

University of Alaska Southeast Title IX Metrics July 1, 2022 – June 30, 2023 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									
Interfering Consensual Sexual Conduct										
Quid Pro Quo	1					1		1		
Retaliation										
Sex- or gender-based Discrimination	5									
Sexual Assault*	5					3		2		1
Sexual Exploitation	3									
Stalking*										
Unwelcome Sexual Conduct	4									
Not Title IX Behavior	8									
Meets Requirements for Further Action (Total)						4				
TOTAL # WHERE RESOURCES/ REFERRAL WERE OFFERED	28									
										Major discipline/sanctions** 1
										Minor discipline/sanctions**
Closed within 180 days	24									

* 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	1	
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 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.
Sexual Exploitation	"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.
Stalking	"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.
Unwelcome Sexual Conduct	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.

Effort	Comments
Outreach, Education and Prevention/Awareness Programming	<p>The UAS Office of Equity & Compliance (OEC) has worked extensively with in establishing on-going programming for intervention, and campus community training.</p> <p>Coming this summer, UAS OEC will hold a Title IX new regulation open house to discuss changes to federal policy.</p> <p>UAS OEC is coordinating to train with the Juneau Police Department on Title IX-related issues.</p> <p>UAS OEC is coordinating efforts to reestablish 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.</p> <p>UAS OEC is establishing a UAS-specific path of communication, rooted in policy. Researching more diverse and specific local resources for Ketchikan, Sitka, and Juneau.</p>
Training	<p>Title IX Student Training Completions: 58% of UAS students completed the training by March 31, 2023.</p> <p>Title IX Employee Training Completions: 85% of UAS employees had completed training by March 31, 2023, 2023.</p> <p>Title IX Training Completed by Title IX Employees: All UAS Office of Equity and Compliance staff training is up to date, and posted on the UAS Title IX website</p> <p>Tabletop exercises for individual departments are available upon request</p>

<p>Title IX General Updates</p>	<p>Advocacy: Community resources, such as STAR and AWAIC continue to be available to students. These organizations partner with UAA on DVSA events. On campus confidential resources can be found in the Student Health and Counseling Center.</p> <p>Rights: Complainants are provided rights and resources immediately and resources at the time they are notified that a complaint was received and an investigation will occur.</p> <p>Website: The UAA Office of Equity and Compliance was updated in the beginning of the academic year.</p> <p>Rights Notice: UAA students and employees received notification in September, 2022. Additionally, departments with off-campus curriculum ensure that their MOU/MOAs include expectations on nondiscrimination.</p>
<p>Community & Campus Engagement</p>	<p>Advocacy: UAS' 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 uas.alaska.edu/titleix and released a new print brochure.</p>
<p>Challenges</p>	<p>Staffing: Ryan Wark, the Director of Equity & Compliance for UAS has left the position and moved to the UAA OEC. The office remains vacant as of this posting. With no Deputy Title IX Coordinator available, UAA and UAF will continue to pick up the case load until the first day of the school year. The overall state of the department needs to be addressed. The position is overwhelmed by multiple areas of compliance that require expert level knowledge to function. Additional personnel or restructuring could help support long term employment for the position. UAS has had 4 Directors in 3 years, and the new hire will be 5.</p> <p>Policy: With the known upcoming changes in Title IX regulations, there are concerns regarding the timeline and process for changing UA policy to reflect the new federal regulations. The UAS OEC suggests coordinating a statewide team to address policy change to Title IX and training implementation.</p> <p>BOR (policy) section P.01.02.020 continues to be a liability to UA as it is difficult to apply it to specific circumstances.</p> <p>UAS issued multiple Title IX Notices of Investigation in the spring term. As students are returning to campus on a more full-time basis, Title IX reports and investigations could see an increase across the system</p>
<p>Successes</p>	<p>UAS OEC training efforts have improved staff and student training engagement</p> <p>UAS OEC received positive feedback from review sources on VAWA material and outreach – the best they had ever seen.</p> <p>UA Equity & Compliance team members met in person for the first time in several years! This meeting is a continued step to ensure a uniform experience for employees and students at UA at all campuses in the system. This increased partnership will have positive impacts on the experience of those who interact with our E&C departments across the state.</p>