

University of Alaska Southeast Title IX and VAWA Metrics July 1, 2019 – December 31, 2019 Summary

Reference point: percentage of students living in university housing = 10%

Initial assessment by TIX and classified as: (see reverse for description)	ALL REPORTS	Report assessed. No jurisdiction. Interim measures offered.	Report assessed. Possible policy violation, but not a Title IX policy violation. Referred to Student Conduct / HR. Interim measures offered.	Report assessed. Cannot proceed due to nonparticipation or insufficient evidence; case closed. Interim measures offered.	MEETS REQUIREMENTS FOR FURTHER ACTION (Subtotal)	Informal Resolution Process. Interim measures offered.	Investigation Ongoing. Interim measures offered.	Investigation Complete: Respondent found not responsible. Interim measures offered.	Investigation Complete: Respondent found responsible. Interim measures and remedies offered.
Sexual or Gender-based Discrimination	5		1	4					
Sexual Harassment	6			4	2		2		
Sexual Assault	5	4		1					
Sexual Exploitation	1	1							
Sexual Contact	2			1	1		1		
Dating or Domestic Violence*	3	1		2					
Stalking*	1	1							
Retaliation	0								
Not Sexual or Gender Based Behavior	1	1							
Meets Requirements for Further Action (Total)					3				
TOTAL # WHERE RESOURCES/REFERRAL WERE OFFERED	24								
Major discipline/sanctions**									0
Minor discipline/sanctions**									0
Closed within 60 days	20								
Closed after 60 days	0								
(The closed totals do not include 4 open reports)									
Pregnancy Accommodations	1								

Note: The table above contains data from all UAS campuses, including those campuses that have on-campus housing and those that do not. The percentage of students living in university housing is included to track by university a possible correlation with the number of reports.

*Violence Against Women Act (VAWA) violations
 **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.

TITLE IX ACTION CLASSIFICATIONS DEFINED

All reports	This number represents all reports assessed by the Title IX office during this time. Reports are received through an online form, in person, by email, phone or other method.
Report assessed. No jurisdiction. Interim measures offered.	Jurisdiction provides the authority to investigate. Jurisdiction depends on a number of factual elements include 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. Interim measures are made available to the complainant.
Report assessed. Possible policy violation, but not a Title IX policy violation. Referred to Student Conduct / HR. Interim measures offered.	Reports to the Title IX office may include a single comment of sexual nature. While inappropriate, this does not rise to the level of a Title IX violation. In these cases, interim measures are made available to the complainant and the issue is forwarded to the appropriate department for action.
Report assessed. Cannot proceed due to nonparticipation or insufficient evidence; case closed. Interim 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 done to assess whether the University must proceed despite the victim's wishes. Factors include involvement of a pattern of offenses, predation, force, or a minor. In other cases, investigation may not be possible due to insufficient evidence to proceed with an investigation. Interim 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, are a Title IX allegation, and the complainant supports investigation or the Gatekeeper analysis requires investigation.
Informal Resolution Process. Interim 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. Interim measures are made available to the complainant and respondent as appropriate.
Investigation Ongoing. Interim measures offered.	Investigation is underway but has not been completed at time of reporting. Interim measures are made available to the complainant and respondent.
Investigation Complete: Respondent found not responsible. Interim 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. Interim measures are made available to the complainant and respondent.
Investigation Complete: Respondent found responsible. Interim 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. Interim measures and remedies are made available to the complainant, and interim measures offered to the respondent.






INITIAL ASSESSMENT CLASSIFICATIONS DEFINED

<p>Sexual or Gender-based Discrimination</p>	<p>In general, sex or gender-based discrimination refers to being adversely treated or affected, either intentionally or unintentionally, in a manner that unlawfully differentiates or makes distinctions on the basis of an individual's sex or gender. Examples of discrimination can include: a. Singling out or targeting an individual for different or adverse treatment because of that individual's sex or gender; or b. Unlawfully denying employment or participation by an individual in a university program or activity because of that individual's sex or gender; or c. Terminating or removing an individual from employment or an educational program because of that individual's sex or gender.</p>
<p>Sexual Harassment</p>	<p>Sex or gender-based harassment. This includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, unwanted and repetitive messages of a sexual nature, unsolicited and unwelcome transmission of images of a lewd or sexual nature, or other verbal or physical conduct of a sexual nature where: a. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education; or b. submission to or rejection of such conduct by an individual is used as the basis for retaliation, or for other employment or academic decisions affecting that individual; or c. the conduct creates a hostile environment.</p>
<p>Sexual Assault</p>	<p>"Sexual assault" includes non-consensual vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.</p>
<p>Sexual Exploitation</p>	<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: a. invasion of sexual privacy, prostituting another person, non-consensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as secretly letting others watch consensual sex), engaging in voyeurism; b. knowingly transmitting an STI or STD or HIV to another individual without his or her knowledge; c. intentionally or recklessly exposing one's genitals for the purpose of sexual gratification; d. inducing another to expose their genitals; or e. sexually-based stalking and/or bullying.</p>
<p>Sexual Contact</p>	<p>"Sexual contact" includes contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch themselves with or on any of these body parts; or any other intentional bodily contact of a sexual nature. Sexual contact includes contact through clothing. Sexual contact does not include normal caretaker responsibilities.</p>
<p>Dating or Domestic Violence</p>	<p>A pattern of coercive, controlling behavior in which one intimate partner uses physical violence, coercion, threats, intimidation and emotional, sexual, psychological, digital or economic abuse to control and change the behavior of the other partner.</p> <p>Domestic violence is not by definition conduct of a sexual nature. As a result, domestic violence is not sexual harassment unless it includes some other sexual conduct. Some examples of domestic violence that is sexual in nature would be: Domestic violence occurring as a result of one partner denying another sex; Domestic violence occurring because a partner had sex with another person; Domestic violence occurring in conjunction with serious sex stereotyping.</p>
<p>Stalking</p>	<p>Repetitive and/or menacing pursuit, following, or interference with the peace and/or safety of an individual(s).</p> <p>Stalking is not by definition conduct of a sexual nature. As a result, stalking is not sexual harassment unless it includes some other sexual conduct. An example of stalking that is sexual in nature would be stalking occurring when a sexual</p>

	relationship has ended and the respondent is excessively texting, calling and following the complainant requesting to continue their sexual relationship.
Retaliation	Retaliation. Adverse action taken against a person participating in a sex or gender-based discrimination report or investigation because of that participation.
Not Sexual or Gender Based Behavior	Reports determined to be either not sexual or gender-based in nature. In these cases, interim 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 accommodation 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.







University of Alaska Southeast Title IX Compliance Scorecard
Academic Year 2019-2020
February 2020 Board of Regents Meeting




Voluntary Resolution Agreement Compliance Status

Action Item	Task	UAS Status	OCR Status	Comments
A.1.	Defined responsibilities, oversight and annual training requirements for the Title IX Coordinators. <i>Reporting Deadline: September 1, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 – Submitted
A.2	Designated System Senior Title IX Coordinator conducting monthly reviews of all complaints of sex-gender based discrimination and providing corrective action as needed. <i>Reporting Deadline (Sr TIX Admin) May 1, 2017; (Review complaints) December 30, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 - Submitted
A.3.	Statewide Title IX taskforce comprised of employees with Title IX compliance responsibilities, to meet monthly. <i>Reporting Deadline: December 30, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 – Submitted
A.4.	All relevant publications will include the title, office address, e-mail address and telephone number of the universities' Title IX Coordinator. <i>Reporting Deadline: September 1, 2017</i>		#	2017 – Submitted No additional annual reporting requirements.
B	The System will revise and publish a single notice of nondiscrimination consistent with the regulation implementing Title IX. <i>Reporting Deadline: May 1, 2017; Provide documentation September 17, 2017.</i>		✓	Approved by OCR Sept 11, 2018. No additional annual reporting requirements.





Key:
Green: On track and anticipating meeting VRA deadline
Yellow: Compliance problem and/or possible miss of VRA deadline
Red: Will not meet VRA deadline

Action Item	Task	UAS Status	OCR Status	Comments
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C	The System will revise policies and procedures that address complaints of sex discrimination. <i>Reporting Deadline: May 1, 2017 and 90 days after OCR approval</i>		#	2017 – Submitted No additional annual reporting requirements.
D.1.	Ensure that Title IX training requirements be received by the senior Title IX administrator, the coordinators, and all other employees involved in processing, investigating, adjudicating, and/or resolving complaints of sex discrimination <i>Reporting Deadline: June 17, 2017</i>		✓	Approved by OCR May 4, 2018. No additional annual reporting requirements.
D.2.	Title IX and Residence Life will develop a protocol for ensuring Residence Life staff report and refer complaints involving sex discrimination to the Title IX office within 24 hours and ensure that Residence Life staff are trained on Title IX at the beginning of each academic year. <i>Reporting Deadline: September 1, 2017</i>		#	2017 – Submitted No additional annual reporting requirements.
D.3.	Provide annual training to all employees responsible for recognizing and reporting incidents of sexual discrimination. <i>Reporting Deadline: December 30, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 – Submitted
E	Provide annual training to all students on how to recognize and prevent sex and gender-based discrimination. <i>Reporting Deadline: December 30, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 – Submitted
F	Revise existing materials or develop new materials to be distributed to students and employees for general education purposes, and broadly distribute and make these materials accessible and readily available. <i>Reporting Deadline: May 1, 2017 and 45 days after OCR approval</i>		#	2017 – Submitted No additional annual reporting requirements.

Action Item	Task	UAS Status	OCR Status	Comments
G	Establish student committees composed of a cross section of the university community to identify and recommend strategies to ensure that students understand their rights under Title IX and resources available to them. <i>Reporting Deadline December 30, 2017</i>		#	2017 – Submitted No additional annual reporting requirements.
H	Conduct a climate check annually with students to assess the effectiveness of steps taken to comply with the Voluntary Resolution Agreement and progress towards the goal of campuses free of sex discrimination, in particular sexual harassment and sexual violence. <i>Reporting Deadline: June 30, 2019</i>		#	AY 17-18 – Submitted 2019 – Submitted
I	Send letter to each law enforcement agency requesting to improve communication and coordination and to address the protocols and procedures for referring allegations of sexual violence, sharing information, and conducting contemporaneous investigations. <i>Reporting Deadline: May 1, 2017</i>		✓	Approved by OCR May 4, 2018. No additional annual reporting requirements.

Action Item	Task	UAS Status	OCR Action	Comments
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J	Provide written notice or information sessions to all students participating in internships, clinical programs, or other off-campus programs regarding their rights under Title IX, and provide information to the entities hosting our students regarding our prohibition of sex and gender-based discrimination against our students while in placement at their organization. <i>Reporting Deadline: December 30, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 - Submitted Protocol implemented and data collection occurring each semester.
K	Reassess complaint files from AY 2011-12, 2012-13, 2013-14 and 2014-15 as identified by OCR. Take action to redress as assessed and approved by OCR. <i>Reporting Deadline: May 1, 2017 and 20 days after OCR approval</i>		#	2017 – Submitted No additional annual reporting requirements.
L	Review sexual harassment and violence complaints made during the 2014-15 and 2015-16 academic year. <i>Reporting Deadline: December 1, 2017</i>		#	2017 – Submitted No additional annual reporting requirements.
M	Submit complete copies of files for all complaints received during the academic year. <i>Reporting Deadline: December 30, 2019</i>		#	2017 – Submitted 2018 – Submitted 2019 - Submitted

Other Title IX Priorities

Task	Comments
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Unified Tracking System	UAS Title IX went live with the Maxient system on July 13, 2017, tracking Title IX reports from 7/1/17 forward.
Prevention and Awareness Programs	<p><u>Fall 2019</u></p> <ul style="list-style-type: none"> • Participated in the August Convocation with a Title IX training session. 103 employees participated. • Participated in the August New Student Orientation to inform them of what Title IX is and the resources available. • Held five (5) Title IX training sessions for Juneau, Ketchikan, and Sitka employees. The training was made available online via Zoom for those in Ketchikan and Sitka. • Held a Suicide Prevention 101 class with Juneau Suicide Prevention Coalition October 17. Fifteen people attended. • Hosted a Domestic Violence Awareness event with AWARE October 18. • Promoted AWARE advocacy training that took place October 14-27. • Published two articles of Title IX awareness in the Whalesong including the notice of non-discrimination. • October 15: held the Title IX Advisory Committee meeting with campus partners and partners in the community. <p><u>Spring 2020</u></p> <ul style="list-style-type: none"> • Consent-based programming in January . • Hosting a Planned Parenthood/AWARE Healthy Relationship event in February. • Working with Student Resources to assist in having a campus-wide health awareness event. • Clothesline Project in April for Sexual Assault Awareness Month. • Whalesong article in April on campus safety and bystander intervention.
Complainant and Respondent Support	UAS students in Juneau, Ketchikan and Sitka have access and are regularly referred to the local advocate centers (AWARE/SAFV/WISH) as appropriate. All three centers have emergency services. In addition, both respondents and complainants are referred to UAS Counseling as part of the resources and support available to them.