POLICY ON SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, & STALKING

QUICK FACTS

- Policy effective August 19
- Policy applies to the conduct of students and employees
- Separate from the new faculty policy on relationships with students (Section 2.2.6 of the Faculty Handbook)
- The policy, and other resources, can be found at: sexualassault.utk.edu

PROHIBITED CONDUCT

- Sexual Misconduct
- Sexual Harassment
- Sexual Assault
- Sexual Exploitation
- Stalking
- Retaliation

REPORTING

- Reporting options
- Reporting obligations
REPORTING OPTIONS

“The only way for a person to provide notice to the University of an incident of Prohibited Conduct is to report the incident to a Mandatory Reporter.”

REPORTING OPTIONS

- Title IX Coordinator (OED)
- Deputy Title IX Coordinators
- Sexual Assault Response Team (974-HELP)
- UTPD
- Other “Mandatory Reporter” – identified in Appendix B & Appendix C of the policy (sexualassault.utk.edu)

REPORTING OBLIGATIONS

(THE OTHER SIDE OF THE REPORTING COIN)
“A Mandatory Reporter who receives information concerning an incident of Prohibited Conduct shall . . . report the incident to the University.”

**REPORTING OBLIGATIONS**
- Title IX Coordinator
- Deputy Title IX Coordinators
- Sexual Assault Response Team (974-HELP)
- UTPD
- “Mandatory Reporter” – identified in Appendix B & Appendix C of the policy (sexualassault.utk.edu)

**COMPLAINANT**
The policy defines a “Complainant” as “a person who may have been subjected to Prohibited Conduct regardless of whether that person makes a report or seeks action under this policy.”

**REPORTING: STUDENT COMPLAINANT**
- All faculty members are Mandatory Reporters of incidents involving students who may have been subjected to Prohibited Conduct
- Even if a student does not report the incident or want action taken by the University
**REPORTING: EMPLOYEE COMPLAINANT**

- When the person who may have been subjected to Prohibited Conduct is an employee, a faculty member is a Mandatory Reporter if:
  - The faculty member is the immediate supervisor of the Complainant
  - The faculty member is the immediate supervisor of the Respondent
  - The faculty member has the authority to redress the Prohibited Conduct (e.g., Dean, Department Head)
  - Even if a person does not report the incident or want action taken by the University

**Faculty members should call the Title IX Coordinator/OED if they are unsure of their reporting obligations in a particular situation.**

**Faculty members may provide non-identifying information about the situation to clarify their reporting obligations.**

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**Mandatory Reporters Must...**

- **Assist** the Complainant with obtaining medical assistance (if needed or requested) or accessing other on- or off-campus resources (if requested)
- **Encourage** the Complainant to report the incident to law enforcement (and assist if requested)
- **Report** the incident to:
  - Title IX Coordinator
  - Deputy Title IX Coordinator
  - Sexual Assault Response Team

*Follow UT Safety Policy 0575 if the incident involves child abuse

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**Mandatory Reporters Must Not...**

- **Promise** confidentiality
  - You may assure a person that information will be shared only with university employees who have a need to know (i.e., privacy)
- **Share information** with a person who does not have a university-related need to know
- **Share information** with law enforcement (including UTPD) without a Complainant's consent
- **Investigate** without the approval of the Title IX Coordinator