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President


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January 27, 2020

TO: Executive Council Members:
UAS Chancellor Rick Caulfield
UAA Chancellor Cathy Sandeen
UAF Chancellor Dan White
UA VP Paul Layer
UA VP Michelle Rizk

FROM: Jim Johnsen 

RE: Equity and Compliance

Thank you for your ongoing support of the Board of Regents' steadfast commitment to safe campuses. As stated by Regent Davies at the November 2019 Board meeting, "no matter what the new federal regulations indicate, the Board's expectation is to continue efforts...to maintain strong vigilance and to retain compliance with Title IX." The Ad Hoc Committee on Title IX meets February 6 and will brief the full Board at the February Board meeting.

Through Regents' Policy 01.04, the Board has assigned to the Chancellors primary responsibility for compliance with Title IX at each university. That same policy requires that the president ensure system oversight and coordination among the universities. Pursuant to this responsibility, I am writing to communicate the following basic expectations as we seek OCR permission to close out the Voluntary Resolution Agreement with the Department of Education. These expectations will remain in place until further notice.

As always, the Board's primary requirement is that students, staff, faculty and visitors to our campuses involved in issues of possible discrimination or harassment be treated respectfully and fairly. Members of our university community interacting with our Equity and Compliance offices should experience an efficient administrative response that is consistent across the system, regardless of where the conduct occurred. In cases that necessitate an investigation, the process should be completed promptly, thoroughly, and equitably through the application of national best practices. Title IX Coordinators will continue to carry out their professional responsibilities with integrity by exercising sound judgment and upholding principles of fairness,

good faith, and respect in their conduct with others. If resource issues which impact the proper administration of Title IX responsibilities arise, Title IX coordinators will work directly with their Chancellors to address those issues in a timely manner.

Title IX Coordinators will document in writing, through an annual status memo to their respective Chancellors and the Chief Title IX Officer, how the Board's requirement, as well as each of the following expectations, has been met during the preceding year. The status memo will be due by December 15 each year. In addition to outlining how the university met the Board's expectations, the status memo should address any challenges encountered in that endeavor, as well as the specific steps which were taken to overcome them.

Training and Staffing

- 1) The Equity and Compliance Team (university Title IX Coordinators and the system Chief Title IX Officer) will have expert knowledge of discrimination and harassment laws, policies, and best practices. Each will ensure their training is current and will maintain records of training completions.
- 2) Equity and Compliance vacancies will be filled with speed and efficiency.
- 3) Investigative staff and deputy coordinators will complete discrimination and harassment training within three months of hire and subsequently receive regular ongoing training. Title IX Coordinators will maintain records of their staff's training completions.
- 4) Mandatory harassment and discrimination training will be offered online and in person at each university to all students and employees. Universities and the system office will collaborate on launch logistics, completion tracking, and timely notifications.
- 5) Residence Life staff will receive customized training from the Title IX Coordinator or designee prior to the beginning of each academic year. The Residence Life protocol will be annually reviewed and updated in collaboration between the Title IX Coordinator and Residence Life leadership.

Communication and Collaboration

- 1) The Chief Title IX Officer will serve as the central point of coordination in the university system for Title IX compliance among the university offices with Title IX responsibilities.

- 2) The Equity and Compliance team, in collaboration with General Counsel, will participate in the university's efforts to revise UA Board of Regents' policy and university regulation on sex discrimination and sexual misconduct for the Board's consideration.
- 3) Title IX Coordinators and the Chief Title IX Officer will attend and collaborate as a team in system-wide Equity and Compliance meetings and prepare regular metric and status updates.
- 4) All students participating in off-campus programs will be notified of the university's prohibition against sex discrimination, how and where to report incidents during the off-site program, and the resources available.
- 5) The Chief Title IX Officer will regularly update and/or respond to inquiries from the Board of Regents, Summit Team, university governance and other internal or external stakeholders.
- 6) Title IX Coordinators will work, on a regular and ongoing basis, with their university governance and other student committees to address strategies for improving the effectiveness of university policies and procedures, harassment and discrimination prevention, support services, and resources available to students.
- 7) Title IX Coordinators will coordinate communications with their university's police and local law enforcement regarding obligations under Title IX and ensure that memorandums of understanding are kept current (within 5 years).
- 8) Title IX Coordinators will hold quarterly meetings with all employees assigned to investigate complaints of sex discrimination at the university's community campuses and other sites to ensure that the institution is promptly and equitably responding to all complaints.

Documentation

- 1) Thorough and accurate records of each report of possible harassment or discrimination will be maintained in the Maxient system. Equity and Compliance staff will document all complaints and actions taken on reports of discrimination and harassment made against students, employees, and third parties in a consistent manner. Title IX Coordinators will ensure that the required information for each report, as determined by the Chief Title IX Officer, is entered into the Maxient system.

- 2) Title IX Coordinators will act as responsible stewards of the information received within their offices and will ensure that all Equity and Compliance staff comply with applicable laws, organizational policies, and directives pertaining to the access, use, storage, retention, and disclosure of sensitive information.
- 3) The Chief Title IX officer or designee will audit all Title IX records for quality assurance in order to identify any compliance concerns, patterns, or systemic problems. Each university will be responsive and timely in providing requested information and resolving any issues identified by the Chief Title IX officer.

Thank you.

Copy: General Counsel Mike Hostina
 Chief Title IX Officer Mary Gower
 UAF Executive Director and Title IX/504 Coord. Margo Griffith
 UAA Director/Title IX Coord. Sara Childress
 Acting Title IX/Clery Compliance Coord. Chase Parkey