

# University of Alaska Fairbanks Title IX and VAWA Metrics

## July 1, 2019 – June 30, 2020 Summary

Reference point: percentage of students living in university housing = 13.5% in the fall, then varied during the COVID-19 response.

Initial assessment by TIX and classified as: (see following pages 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	26	1	12	8	5		2	3	
Sexual Harassment	47	8	12	25	2		2		
Sexual Assault	24	13	1	7	3		3		
Sexual Exploitation	12	5	3	4					
Sexual Contact	13	5		6	2		1	1	
Dating or Domestic Violence*	27	27							
Stalking*	4	4							
Retaliation	4			4					
Not Sexual or Gender Based Behavior	41		41						
<b>Meets Requirements for Further Action (Total)</b>					<b>12</b>				
<b>TOTAL # WHERE RESOURCES/REFERRAL WERE OFFERED</b>	<b>198</b>								
Major discipline/sanctions**									<b>0</b>
Minor discipline/sanctions**									<b>0</b>

Closed within 60 days	<b>180</b>
Closed after 60 days	<b>10</b>

(Closed totals do not include the 8 open investigations)

<b>Pregnancy Accommodations</b>	<b>4</b>
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*Note: The table above contains data from all UAF 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.*

Note: data as of 7/29/2020- closure statuses have since changed

## TITLE IX ACTION CLASSIFICATIONS DEFINED

<b>All reports</b>	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.
<b>Report assessed. No jurisdiction. Interim measures offered.</b>	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.
<b>Report assessed. Possible policy violation, but not a Title IX policy violation. Referred to Student Conduct / HR. Interim measures offered.</b>	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.
<b>Report assessed. Cannot proceed due to nonparticipation or insufficient evidence; case closed. Interim measures offered.</b>	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.
<b>MEETS REQUIREMENTS FOR FURTHER ACTION</b>	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.
<b>Informal resolution process. Interim measures offered.</b>	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.
<b>Investigation ongoing. Interim measures offered.</b>	Investigation is underway but has not been completed at time of reporting. Interim measures are made available to the complainant and respondent.
<b>Investigation complete: Respondent found not responsible. Interim measures and remedies offered.</b>	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.
<b>Investigation complete: Respondent found responsible. Interim measures and remedies offered.</b>	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.
<b>Sexual or Gender-based Discrimination</b>	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.

## INITIAL ASSESSMENT CLASSIFICATIONS DEFINED

<b>Sexual Harassment</b>	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.
<b>Sexual Assault</b>	"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.
<b>Sexual Exploitation</b>	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.
<b>Sexual Contact</b>	"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.
<b>Dating or Domestic Violence</b>	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.  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.
<b>Stalking</b>	Repetitive and/or menacing pursuit, following, or interference with the peace and/or safety of an individual(s).  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 relationship has ended and the respondent is excessively texting, calling and following the complainant requesting to continue their sexual relationship.
<b>Retaliation</b>	Retaliation. Adverse action taken against a person participating in a sex or gender-based discrimination report or investigation because of that participation.

<b>Not Sexual or Gender Based Behavior</b>	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.
<b>Pregnancy Accommodations</b>	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.