



2020 ANNUAL
TITLE IX REPORT



THE UNIVERSITY OF
TENNESSEE
HEALTH SCIENCE CENTER.

CONTENTS

TITLE IX COORDINATOR	1
.....	
DEPUTY TITLE IX COORDINATORS	1
.....	
TITLE IX POLICY	2
.....	
TITLE IX SUMMARY REPORT	
Calendar Year Comparison	2
Calendar Year Total Complaints by Location	2
Calendar Year Total Complainant Status	2
Calendar Year Total Respondent Status	2
.....	
PREVENTION, EDUCATION, SUPPORT, AND TRAINING	
Stalking Awareness Month	3
Sexual Assault Awareness Month	3
National Domestic Violence Awareness Month	4
Mandatory Reporter Training	4
.....	
NEW TITLE IX REGULATIONS IMPLEMENTATION	5
.....	
COMMUNITY RESOURCES	6
.....	
APPENDIX A – DEFINITIONS	7-8

TITLE IX COORDINATOR



Michael Alston is the assistant vice chancellor, chief diversity officer and Title IX coordinator at UTHSC. His career at UTHSC spans 19 years in various roles within the Office of Equity and Diversity. Previously, he served as student conduct officer and Title IX coordinator.

In leading the Office of Equity and Diversity at UTHSC, Michael also chairs the Diversity and Inclusion Advisory Council and serves as the Title VI coordinator and ADA coordinator for the campus. His OED team has implemented several popular programs around diversity and inclusion and social justice like the Diversity Certificate Program, Diversity Passport Program, the Social Justice Awards, and Diversity Inclusion Book Club.

Michael came to UTHSC from the University of Tennessee-Knoxville where he served as associate director for admissions in the Memphis Office. In that role, Michael led UTK's student recruitment efforts in Memphis and west Tennessee. Prior to UTK, Michael worked at the University of Tennessee-Martin in the areas of admissions and residence life, respectively.

He earned a Master of Science in Educational Psychology from the University of Tennessee-Martin, a Doctor of Education from Peabody College at Vanderbilt University, and a Bachelor of Science in psychology from the University of Tennessee-Martin.

DEPUTY TITLE IX COORDINATORS

NAME	TITLE(S)	CONTACT INFORMATION
Cindy Russell, PhD	Associate Vice-Chancellor Academic, Faculty, and Student Affairs Deputy Title IX Coordinator for Faculty	400 O.W. Hyman Building Memphis, TN 38163 901.448.6158 crussell@uthsc.edu
Aaron Haynes, MSBA	Director GME Administration Deputy Title IX Coordinator for GME Memphis	920 Madison, Suite 447 Memphis, TN 38163 901.448.5364 ahaynes@uthsc.edu
Rebekka Freeman, JD	Employee Relations Manager Human Resources Deputy Title IX Coordinator for Staff	910 Madison, 7th floor Memphis, TN 38163 901.448.5600 rfreema8@uthsc.edu
Quintin Robinson, MS	Education Specialist Office of Student Life Deputy Title IX Coordinator for Students	800 Madison, Suite 300 Memphis, TN 38163 901.448.5610 qrobinso@uthsc.edu
Connie Childs, MA	Director International Programs Deputy Title IX Coordinator for International Programs	910 Madison, Rm 105 Memphis, TN 38163 901.448.8484 cburk@uthsc.edu
Lt. Joanne Morrow	Police Lieutenant Deputy Title IX Coordinator for Clery Compliance	3 N. Dunlap Memphis, TN, 38163 901.448.6452 Jmorrow9@uthsc.edu
Amy Paganelli, CPA, MBA	Assistant Dean GSM-Finance and Administration Deputy Title IX Coordinator for GME Knoxville	Graduate School of Medicine-Knoxville 1924 Alcoa Highway Knoxville, TN 37920-6999 865.305.9290 apaganel@utmck.edu
Geoffrey Smallwood, MD	Chief Academic Officer-Saint Thomas Deputy Title IX Coordinator for GME Nashville	Clinical Medical Education Saint Thomas Health Nashville, TN 615.284.5555 Geoffrey.Smallwood@ascension.org
Steven Youngentob, PhD	Associate Vice-Chancellor Research Deputy Title IX Coordinator for Research	608 910 Madison Bldg., Memphis, TN 38163 901.448.1278 syougen@uthsc.edu
Pamela Scott	Director Clinical Medical Education Deputy Title IX Coordinator for GME Chattanooga	Office of Graduate Medical Education 960 East Third Street, Suite 104 Chattanooga, TN 37403 423.778.7442 Pam.Scott@erlanger.org

TITLE IX POLICY



The university's commitment to Title IX efforts is centered around five foundational areas that encompass the Title IX model.

Policy and procedures provide the basis in which the university operates.

Education and prevention initiatives that include trainings and collaborations with campus and community partners centered around increasing UTHSC community awareness and encouraging an environment free from all forms of sexual harassment, domestic violence, dating violence, stalking, and retaliation.

Support Measures are the university's commitment to a range of care, support, and reporting options in response to Prohibited Conduct.

Investigation and resolution processes are dedicated to encouraging reporting, campus safety, and prompt, equitable resolution of reported Prohibited Conduct.

Patterns and trends across campus along with the latest available research aid our education, prevention, and response efforts to better serve the UTHSC community.

The new Title IX Policy can be found [here](#).

TITLE IX SUMMARY REPORT

CALENDAR YEAR COMPARISON JANUARY 1, 2019 – DECEMBER 31, 2020

	SEXUAL MISCONDUCT	RELATIONSHIP VIOLENCE	STALKING	RETALIATION	TOTAL
2019	10	0	1	0	11
2020	3	0	0	2	5

CALENDAR YEAR 2020 TOTAL COMPLAINTS BY UTHSC CAMPUS LOCATION

	MEMPHIS AREA	NASHVILLE AREA	CHATTANOOGA AREA	KNOXVILLE AREA	TOTAL
Sexual Misconduct	2	1	0	0	3
Relationship Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Retaliation	2	0	0	0	2

CALENDAR YEAR 2020 TOTAL UTHSC COMPLAINANT STATUS

	SEXUAL MISCONDUCT	RELATIONSHIP VIOLENCE	STALKING	RETALIATION	TOTAL
Students	1	0	0	0	1
Trainees	2	0	0	2	4
Employees	0	0	0	0	0
Others	0	0	0	0	0

CALENDAR YEAR 2020 TOTAL UTHSC RESPONDENT STATUS

	SEXUAL MISCONDUCT	RELATIONSHIP VIOLENCE	STALKING	RETALIATION	TOTAL
Students	0	0	0	0	0
Trainees	1	0	0	0	1
Employees	2	0	0	2	4
Others	0	0	0	0	0

*The referenced complaints are closed.

*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.

PREVENTION, EDUCATION, SUPPORT, AND TRAINING



STALKING AWARENESS MONTH

Tabling and T-shirts: The campus investigation team, consisting of the Office of Equity and Diversity (OED) and Human Resources (HR) took a photo to commemorate National Stalking Awareness Month (NSAM) wearing NSAM themed t-shirts. Additionally, OED tabled and disseminated literature regarding stalking and available on-campus and community resources. Students, faculty, and staff were given the opportunity to complete a stalking quiz for entry to win a free NSAM themed t-shirt.



Campus Spotlight:

Police Lieutenant and Deputy Title IX Coordinator for Clery Compliance, Lt. Joanne Morrow was featured for the month of January in the Campus Spotlight newsletter. Lt. Morrow discussed the Jeanne Clery Act, stalking, and her current role at UTHSC.



SEXUAL ASSAULT AWARENESS MONTH

The Hunting Ground Viewing: In commemoration of Sexual Assault Awareness Month, the Office of Equity and Diversity streamed The Hunting Grounds, a documentary film about sexual assault on college campuses across the United States. This alternative for in-person programming received over 100 viewing requests from students, faculty, and staff throughout the month of April.

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH



Domestic Violence During the Pandemic: The Crime Victims and Rape Crisis Center, a community partner, presented via Zoom, information to UTHSC students, faculty, and staff on domestic violence during the pandemic and resources available to those affected by relationship violence.

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH



Wear Purple Day: On October 22nd, OED and the UTHSC campus community participated in National Wear Purple Day. Participants were invited to wear purple and take a photo for a chance to win a Starbucks gift card.

UT SYSTEM OED OFFICERS BRING AWARENESS TO DOMESTIC VIOLENCE DOMESTIC VIOLENCE AWARENESS MONTH (DVAM)



UT System OED Officers brought awareness to Domestic Violence using custom UTHSC DVAM Zoom backgrounds.

MANDATORY REPORTER TRAINING

2,245 UTHSC faculty and staff completed the 2020 Mandatory Reporter/Responsible Employee Training. This online training was available from April 15 - May 31, 2020.

Bystander Intervention training was offered to students, faculty and staff for HR128 credit.

MANDATORY REPORTER TRAINING: SPRING 2020

NEW TITLE IX REGULATIONS IMPLEMENTATION



MESSAGE FROM DR. MICHAEL ALSTON



On August 14, 2020, UTHSC Title IX Coordinator, Dr. Michael Alston informed the UTHSC campus community of the new Title IX regulations from the Department of Education. Information regarding the new Title IX guidelines was communicated through AFSA forums and campus announcements. Six Title IX Policy Town Hall sessions were held via zoom between August 18th – August 26 to review the new Title IX regulations and significant changes to UTHSC’s policies and procedures. Additionally, information regarding the new regulations was published in the campus **Diversity Matters** newsletter for those unable to attend the Town Hall sessions.

The Town Hall presentation can be found [here](#).

DIVERSITY MATTERS

SEPTEMBER - OCTOBER 2020



INSIDE THIS ISSUE

- Title IX 1
- Hispanic Heritage Month 2
- Social Justice 2
- Diversity Passport Program 3
- D & I Workshops 3
- Constitution Day 3
- NDVAM 4
- NDEAM 4
- SJDOR Award 4
- Mukta Pandit 5-6
- DIAC 7
- D & I Committee 8
- Clarifying Concepts 9
- Belgian Holidays 9



NEW TITLE IX REGULATIONS: EFFECTIVE AUGUST 14, 2020

On August 14, 2020, new Title IX regulations, which govern how educational institutions address incidents of misconduct under Title IX, were implemented on college and university campuses across the country. The new regulations from the United States Department of Education redefined sexual harassment in addition to changing the investigation, hearing, and grievance processes. Title IX Coordinator, Dr. Michael Alston, held campus Title IX Policy Town Hall sessions from August 18-26 to discuss the new policy with the UTHSC community.

- According to the new regulations, to be considered Title IX Prohibited conduct, the incident must violate one 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, or stalking.
- Additionally, the incident must occur within the school's educational program or activity, and within the United States. **Formal complaints** that fit the criteria of Title IX Prohibited Conduct will now include a live hearing process. As a result of the new regulations, substantial changes were made to UTHSC policies and procedures. Incidents that qualify and do not qualify as Title IX Prohibited Conduct will be addressed according to the university's **Policy on Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking**. Additional information regarding **Title IX** can be found on the Office of Equity and Diversity web page.

OFFICE OF EQUITY AND DIVERSITY TEAM

uthsc.edu/oedstaff

Michael Alston, EdD, CCCS/SP
Assistant Vice Chancellor/CDO

Chiaa Sajak, JD
Compliance Officer

Dominique Crockett, MBA
Associate Assurance Consultant

Tiffanie Snowden
Inclusion and Engagement Coordinator

Isabella Porcari, MA
Administrative Aide

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

Student Rights and Resources and Mandatory Reporter Handouts were revised to reflect the policies and procedures updated according to the new Title IX regulations and made available on the Office of Equity and Diversity [website](#).

OED NOTES: Student Rights and Resources

The Office of Equity and Diversity (OED) serves the Health Science Center employees and students in the areas of affirmative action, equal employment opportunity and compliance, Title IX prevention and education, and training development.

DISCRIMINATION AND SEXUAL HARASSMENT COMPLAINTS

OED is guided by various federal statutes that prohibit discrimination based on one's protected class status. **Protected classes include race, color, sex (including sexual harassment, sexual assault, and sexual violence), sexual orientation, gender identity, pregnancy, marital status, parental status, religion, national origin, age, disability, or veteran status.** OED is responsible for investigating all claims of discrimination and sexual harassment. The subsequent pages will provide you with information about the signs of sexual harassment and relevant UTHSC policies and procedures.

FILING A COMPLAINT

If you believe that you have experienced discrimination or sexual harassment, the UTHSC Complaint Procedure provides guidance on how to use the Formal Discrimination Complaint Form (both located on OED's website). Complaints must be put in writing and filed within 180 calendar days (Title VI, Title IX) or 300 calendar days (Title VII) of the alleged discriminatory action. In certain circumstances, at the discretion of OED, complaints filed outside this time limit or that are not put in writing may be investigated.

STUDENT CONDUCT ADMINISTRATION

The Associate Director of Student Affairs for Conduct and Community Standards and Student Conduct Officer is the initial contact for student conduct issues. Upon receipt of any reports, the Student Conduct Officer may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved. Students who allegedly may have violated the Student Conduct Code in the CenterScope Student Handbook or violated civil laws or University regulations or policy will be appropriately advised of their rights and given a fair opportunity to provide evidence and facts for consideration.

Student conduct that falls under the scope of UTHSC's Student Code of Conduct or Policy on Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking may be referred to the Office of Equity and Diversity.

OED 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 UTHSC's Sexual Misconduct and Relationship Violence Policy (available at uthsc.edu/oed/documents/Title-IX.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 UTHSC-related need to know;
3. Share personally identifiable information about the incident with law enforcement (including UTHSC-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 UTHSC-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

The University of Tennessee Health Science Center (UTHSC) 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.

Office of Equity and Diversity
920 Madison, Suite 825
Memphis, TN 38163
hsc-oed@uthsc.edu
F 901.448.2112
F 901.448.1120
uthsc.edu/oed
Telecommunications Device for the Deaf
F 901.448.7382



OFFICE OF EQUITY AND DIVERSITY



OFFICE OF EQUITY AND DIVERSITY

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



COMMUNITY RESOURCES

Local Resources

- Crime Victims and Rape Crisis Center: 901.222.3950
- Crime Victims and Rape Crisis Center (24-Hour Sexual Assault Hotline): 901.222.4350
- Family Safety Center of Memphis and Shelby County: 901.222.4400
- Memphis Area Legal Services: 901.523.8822
- Memphis Area Women’s Council: 901.378.3866
- Memphis Child Advocacy Center: 901. 525.2377
- Memphis Police Department Domestic Violence Investigative Unit: 901.636.3741
- Shelby County Crime Victims Services: 901.222.3950
- Shelby County District Attorney General’s Domestic Violence Unit: 901. 222.1485
- Shelby County Sheriff’s Office Domestic Violence Unit: 901.222.4400
- Tennessee Department of Children’s Services: 901.578.4371
- YWCA of Greater Memphis: 901.725.4277

Campus Resources

- Title IX Coordinator: 901.448.2112
- Employee Relations Counselor in HR: 901.448.5600
- UTHSC Campus Police Department: 901.448.4444
- University Health Services: 901.448.5630 (day) 901.541.5654 (evening/weekends)

Student Resources

Care Team

National Resources

- National Domestic Violence Hotline: 1.800. 799.SAFE (7233)
- National Dating Abuse Helpline: 1.866.9474

Additional Links and Resources

Title IX Policy

Student Health Services

Title IX Information

UT System Title IX Report

APPENDIX A – DEFINITIONS

The University of Tennessee Health Science Center is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation.

This Policy prohibits the following conduct:

Sexual Harassment – 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.

In no event shall the term “Sexual Harassment” be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech).

.....

Sexual Assault – 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 the purpose 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.

.....

Sexual Exploitation – means taking sexual advantage of another person, without that person’s active agreement. An active agreement is words and/or conduct that communicates 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.
-

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.

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

.....

For more information, please contact:

Office of Equity and Diversity | 920 Madison Ave. | Suite 825
t 901.448.2112 | f 901.448.1120

uthsc.edu/oed

