

**University of Alaska Southeast Title IX Metrics
July 1, 2021 – Dec 31, 2021 Summary**

Initial assessment by TIX and classified as: (see reverse for description)	ALL REPORTS	Inquiry ongoing. Supportive measures offered.	Report assessed. No jurisdiction. Supportive measures offered.	Report assessed. Possible policy violation, but not a Title IX policy violation. Referred to appropriate department. Supportive measures offered.	Report assessed. Cannot proceed due to nonparticipation or insufficient evidence; case closed. Supportive measures offered.	MEETS REQUIREMENTS FOR FURTHER ACTION (Subtotal)	Informal Resolution Process. Supportive measures offered.	Investigation Ongoing. Supportive measures offered.	Investigation Complete: Respondent found not responsible. Supportive measures offered.	Investigation Complete: Respondent found responsible. Supportive measures and remedies offered.
Complicity										
Dating or Domestic Violence*	2	1	1							
Interfering Consensual Sexual Conduct										
Quid Pro Quo										
Retaliation	1				1					
Sex- or gender-based Discrimination	3				2	1	1			
Sexual Assault*	1			1						
Sexual Exploitation	1					1			1	
Stalking*	1									
Unwelcome Sexual Conduct	1				1					
Not Title IX Behavior	3	2		1						
Meets Requirements for Further Action (Total)						2				
TOTAL # WHERE RESOURCES/ REFERRAL WERE OFFERED	13									
									Major discipline/sanctions**	
									Minor discipline/sanctions**	
Closed within 180 days	7									

* Behaviors that also fall under the Violence Against Women Act (VAWA).
 **Major discipline/sanctions includes suspension, expulsion or termination. Minor discipline/sanctions represent a variety of conditions including but not limited to warnings, education, probation, and other discretionary sanctions.

Closed after 180 days	6	
Pregnancy Accommodations		

TITLE IX ACTION CLASSIFICATIONS DEFINED

All reports	This number represents all reports assessed by the Equity and Compliance Offices during this time. Reports are received through an online form, in person, by email, phone or other method.
Report assessed. No jurisdiction. Supportive measures offered.	Jurisdiction provides the authority to investigate. Jurisdiction depends on a number of factual elements, including the location of the alleged incident, affiliation of those involved, and any impact on campus. For example, if a non-student sexually assaulted a UA student off campus, UA would not have Title IX jurisdiction to investigate. Supportive measures are made available to the complainant.
Report assessed. Possible policy violation, but not a Title IX policy violation. Referred to Student Conduct / HR. Supportive measures offered.	Reports to the Equity and Compliance offices may include allegations that do not meet the definition for prohibited conducted under Title IX, such as a single comment of a sexual nature. While inappropriate, this does not rise to the level of a Title IX policy violation. In these cases, supportive measures are made available to the complainant and the issue is forwarded to the appropriate department for action under other applicable policies.
Report assessed. Cannot proceed due to nonparticipation or insufficient evidence; case closed. Supportive measures offered.	Often times a complainant in a sexual harassment or sexual assault case will not want the university to proceed with an investigation. In these situations, a Gatekeeper Analysis is completed to assess whether the University must proceed despite the complainant's wishes. Factors include involvement of a pattern of offenses, predation, force, or involvement of a minor. In other cases, investigation may not be possible due to insufficient evidence to proceed with an investigation. Supportive measures are made available to the complainants in both types of cases.
MEETS REQUIREMENTS FOR FURTHER ACTION	This number is a subtotal and represents the Title IX reports that are within University of Alaska jurisdiction, constitute a Title IX allegation, and where the complainant supports investigation or the Gatekeeper analysis requires investigation.
Informal Resolution Process. Supportive measures offered.	If the complainant, the respondent, and the Title IX coordinator all agree that an informal resolution should be pursued, the Title IX coordinator will attempt to facilitate a resolution of the conflict that is agreeable to all parties. Supportive measures are made available to the complainant and respondent as appropriate.
Investigation Ongoing. Supportive measures offered.	Investigation is underway but has not been completed at time of reporting. Supportive measures are made available to the complainant and respondent.
Investigation Complete: Respondent found not responsible. Supportive measures and remedies offered.	The respondent was found not responsible after a university Title IX investigator conducted an impartial investigation using the preponderance of the evidence standard, which requires a showing that it is more likely than not that conduct violating Title IX policy occurred. Supportive measures are made available to the complainant and respondent.
Investigation Complete: Respondent found responsible. Supportive measures and remedies offered.	The respondent was found responsible after a university Title IX investigator conducted an impartial investigation using the preponderance of the evidence standard, which requires a showing that it is more likely than not that conduct violating Title IX occurred. Supportive measures and remedies are made available to the complainant and the respondent.

INITIAL ASSESSMENT CLASSIFICATIONS DEFINED

*As defined in Board of Regents Policy and University Regulations Chapter 01.04 per federal law, August 14, 2020.

Complicity	“Complicity” is any act taken with the purpose of aiding, facilitating, promoting, or encouraging an act of sex or gender-based discrimination.
Dating or Domestic Violence	<p>“Dating violence” is violence committed by a respondent: a. who is or has been in a social relationship of a romantic or intimate nature with the complainant; 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; and iii. The frequency of interaction between the persons involved in the relationship.</p> <p>“Domestic violence” includes verbal or physical assault, violating a protective order, terroristic threatening, burglary, criminal trespass, criminal mischief, harassment, arson, criminally negligent burning committed by a current or former spouse or intimate partner of the complainant, by a respondent with whom the complainant shares a child in common, by a respondent who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a respondent similarly situated to a spouse of the complainant, or by any other respondent against an adult or youth complainant who is protected from that respondent’s acts under the domestic or family violence laws of Alaska. This definition does not apply to roommates in university housing unless the parties also meet one of the above definitions within this provision as well.</p>
Interfering Consensual Sexual Conduct	Consensual sexual conduct that unreasonably interferes with other employees’ work or other students’ studies, or creates a hostile, intimidating, or offensive working, living, or learning environment.
Not Title IX Behavior	These are reports that do not fall under Title IX behavior. In these cases, supportive measures (if appropriate) are made available to the complainant and the issue is forwarded to the appropriate department for action.
Pregnancy Accommodations	To ensure equal access for pregnant individuals, the university provides reasonable accommodations and adjustments related to pregnancy and childbirth. University policy and federal and state law prohibit discrimination on the basis of sex and pregnancy in the university’s programs and activities. Specific accommodations are handled on a case-by-case basis and depend on medical need and individual requirements. A few examples of reasonable pregnancy accommodations include excusing absences from class missed due to pregnancy-related medical conditions and appointments, flexibility in the administration of exams, and providing access to accessible parking.
Quid Pro Quo	A university employee, agent, or contractor conditioning the provision of an aid, benefit, or service of the university on an individual’s participation in unwelcome sexual conduct;
Retaliation	Retaliation. Adverse action taken against a person participating in a sex and gender-based discrimination report or investigation because of that participation.
Sex or Gender-based Discrimination	“Sex and gender-based discrimination” occurs when an individual is treated less favorably on the basis of that person’s sex or gender, which may also include on the basis of sexual orientation, gender identity or expression, pregnancy or pregnancy-related condition, or a sex stereotype.
Sexual Assault	“Sexual assault” includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape. The definitions of those acts follow: a. “Rape” is non-consensual vaginal or anal penetration of a person with a penis no matter how slight, including instances where the victim is incapable of giving consent because

	<p>of their age or because of their incapacitation. b. "Sodomy" is non-consensual oral or anal penetration of another person, including instances where the victim is incapable of giving consent because of their age or because of their incapacitation. Examples of sodomy are non-consensual anal penetration with a tongue or finger or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact. c. "Sexual assault with an object" is non-consensual vaginal or anal penetration with an object no matter how slight the penetration. d. "Fondling" is the touching of the breasts, buttocks, or genitals 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 their age or because of incapacitation. Fondling can occur over or under clothing.</p>
Sexual Exploitation	<p>"Sexual exploitation" occurs when a person takes non-consensual or abusive sexual advantage of another for the person's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, including but not limited to: i. invasion of sexual privacy, prostituting another person, nonconsensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as secretly letting others watch consensual sex), engaging in voyeurism; ii. knowingly transmitting an STI or STD to another individual without that individual's knowledge; iii. intentionally or recklessly exposing one's genitals for the purpose of sexual gratification; iv. inducing another to expose their genitals.</p>
Stalking	<p>"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to either fear for their safety or the safety of others; or suffer substantial emotional distress.</p>
Unwelcome Sexual Conduct	<p>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.</p>

University of Alaska Southeast Title IX Brief

Academic Year 2021-2022

February 2022 Board of Regents Meeting

Effort	Comments
<p>Outreach, Education and Prevention/Awareness Programming</p>	<p>Winter 2021-2022 Activities The UAS office of Equity & Compliance will hold a Title IX / Equity & Inclusion week in late March. The week will include trainings, seminars, story-telling. Invitations to local Juneau resources to participate will be sent out. Name of the event is TBA. Green Dot intervention training is scheduled for the UAS comm unity. Coordinated several dates to train with the Juneau Police Department on Title IX related issues. Coordinating efforts to re-establish written MOUs and MOAs to strengthen relationship with local law enforcement. Sent two newly established written protocols to campus parties with a vested interest in our process for feedback. Establishing a UAS Specific path of communication, rooted in policy. Researching more diverse and specific local resources for Ketchikan, Sitka, and Juneau. Campus visits for Sitka and Ketchikan, a variety of optional training to be offered while visiting.</p>
<p>Training</p>	<p>Title IX Student Training Completions: As of December 31st, 2021, 21% of UAS students completed the training.</p> <p>Title IX Employee Training Completions: As of December 31st, 66% of UAS employees completed the training.</p> <p>Title IX Training Completed by Title IX Employees: For the Spring of 2022, Equity & Compliance Staff are scheduled for several training through ATIXA in a virtual setting. The new Deputy Title IX Coordinator, Margret “Meg” Bergerud, will attend Civil Rights Investigator I, and IV, as well as Title IX Coordinator I training. The Director of Equity & Compliance, Ryan Wark, will attend Title IX Coordinator III.</p> <p>In the winter of 2021, Ryan participated in MaxFest and Maxient bootcamp for trainings. Further, he received Clery Coordinator training from D. Stafford and Associates.</p> <p>Title IX Training Annual for Residence Life: There has been no turnover for the Res Life staff so a complete training was unnecessary. However,</p>

	<p>The Office of Equity & Compliance participated in a meet and greet with Residence Life. During that time, we performed a number of refresher training such as reporting steps and responsibilities, explored the policy definitions of a “Responsible Employee” for student-employees in RA positions compared to other Student- Employee positions, and held a Q & A to assist in covering a wide range of topics.</p>
<p>Title IX General Updates</p>	<p>Advocacy: UAS’s counseling center is available to students. Additionally, UAS community members can receive assistance from AWARE (Juneau), SAFV (Sitka), and WISH (Ketchikan); the location specific shelters and advocacy organizations are available to all community members.</p> <p>Rights: Complainants are provided rights and resources immediately and respondents are provided rights and resources at the time they are notified of a formal complaint.</p> <p>Website: To be in compliance with the new federal rule, the Office of Equity and Compliance recently updated their website (https://www.uas.alaska.edu/titleix/) and released a new print brochure.</p>
<p>Community & Campus Engagement</p>	<p>The Title IX committee is scheduled to meet for their Spring meeting in the coming months. The committee is comprised of multiple community stakeholders (NAMI, Planned Parenthood, AWARE), UAS faculty, UAS staff, and UAS student representation. There has been a focused effort to include more leadership with the Title IX committee. The focus of the upcoming meeting will be gathering feedback on several newly established protocols.</p> <p>The Office of Equity & Compliance has also finalized individualized training scenarios for “Table Top” exercises that our different departments can participate in. These exercises are designed to inform employees with any questions that may come up during a Title IX complaint process, and also provide insight on how Equity & Compliance staff approach a complaint. These exercises are also intended to be personalized to the department that has requested them and reflect a situation that an employee may encounter while working in that specific department.</p> <p>Student-oriented table top exercises are in development. There will be substantial input gathered from the student government on how best to perform these trainings.</p>

	<p>Rebranding and physical campus outreach has begun. This includes new posters, flyers, business cards, QR codes posted around campus, and much more. Examples will begin to roll out this coming spring.</p> <p>The Office of Equity & Compliance will be holding an open house for the campus to showcase the new office space. This fall, there was substantial painting, office relocations, and “revamping” for a more welcoming and comfortable space on campus. The invite will be sent to both employees and students.</p> <p>The office of Equity & Compliance will conduct Title IX training and Clery training for the Juneau Police Department, and the Juneau Municipal prosecuting attorneys.</p> <p>There is continued work to update the UAS Office of Equity & Compliance website. This expected to be completed this spring with a smoother path to report Title IX complaints online</p>
<p>Challenges</p>	<p>COVID-19: UAS like other UA campuses has had to adjust in service delivery. This has added an extra layer of complexity to how we do business. However, UAS has risen to and continues to rise to the challenge.</p> <p>Vacancies, Experience, and Awareness: Vacancies, until January of 2022, were extremely problematic for UAS. This issue affected the length of time it took to process a case, and was a burden for other Title IX office in the UA system. The lack of personnel hindered training for the new Director and slowed projects that were expected to be completed in the Fall. This current issue has been addressed with the addition of a Deputy Title IX Coordinator, Meg Bergerud.</p> <p>There has also been a slow process of being able to appropriately train the staff OEC staff. The director, Ryan Wark, was unable to designate time to trainings because of the day to day responsibilities of a single person office. This delay affected the overall efficiency of case management and more unique questions required self-training and the reliance on counterparts to assist.</p> <p>There are still many University employees who are working remotely or in hybrid schedule. There has been a challenge of having a meaningful introduction as the new DOEC. There has been a lot of effort to ensure the campus community is introduced to our new Deputy Title IX Coordinator</p>

Successes	<p>The OEC is finally fully staffed with a Deputy Title IX coordinator. Margret “Meg” Bergerud comes to UAS from Ketchikan where she spent several years as a Public Defender and a legal advocate. Meg is from Bethel and has her JD from the University of Idaho. This is a great step for UAS, and a welcome addition to our campus community.</p> <p>There has been a focused effort to establish local written protocol. Working in a coordinated effort with members of the UAS community that have a partnership with OEC, we have begun to establish the appropriate process together that work best for all departments when we are communicating.</p> <p>The office space is in its final stages of its “revamp”. Will have a welcoming space for those who wish to come speak with the OEC in person. We will be hold a open house for the UAS community to come speak with our staff and tour the new space.</p>
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