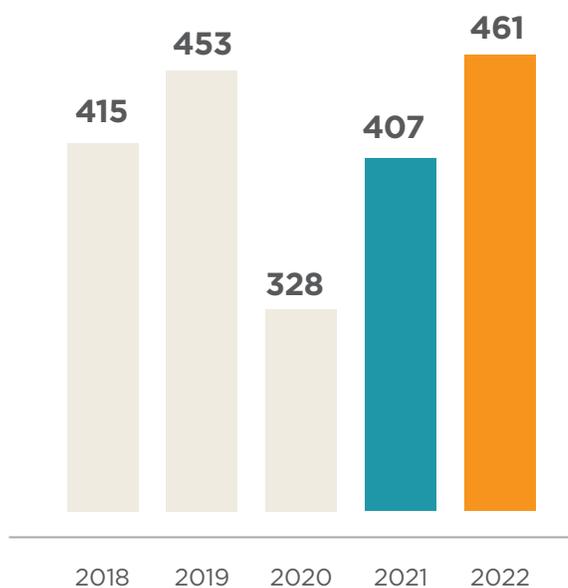
We did not include reports in which the respondent was identified and not affiliated with the university.

The Office of Title IX worked with a total of 461 student and employee concerns over the 2022 calendar year.

Student Concerns

Of the 396 student concerns reported to the Office of Title IX:

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

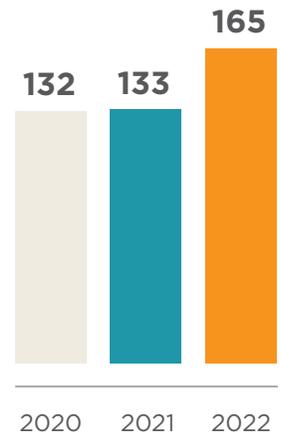


Total Number of Student and Employee Concerns 2018-22

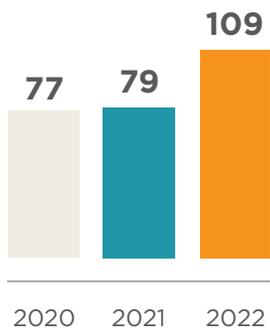
Prohibited Conduct

During 2022, the Office of Title IX had 165 reports of prohibited conduct: 109 reports of sexual misconduct/sexual harassment, 28 reports of dating/domestic violence, 28 reports of stalking, and zero reports of retaliation.

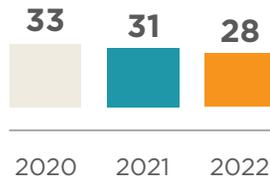
Prohibited Conduct Reports 2020-22



Prohibited Conduct Reports by Category



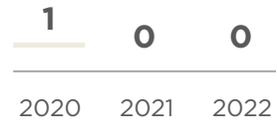
Sexual Misconduct



Dating/
Domestic
Violence



Stalking

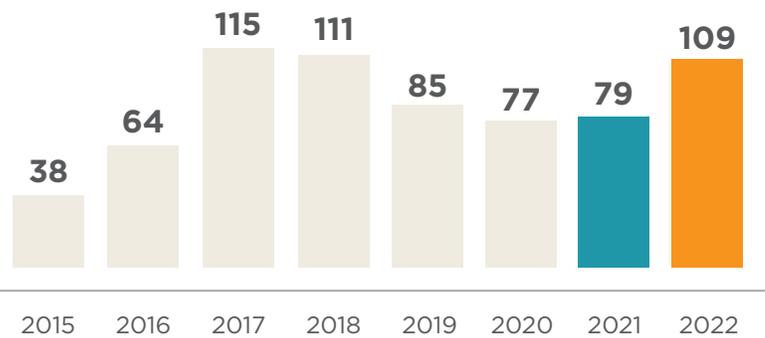


Retaliation

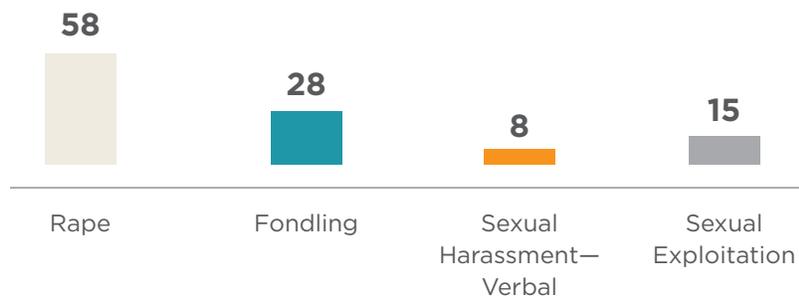
Sexual Misconduct

Sexual misconduct is an umbrella term that encompasses sexual harassment, sexual assault, and sexual exploitation. During 2022 there were 109 reports of sexual misconduct.

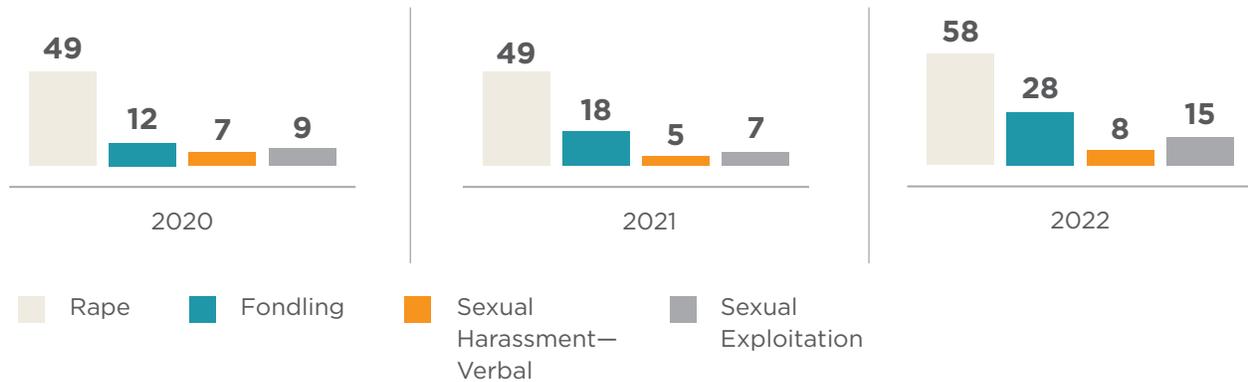
Sexual Misconduct Reports 2015-22



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



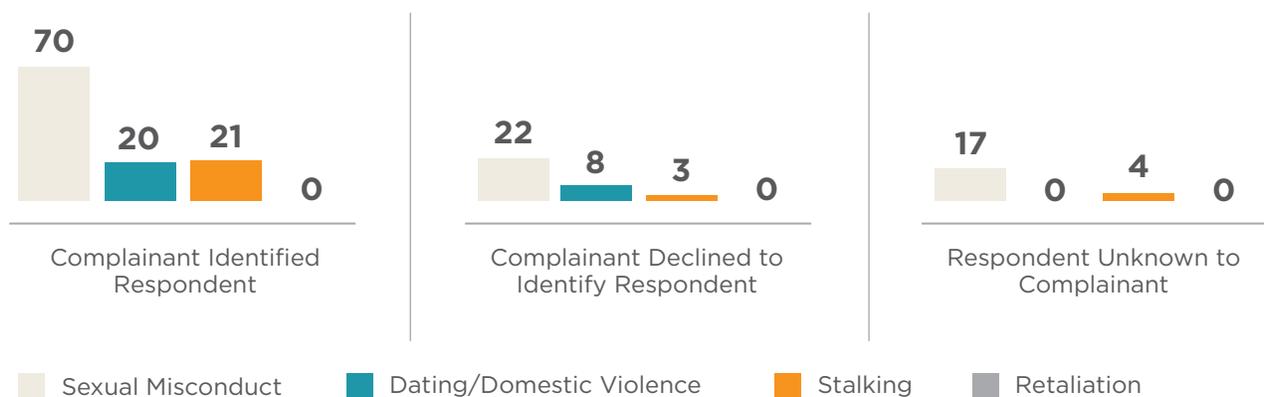
Sexual Misconduct Reported by Type 2020-22 (2020 n=77; 2021 n=79; 2022 n=109)



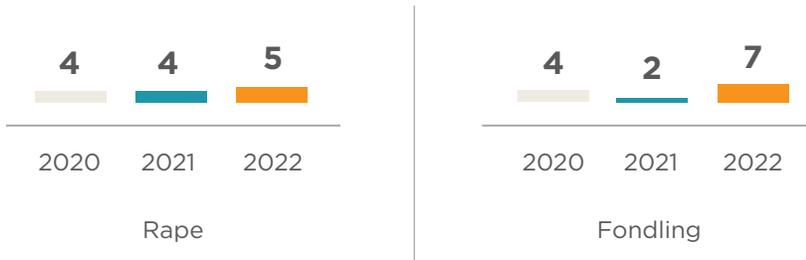
Report Details

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.

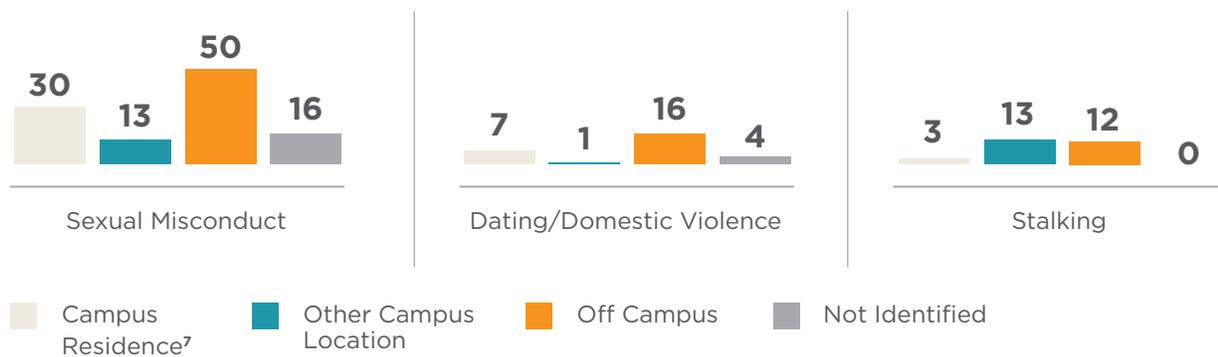
Respondent Identification 2022 (n=165)



Reports of Sexual Misconduct with Respondent Unknown to the Complainant



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



Sexual Misconduct Reports by Type and Location (n=109)

	Rape	Fondling	Sexual Harassment— Verbal	Sexual Exploitation	Total
Not Identified	16	0	0	0	16
Off Campus	27	14	1	8	50
Campus Residence	12	9	5	4	30
Other Campus Location	3	5	2	3	13
Total	58	28	8	15	109

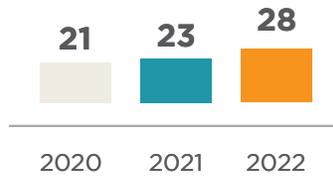
Campus Residence: Reports of Sexual Assault—Rape



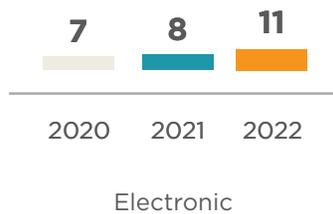
Stalking

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 2020–22



Stalking by Type⁸ (2020 n=21; 2021 n=23; 2022 n=28)



Student Report Resolutions (n=165)

As of December 31, 2022

Note: Outcomes of the six cases pending investigation or disciplinary hearings will be included in the 2023 Title IX annual report.

The Office of Student Conduct and Community Standards investigated 26 formal complaints under the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking in 2022. Of the 26 formal complaints, a total of 45 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.

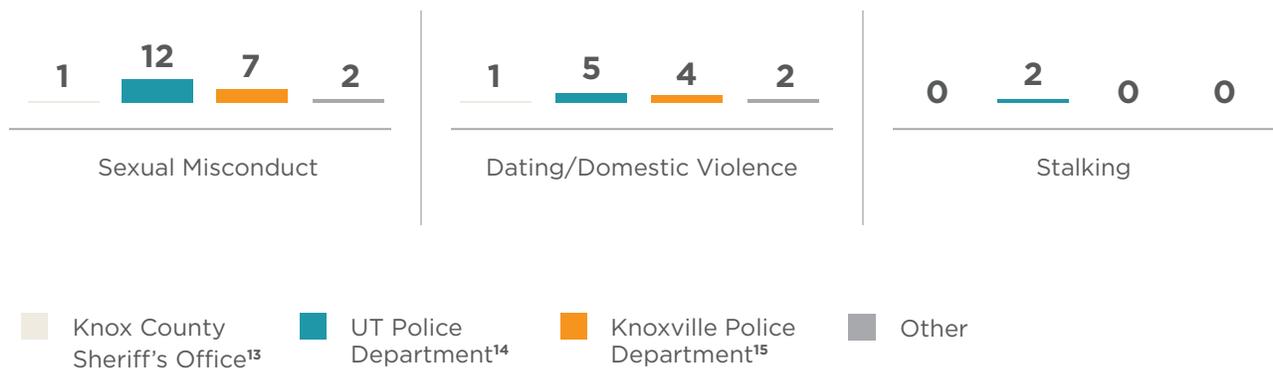
Additionally, SCCS assisted the Office of Title IX in responding to the reports by issuing no-contact directives, contacting students to schedule informational meetings, investigating a report under a separate section of the Student Code of Conduct (not under the policy), providing referrals to another 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 (university unable to resolve)	36	8	9	0	53
Limited action ⁹ : complainant chose not to file a formal complaint or the formal complaint was outside the parameters of the policy ¹⁰	35	11	18	0	64
Limited action: complainant is unknown or not able to be identified	3	0	0	0	3
Alternative/informal resolution resulting in educational sanction, probation, deferred suspension	0	19	0	0	19
Alternative/informal resolution resulting in suspension or separation from the university	5	2	0	0	7
Evidence did not support a charge based on the preponderance of the evidence ¹¹	0	0	0	0	0
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	1	0	0	1
University unable to complete investigation	0	2	0	0	2
Pending investigation or hearing	2	13	1	0	16
Total	81	56	28	0	165

Rollover 2021 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	1	0	0	0	1
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	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
Respondent found not responsible after a hearing	1	0	0	0	1
University unable to complete investigation	0	0	0	0	0
Total	2	0	0	0	2

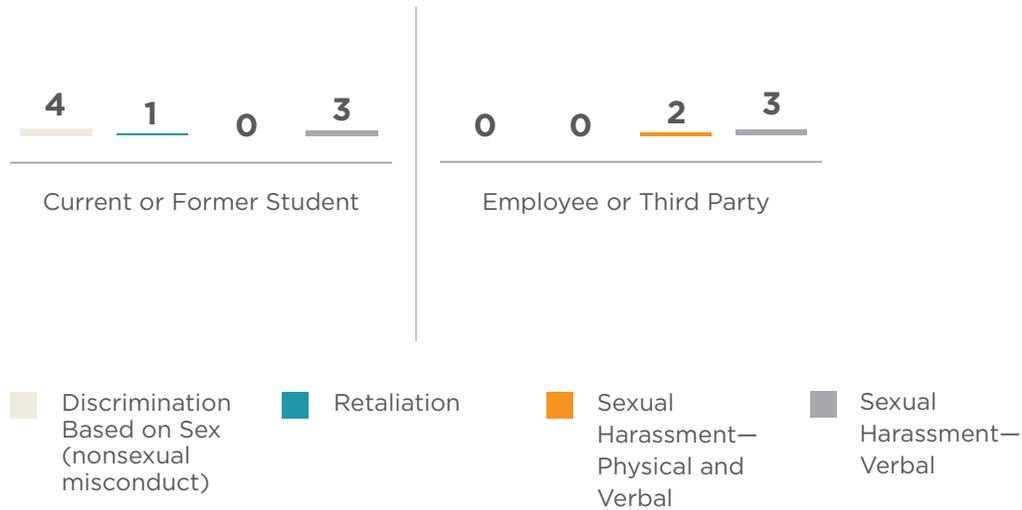
Law Enforcement Reports 2022



Reports of Prohibited Conduct Against Faculty and Staff¹⁶

In 2022, OED received 13 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 2022



2022 Reports of Prohibited Conduct Against Faculty and Staff

	Discrimination Based on Sex (Nonsexual Misconduct)	Sexual Harassment— Verbal	Sexual Harassment— Physical and Verbal	Retaliation	Total
Limited Action (a report was received and the complainant was offered support and resources, and the complainant chose not to file a formal complaint)	2	1	2	1	6
OED noninvestigative or administrative resolution	0	1	0	0	1
Alternative/informal resolution	0	1	0	0	1
Pending investigation	2	1	0	0	3
Respondent found responsible for violating university policy	0	0	0	0	0
Respondent found not responsible for violating university policy	0	0	0	0	0
Respondent no longer employed by university	0	2	0	0	2
Total	4	6	2	1	13

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.¹⁷

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.

2021 Carryover Resolutions—OED

As reflected on page 27 of the 2021 annual report, four Office of Equity and Diversity cases began in 2021 but were still pending resolution at the time of the 2021 annual report publication. The resolutions of the four cases are included below.

	Discrimination Based on Sex (Nonsexual Misconduct)	Sexual Harassment— Verbal	Sexual Harassment— Physical and Verbal	Retaliation	Total
University honored request for limited action	0	0	0	0	0
Informal resolution	0	0	0	0	0
Respondent found responsible for violating university policy	0	0	0	0	0
Respondent found not responsible for violating university policy	4	0	0	0	4
TOTAL	4	0	0	0	4

Patterns and Trends

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

- Reports of prohibited conduct increased in 2022. The reports of rape reported in campus residence halls remained the same in 2022 as in 2021 at 12 reports.
- In 2022 a total of 26 formal complaints were investigated under the policy by the Office of Student Conduct and Community Standards, an increase from the 16 formal complaints investigated in 2021.
- In 2022 a total of 13 formal complaints were investigated under the policy by the Office of Equity and Diversity, a decrease from 2021 when 22 formal complaints were investigated.
- Through an expanded consent campaign, Vols A.C.T. training, and other initiatives that included more events for students and faculty and staff engagement, students, faculty, and engaged both face-to-face and online.
- Training for hall staff was enhanced again in 2022 through the Vols A.C.T. training for undergraduates being provided to all resident and office assistants.
- The Office of Title IX saw a 57 percent increase in the number of trainings provided since 2021.
- In 2022, 71 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 29 percent of reports came directly to the Office of Title IX through a self-report or concerned third party.

The university will continue to track patterns and trends related sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), sexual exploitation, and retaliation to better inform and enhance prevention, education, and training across campus.

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.** These numbers reflect complainants who self-disclosed a report to the 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 Knoxville Police Department.** These numbers reflect complainants who self-disclosed a report to the Knoxville Police Department.
- 16 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.
- 17 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.



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