

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

Office of Access and Compliance

August 2024 Townhall Meeting

<https://uthsc.edu/oied/titleix.php>



# Today's Agenda

- Title IX Overview
- Federal Landscape Update
- Office of Access and Compliance:  
Title IX 2023 Annual Report Data



# COMPLIANCE NOTES:

## Title VII Sexual Harassment

### WHAT EVERYONE SHOULD KNOW

#### WHAT IS SEXUAL HARASSMENT?

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other behavior of a sexual nature when:

- Submission to such conduct is made implicitly or explicitly a term or condition of an individual's employment or participation in an educational program;
- Submission to or rejection of such conduct by an individual is used as the basis for personnel decisions or for academic evaluation or advancement;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating/hostile or offensive working or educational environment.

Sexually discriminatory conduct as described above will not be tolerated by the University of Tennessee Health Science Center. Any student, faculty, or staff member found in violation of University policy addressing sexual harassment/sexual misconduct shall be subject to appropriate discipline. The university shall investigate each situation alleging sexual harassment individually before reaching a conclusion on the merits of the claim.

#### RECOGNIZING SEXUAL HARASSMENT

Sexual harassment is not about intentions; it deals with impact.

To avoid being misinterpreted, it is important to become conscious of conduct and behavior that may constitute a violation of the policies enforced by UT Health Science Center under the authority of the law, Title IX, and Title VII. These policies are designed to protect students, faculty, and staff members from harassment and discrimination.

Behavior that may constitute sexual harassment includes intentional and undesired physical contact, sexually explicit language or writings, and lewd pictures or notes. The conduct may be initiated by individuals in positions of power or by fellow co-workers/students.

#### EXAMPLES OF SEXUAL HARASSMENT INCLUDE, BUT ARE NOT LIMITED TO:

##### Verbal harassment

- Sexually explicit jokes or stories
- Sexually explicit, interactive software programs/computer games used at work
- Sexual/obscene innuendos, comments, remarks or sounds
- Repeatedly asking for a date after a person has expressed disinterest
- Inquiring about a person's sexual fantasies or sexual activities
- Sexual propositions/pressure for sex

##### Non-verbal harassment

- Reviewing a person's body by staring them up and down
- Making facial expressions such as winking or licking the lips or other sexual gestures with hands or through body movements
- Following a person/hanging around before, during or after work hours
- Offering unwanted gifts or letters
- Displaying sexually explicit pictures or signs

##### Physical harassment

- Patting, pinching or brushing up against someone in a sexual manner or other unwelcome forms of touching a person's body, hair or clothing
- Attempted or actual kissing or fondling
- Attempted or actual coerced sexual acts

##### What if I am not sure?

The Office of Access and Compliance provides guidance and resources to the university community. If you are experiencing a problem, but are not sure if it is sexual harassment, we encourage you to make an appointment to discuss your concerns.

Call 901.448.2112.

# TITLE VII AND TITLE IX

Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 are federal antidiscrimination laws. The University of Tennessee (UT) must comply with the laws because UT is a state employer, employs more than fifteen people, and receives federal funding.

## TITLE VII

VS.

## TITLE IX

**Title VII** prohibits employment discrimination based on race, color, religion, sex, or national origin. It applies to employer decisions about the terms, conditions, and privileges of employment, including hiring, firing, promotion, discipline, and benefits.

**Title VII** protects employees and applicants for employment.

At UT, **Title VII** protections are found in Human Resources Policy 0220 and Human Resources Policy 0280.

The federal **Equal Employment Opportunity Commission (EEOC)** enforces **Title VII** compliance.

**Title IX** prohibits sex-based discrimination in education programs and activities that receive federal funds. In this context, sex-based discrimination includes sexual harassment and discrimination based on pregnancy or parenting status.

**Title IX** protects all students and employees.

At UT, **Title IX** protections are found in the Policy on Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking (**Title IX Policy**).

The federal **Office for Civil Rights (OCR)** enforces **Title IX** compliance.

### **Both Title VII and Title IX prohibit sex-based discrimination. Together, these laws prohibit:**

- Treating similarly-situated people differently based on sex (including gender);
- Providing different aids, benefits, or services based on sex (including gender);
- Making rules that treat individuals differently based on parental or pregnancy status;
- Failing to adequately respond to sexual harassment (including quid pro quo and hostile environment sexual harassment).

### **UT is empowered to respond to possible Title VII and/or Title IX violations by:**

- Connecting reporters to University, campus, or community resources for care and support;
- Initiating a University investigation;
- Facilitating a non-investigatory resolution; and/or,
- Providing relevant training on community expectations for behavior and policy compliance.

While both Title VII and Title IX prohibit sex-based discrimination, there are differences in their scope and applicability. There is no expectation for campus community members to develop expertise in whether their concerns fall under Title VII or Title IX.

The Office of Access and Compliance receives discrimination complaints and ensures that allegations are reviewed and responded to under the appropriate policy.

Contact the **Office of Access and Compliance** with questions or to report possible Title VII and/or Title IX concerns under campus policy.

901.448.2112 | [oac-hsc@uthsc.edu](mailto:oac-hsc@uthsc.edu) | [uthsc.edu/oac](https://uthsc.edu/oac)

The University of Tennessee is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA institution in the provision of its education and employment programs and services.



# Regulation Key Provisions

## 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.

# Federal Title IX Landscape

## Campus Response/Grievance Process



Draft posted July 12, 2022 - September 12, 2022, for public comment.



The Department of Education (DOE) is required to read all comments before making final edits and publishing a final rule.



The DOE reviewed more than 120,000 comments for the 2020 Title IX rule. For the 2024 rule the DOE reviewed **240,085** comments.



The final rule was released on April 19, 2024, the implementation deadline is August 1, 2024. Federal Court granted a preliminary injunction on June 17, 2024.



The UT System and system campuses/institutes will continue compliance with the 2020 regulation and continue monitoring the legal landscape.

<https://www.insidehighered.com/news/government/2024/07/17/title-ix-rule-hold-more-670-colleges>

# What does this mean for us?

Regulations  
Issues

Campus  
Notification

System &  
Campus  
Working  
Groups

Candor,  
Dialogue, and  
Observation  
(CDO)  
Sessions

Campus  
Update

Town Hall



## Office of Access and Compliance Team

Miriam Ghandi – ADA/EEO Management Specialist

Erin McElyea, MS – Civil Engagement Officer

Omar Malik, JD – Senior Compliance Resolution Officer

Abigail Caritan, MA – Associate Assurance Officer

Tammie Washington – Engagement Associate

Michael Alston, EdD – Associate Vice Chancellor/Title IX Coordinator



# Title IX Team: Deputy Title IX Coordinators

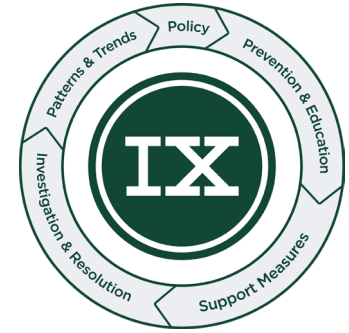
- Michael Alston, EdD, Title IX Coordinator for UT Health Science Center
  - Valarie Fleming, PhD, Deputy Title IX Coordinator for Faculty
  - Aaron Haynes, MSBA, Deputy Title IX Coordinator for GME Memphis
  - Omar Malik, JD, Deputy Title IX Coordinator for Staff
  - Captain Joanne Morrow, Deputy Title IX Coordinator for Clery Compliance
  - Will Ross, MA, Deputy Title IX Coordinator for Students
- 
- Valarie Fleming, PhD, Deputy Title IX Coordinator for International Programs
  - Wesley Byerly, PharmD, Deputy Title IX Coordinator for Research
  - Amanda Wilson, MBA, Deputy Title IX Coordinator for GME Knoxville
  - Brian Wilcox, MD, Deputy Title IX Coordinator for GME Nashville
  - Crystal Maddox, MPA, Deputy Title IX Coordinator for GME Chattanooga
  - Erin McElyea, MS, Deputy Title IX Coordinator for Prevention and Education



**Omar Malik, JD**



**Erin McElyea, MS**



**Michael Alston, EdD**



**Will Ross, MA**

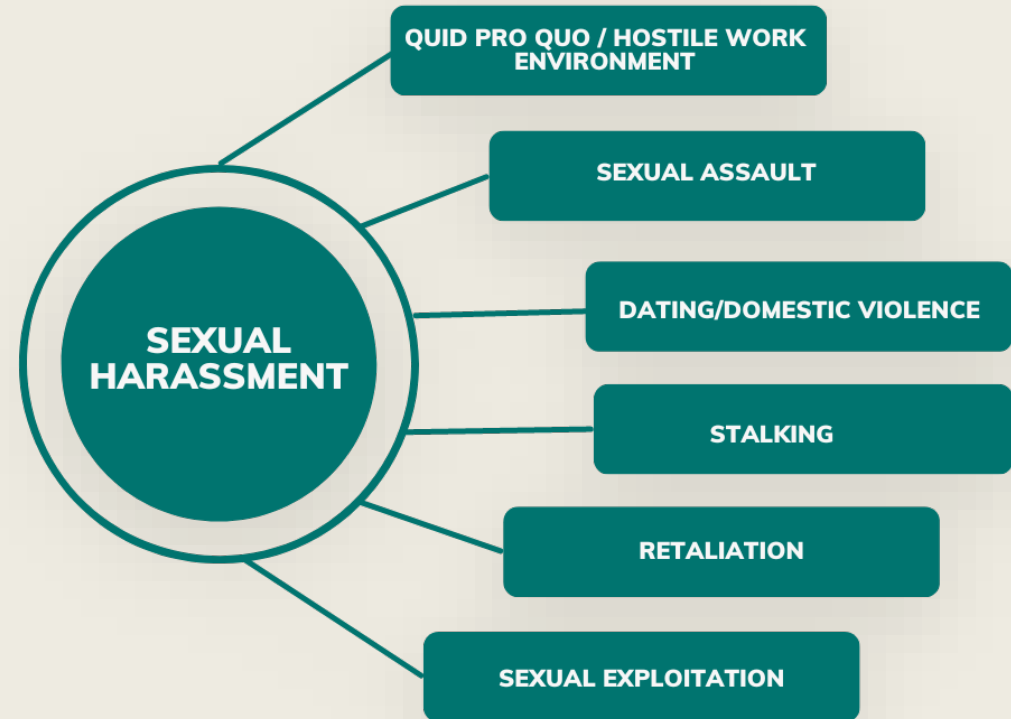
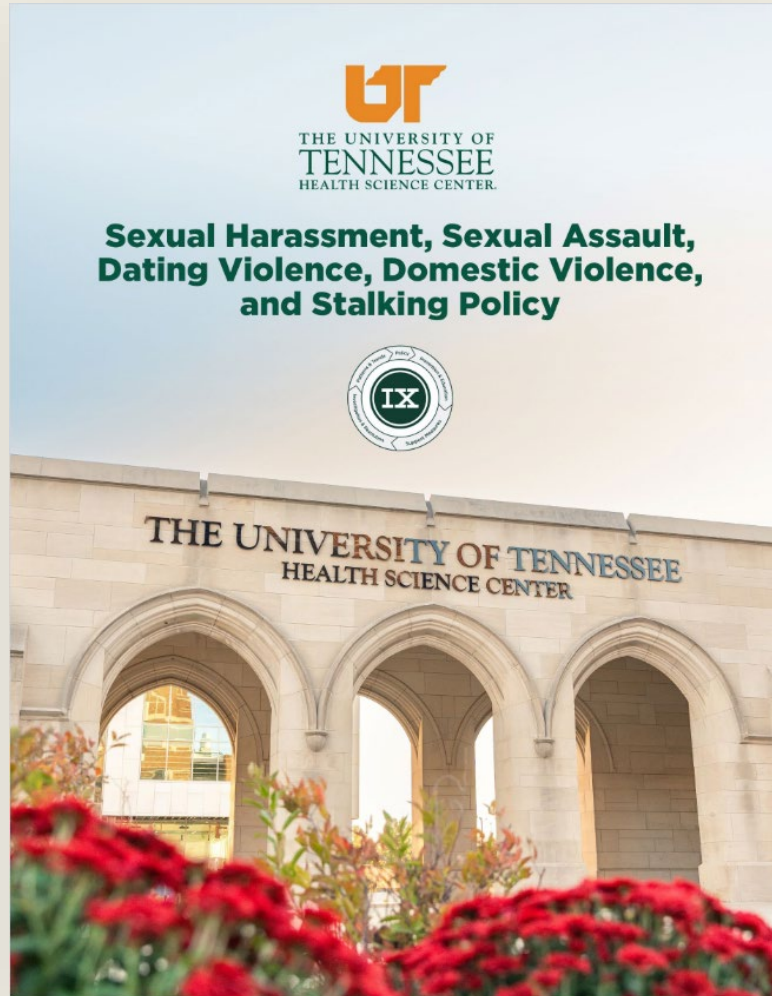


**Abigail Marbibi-Caritan, MA**

# Campus Title IX Investigators

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# Policy



## STAND-ALONE OPTIONS



## COMBINATIONS



*This is a simplified graphical representation of the process. For full details, please see the Policy on Sexual Harassment, Sexual Assault, Dating & Domestic Violence, and Stalking.*

# 2023 Title IX Report



## TITLE IX SUMMARY REPORT

### CALENDAR YEAR COMPARISON JANUARY 1, 2022 – DECEMBER 31, 2023

|      | SEXUAL MISCONDUCT | RELATIONSHIP VIOLENCE | STALKING | RETALIATION | TOTAL |
|------|-------------------|-----------------------|----------|-------------|-------|
| 2022 | 0                 | 0                     | 0        | 0           | 0     |
| 2023 | 0                 | 0                     | 0        | 0           | 0     |

### CALENDAR YEAR 2023 TOTAL COMPLAINTS BY UTHSC CAMPUS LOCATION

|                       | MEMPHIS AREA | NASHVILLE AREA | CHATTANOOGA AREA | KNOXVILLE AREA | TOTAL |
|-----------------------|--------------|----------------|------------------|----------------|-------|
| SEXUAL MISCONDUCT     | 0            | 0              | 0                | 0              | 0     |
| RELATIONSHIP VIOLENCE | 0            | 0              | 0                | 0              | 0     |
| STALKING              | 0            | 0              | 0                | 0              | 0     |
| RETALIATION           | 0            | 0              | 0                | 0              | 0     |

### CALENDAR YEAR 2023 TOTAL UTHSC COMPLAINANT STATUS

|           | SEXUAL MISCONDUCT | RELATIONSHIP VIOLENCE | STALKING | RETALIATION | TOTAL |
|-----------|-------------------|-----------------------|----------|-------------|-------|
| STUDENTS  | 0                 | 0                     | 0        | 0           | 0     |
| TRAINEES  | 0                 | 0                     | 0        | 0           | 0     |
| EMPLOYEES | 0                 | 0                     | 0        | 0           | 0     |
| OTHERS    | 0                 | 0                     | 0        | 0           | 0     |

### CALENDAR YEAR 2023 TOTAL UTHSC RESPONDENT STATUS

|           | SEXUAL MISCONDUCT | RELATIONSHIP VIOLENCE | STALKING | RETALIATION | TOTAL |
|-----------|-------------------|-----------------------|----------|-------------|-------|
| STUDENTS  | 0                 | 0                     | 0        | 0           | 0     |
| TRAINEES  | 0                 | 0                     | 0        | 0           | 0     |
| EMPLOYEES | 0                 | 0                     | 0        | 0           | 0     |
| OTHERS    | 0                 | 0                     | 0        | 0           | 0     |

\*Sexual Misconduct is a term that encompasses Sexual Harassment, Sexual Assault, Sexual Exploitation and all other words and or/conduct that would constitute a Sex Offense Crime

2023 Campus Reports <5 for non-Title IX complaints.

# 2024-2025 Title IX Policy



# 2024 Policy Updates

## **1.2.3 Effective Date**

The effective date of this Policy is August 7, 2024. This Policy applies to all Prohibited Conduct reported to have occurred on or after August 7, 2024. If the Prohibited Conduct reportedly occurred prior to August 7, 2024, then: (1) the report will be evaluated using definitions contained in applicable University policies in effect on the date the reported Prohibited Conduct occurred; and (2) other aspects of the University's response to the report (e.g., the grievance procedures) will be based on this Policy.

## **APPENDIX C PROCEDURES FOR INVESTIGATING AND RESOLVING ALLEGATIONS OF PROHIBITED CONDUCT WHEN THE RESPONDENT IS A STUDENT**

- **RIGHT TO A SUPPORT PERSON**

The Complainant and the Respondent also have the right to be assisted by a support person during all stages of a disciplinary proceeding, including all meetings, investigative interviews, and hearings. The support person is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, or participate directly in any other manner during any phase of the investigation or grievance process.

- **INVESTIGATIONS OF PROHIBITED CONDUCT (paragraph two sentence one)**

At the end of the investigation, the University will prepare an investigative report which may set forth a preliminary recommendation as to whether the Respondent shall be held responsible or not, and, if responsible, a non-binding proposed sanction.

## **APPENDIX D PROCEDURES FOR INVESTIGATING AND RESOLVING ALLEGATIONS OF PROHIBITED CONDUCT WHEN THE RESPONDENT IS AN EMPLOYEE OR THIRD PARTY**

- **RIGHT TO A SUPPORT PERSON**

The Complainant and the Respondent also have the right to be assisted by a support person during all stages of the Prohibited Conduct investigation, and if applicable hearing process, including all meetings, investigative interviews, and hearings. The support person is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, or participate directly in any other manner during any phase of the investigation or grievance process.



## Stalking: Know It, Name It, Stop It



## Sexual Assault Awareness Month 2024 Building Connected Communities



From the [National Sexual Violence Resource Center](#)

## OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH

**Monday, October 2** 11:00 am - 1:00 pm CST | GEB Lobby  
**Day of Unity - Resource Fair**

**Tuesday, October 10** 10:00 am - 11:00 am CST | Zoom  
**Domestic Violence 101**

**Monday, October 23** 11:30 am - 1:00 pm CST | GEB A202  
**Bystander Intervention**

**Wednesday, October 25** 1:00 pm - 2:00 pm CST | Zoom  
**Intimate Partner Violence - a Medical Professional's Role**



**UHSC**  
INCLUSION, EQUITY,  
AND DIVERSITY



[uthsc.edu/oled/events.php](http://uthsc.edu/oled/events.php)

# Prevention Highlights

Jurisdiction



# Employees

With respect to employees and other non-students, this Policy applies to conduct which: (i) occurs on University-controlled property; (ii) occurs in the context of a University education program or activity, including University employment; and/or (iii) occurs outside the context of a University education program or activity, but has continuing adverse effects or creates a sexually hostile environment on University-controlled property or in any University education program or activity, including University employment.





# Students

The University's jurisdiction concerning misconduct by students is governed by the University's Student Code of Conduct ("Code"). The Code applies to Prohibited Conduct, which occurs on University-controlled property. The Code also applies to Prohibited Conduct that occurs off of University-controlled property if the conduct adversely affects the interests of the University, including Prohibited Conduct which:

- (1) occurs in connection with a University-affiliated activity including, without limitation, an overseas study program or a clinical, field, internship, or in-service experience;
- (2) involves another member of the University community; or
- (3) threatens, or indicates that the student poses a threat to, the health, safety, or welfare of others or the security of any person's property. The University may address Prohibited Conduct that occurs off-campus regardless of whether the University has a duty under Title IX to address the conduct.

# Filing a Complaint



# Title IX Formal Complaint Procedure Form

A Formal Complaint is required to begin an investigation on the Policy on Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy.

Prior to completing this form, a representative from the Office of Access and Compliance will:

1. Discuss the availability of Supportive Measures with or without filing of a formal complaint;
2. Explain the process for filing a formal complaint; and
3. Review the investigation, hearings, and appeals process associated with Policy.

# Title IX Complaint Procedure Form



Office of Access and Compliance  
920 Madison Avenue, Suite 825 | Memphis, TN 38163  
t 901.448.2112 | f 901.448.1120  
Healthy Tennesseans. Thriving Communities.

## TITLE IX FORMAL COMPLAINT FORM

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

A Formal Complaint is required to begin an investigation on the Policy on Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking "Policy".

Prior to completing this form, a representative from the Office of Access and Compliance will:

1. Discuss the availability of Supportive Measures with or without filing of a formal complainant;
2. Explain the process for filing a formal complaint; and
3. Review the investigation, hearings, and appeals process associated with Policy.

### Definitions:

"Prohibited Conduct" is defined as Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence, and Stalking), Sexual Exploitation, and Retaliation.

The "Complainant" means 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 under this Policy.

The "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct.

**This completed form must be submitted to the Office of Access and Compliance at 920 Madison Suite 825, Memphis, TN 38163 or via email to [oac-hsc@uthsc.edu](mailto:oac-hsc@uthsc.edu).**

Name of Complainant: \_\_\_\_\_

Department/College: \_\_\_\_\_ Campus: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Status of Complainant:  
 Staff  Faculty  Student  Fellow  Medical Resident  Other: \_\_\_\_\_

Type of Title IX Complaint:  Formal  Informal

Name of Respondent(s): \_\_\_\_\_

Department/College: \_\_\_\_\_ Campus: \_\_\_\_\_

Status of Respondent:  
 Staff  Faculty  Student  Fellow  Medical Resident  Other: \_\_\_\_\_

## TITLE IX FORMAL COMPLAINT FORM

Relationship of Respondent(s) to Complainant:

Coworker  Supervisor  Client/Customer  Faculty  Student  
 Fellow  Medical Resident  Other: \_\_\_\_\_

For the following question, additional documentation may be attached.

Describe the Prohibited Conduct regarding the specific act(s) alleged with date(s), time(s), and location(s) if possible.

\_\_\_\_\_

### The Formal Complaint and Notice

The Formal Complaint form serves to initiate a complaint under the Policy. Once the document is completed, it will be submitted to the Office of Access and Compliance for intake and investigation.

The information shared in this document will be utilized to complete a notification document that will be sent simultaneously to both the Complainant and Respondent.

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is an all-encompassing federal law that prohibits discrimination based on gender of students and employees of educational institutions which receive federal financial assistance. When the form has been completed and signed by you, and then signed by the Title IX Coordinator or a Deputy, your complaint has been properly received and noted by UTHSC. We will provide you with a copy of this form as well as complete information about the Title IX complaint process. If you require emergency assistance, please call security at: 609-570-3200.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

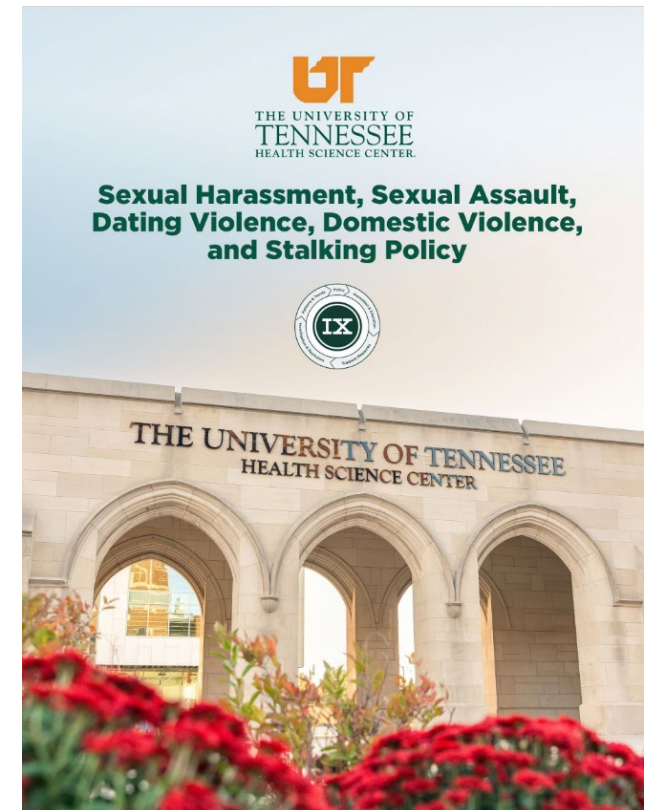
### Office of Access and Compliance Use Only

This Formal Complaint, based on the information above, meets criteria under the Policy as:

- Title IX Prohibited Conduct  
 Non-Title IX Prohibited Conduct

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# 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.



Confidential  
Resources &  
Supportive  
Measures



# COMPLIANCE NOTES:

## Confidential Resources

### WHAT IS A CONFIDENTIAL RESOURCE?

A confidential resource means that information shared is protected by federal and state laws and cannot be shared without your explicit permission. You are welcome to contact one of the university's confidential resources to learn about your reporting options, available support services, and resources.

### PRIVACY VS. CONFIDENTIALITY

UT Health Science Center employees have different obligations and expectations when students disclose information to them.

Employees identified as "mandatory reporters/responsible employees" are expected to keep information private, meaning that it will only be shared internally with other University employees who need to know (like the Title IX Coordinator or Deputy Title IX Coordinators) and generally would not be shared externally. Designated reporters are typically expected to keep student information private.

A small group of employees are expected to keep information confidential. Confidential employees typically are guided by state and federal law that requires that they not share information without permission from the student or as otherwise permitted or required by law. Conversations with confidential employees are generally privileged and therefore have additional protections under state and federal law. This means that information disclosed to a confidential employee is not subject to disclosure in many instances. Psychologists, licensed counselors, psychiatrists, physicians, nurses, advocates, the Ombudsperson are some examples of confidential employees. (Note that conversations with the Ombudsperson are not privileged.)

Confidential employees are not required to make a report to the Title IX office and will typically not share information without your permission. However, they may be required or allowed to share information in certain circumstances. For example, if a court order is presented, if they have reason to believe that a student is at high risk for suicide or violence toward others or if a minor is being abused.

*Ombudsperson: a person who investigates, reports on, and helps settle complaints; an individual usually affiliated with an organization or business who serves as an advocate for employees, students, etc.*



The University of Tennessee is an EEO/AA/Title V/Title IX/Section 504/ADA/IDEA institution in the provision of its education and employment programs and services.

### APPLICABLE LAWS

- Title IX of the Education Amendments Act of 1972
- Violence Against Women Act (VAWA)
- Campus SaVE Act
- Title IV, Title VI, and VII of the Civil Rights Act of 1964

The University of Tennessee Health Science Center is committed to creating and maintaining a learning, living, and working environment free from all forms of sexual misconduct and relationship violence, including sexual assault, sexual harassment, dating violence, domestic violence, and stalking.

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**Telecommunications Device for the Deaf**  
t 901.448.7382



THE UNIVERSITY OF  
TENNESSEE  
HEALTH SCIENCE CENTER.

ACCESS AND COMPLIANCE

# COMPLIANCE NOTES:

## Supportive Measures

After receiving a report of Title IX Prohibited Conduct, the Title IX Coordinator may implement interim protective and remedial measures ("Supportive Measures") while the University assesses, investigates, and resolves the report. Supportive Measures may be implemented upon request or at the Title IX Coordinator's initiative. Section 4.6 of the Policy explains the availability of Supportive Measures and how they are determined, implemented, and enforced.

### The following are examples of Supportive Measures:

- Issuing a no-contact directive, which provides mutual restrictions between parties from having verbal, physical, written, and/or electronic contact and/or from being present on designated University-controlled property for a definite or indefinite period of time
- Issuing an Emergency Removal (i.e. Interim Suspension), an Emergency Removal of the Respondent (student or employee) is issued based on an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct. The Respondent will have the ability to challenge the decision immediately (within 3 business days) following the removal
- Informing the Complainant of the right to report the incident to the police for criminal investigation and prosecution and offering to assist the Complainant in reporting an incident to the police
- Putting a Respondent (if an employee) on leave, in accordance with other applicable University policies, prior to the conclusion of the investigation and resolution of a report or formal complaint of Prohibited Conduct
- Assisting an individual in obtaining medical, advocacy, and counseling services
- Exploring changes in living, transportation, dining, and working arrangements
- Arranging appointments off-campus for an individual for follow-up on-campus support services or off-campus support services, such as arranging an appointment with the Family Safety Center of Memphis and Shelby County to discuss options for pursuing an order of protection in Shelby County)
- Exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes
- Assisting an individual in communicating with faculty
- Assisting an individual in requesting that directory information be removed from public sources by contacting the Office of the Registrar
- Accessing academic support for an individual, including tutoring
- Assisting with requesting academic accommodations such as rescheduling exams, obtaining extensions of time for assignments, retaking a course, dropping a course, or withdrawing for a semester without financial or academic penalty

### APPLICABLE FEDERAL LAWS

- Title IX of the Education Amendments of 1972
- Violence Against Women Act (VAWA)
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ACCESS AND COMPLIANCE

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# Title IX Mandatory Reporters



# COMPLIANCE NOTES:

## Your Mandatory Reporter Role

### I HAVE RECEIVED A REPORT. WHAT DO I DO?

A Mandatory Reporter who receives information concerning an Incident of Prohibited Conduct MUST:

1. Assist the Complainant with obtaining medical assistance (if needed or requested) or accessing other on- or off-campus resources (if requested);
2. Encourage the Complainant to report the incident to law enforcement and assist the Complainant in contacting law enforcement if requested by the Complainant; and
3. Report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator no later than 48 hours after receiving the report.

A Mandatory Reporter who receives information from a Complainant concerning an Incident of Prohibited Conduct SHOULD:

1. Provide emotional support to the Complainant;
2. Encourage the Complainant to preserve any physical evidence (e.g., if possible, the Complainant should not shower, bathe, douche, change clothes, brush his/her teeth, or comb his/her hair);
3. Inform the Complainant that as a Mandatory Reporter, you will be reporting the incident to the Title IX Coordinator or a Deputy Title IX Coordinator, one of whom (or their designee) will be contacting the Complainant to provide further guidance and assistance;
4. Advise the complainant about "confidential resources" available on campus and in the community where the information shared is confidential; and
5. Provide a Complainant with a copy of UT Health Science Center's Sexual Misconduct and Relationship Violence Policy (available at [uthsc.edu/access-compliance/documents/title-ix-policy.pdf](http://uthsc.edu/access-compliance/documents/title-ix-policy.pdf)) or another written publication approved by the Title IX Coordinator.

A Mandatory Reporter who receives notice of an Incident of Prohibited Conduct MUST NOT

1. Guarantee to a Complainant that the Mandatory Reporter will keep information confidential;
2. Share information about the incident with a person who does not have a UT Health Science Center-related need to know;
3. Share personally identifiable information about the incident with law enforcement (including UT Health Science Center PD) without the Complainant's consent; and/or
4. Investigate or otherwise attempt to resolve reports of Prohibited Conduct without the approval of the Title IX Coordinator (this provision does not apply to UT Health Science Center PD).

### APPLICABLE FEDERAL LAWS

- Title IX of the Education Amendments of 1972
- Violence Against Women Act (VAWA)
- Campus SaVE Act
- Title IV, Title VI, and VII of the Civil Rights Act of 1964

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THE UNIVERSITY OF  
TENNESSEE  
HEALTH SCIENCE CENTER.

ACCESS AND COMPLIANCE

### REPORT COMPLAINTS OF SEXUAL MISCONDUCT TO ANY OF THE FOLLOWING:

**Michael Alston, EdD**  
Title IX Coordinator  
901.448.2133 (direct) | malston@uthsc.edu

**Valarie Fleming, PhD**  
Deputy Title IX Coordinator for Faculty  
901.448.9552 | vfleming2@uthsc.edu

**Aaron Haynes, MSBA**  
Deputy Title IX Coordinator for GME Memphis  
901.448.5364 | ahaynes@uthsc.edu

**Omar Malik, JD**  
Deputy Title IX Coordinator for Staff  
901.448.2442 | omaliki@uthsc.edu

**Captain Joanne Morrow**  
Deputy Title IX Coordinator for Clergy Compliance  
901.448.5679 | jmorrow9@uthsc.edu

**Will Ross, MA**  
Deputy Title IX Coordinator of Students  
901.448.1646 | wross12@uthsc.edu

**Connie Childs, MA**  
Deputy Title IX Coordinator for International Programs  
901.448.2693 | cburk@uthsc.edu

**Wesley Byerly, PharmD**  
Deputy Title IX Coordinator for Research  
901.448.7125 | wbyerly@uthsc.edu

**Amanda Wilson, MBA**  
Deputy Title IX Coordinator for GME Knoxville  
865.305.6442 | awilson@utmck.edu

**Geoffrey Smallwood, MD**  
Deputy Title IX Coordinator for GME Nashville  
615.284.5555 | geoffrey.smallwood@ascension.org

**Crystal Maddox, MPA**  
Deputy Title IX Coordinator for GME Chattanooga  
423.778.6956 | crystal.maddox@erlanger.org

**Campus Police**  
Available 24/7 in cases of sexual assault  
901.448.4444

**CONFIDENTIAL CONTACT OPTIONS:**

**University Health Services**  
901.448.5630, 8:00 am – 5:00 pm (M – F)  
901.541.5654, After Hours, 24/7

**Student Assistance Program**  
800.327.2255 (Option 3) 24/7

**Employee Assistance Program**  
855.437.3496

**Licensed Counselors (SASSI)**  
901.448.5056  
[uthsc.edu/sassi/resources/counseling.php](http://uthsc.edu/sassi/resources/counseling.php)

**Ombuds Services**  
Joan R. Rentsch, PhD  
jrentsch@utmck.edu | 865.250.7533  
GSM only

**Melody Cunningham, MD**  
mcunn16@uthsc.edu | 901.497.7467  
all COM sites

Title IX is the federal protection against sexual harassment and gender discrimination in any education program or activity. UT Health Science Center's Sexual Misconduct and Sexual Harassment Policies reflect the University's observance of this law:

### POLICY ON SEXUAL HARASSMENT, SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING

The University of Tennessee Health Science Center is committed to creating and maintaining a learning, living, and working environment free from all forms of Sex Discrimination, including Sexual Misconduct and Relationship Violence. Sexual Misconduct and Relationship Violence will not be tolerated and will be grounds for disciplinary action up to, and including, permanent dismissal from the University and termination of employment. (POLICY: [uthsc.edu/access-compliance/documents/title-ix-policy.pdf](http://uthsc.edu/access-compliance/documents/title-ix-policy.pdf))

### TITLE IX SEXUAL HARASSMENT

The University of Tennessee unequivocally opposes the sexual harassment of any University community members. Sexual harassment will not be tolerated and will be grounds for disciplinary action. In accordance with federal regulations, sexual harassment is defined as follows: (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.

If a person indicates hesitancy to report an incident to the University, inform the person that the University prohibits Retaliation and will not only take steps to prevent Retaliation but also take strong responsive action if Retaliation occurs.

### MANDATORY REPORTERS:

- All UT Health Science Center employees
- Office of Access and Compliance
- Office of Student Affairs and Community Engagement
- Office of Enrollment Management
- Student Academic Support Services and Inclusion (SASSI)
- Academic Advisors
- Chancellors, Vice Chancellors, Associate Vice Chancellors, or Assistant Vice Chancellors
- Dean, Associate Deans, Assistant Deans, Executive Directors, Directors, Associate Directors, Assistant Directors, or Department Heads
- Faculty Members
- Faculty and staff advisors to registered student organizations
- Residency Coordinators
- The Complainant's University employment supervisor (only if the Complainant is a University student employee or trainee)
- The Respondent's University employment supervisor (only if the Respondent is a University employee, including a University student employee and trainee)
- The Employee Relations Team Leader or the Employment Team Leader in Human Resources (only if the Respondent is a University employee, including a student employee)
- A University employee designated as a Campus Security Authority for Clergy Act compliance

The University of Tennessee is an EEO/AA/Title VI/Title IX/Section 504/ADA/AJDEA institution in the provision of its education and employment programs and services.





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# Is there anything else?

- Title IX Information: <https://uthsc.edu/access-compliance/titleix.php>
- Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy: <https://uthsc.edu/access-compliance/documents/title-ix-policy.pdf>
- 2023 Annual Title IX Report: <https://uthsc.edu/access-compliance/documents/oied-title-ix-annual-report.pdf>
- Mandatory Reporter Handout: <https://uthsc.edu/access-compliance/documents/mandatory-reporter-handout.pdf>
- Confidential Resources Handout: <https://uthsc.edu/access-compliance/documents/confidential-resources-handout.pdf>
- Supportive Measures Handout: <https://uthsc.edu/access-compliance/documents/supportive-measures-handout.pdf>

**Thanks for  
your attention.**