

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

Office of Inclusion, Equity, and Diversity

September 2023 Townhall Meeting

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

Introduction



OIED 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 (UTHSC). 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 UTHSC 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 Inclusion, Equity, and Diversity (OIED) 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 Inclusion, Equity, and Diversity (OIED) receives discrimination complaints and ensures that allegations are reviewed and responded to under the appropriate policy.

Contact the **Office of Inclusion, Equity & Diversity (OIED)** with questions or to report possible Title VII and/or Title IX concerns under campus policy.

901.448.2112 | hsc-oied@uthsc.edu | uthsc.edu/oied

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.



THE UNIVERSITY OF
TENNESSEE
HEALTH SCIENCE CENTER

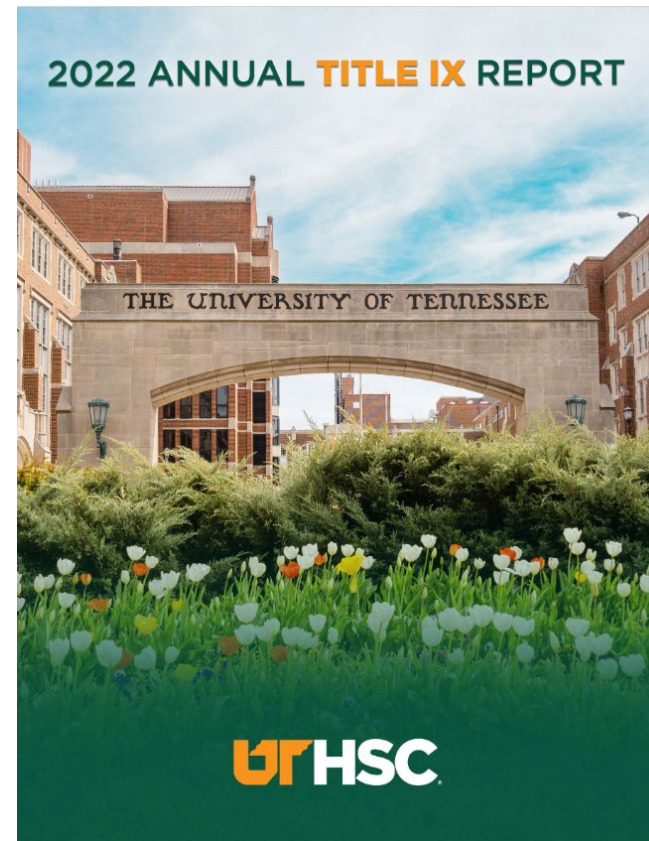
INCLUSION, EQUITY,
AND DIVERSITY

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.

2022 Title IX Report



TITLE IX SUMMARY REPORT

CALENDAR YEAR COMPARISON JANUARY 1, 2021 – DECEMBER 31, 2022

	SEXUAL MISCONDUCT	RELATIONSHIP VIOLENCE	STALKING	RETALIATION	TOTAL
2021	0	0	0	0	0
2022	0	0	0	0	0

CALENDAR YEAR 2022 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 2022 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

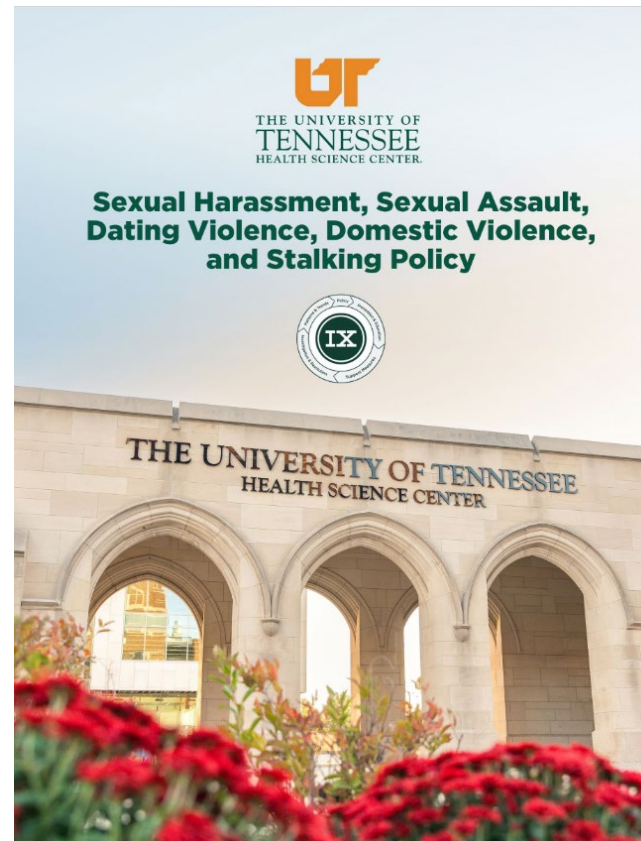
CALENDAR YEAR 2022 TOTAL UTHSC RESPONDENT STATUS

	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

2022 Campus Reports <5 for non-Title IX complaints.

2023-2024 Title IX Policy



2023 Policy Updates

Main Policy

1. Updated policy links.

Appendix A: *Guide on Supportive Measures and Reporting Options*

2. Updated additional Confidential Resources.

Appendix B: *Consent*

3. No Changes.

Appendix C: *Student Grievance Procedures*

4. Removed the limitation on an advisor serving as a witness.

Appendix D: *Employee Grievance Procedures*

5. Removed the limitation on an advisor serving as a witness.

Appendix E: *Guide for Mandatory Reporters*

6. No Changes.

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 Inclusion, Equity, and Diversity 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

TITLE IX FORMAL COMPLAINT PROCEDURE FORM (Students and Employees)

Print Form

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

Prior to completing this form, a representative from the Office of Inclusion, Equity, and Diversity 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.

Definitions:

"Prohibited Conduct is defined as Sexual Harassment (including Sexual Assault, Domestic Violence, Dating 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.

Name of Complainant <input type="text"/>	
Department <input type="text"/>	Campus <input type="text"/>
Phone Number <input type="text"/>	Email <input type="text"/>
Status of Complainant <input type="checkbox"/> Staff <input type="checkbox"/> Faculty <input type="checkbox"/> Student <input type="checkbox"/> Fellow <input type="checkbox"/> Medical Resident <input type="checkbox"/> Post Doc <input type="checkbox"/> Other: <input type="text"/>	
Type of Complaint <input type="checkbox"/> Formal <input type="checkbox"/> Informal	
Name of Respondent(s) <input type="text"/>	
Department <input type="text"/>	Campus <input type="text"/>
Status of Respondent(s) <input type="checkbox"/> Staff <input type="checkbox"/> Faculty <input type="checkbox"/> Student <input type="checkbox"/> Fellow <input type="checkbox"/> Medical Resident <input type="checkbox"/> Post Doc <input type="checkbox"/> Other: <input type="text"/>	
Relationship of Respondent(s) to Complainant	
<input type="checkbox"/> Coworker <input type="checkbox"/> Supervisor <input type="checkbox"/> Client/Customer <input type="checkbox"/> Faculty <input type="checkbox"/> Student <input type="checkbox"/> Fellow <input type="checkbox"/> Medical Resident <input type="checkbox"/> Post Doc	
<input type="checkbox"/> Other: <input type="text"/>	

Title IX Formal Complaint Procedure Form - Page 2

Describe the Prohibited Conduct regarding the specific act(s) alleged with date(s), time(s), and location(s) if possible. If additional space is needed, use reverse side of paper or attach additional sheet(s)

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 Inclusion, Equity, and Diversity 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: _____ Dated: _____

OIED Office 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



OIED 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

UTHSC 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/AAE/Title VI/Title IX/Section 504/ADA/ADEA 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 1964s

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 Inclusion, Equity, and Diversity
920 Madison, Suite 825
Memphis, TN 38163
t 901.448.2112 | f 901.448.1120
hsc-oied@uthsc.edu
uthsc.edu/oied

Telecommunications Device for the Deaf
t 901.448.7382



INCLUSION, EQUITY,
AND DIVERSITY

UTHSC CAMPUS CONFIDENTIAL RESOURCES

If you do not desire action by the University and would like the details of the incident to be kept confidential, but desire to confide in someone, you may speak with the following persons, who are called "Confidential Employees":

- **University Health Services** - 901.448.5630 (day time) or 901.541.5654 (evening/weekends).
- **Student Behavioral Health** - 901.448.5064
Student Behavioral Health Services, which is part of UHS, can provide emotional support for the victim as well as maintain confidentiality. A counselor is available at all times. Medical and psychological follow-up is available as long as needed.
- **Licensed Counselors** located in Student Academic Support Services and Inclusion (SASSI) at 901.448.5056 or uthsc.edu/sassi/resources/counseling.php
- **Ombuds Services:**
Joan R. Rentsch, PhD
jrentsch@utmck.edu | 865.250.7533
GSM only
Melody Cunningham, MD
mcunni16@uthsc.edu | 901.497.7467
all CoM sites

A Professional employee, such as a physician, psychologist, psychiatrist, licensed counselor, or social worker, identified in this section, is a Confidential Employee only if the Complainant is communicating as if they are a patient or client. The designation of "Confidential Employee" can also include nonprofessional employees (i.e., staff, student-trainees or student-employees) or advocates who work or volunteer in on-campus health centers or a student support services area under the supervision of a person with a professional license. For instance, a class professor or clinical preceptor, who happens to be a physician or psychiatrist, would not be a Confidential Resource because such conversations would be part of an academic course of instruction and not for purposes of professional medical treatment or counseling. All faculty members are Mandatory Reporters.

Confidential Employees may periodically report non-personally identifiable information about Prohibited Conduct to the Title IX Coordinator to keep the Title IX Coordinator informed about the general extent and nature of Prohibited Conduct on and off campus.

CONFIDENTIAL COMMUNITY RESOURCES

MEMPHIS/SHELBY COUNTY

Crime Victims and Rape Crisis Center
901.222.3950 (8:00 am - 6:00 pm)
YWCA of Greater Memphis,
YWCA-AWS CRISIS HOTLINE -
901.725.4277

NASHVILLE

Nashville Crisis Hotline
615.244.7444
Suicide Prevention Lifeline
800-SUICIDE (800.784.2433)
suicidepreventionlifeline.org
This hotline is a network of 161 crisis centers in 50 states and will connect you with the crisis center nearest to your location.

Davidson County Mobile Crisis Team
615.726.0125

VU Psychiatric Hospital
615.327.7000
vanderbilthealth.com/
psychiatrichospital

DRUG AND ALCOHOL
Alcohol Anonymous Nashville Hotline
615.831.1050

Narcotics Anonymous Helpline
888.476.2482
Drug Helpline
800.662-4357

KNOXVILLE

Safe Haven Crisis & Recovery Center for Sexual Assault
865.558.9040 ext. 122

Phyllis Wheatley Center
865.546.0651
ywca-knox.com/phyllis-wheatley-center

YWCA Downtown Center
865.523.6126
<https://ywca-knox.com>
Sexual Assault Center of East Tennessee
865.522.7273
(24 hour crisis line)
<https://mcnabbcenter.org/victim-services/#sexual-assault>

SEXUAL ASSAULT

Sexual Assault Center
866.811.7473 (24 hr) or 615.259.9055
sa-center.org/

National Sexual Assault Hotline
800.656.4673
rainn.org/about-national-sexual-assault-telephone-hotline

INTIMATE PARTNER VIOLENCE

YWCA Domestic Violence Hotline
800.334.4628 or 615.269.9922
ywcaknoxville.com/what-we-do/dv-services

CHATTANOOGA

Partnership Rape Crisis and Family Violence Center
423.755.2700 (available 24/7)
Provides 24 hour referrals, crisis intervention, shelter services, and counseling.

Partnership for Families, Children and Adults
423.755.2822
partnershipfca.com/www

Legal Aid of East Tennessee
423.756.4013
laet.org

You may choose to consult a private physician or go to an emergency department of your choice. As a result, a report to a private physician or emergency department does not put the University of Tennessee on notice of Sexual Misconduct or Relationship Violence.

OTHER RESOURCES

Care Team
uthsc.edu/care-team

Counseling Resources
uthsc.edu/care-team/counseling-resources.php

Student Resource Guide
uthsc.edu/care-team/documents/student-resource-guide.pdf

OIED 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

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APPLICABLE FEDERAL LAWS

- Title IX of the Education Amendments of 1972
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t 901.448.7382



THE UNIVERSITY OF
TENNESSEE
HEALTH SCIENCE CENTER

INCLUSION, EQUITY,
AND DIVERSITY

REPORT COMPLAINTS OF SEXUAL MISCONDUCT TO ANY OF THE FOLLOWING:

Michael Alston, EDD
Title IX Coordinator for UTHSC
901.448.2133 (direct) | malston@uthsc.edu

Valarie Fleming
Deputy Title IX Coordinator for Faculty
901.448.9552 | vflem1n2@uthsc.edu

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

Olivia Ralph, JD
Deputy Title IX Coordinator for Staff
901.448.5600 | oralph@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

Amy Paganelli, CPA, MBA
Deputy Title IX Coordinator for GME Knoxville
865.305.9290 | apaganell@utmck.edu

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

Pamela Scott
Deputy Title IX Coordinator for GME Chattanooga
423.778.7442 | Pam.Scott@erlanger.org

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

CONFIDENTIAL CONTACT OPTIONS:

UTHSC 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
855.437.3486

Licensed Counselors (SASSI)
901.448.5056
uthsc.edu/sassi/resources/counseling.php

UTHSC CAMPUS CONFIDENTIAL RESOURCES

If you do not desire action by the University and would like the details of the incident to be kept confidential, but desire to confide in someone, you may speak with the following persons, who are called "Confidential Employees":

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- **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

A Professional employee, such as a physician, psychologist, psychiatrist, licensed counselor, or social worker, identified in this section, is a Confidential Employee only if the Complainant is communicating as if they are a patient or client. The designation of "Confidential Employee" can also include nonprofessional employees (i.e., staff, student-trainees or student-employees) or advocates who work or volunteer in on-campus health centers or a student support services area under the supervision of a person with a professional license. For instance, a class professor or clinical preceptor, who happens to be a physician or psychiatrist, would not be a Confidential Resource because such conversations would be part of an academic course of instruction and not for purposes of professional medical treatment or counseling. All faculty members are Mandatory Reporters. Confidential Employees may periodically report non-personally identifiable information about Prohibited Conduct to the Title IX Coordinator to keep the Title IX Coordinator informed about the general extent and nature of Prohibited Conduct on and off campus.

MANDATORY REPORTERS:

- All UTHSC employees
- Office of Inclusion, Equity, and Diversity
- 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

Title IX Team and Mandatory Reporters



OIED 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/oied/documents/title-ix-policy-update.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 Inclusion, Equity, and Diversity
920 Madison, Suite 825
Memphis, TN 38163
hsc-oied@uthsc.edu
t 901.448.2112
f 901.448.1120
uthsc.edu/oied
Telecommunications Device for the Deaf
t 901.448.7382



THE UNIVERSITY OF
TENNESSEE
HEALTH SCIENCE CENTER.

INCLUSION, EQUITY,
AND DIVERSITY

REPORT COMPLAINTS OF SEXUAL MISCONDUCT TO ANY OF THE FOLLOWING:

Michael Alston, EdD
Title IX Coordinator for UTHSC
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

Olivia Ralph, JD
Deputy Title IX Coordinator for Staff
901.448.5600 | oralph@uthsc.edu

Captain Joanne Morrow
Deputy Title IX Coordinator for Clery 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, PhD
Deputy Title IX Coordinator for Research
901.448.7125 | wbyerly@uthsc.edu

Amy Paganelli, CPA, MBA
Deputy Title IX Coordinator for GME Knoxville
865.505.9290 | apaganell@utmck.edu

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

Pamela Scott
Deputy Title IX Coordinator for GME Chattanooga
423.778.7442 | Pam.Scott@erlanger.org

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

CONFIDENTIAL CONTACT OPTIONS:

UTHSC 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
855.437.3486

Licensed Counselors (SASSI)
901.448.5056
uthsc.edu/sassi/resources/counseling.php

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

Melody Cunningham, MD
mcunn116@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. UTHSC'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/oied/documents/title-ix-policy-update.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 UTHSC employees
- Office of Inclusion, Equity, and Diversity
- 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 Clery Act compliance

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





Is there anything else?

- Title IX Information: <https://uthsc.edu/oied/titleix.php>
- Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy: <https://uthsc.edu/oied/documents/title-ix-policy.pdf>
- 2022 Annual Title IX Report: <https://uthsc.edu/oied/documents/oied-title-ix-annual-report.pdf>
- Mandatory Reporter Handout: <https://uthsc.edu/oied/documents/mandatory-reporter-handout.pdf>
- Student Rights and Resources Handout: <https://uthsc.edu/oied/documents/oied-student-rights-and-resources-handout.pdf>

**Thanks for
your attention.**