University of Tennessee
Campus Advisory Board
2020 Title IX Landscape

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Title IX Coordinator
Presentation Outline

• Define Title IX
• Title IX Commitment
• Regulatory Update
• The Future
• Questions
Title IX

“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.”
Title IX Timeline

• 1952, Pat Summit is born in Clarksville, Tennessee
• 1967 a Syracuse University junior was the first woman to officially participate in the Boston Marathon
• 1972, Title IX signed into law by President Richard Nixon
• 1974 Pat Summit graduates becomes coach at University of Tennessee – Women’s Basketball was not an NCAA sanctioned sport
• 1976 Cape v. TSSAA

“Because of Title IX, in the years to come, women are going to get scholarships to college to play sports. They’re going to be student-athletes. … Victoria (Cape) can’t be a part of this. I can’t recruit to play college basketball a young lady who has never run a full-court game. … I’m going to have to go out of state”
Title IX Timeline

- 1976 Women’s Basketball becomes an Olympic Sport
- 1980 Alexander v. Yale incorporated sexual harassment as sex discrimination under Title IX
- 1980 Department of Education established and given oversite of Title IX through the Office of Civil Rights (OCR)
- 1982 Women’s Basketball becomes an NCAA Sport
- 1984 US Women’s Basketball team wins a gold medal at the Olympics
Title IX Timeline

• 1998 Pat Summitt is the first female coach to be on the cover of Sports Illustrated

• 2001 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties

• 2011 Dear Colleague Letter (DCL) issued in by the Office for Civil Rights (OCR).

• 2013 VAWA Reauthorization: Campus SaVE Act
  ➢ University expectation broadened

• 2017 The 2011 DCL was withdrawn and rule making process announced

• 2020 Title IX Regulation issued May 6, 2020
OUR HOMETOWN

23,290 undergraduate
6,170 graduate and professional
90 acres 294 buildings
Title IX Commitment

Our mission is to serve the University of Tennessee through our comprehensive Title IX Commitment of ensuring access to education.

Our model, grounded in the social ecological model, emphasizes five key areas:

1. Policy: Our foundation is in the policy and procedures we follow.
2. Prevention & Education: Our goal is to prevent sexual misconduct, relationship violence, stalking, and retaliation before they happen.
3. Support & Interim Measures: Our promise is to provide support and appropriate interim measures to individuals involved in the Title IX process.
4. Investigation & Resolution: Our commitments to due process, campus safety, and encouraging reporting guide how we investigate and resolve reports.
5. Patterns & Trends: Our responsibility is to use the best available research, evidence based practice, and our own campus and institute trends in our prevention and response efforts.
Prevention Emphasis

“An ounce of prevention is worth a pound of cure.” Center for Disease Control recommends a Social Ecological Model approach to interpersonal violence

- 2015-2018 3 year/ $299,000 grant from the Department Of Justice/ Office on Violence Against Women. The grant has ensured all prevention, marketing, materials and processes have been evaluated by the DOJ.
- 2017 Commission Report recommended that the resources and training developed by UTK be shared across the system and called our work “innovative” and “thoughtful.”
- 2019 National Academies of Science, Engineering, and Medicine Action Collaborative
- 2019 NASPA Culture of Respect
2019 Annual Report

Total Number of Support & Interim Measures: 370

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<th>Stalking</th>
<th>Retaliation</th>
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Prohibited Conduct Reports by Category 2018-19

- Sexual Misconduct: 115, 111, 85
- Relationship Violence: 33, 37, 37
- Stalking: 42, 23, 31
- Retaliation: 3, 1, 1

Sexual Misconduct: Campus Residence, Other Campus Location, Off Campus, Not Identified
Relationship Violence: Campus Residence, Other Campus Location, Off Campus, Not Identified
Retaliation: Campus Residence, Other Campus Location, Off Campus, Not Identified

2017 2018 2019
25 16 10
Sexual Misconduct

2017 2018 2019
115 111 85
Prohibited Conduct Reports by Category 2018-19

The University of Tennessee Knoxville
What the Data Tells Us: Prevalence

Even the most conservative data will state 2% as a minimum prevalence rate.
Regulatory Update

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

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

(1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity; or

(3) Sexual assault, dating violence, domestic violence, or stalking.
Regulation Key Provisions

Location of Incidents:

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

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

Changing funding landscape

- National Science Foundation has instituted a term and condition requirement for awardee organizations to report findings and administrative actions with regard to sexual harassment, other forms of harassment, or sexual assault. (October 2018)
- National Institutes of Health
- NASA

Evolving culture and climate expectations

- The National Academies of Sciences, Engineering, and Medicine: Action Collaborative on Preventing Sexual Harassment in Higher Education
The Future is Prevention

- Set the expectation
- Acknowledge the changes in culture
- Address the known secrets
- Address low level behaviors
- Educate new colleagues and guests
- Increase campus level training
Our power is in our prevention and our response.

Leadership provides the direction and expectations to the community.
Questions

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