

## Brief Summary

### Special UT Board of Trustees Meeting August 4, 2020

This is a brief report of items that UTHSC faculty might find of interest. The meeting was video-conferenced and may be viewed in its entirety at the URL listed:

**Webcast:** <https://mediasite.utk.edu/UTK/Play/61aa52f8eba340c69bfeca5361a26dcc1d>

**Agenda:** <https://trustees.tennessee.edu/wp-content/uploads/sites/3/2020/07/Agenda-2020-August-4-Special-Board-of-Trustees-Meeting.pdf>

**Materials:** <https://trustees.tennessee.edu/wp-content/uploads/sites/3/2020/07/Meeting-Book-Special-Meeting-of-BOT-August-4.pdf>

**Title IX Changes in BOT Bylaws:** Provided in Tab 2 of the Materials document.

#### Presidents Report:

- System working with each campus to participate in 6 tabletop exercises: 5 on covid-19 and 1 on Social Justice and Civil Unrest.
- So far Covid-19 has had an overall impact on UT campuses of 72 million dollars.
- UTHSC is eligible to apply for \$14K from Statewide Corona Relief Fund in addition to federal grants.
- UTHSC is working to develop a novel antibody test for Covid-19.
- SEC has authorized 10 football games this season. TN-Alabama game will not take place.
- UT is striving for Not a new normal, but a better normal.

#### Diversity and Inclusion:

- Aligning system-wide engagement and inclusion strategy with the UT strategic plan and Board diversity statement.
- Working on System-wide United Together To End Racism Campaign.
- Developing accountability metrics to be reported to the board.

#### Mandated Changes in Title IX Policies:

- New Title IX policies will be in force on August 14, 2020 (required by all universities receiving federal funds), via the Emergency Rule prior to becoming final after a 180-day public comment and other input period.
- 2 key components to become compliant with federal Administrative Procedures Act: Changes in Student Code of Conduct and for faculty and staff changes in the Board of Trustees Bylaws.
- What is different in the new Administrative Procedures Act and UT policies:
  - Clarifying definitions especially with respect to jurisdiction (what is Title IX and what is non-Title IX). Clarifying what is expected in processing a Title IX complaint.
  - Title IX jurisdiction requirements: a) must take place in the context of a University activity, b) must take place where the University has control over the respondent, and c) must take place in the U.S.A.
  - Off campus activities, e.g., in an apartment will not be covered by Title IX.
  - **Non-Title IX University policies on Prohibited Conduct will continue to be enforced on off-campus activities.**
- Changes elicited by the Act are presented as the green areas in the slides below. Slides are reproduced from the Board of Trustees Webcast.

# Title IX: Regulation Key Provisions

Definitions

Title IX Jurisdiction

Grievance Procedure Requirements

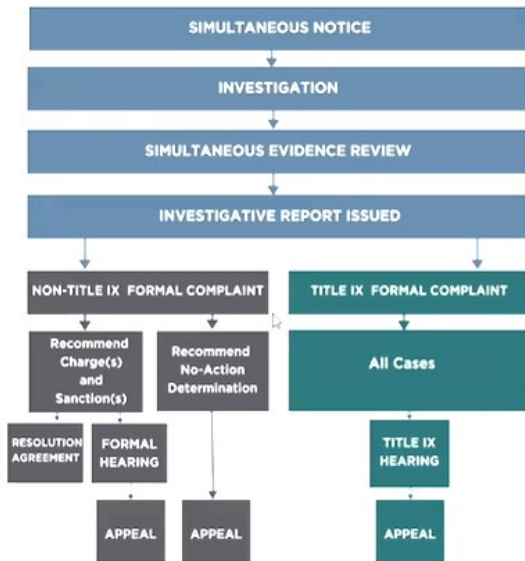
- (1) Standard of evidence
- (2) Right to an advisor
- (3) Investigations 664735
- (4) Live hearing
- (5) Cross examination
- (6) Appeals

Implementation Deadline: August 14, 2020

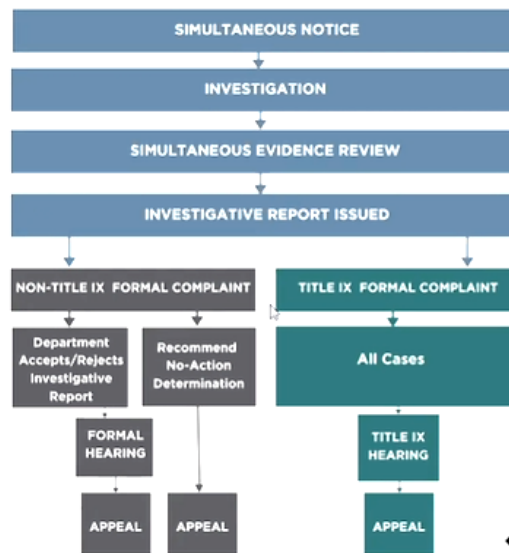
## Title IX & Non Title IX: Prohibited Conduct



### Student Cases



### Faculty/Staff Cases



← BT0006

The UTHSC Faculty Senate serving the UTHSC Faculty,  
 Compiled by Campus Advisory Board Faculty Representative, Terry Cooper