

# ANNUAL TITLE IX REPORT





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## MESSAGE FROM THE TITLE IX COORDINATOR

Dear UT Health Science Center Community:

This report aims to promote awareness and transparency regarding the incidence of sexual misconduct reported by UT Health Science Center faculty, staff, trainees, students, and others. It is a Title IX best practice to publish annual reports.

Secondly, this annual report includes information about five primary areas: policy and procedures, education and prevention, support measures, investigation and resolution, and patterns and trends. The report also identifies members of the expansive Title IX Team, which covers various individuals (i.e., categories of complainants), departments, and locations.

The ongoing engagement of the UT Health Science Center community is essential to our efforts to prevent sexual misconduct and maintain a safe and respectful campus. **Moreover, the UT Health Science Center had 100% of its team members complete the annual training in 2024 for Responsible Employees/Mandatory Reporters with a focus on Title IX.** We are each responsible for ensuring UT Health Science Center can be a safe environment for all community members across all locations. Your questions, comments, and concerns are always welcome. You may contact the Office of Access and Compliance [oac-hsc@uthsc.edu](mailto:oac-hsc@uthsc.edu) or schedule a meeting by calling (901)448-2112.



Michael Alston, EdD  
Associate Vice Chancellor and Title IX Coordinator

## TITLE IX MODEL



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.

**Prevention and Education** initiatives that include trainings and collaborations with campus and community partners centered around increasing UT Health Science Center 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 UT Health Science Center community.

## TITLE IX POLICY

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 (collectively, “Prohibited Conduct”). Prohibited Conduct will not be tolerated and will be grounds for disciplinary action up to and including expulsion from the University and termination of employment.

The primary purposes of this Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence and Stalking (“Policy”) are to:

- (1) define, eliminate, prevent, and remedy the effects of Prohibited Conduct;
- (2) identify care, support, and reporting options for students and employees;
- (3) explain the obligations of employees to report Prohibited Conduct to the University; and
- (4) identify the grievance procedures the University will follow to thoroughly, equitably, and promptly investigate and resolve reports of Prohibited Conduct.

Additional information about each campus’s procedures and training and prevention programs relating to Prohibited Conduct can be found online at <https://uthsc.edu/access-compliance/titleix.php>.

## TITLE IX SCOPE

This Policy applies to the conduct of and protects:

- Students of The University of Tennessee Health Science Center
- Employees and affiliates of the University; and
- University contractors and third parties participating or attempting to participate in the University’s operations or education.

This Policy applies regardless of the Complainant’s or the Respondent’s sex, sexual orientation, gender identity, or gender expression. Prohibited Conduct can occur between individuals regardless of their relationship status and can occur between people of the same or of different sexes, sexual orientations, gender identities, or gender expressions.

- 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.

Those terms do not imply pre-judgment concerning whether Prohibited Conduct occurred. Other key terms used in this Policy are defined in other places in this Policy and are capitalized throughout this Policy.

## TITLE IX JURISDICTION

With respect to employees and other non-students, this Policy applies to conduct which:

- occurs on University-controlled property;
- occurs in the context of a University education program or activity, including University employment; and/or
- 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.

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:

- occurs in connection with a University-affiliated activity including, without limitation, an overseas study program or a clinical, field, internship, or in-service experience;
- involves another member of the University community; or
- 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.

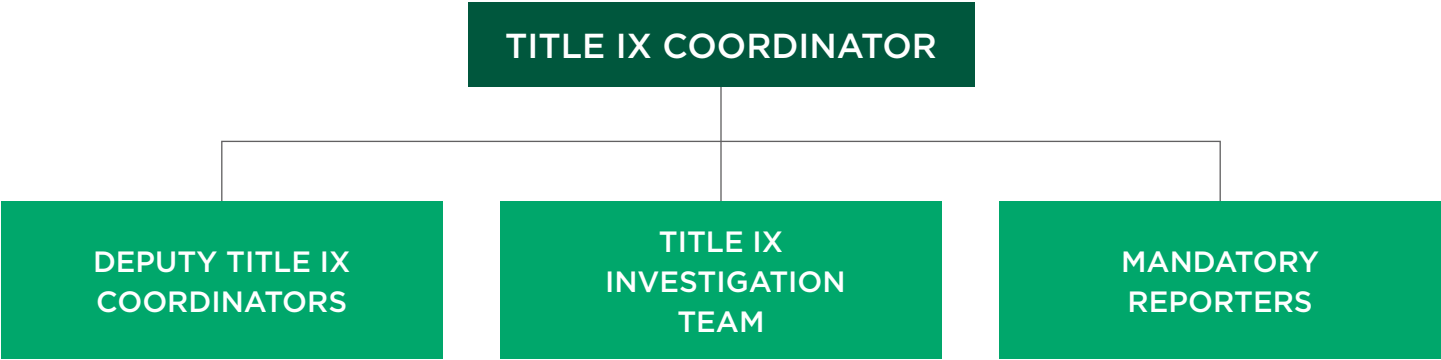
The University may address Prohibited Conduct that occurs off-campus regardless of whether the University has a duty under Title IX to address the conduct.

The effective date of this Policy is August 14, 2024. This Policy applies to all Prohibited Conduct reported to have occurred on or after August 14, 2024. If the Prohibited Conduct reportedly occurred prior to August 14, 2024, then:

(1) the report will be evaluated using definitions of misconduct 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., grievance procedures) will be based on this Policy.

This Policy is not intended to, and will not be used to, infringe on academic freedom or to censor or punish students, faculty, or staff who exercise their First Amendment rights, even though such expression may be offensive or unpleasant.

# TITLE IX TEAM



## DEPUTY TITLE IX COORDINATORS

NAME	TITLE(S)	CONTACT INFORMATION
Valarie Fleming, PhD, CCC-SLP	Senior Associate Vice Chancellor, Office of Academic, Faculty, and Student Affairs Deputy Title IX Coordinator for Faculty	O.W. Hyman Building, Suite 400, Memphis, TN 38163 901.448.9552   <a href="mailto:vflemin2@uthsc.edu">vflemin2@uthsc.edu</a>
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Chris Trabue, MD, FACP	Chief Academic Officer, Chair of Clinical Medical Education, and Deputy Title IX Coordinator for GME (Nashville)	Saint Thomas Health Nashville, TN 615.284.5555   <a href="mailto:chris.trabue@ascension.org">chris.trabue@ascension.org</a>
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# TITLE IX SUMMARY REPORT

## CALENDAR YEAR COMPARISON JANUARY 1, 2023 - DECEMBER 31, 2024

	SEXUAL MISCONDUCT	RELATIONSHIP VIOLENCE	STALKING	RETALIATION	TOTAL
2023	0	0	0	0	0
2024	0	0	0	0	0

## CALENDAR YEAR 2024 TOTAL COMPLAINTS BY UT HEALTH SCIENCE CENTER 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 2024 TOTAL UT HEALTH SCIENCE CENTER 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 2024 TOTAL UT HEALTH SCIENCE CENTER 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

2024 Campus Reports <5 for non-Title IX complaints.

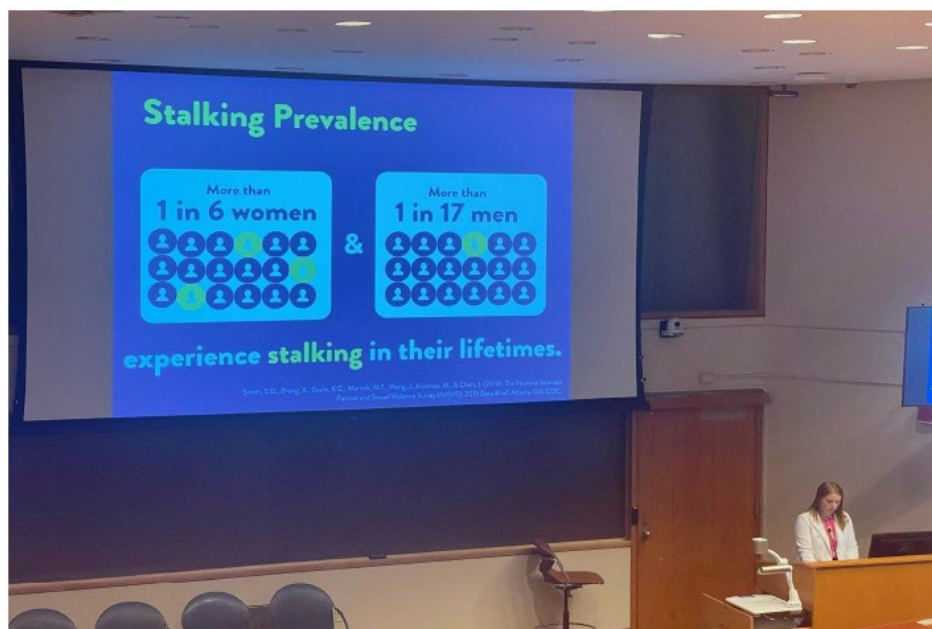
## PREVENTION, EDUCATION, SUPPORT, AND TRAINING



The OAC and Campus Police held a tabling event in the Madison Plaza Lobby on Wednesday, January 10, 2024 from 12:00 pm to 1:00 pm. Campus community participants were able to register for a prize and take the Campus Stalking Awareness Pledge of **KNOW IT, NAME IT, STOP IT.**

A public awareness training was offered and presented by the OACs Civil Engagement Officer Erin McElyea, created in part, by the Stalking, Prevention, Awareness, and Resource Center {SPARC) on identifying, addressing, reporting, and supporting persons who have experienced stalking.

The campus community could participate in person or virtually! Lunch was provided for in person participants on Wednesday, January 24, 2024, from 12:00 pm to 1:00 pm.



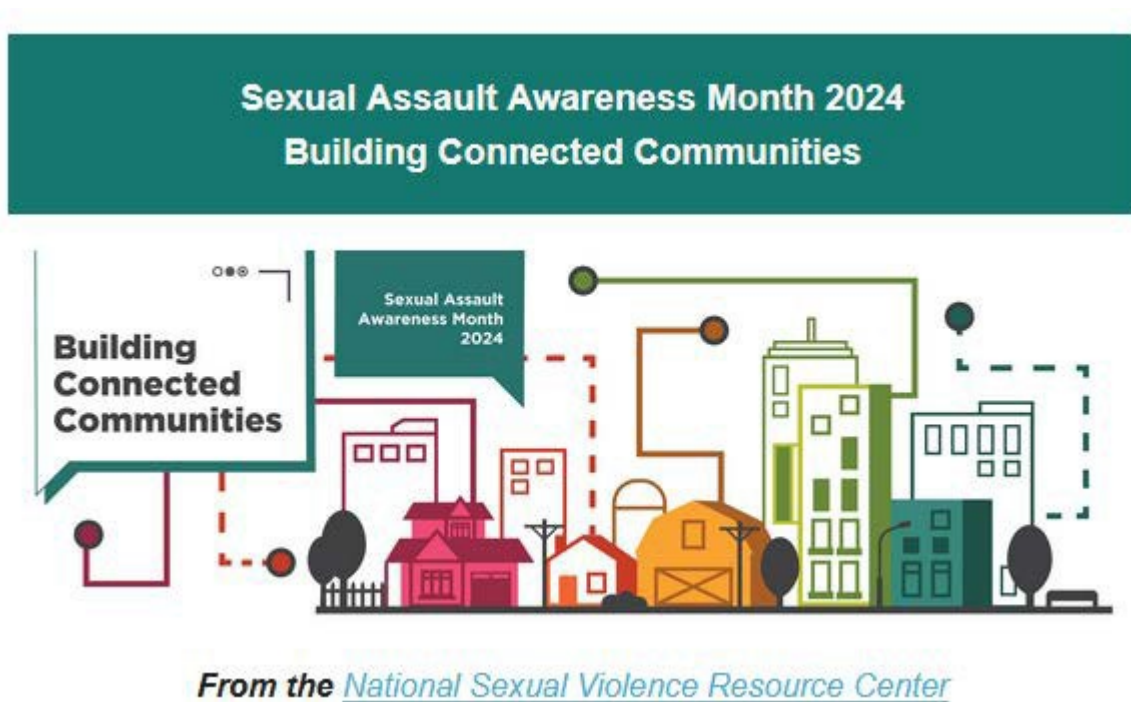


## SEXUAL ASSAULT AWARENESS MONTH-April

The Office of Access and Compliance invited the campus community you to wear teal ribbons during the month of April to show your support for survivors of sexual violence. Participants were encouraged to wear their ribbon throughout the month of April and commit to learning more about sexual violence prevention.



The Office of Access and Compliance sponsored a Lunch and Learn program featuring the Shelby County Rape Crisis Center on Wednesday, April 17, for the campus community to learn prevention measures and how to advocate for survivors of sexual assault. Information on how to become an advocate and support survivors was shared from The National Sexual Violence Resource Center (<https://www.nsvrc.org/>).



## DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER 2024

October marks Domestic Violence Awareness Month (DVAM), a crucial time to unite individuals and organizations dedicated to addressing domestic violence. Since its inception in 1987, DVAM has played a vital role in raising awareness and advocating for change.

The Office of Access and Compliance is hosted several events during the month. All members of the UTHSC campus were invited to come and connect with local organizations and engage with the campus community.



OCTOBER IS  
**DOMESTIC VIOLENCE  
AWARENESS MONTH**

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**Tabling Event**  
**Wednesday, October 2**  
12:00 – 1:00 pm | Madison Lobby

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**Bystander Intervention Training**  
**Wednesday, October 16**  
10:00 am – 12:00 pm | Zoom



REGISTER HERE

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**Domestic Violence:  
Up Close and Personal**  
**Wednesday, October 23**  
11:00 am – 12:00 pm | GEB A212



REGISTER HERE

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ACCESS AND COMPLIANCE

## ANNUAL TITLE IX TRAINING

The Office of Access and Compliance continued to enhance and expand the annual Title IX training assigned to all UT Health Science Center employees during the spring of 2024. The training was packaged into the Annual Compliance Training, which was housed in the K@TElearning management system for faculty, staff, and graduate students. The package covered the Clery Act, the Code of Conduct, the Family Educational Rights and Privacy Act, Hazard Awareness and Workplace Safety, HIPAA Training, IT Security Awareness, Title VI, Title IX: Mandatory Reporter/Responsible Employees, and VAWA. The 2024 Annual Compliance Training launched on April 1, 2024, and was due on May 31, 2024. The UT Health Science Center Mandatory Reporter and VAWA trainings had a **100%** completion rate.

## ANNUAL SYSTEM-WIDE TITLE IX TRAINING

Title IX Team Members and Campus Partners were in attendance to the Annual System-Wide Title IX Training with other UT campuses held on Monday, June 17, 2024, in Franklin, Tennessee.

## TITLE IX INFORMATION AND AWARENESS

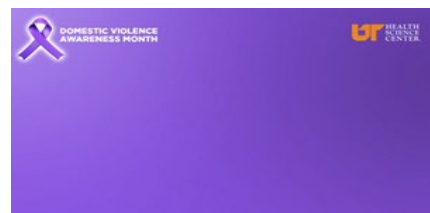
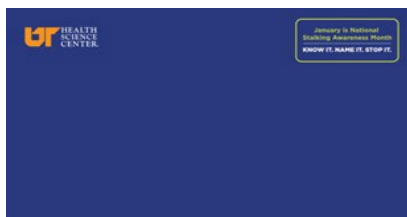
### Title IX Town Hall

Tuesday, July 30, 2024 | 12:00 pm-1:00 pm | Zoom

Dr. Michael Alston held an informative Title IX Town Hall hybrid session to review the 2024-2025 Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy on Tuesday, July 30, 2024, at noon in the Mooney Library. The session covered updates to the UT Health Science Center policy, shared prevention and education initiatives, reviewed available supports and resolution options, and shared data and trends from 2024.



**Zoom Backgrounds: January 2024, April 2024, October 2024** - The Office of Access and Compliance offers downloadable Zoom/Teams backgrounds annually to promote awareness of National Stalking Awareness Month, National Sexual Assault Awareness Month, and National Domestic Violence Awareness Month.



## 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

UT Health Science Center 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 & 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)

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**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.

**"Consent"** means an active agreement to participate in a sexual act. An active agreement is words and/or conduct that communicate a person's willingness to participate in a sexual act.

Examples of sexual act(s) include, without limitation: vaginal intercourse; anal intercourse; oral sex; any other intrusion, however slight, of a person's finger or any object into any other person's genitals or anus; the intentional touching of a person's intimate parts (genital area, groin, inner thigh, buttock or breast), the intentional touching of the clothing covering the immediate area of a person's intimate parts, or the intentional touching of any other person with a person's own intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual gratification.

Consent can be revoked at any time. Valid Consent cannot be given if:

- (A) A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated;
- (B) A person is Forced; or
- (C) The sexual penetration of a person by the Respondent would constitute mitigated statutory rape, statutory rape, or aggravated statutory rape under state law, based on the ages of the Respondent and the other person.

**"Force (Forced)"** means words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity.

Examples of Force include, without limitation:

- Physical force (e.g., hitting, punching, slapping, kicking, restraining, choking, kidnapping, using a weapon, blocking access to an exit);
- Words and/or conduct that would cause a reasonable person to fear;
  - Physical force or other harm to the person's health, safety, or property, or a third person's health, safety, or property.

- Loss or impairment of an academic benefit, employment benefit, or money;
- Disclosure of sensitive personal information or information that would harm a person’s reputation;
- Disclosure of video, audio, or an image that depicts the person’s nudity or depicts the person engaging in a sexual act (s);
- or
- Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.

**“Incapacitation”** means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication.

A person violates this Policy when they engage in sexual activity with another person who is Incapacitated under circumstances in which a reasonable person in the same situation would have known the other person to be Incapacitated. For evaluating Incapacitation, a “reasonable person” means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the Respondent.

Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

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**Rape** – means the penetration, no matter how slight, of the vagina or anus, with any body part or object, without the consent of the victim.

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**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.

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**Incest** – means sexual intercourse between persons who are related to each other within degrees.

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**Statutory Rape** – means sexual intercourse with a person who is under the statutory age of consent.

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**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.

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.

(A) fear for his or her safety or the safety of others; or

(B) suffer substantial emotional distress.

**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:

- (A) 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
- (B) the person is Forced to act or participate in an activity.

- Surreptitiously observing, photographing, audiotaping, videotaping, or recording an image of a person who is engaging in a sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/ photographed/ audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy.

- Showing, posting, or sharing video, audio, or an image that depicts a person who is engaging in a sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped /recorded is in a place in which the person has a reasonable expectation of privacy, if all persons who are depicted have not agreed to having the video/audio/image shown, posted, or shared;

- .....

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this Policy constitutes retaliation.

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THE UNIVERSITY OF  
TENNESSEE  
HEALTH SCIENCE CENTER.

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ACCESS AND COMPLIANCE

For more information, please contact:

Office of Access and Compliance

920 Madison Ave. | Suite 825 | t 901.448.2112 | f 901.448.1120 | [oac-hsc@uthsc.edu](mailto:oac-hsc@uthsc.edu) | [Office of Access and Compliance](#) | [UTHSC](#)

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