

University of Alaska Anchorage Title IX Brief
Academic Year 2021-2022
February 2022 Board of Regents Meeting

Effort	Comments																				
<p>Outreach, Education and Prevention/Awareness Programming</p>	<p>The UAA Dating Violence and Sexual Assault Coalition for Change is a group that consists of students, staff, faculty and community partners to discuss and plan ways to fight and raise awareness of sexual assault and dating violence on campus. The coalition meets monthly and is open to anyone that wants to be involved.</p> <p>In September, prevention and advocacy focused on suicide prevention by making flags to honor those that have helped others. The flags went up for display in the Cuddy Quad. Gatekeeper Suicide Prevention Training was provided.</p> <p>In October and November, Dating and Domestic Violence Awareness and Prevention tabling events took place in multiple UAA buildings. This included activities such as jeopardy boards about sex education.</p> <p>In the Spring Semester, there will be a focus on healthy sexuality including topics such as consent and health relationships with multiple tabling events throughout campus.</p>																				
<p>Training</p>	<p>Title IX Student Training Completion: The Fall Semester ended with a student completion rate of 68%.</p> <table border="1" data-bbox="558 1083 1083 1268"> <tbody> <tr> <td>Anchorage</td> <td>70%</td> </tr> <tr> <td>Kenai Peninsula College</td> <td>41%</td> </tr> <tr> <td>Kodiak College</td> <td>50%</td> </tr> <tr> <td>Matanuska-Susitna College</td> <td>45%</td> </tr> <tr> <td>Prince William Sound College</td> <td>51%</td> </tr> </tbody> </table> <p>Title IX Employee Training Completion: The Fall Semester ended with an employee completion rate of 92%.</p> <table border="1" data-bbox="558 1423 1083 1608"> <tbody> <tr> <td>Anchorage</td> <td>92%</td> </tr> <tr> <td>Kenai Peninsula College</td> <td>92%</td> </tr> <tr> <td>Kodiak College</td> <td>85%</td> </tr> <tr> <td>Matanuska-Susitna College</td> <td>97%</td> </tr> <tr> <td>Prince William Sound College</td> <td>80%</td> </tr> </tbody> </table> <p>Title IX Training Completed by Title IX Employees: In the Fall semester, the team accessed training resources through ATIXA to include ‘Investigative Strategy & Best Practices’ as well as ‘Exploring the Effects of the Cardona Decision on Cross Examination and Live Hearings’. The Civil Rights Investigator completed the Civil Rights Investigator III training through ATIXA in October 2021, within six months of hire.</p>	Anchorage	70%	Kenai Peninsula College	41%	Kodiak College	50%	Matanuska-Susitna College	45%	Prince William Sound College	51%	Anchorage	92%	Kenai Peninsula College	92%	Kodiak College	85%	Matanuska-Susitna College	97%	Prince William Sound College	80%
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	<p>Title IX Annual Training for Residence Life: Residence Life staff were trained alongside other Student Affairs staff in both October and again in January.</p> <p>Bystander Intervention Training: Bystander Intervention training is led by the Health Promotion and Wellness Team at the Student Health and Counseling Center and offered to all students, faculty and staff. The Bringing in the Bystander presentation is 75-90 minutes in length and taught by Peer Health Educators on how bystander intervention can help prevent sexual assault and domestic violence in the community. Bystander training was provided to residential students in September, to UAA Gymnastics in October, to UAA Cross Country/Track teams in November</p>
<p>Title IX General Updates</p>	<p>Advocacy Standing Together Against Rape (STAR) continues to be a community resource for both students and employees. The Student Health and Counseling Center continues to be an on campus confidential resource to students. UAA OEC is working in collaboration with UAA UPD to develop a position of Victims Right Advocate within UPD.</p> <p>Rights: Complainants are provided rights and resources at the time a report is made and again at the time an investigation occurs. Respondents are provided rights and resources at the time an investigation or informal resolution process begins.</p> <p>Counseling: Utilized by both complainants and respondents, the Student Health and Counseling Center or Employee Assistance Program are offered, depending on the parties' affiliation.</p> <p>Website: The UAA Department of Equity and Compliance website was updated in accordance with the new federal rules, and an OEC staff has been designated for ensuring ongoing updates.</p> <p>Rights Notification All UAA students and employees received a rights notification in the Fall semester. Affiliation agreements and MOU/MOA's include language of nondiscrimination expectations.</p>
<p>Community & Campus Engagement</p>	<p>Members of the Office of Equity and Compliance are involved in the following workgroups and initiatives:</p> <ul style="list-style-type: none"> • Protection of Minors Committee • Onboarding Steering Committee • LGBTQ2IA+ Steering Committee • Clery Committee • Diversity Action Council • Shared Equity Leadership

Updates

Collaborations remain strong and consistent, despite the virtual work being done. OEC continues to meet weekly with UPD, Dean of Students and Residence Life. OEC meets biweekly with Human Resources. Quarterly meetings continue to take place with the satellite campus liaisons.

A Civil Rights Investigator began in June 2021 to fill the vacancy that opened in May 2021. An additional Civil Rights Investigator position was added to the OEC team in December 2021 and filled in January 2022. Onboarding and training efforts are underway.

University of Alaska Anchorage Title IX Metrics

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*	26		22	1	3					
Interfering Consensual Sexual Conduct										
Quid Pro Quo										
Retaliation										
Sex- or gender-based Discrimination	4			2	2					
Sexual Assault*	15		11		4					
Sexual Exploitation										
Stalking*	9		5	2	2					
Unwelcome Sexual Conduct	24		3	17	4					
Not Title IX Behavior	38		3	24	7	4				
Meets Requirements for Further Action (Total)	116									
TOTAL # WHERE RESOURCES/ REFERRAL WERE OFFERED	116									
									Major discipline/sanctions**	
									Minor discipline/sanctions**	
Closed within 180 days	115									
Closed after 180 days	1									
Pregnancy Accommodations		2								

* 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.

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.
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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.