



Complainant Support and Resources



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The University of Tennessee at Chattanooga is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from sexual harassment, sexual assault, dating and domestic violence, and stalking.

UTC strives to prevent, address, and eliminate this type of misconduct by responding to individual incidents, supporting those who have been harmed, and educating community members on how to create a safe and supportive campus that encourages healthy and respectful relationships.

The term **Policy** is used throughout the document to refer to UTC's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking.

To view the full policy, please visit utc.edu/sexual-misconduct/policy-and-procedures/university-policy-procedures.php.

The University's Title IX Coordinator and other Title IX officials are available to discuss support, resources, and reporting options. You may reach the University's Title IX Coordinator, Stephanie Rowland, at (423) 425-4255 or at titleix@utc.edu. Contact information for other Title IX officials can be found at utc.edu/sexual-misconduct.

Definitions

Advisor/Support Person Complainants have the right to be assisted by both an advisor and a support person during all stages of a disciplinary proceeding, including all meetings, investigative interviews, and hearings. The advisor may be, but is not required to be, an attorney. A support person may be any individual who is not a witness or party to the case.

Complainant means an individual who is alleged to be the victim of conduct that could constitute prohibited conduct, regardless of whether the person makes a report or a formal complaint.

Consent means an active agreement to participate in a sexual act. An active agreement is words and/or conduct that communicate a person's willingness to participate in a sexual act. Consent can be revoked at any time. Valid consent cannot be given if:

- A person is incapacitated and a reasonable person in the same situation as the respondent would have known that the person is incapacitated;
- A person is forced; or
- The sexual penetration of a person by the respondent would constitute mitigated statutory rape, statutory rape, or aggravated statutory rape under state law, based on the ages of the respondent and the other person.

Dating Violence means violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; 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. (iii) the frequency of interaction between the persons involved in the relationship.

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares

a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs.

Force (Forced) means words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity.

Incapacitation means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance (i.e., alcohol and/or other drugs) such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or their mental, physical, or developmental abilities render them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication.

Signs of incapacitation include, but are not limited to:

- Sleep;
- Total or intermittent unconsciousness;
- Lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance);
- Lack of awareness of circumstances or surroundings;
- Emotional volatility;
- Combativeness;
- Vomiting;
- Incontinence;
- Unresponsiveness; and
- Inability to communicate coherently.

Prohibited Conduct includes sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and retaliation.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute prohibited conduct.

Retaliation means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by the Policy constitutes retaliation.

Sexual Assault is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, fondling, incest, and statutory rape.

Sexual Exploitation means taking sexual advantage of another person, without that person's active agreement. An active agreement is words and/or conduct that communicate a person's willingness to participate in an act. A person cannot actively agree to an act if: (1) the person is Incapacitated, if either the person claiming to have obtained the other person's active agreement knows that the other person is Incapacitated or a reasonable person would know that the other person is Incapacitated; or (2) the person is forced to act or participate in an activity. For examples of sexual exploitation, please refer

to the policy.

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following: (1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; (2) 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 program or activity; or (3) Sexual Assault, Dating Violence, Domestic Violence and/or Stalking.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress. **Course of conduct** means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person's property. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the definition of Stalking, **reasonable person** means a reasonable person under similar circumstances and with similar identities to the complainant.

Support, Care, and Resources

- Sexual Assault Nurse Examiner (SANE) services
- Other medical care
- Support and resources

Overview

You can seek medical care at any time following an assault, but we strongly recommend that you do so as soon as possible. We encourage you to preserve all physical evidence. If possible, avoid changing your clothing, bathing, showering, using a douche, using the bathroom, brushing your teeth, drinking liquids, washing your hands or face, or combing your hair. If you change clothes, evidence is best preserved in a paper (not plastic) bag. Preservation of evidence does not mean that you have to pursue criminal charges, but it helps keep that option open for you. You are not required to report an incident to the University or to the police to receive medical care.

Sexual Assault Nurse Examiner (SANE) Services

In cases of Sexual Assault, it is important to seek immediate medical attention to determine the presence of physical injury, address pregnancy concerns, determine the possibility of exposure to sexually transmitted diseases, and, if you later decide to pursue legal options, to obtain evidence to assist in criminal prosecution, a civil action, or in obtaining a civil protection order. The key to success in collecting physical evidence of a Sexual Assault is to collect the evidence as soon as possible; however, the Partnership for Families, Children and Adults' Rape Crisis Center states that evidence can be collected up to 120 hours after a Sexual Assault. You do not have to report to law enforcement to receive Sexual Assault Nurse Examiner (SANE) services.

In Chattanooga, all SANE exams are conducted at the Partnership Rape Crisis Center

PLACE	WHEN	CONTACT INFO
The Partnership for Families, Children and Adults - Rape Crisis Center	24 hours a day, 7 days a week	(423) 755-2700 partnershipfca.com/ 129/rape-crisis-center

If you are outside the Chattanooga area, please call the National Sexual Assault Telephone Hotline at (800) 656-HOPE to be connected with a staff member from a sexual assault provider in your area, or contact UTC's Survivor Advocacy Services for help locating SANE services.

Other Medical Care

PLACE	WHEN	CONTACT INFO
UTC's University Health Services	8:30 a.m. - 4:30 p.m., Monday - Friday, except on University holidays or closures	(423) 425-2266 Maclellan Gym utc.edu/university-health-services
Erlanger Baroness Hospital	24 hours a day, 7 days a week	975 E. Third St. Chattanooga, TN 37403 (423) 778-7000
Parkridge Medical Center	24 hours a day, 7 days a week	2333 McCallie Ave. Chattanooga, TN 37404 (423) 698-6061
CHI Memorial Hospital Chattanooga	24 hours a day, 7 days a week	2525 De Sales Ave. Chattanooga, TN 37404 (423) 495-2525

SUPPORT AND RESOURCES

Below are on-campus, off-campus, confidential and non-confidential resources that can assist you.

We strongly encourage you to consider options for ensuring your short-term and long-term safety. Resources that can help you with safety planning and other safety measures are marked with an asterisk *.

CONFIDENTIAL ON-CAMPUS RESOURCES

The below resources are only confidential when the reporter is a patient or client of the resource, and the communication is received in the patient/client capacity.

Confidential resources will not disclose information to the University, except in limited circumstances (i.e., with your consent, if the incident reported involves someone under the age of 18, if you are a threat to yourself or others).

Survivor Advocacy Services*

This option is available for faculty, staff, and students.

118 Lupton Hall

(423) 425-5648 (M-F, 8 a.m.-5 p.m.)

survivoradvocacyservices@utc.edu

SAS offers confidential advising to let you know more about the legal and University processes for sexual harassment, sexual assault, dating and domestic violence, and stalking, and can also go to meetings with you as a support person. SAS can help assist complainants with safety planning, obtaining emergency supportive measures from the University (like immediate housing changes), and pursuing an order of protection and other legal remedies.

Counseling Center

This option is available for students.

338 University Center

(423) 425-4438 (M-F, 8 a.m.-5 p.m.); Need emergency/crisis help?

Contact a counselor on-call 24/7 at (423) 425-CARE (2273).

The Counseling Center is the University's primary facility for personal counseling, psychotherapy, and psychological outreach and consultation services. The center promotes the psychological, educational, and social well-being of UTC students and helps prepare them to be productive members of society. Staff members provide a variety of services for students, including walk-in sessions; crisis intervention; and counseling sessions.

University Health Services

This option is available for faculty, staff, and students.

MacLellan Gym, Room 205

(423) 425-2266

The mission of UTC UHS is to deliver high-quality health care that is holistic in nature and easily accessible for all UTC community members. We are committed to meeting the health service needs of our diverse campus population while treating each individual with dignity. Delivery of care will be a collaboration between the health care provider and patient; one that is built on trust and mutual understanding.

Employee Assistance Program

This option is available for faculty and staff.

(855) HERE4TN/437-3486

Employees and their eligible dependents, regardless of whether they participate in the Group Insurance Program, who may be experiencing personal or workplace problems may access the Employee Assistance Program (EAP). EAP services are provided at no cost and all services are strictly confidential and can be accessed 24-hours a day, seven days a week. The EAP can help with issues such as family and relationships; child and elder care; anxiety and depression; workplace conflicts; dealing with addiction; grief and loss; legal and financial issues; work/life balance.

NON-CONFIDENTIAL ON-CAMPUS RESOURCES

Office of the Title IX Coordinator*

Stephanie Rowland

This option is available for faculty, staff, and students.

303 University Center

(423) 425-4255

titleix@utc.edu

stephanie-rowland@utc.edu

utc.edu/sexual-misconduct

The Title IX Coordinator coordinates campus Title IX education and prevention efforts and the response to reports of sexual harassment, sexual assault, dating and domestic violence, and stalking made to the University. She is also available to answer questions and/or concerns about UTC's Title IX process and general Title IX compliance.

Office of Student Conduct*

This option is available for students.

310 University Center

(423) 425-4301

osc@utc.edu

The Office of Student Conduct (OSC) investigates and resolves formal complaints of sexual misconduct, relationship violence, stalking, and retaliation involving student-respondents. OSC is also available to answer questions about the investigation and resolution process.

Center for Student Wellbeing*

This option is available for students.

Assistant Director for Education & Prevention

Megan McKnight

354 University Center

(423) 425-5265

megan-mcknight@utc.edu

The Assistant Director for Education & Prevention supports students who have reported experiencing sexual harassment, sexual assault, dating and domestic violence and/or stalking. Ms. McKnight is available to assist students with academic concerns, housing concerns, financial aid concerns, and more.

Office of Equity and Inclusion

This option is available for faculty and staff.

Human Resources Center, Second Floor

(423) 425-5670

The Office of Equity and Inclusion (OEI) investigates and resolves formal complaints of sexual misconduct, relationship violence, stalking, and retaliation involving faculty/staff-respondents. OEI is also available to answer questions about the investigation and resolution process.

UTC Police Department*

This option is available for faculty, staff, and students.

Administrative Services Building, 400 Palmetto Street

(423) 425-HELP/4357; dial 911 in an emergency

The UTC Police Department provides professional police services while working with faculty, staff, and students to reduce criminal opportunity and community anxiety. The UTCPD is committed to treating all people fairly while supporting an environment where diverse social, cultural, and academic values are allowed to develop.

CONFIDENTIAL OFF-CAMPUS RESOURCES

Family Justice Center*

This option is available for faculty, staff and students.

5705 Uptain Road
Chattanooga, TN 37411
(423) 643-7600

Services provided:

- Assistance in creating a personal safety plan
- Help finding a safe place for you, your children, and pets
- Education and awareness regarding domestic violence, elder abuse, and human trafficking
- Referrals to services available in Chattanooga
- Civil Legal services and help with obtaining Orders of Protection
- Personal support in court appointments
- Emotional support
- Free individual and family counseling

Partnership Rape Crisis Center*

This option is available for faculty, staff and students.

(423) 755-2700 (24/7 crisis hotline)

Services provided:

- Safe shelter to victims of domestic violence
- Forensic medical exams for victims of sexual assault and human trafficking (SANE exam/rape kit)
- Long term housing options for single individuals
- 24/7 Crisis Hotline
- Crisis Counseling
- Safety Planning
- Lethality Assessments
- Community Referrals
- Court Advocacy
- Housing and Employment Services
- Bilingual Services
- Case Management



Reporting, Formal Complaint, and Investigation Options

Reporting, Formal Complaint, and Investigation Options

Consider your reporting options. On-campus, Survivor Advocacy Services is available if you wish to speak confidentially with someone about an incident and discuss your options for reporting. Off-campus confidential services like the Partnership Rape Crisis Center and the Family Justice Center are available to assist you as well.

The University strongly encourages you to report an incident of prohibited conduct to the University, to law enforcement, or to both the University and law enforcement. Reporting the incident is the only way that the University and/or law enforcement can take action. Reporting the incident, and for sexual assault cases, having a Sexual Assault Nurse Examiner or SANE exam within 120 hours, is critical to preserving evidence and allowing law enforcement and/or the University to respond effectively, but you can report an incident at any time.

The collection of evidence for use in a criminal prosecution relating to sexual assault can be performed in Chattanooga only by trained personnel at the Partnership Rape Crisis Center. Physical examinations by other health care providers are likely to impede future legal remedies.

You can report an incident to law enforcement before, during, or after a report to the Title IX Coordinator or file a formal complaint to initiate an investigation or a resolution of the incident by the University. If you decline to file a formal complaint you can still access medical care, counseling, and other support from the University by contacting the Title IX Coordinator, the Center for Student Wellbeing or an advocate with Survivor Advocacy Services.

REPORTING AN INCIDENT TO THE UNIVERSITY

Office of the Title IX Coordinator

Stephanie Rowland

303 University Center

(423) 425-4255

stephanie-rowland@utc.edu

titleix@utc.edu

You can report prohibited conduct to the University without filing a formal complaint; however a formal complaint is required in order for the University to conduct an investigation into the incident.

If you disclose an incident of prohibited conduct to the University (by telling a mandatory reporter or meeting with the Title IX Coordinator), the Title IX Coordinator will work with you to evaluate your care and support needs and discuss your options under University policy. If you choose to file a formal complaint, you will be connected with the appropriate offices to pursue a University investigation and provided with supportive measures during the process.

At the time your report is made to the Title IX Coordinator, you do not have to decide to file a formal complaint or choose any particular course of action. Talking with the Title IX Coordinator does not obligate you to initiate a University investigation by filing a formal complaint or report the incident to law enforcement unless you choose to do so.

The decision to file a formal complaint or report to law enforcement is yours to make. Regardless of your choice, the University will provide you with support and resources.

Filing a Formal Complaint

If you choose to file a formal complaint, this enables the University to respond appropriately by conducting a prompt, thorough, and equitable investigation and, if warranted, taking disciplinary action against a respondent.

A formal complaint is filed by completing the Formal Complaint Process Form and is required to begin an investigation under the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (“Policy”). Prior to completing this form, the Title IX Coordinator will:

1. Discuss the availability of supportive measures with or without filing of a formal complaint;
2. Explain the process for filing a formal complaint; and
3. Review the investigation, hearings, and appeals process associated with the Policy.

To initiate a formal complaint you must provide the following information:

1. Your name
2. Name of the respondent
3. Date of the incident (if known)
4. Location of the Incident (if known)
5. Prohibited conduct

There are limited circumstances in which the Title IX Coordinator may determine that the University must initiate an investigation without your participation, because of the University’s commitment to providing a safe and nondiscriminatory learning, living, and working environment free from prohibited conduct. These limited circumstances are referred to as University-initiated investigations. The Title IX Coordinator will explain these circumstances and provide an understanding of University-initiated investigations before taking action.

University Investigation Options

Once a formal complaint is filed, an investigation will be initiated through the Office of Student Conduct if the respondent is a student, or through the Office of Equity and Inclusion if the respondent is a faculty or staff member. The Title IX Coordinator will work with you to connect you with the appropriate office. During the investigative process, you can continue to receive support from the Title IX Coordinator and other supportive resources.

Advisor/Support Person

Complainants have the right to be assisted by both an advisor and a support person during all stages of a University investigative proceeding, including all meetings, investigative interviews, and hearings. The advisor may be, but is not required to be, an attorney, and the role of the advisor is different based on the type of hearing.

A support person may be any individual who is not already a witness or party to the case. Advocates within Survivor Advocacy Services are available to act as a support person for complainants who are students, faculty, or staff. You may contact SAS at (423) 425-5648 or at emily-rosenquist@utc.edu.

Title IX Hearings and Advisors

In general, an advisor is not permitted to speak for you or on your behalf, appear instead of you, participate as a witness, or participate directly in any other way except in a Title IX hearing. In a Title IX hearing, the advisor must ask the respondent and any witnesses all relevant questions and follow-up questions. If you do not have an advisor at a Title IX hearing, the University will provide one (selected by the University) without fee or charge.

Non-Title IX Hearings and Advisors

The advisor’s role is limited to assisting, advising, and supporting you during the student conduct process. Your advisor can support you by attending meetings, and reviewing documents and materials from the investigation, final report, and sanctioning decisions. Your advisor will not be permitted to speak for you or on your behalf, appear in your place, participate as a witness, or participate directly in any other manner during the student conduct process. In a Uniform Administrative Procedures Act hearing, you are entitled to have an attorney advocate on your behalf.

Confidentiality and Privacy

Confidentiality and privacy are different. Confidentiality is limited to someone who, by law or University policy can keep information confidential. Information communicated to the Title IX Coordinator or other mandatory reporters will be kept private and shared only

with University employees who need to be involved in responding to or addressing a report. For more information, visit utc.edu/sexual-misconduct or contact the Title IX Coordinator.

Survivor Advocacy Services, UTC's Counseling Center, and University Health Services are the primary designated on-campus confidential resources where you can learn about support and options. Other University employees who are not confidential resources, including the Title IX Coordinator, will protect the privacy of your report to the maximum extent possible under the circumstances and will share the information you reported only within the limited circle of University employees who need to be involved in responding to the report.

REPORTING AN INCIDENT TO LAW ENFORCEMENT

UTC Police Department

**Administrative Services Bldg, 400 Palmetto St.
(423) 425-4357/HELP**

You can report an incident to law enforcement before, during, or after a report to the Title IX Coordinator or filing a formal complaint to initiate an investigation or a resolution of the incident by the University. Reporting to law enforcement initiates criminal proceedings.

Reports to law enforcement are not confidential and privacy levels are compliant with state law within the state in which the incident took place.

A SANE nurse at the Partnership Rape Crisis Center in Chattanooga can perform a Sexual Assault Nurse Examiner or SANE exam, which is sometimes referred to as a rape kit. A SANE exam or rape kit is a forensic examination. The examination includes collecting evidence—like hair, fluids, and fibers—and preserving the evidence for forensic analysis. If you think you might want to pursue prosecution but are still unsure, we recommend that you receive a SANE exam as soon as possible (and within 120 hours), and also make a police report right away, while the evidence is still present and your memory is detailed. However, contacting the Partnership Rape Crisis Center to arrange for

a SANE exam does not mean you must make a report to the police; a SANE exam simply preserves evidence in the event that you choose to pursue prosecution.

If you have a SANE exam but choose not to make an immediate police report, the law enforcement agency with jurisdiction will store the examination materials for up to three years so they can be matched to a police report if you file one during that time period. In most cases, the police will come to you and take a statement about what occurred. Law enforcement may also ask to examine the scene and collect bedding, clothing, or other items.

The interview may take several hours, depending on the circumstances of your case. The extensive questioning is not because the police do not believe you; it is the officer's job to get every detail down precisely.

The district attorney will decide whether to pursue prosecution; however, it is unusual for cases to proceed without the cooperation of the victim. Reporting the incident to law enforcement does not obligate you to cooperate with any criminal prosecution.

If you report the incident to UTCPD, they will contact the Title IX Coordinator and a University official will get in touch with you. UTCPD will also provide you with a list of available resources and offer to contact a victim advocate to be present during your questioning if you choose.

PRIVACY CONSIDERATIONS

FERPA

In accordance with the Family Educational Rights and Privacy Act of 1974, or FERPA, personally identifiable information concerning a student report to a University official who is not a law enforcement officer (for example, to the Title IX Coordinator) will not be disclosed to third parties outside the University without the consent of the student except in response to a lawfully issued subpoena or as otherwise required or allowed by law.

Tennessee Public Records Act

In contrast, incident reports prepared by UTCPD for law enforcement purposes are generally considered public records under the Tennessee Public Records Act (Tennessee Code Annotated § 10-7- 503 et seq.) and are not protected by FERPA, which means the University is obligated by law to make them available to any Tennessee citizen upon request unless the report is part of an ongoing criminal investigation. Local law enforcement agencies may also be required to make their records available under similar circumstances. In addition, investigative reports prepared by other University officials that do not contain personally identifiable student information also are generally considered public records under the Tennessee Public Records Act.

Tennessee Due Process Protection Act

However, Tennessee law provides that information that is reasonably likely to identify a student accused of committing an alleged sexual offense or alleged violent sexual offense as defined in Tennessee Code Annotated § 40-39-202 or any information that is reasonably likely to identify the victim of an alleged sexual offense or alleged violent sexual offense as defined in Tennessee Code Annotated § 40-39-202, must be treated as confidential and not be open for inspection by members of the public under the Tennessee Public Records Act.

Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, is a federal law requiring all higher education institutions that receive federal financial aid to report crime statistics to their communities. This includes statistics related to sexual misconduct, relationship violence, and stalking that occur on UTC-controlled property.

Certain individuals on campus who are designated campus security authorities, or CSAs, are required to submit reports to the Clery Compliance Officer at UTCPD, which keeps a log of all Clery crime statistics reported within the past 60 days at [logs. Not all incidents reported to the Title IX Coordinator result in a safety notice to the community. For questions about Clery statistics, CSAs, or the crime log, contact the Title IX Coordinator or the Clery Compliance Officer.](http://utc.edu/daily-crime-</p></div><div data-bbox=)

Safety Notices/UTC Alerts

Because of our commitment to keep the UTC community safe and informed, there are times when a safety notice or UTC Alert is sent to the community. Safety notices do not include identifiable information about the complainant but are designed to address any ongoing safety threats to the community.

Retaliation

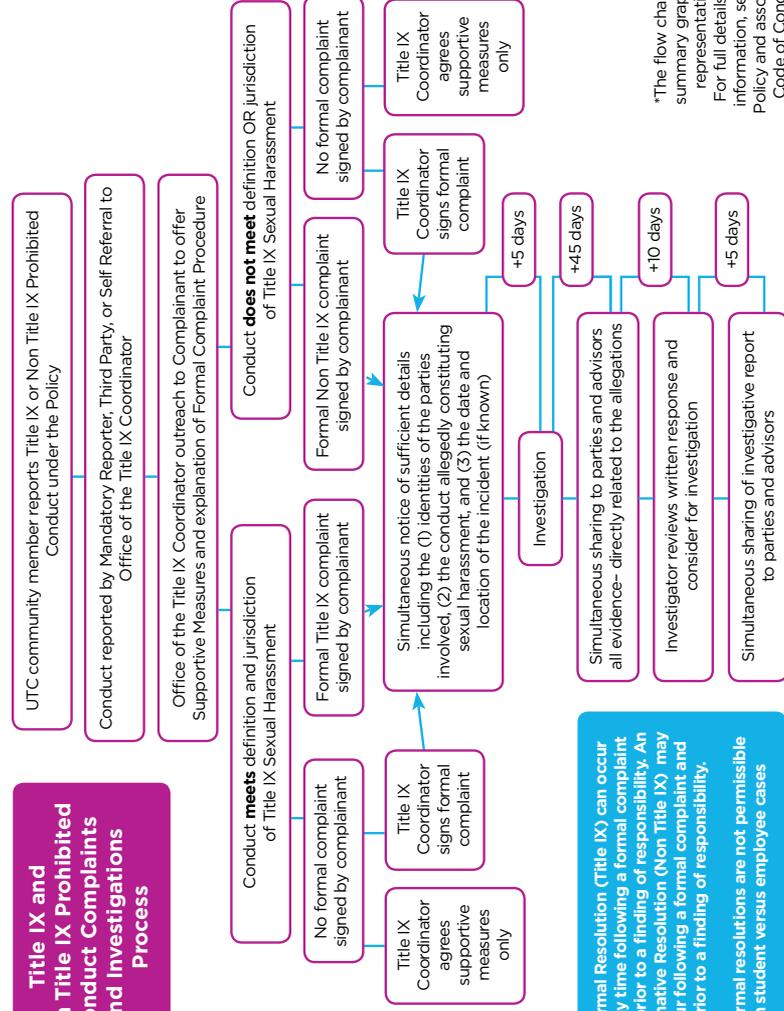
The University of Tennessee at Chattanooga and Title IX prohibit retaliation against anyone who reports prohibited conduct. The University will take reasonable steps to prevent retaliation and will take strong responsive action if retaliation occurs.

Amnesty

If you were using alcohol or drugs at the time of an incident, the University does not want that to keep you from reporting. The University will not pursue disciplinary charges against you for personal consumption of alcohol or other drugs.

Appendix A: Process Flowcharts

Title IX and Non Title IX Prohibited Conduct Complaints and Investigations Process



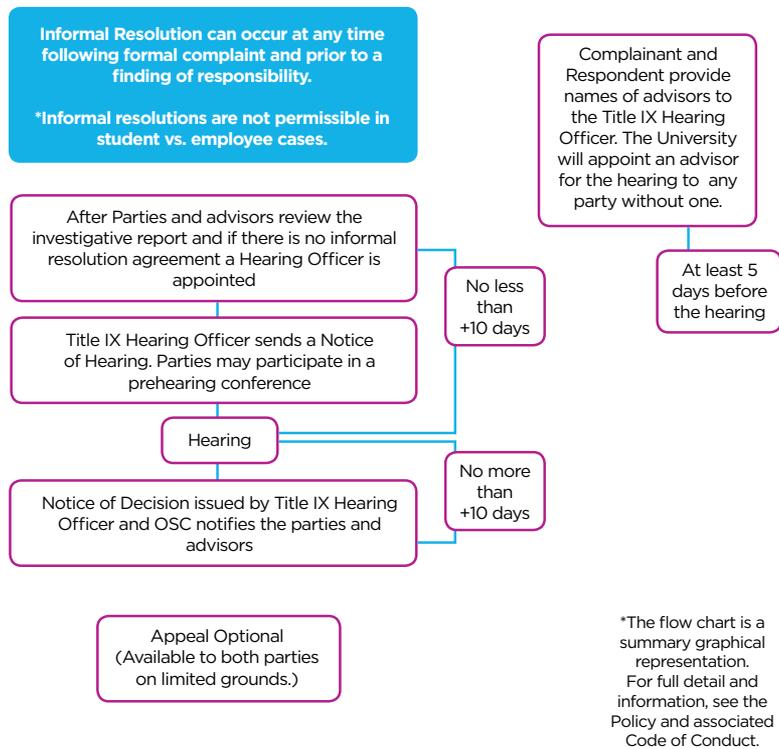
Informal Resolution (Title IX) can occur at any time following a formal complaint and prior to a finding of responsibility. An Alternative Resolution (Non Title IX) may occur following a formal complaint and prior to a finding of responsibility.

*Informal resolutions are not permissible in student versus employee cases

*The flow chart is a summary graphical representation. For full details and information, see the policy and associated Code of Conduct.

Title IX Prohibited Conduct Hearing and Appeals Process

Title IX Prohibited Conduct Complaint must be resolved through the Title IX Hearing process, unless the parties agree to an Informal Resolution. For student-respondent cases, Section X of the Code describes the process for a Title IX Hearing. The University generally concludes these hearings with a decision within forty (40) business days of the end of the investigation. For employee-respondent cases, Appendices D and D-1 of the Policy describes the process.

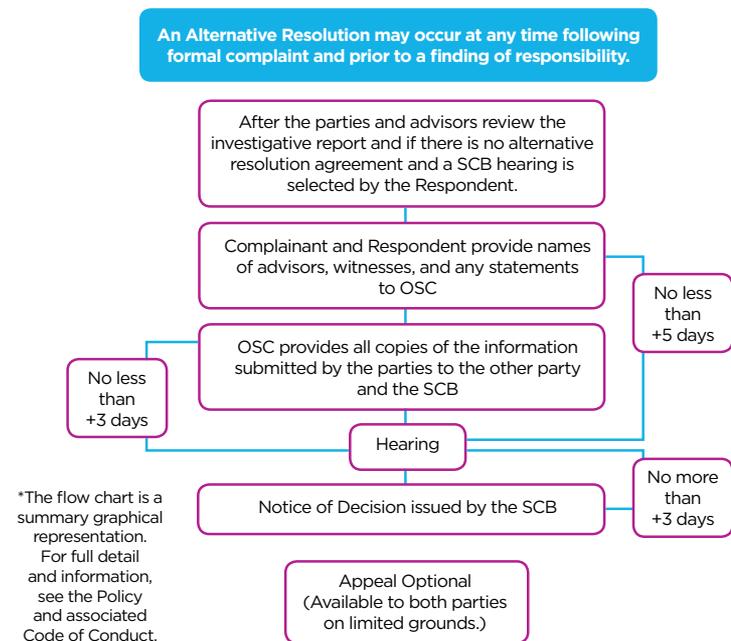


Non Title IX Prohibited Conduct Hearing and Appeals Process for Student-Respondents*

A Non-Title IX Prohibited Conduct Complaint may be resolved by a hearing before the Student Conduct Board, or, in some cases, a hearing under state law, the Uniform Administrative Procedures Act. Sections VIII and IX of the Code describe the process for those hearings, unless the University agrees to an Alternative Resolution. The University generally concludes these hearings with a decision within thirty (30) business days of the end of the investigation.

The timelines described do not apply if a Respondent exercises the right to have a hearing conducted under state law, the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 et seq. (“UAPA”). If a Respondent exercises a right to a UAPA hearing, then an administrative judge will be appointed by the University’s Agency Head typically within five (5) business days of the Respondent’s request for a UAPA hearing. The timelines for a UAPA hearing are governed by the UAPA.

*There are no hearings in Non-Title IX Prohibited Conduct Employee-Respondent cases. For more information regarding decisions and appeals, please review appendices D and D-1 of the policy.





The University of Tennessee at Chattanooga is a comprehensive, community-engaged campus of the University of Tennessee System. UTC is an equal employment opportunity/affirmative action/Title VI/Title IX/Section 504/ADA/ADEA institution. E041010104-007-21