



UNIVERSITY OF NORTH ALABAMA

TITLE IX ANNUAL REPORT
2020-2021



University of North Alabama's Office of Title IX Annual Report 2020-2021

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ROARING WITH RESPECT

A letter from the Title IX Coordinator

Dear UNA students, employees, and community members,

In 2019, when I was hired as UNA's first full-time Title IX Coordinator, I knew it would be a challenge. What I did not know is that three months into the job, the world as we knew it would shut down due to a global pandemic. Further, I did not know that in the midst of this once-in-a-lifetime crisis, schools across the country would be forced to tackle thousands of pages of new Title IX regulations.

However, after persisting through the past two years, it is clear that UNA is committed to providing a space for our students and employees to succeed in our community. Despite what has gone on in the world, from the pandemic to social unrest amidst unspeakable crimes, UNA has continued to focus on improving services for students who have historically been marginalized.

During the 2020-2021 academic year, we saw a lot of changes and many of those have been positive for our campus. Here in the Office of Title IX, we have bolstered relationships across campus, increased resources for our students, renewed our commitment to learning more about campus climate, and we have continued to improve a new mandatory grievance process. This important work has laid the foundation for highlighting our campus culture and showcasing our dedication to being a community that values each other – a campus that is roaring with respect.

Beginning this year, the Office of Title IX will release information each year to promote trust in the work we're doing each day. Over time, my hope is that this will be another tool to promote a safe and supportive environment that helps our students and employees be successful in and out of the classroom.

I look forward to working with our campus community on whatever comes next.

Roar Lions!

A handwritten signature in blue ink, appearing to read 'KB', with a horizontal line underneath.

Kayleigh Baker
Title IX Coordinator and Compliance Administrator

Our History

In 2014, Assistant Vice President for Student Affairs Tammy Jacques was tasked with the responsibility of serving as Title IX Coordinator. Over five years, Dr. Jacques built the Office of Title IX and developed the Title IX Advisory Board which regularly provided updates to University and community stakeholders. She established policies and procedures that were passed through Shared Governance and reached so many students that a graduate assistant position, and then a full-time position, were added to help bring prevention and education to our student-body. Dr. Jacques also oversaw the origination and implementation of multiple Campus Climate Surveys across our campus with efforts spearheaded by Madeleine Frankford, a graduate assistant in Title IX, in collaboration with UNA faculty.

In 2019, a decision was made by the University to hire the first full-time Title IX Coordinator. At the end of the search, Kayleigh Baker was hired to oversee the Office of Title IX.

The Office of Title IX is located centrally on campus in Suite 202 of the Guillot University Center.

The Office of Title IX is responsible for Title IX compliance for our students, employees, and University programs including Athletics.

Our Mission

The Office of Title IX strives to build a community free from discrimination, including sexual harassment and other forms of sexual misconduct, so that each student, employee, and visitor can work, learn, and succeed in a safe, supportive, and educational environment.

Our Model

Grounded in the social ecological model¹, the University's Title IX commitment emphasizes five key areas:

- **Policy.** Our foundation is in the policy and procedures we follow.
- **Prevention.** Our goal is to prevent sexual misconduct, relationship violence, stalking, and retaliation before they happen.
- **Supportive measures.** Our promise is to provide appropriate supportive measures to individuals involved in the Title IX process.
- **Investigation and resolution.** Our commitments to due process, campus safety, and encouraging reporting guide how we investigate and resolve reports.
- **Patterns and trends.** Our responsibility is to utilize the best available research, evidence-based practice, and our own campus trends in our prevention and response efforts.



Our Team

The Title IX team is made of up a wide and diverse pool of individuals across UNA's campus, including full-time staff, a pool of volunteers, the Title IX Advisory Board, and even campus community members.

Full-Time Staff:



Kayleigh Baker, Title IX Coordinator

As UNA's first full-time Title IX coordinator, Kayleigh is responsible for coordinating the University's efforts to prevent and respond to sexual assault, in compliance with Title IX and other state and federal laws, including the Clery Act and the Violence Against Women Act. She oversees all programs and processes that may involve gender or sex equity issues including investigations, policy creation and implementation, and prevention programming. Kayleigh also regularly communicates with the University CARE team, Student Conduct, Human Resources, University Police Department, and other groups as needed. Kayleigh also serves as a member of the Advisory Board for the Association of Title IX Administrators (ATIXA).

Kayleigh is available to students, faculty, employees, and the University community for questions about Title IX, reporting a Title IX-related concern, and discussing Title IX reporting obligations.



Patty Apkarian, Senior Administrative Assistant

Patty came to UNA in early 2021 and provides support to the University Case Manager and the offices of Title IX and Student Conduct. Patty serves as the first point of contact for those who call or visit the Office of Title IX.

Title IX Team:

The Office of Title IX could not function without the help of multiple people across campus. We call this group the Title IX Team. Currently, team members serve in various roles, including part-time, volunteer Investigators, Decision-Makers, and Advisors. The current pool is made up of over 20 individuals from various backgrounds and areas of campus. Our goal is for the Title IX team to represent the diversity of our community with respect to a multitude of factors, including gender identity, race, age, disability status, religion, and sexual orientation. We will continue to grow to ensure that we are moving towards our goal in this area.

Employees who are interested in serving in the pool are encouraged to contact the Title IX Coordinator. All interested parties, even those who have previously served in similar roles, are subject to an application process. This process is designed to ensure no member of the pool is biased toward or against Respondents or Complainants generally. A bias toward or against Respondents or Complainants can be grounds for removal from the Pool.

If selected for any role other than an Advisor, federal regulations require that the employee receive extensive training. If an employee is interested in serving in a role as an Advisor, the employee is still encouraged to contact the Title IX Coordinator in order to receive training on University policy and procedures.

Investigators and Decision-Makers

UNA has identified and trained 18 individuals across campus to serve in the role of either Title IX Investigator or Decision-Maker for cases going through the formal grievance process. All 18 individuals have received certification from a professional organization specializing in Title IX training. Many individuals are cross-trained and can serve in multiple areas and have been trained by multiple vendors.

Our pool has representatives from all six divisions across campus, including one-third of our pool being tenured faculty members.

Advisors

During the 2020-2021 Academic Year, the Office of Title IX identified multiple allies across campus to serve in the role of advisor. This means that they are willing to be called upon by any Complainant or Respondent navigating the University's Title IX process.

Our current, University-trained advisors include:



Daryl Brown



Suzanna Taylor



Chris James



Kirsten Wood



Pam Kingsbury



Stephanie Montgomery

Advisory Board:

For many years, in addition to the staff located within the Office of Title IX and the Title IX Team, an advisory board made up of key stakeholders across and outside of campus has played a role in UNA's Title IX program. This board is made up of students, staff, faculty members, and community members. Historically, the Advisory Board has met each semester or as-needed to review campus climate related to sexual misconduct, intimate partner violence, and stalking. Specifically, this group focuses on prevention, education, and advocacy.

Community Partners



One Place of the Shoals is a collaborative family justice center that provides crisis care services to victims of domestic violence, rape and sexual assault, and elder abuse. They are located right off-campus in downtown Florence and serve victims from across the Shoals, including victims who are affiliated with UNA. One Place provides a one-stop shop to support victims through the court system and on-location can provide forensic examinations, crisis counseling, legal advocacy, and referrals.

UNA is proud to partner with One Place of the Shoals, and the Office of Title IX appreciates this partnership immensely. This spring, we partnered with One Place of the Shoals to "Turn the Campus Teal" in recognition of Sexual Assault Awareness Month. Next year, we're hoping to continue working with One Place throughout the month of April.

One Place of the Shoals provides confidential advocacy services for Title IX Complainants who may be contemplating or have already filed criminal charges or who otherwise seek out their services. Every Title IX Complainant receives information about One Place of the Shoals before they even meet with the Title IX Coordinator. We are so thankful for the work being done at One Place of the Shoals and hope to continue this partnership for years to come!

Policy



POLICY, PROCEDURES, AND INFORMATION
ON SEXUAL HARASSMENT AND OTHER
FORMS OF SEXUAL MISCONDUCT

UNA is committed to staying true to our campus values, while also complying with state and federal laws. As such, during the 2020-2021 Academic Year, our Sexual Misconduct Policy was revised based on the Department of Education's Final Rule, released on May 6, 2020. The Department of Education gave schools and universities approximately 100 days to prepare for more than 2,000 pages of regulations to go into effect on August 14, 2020.

Over the summer, the Office of Title IX met regularly with key stakeholders across campus to draft a compliant policy. We also provided fact sheets about the coming changes on our website and to key constituency groups, including SGA and The Flor-Ala – UNA's student newspaper. In order to give shared governance adequate time to digest the changes and understand the new regulations, an Interim Policy was implemented until shared governance bodies met during the fall semester.

Prior to the August 14, 2020, deadline UNA implemented the Interim Sexual Misconduct Policy to comply with the new federal mandates related to the formal grievance process for Title IX incidents. During the fall semester, the Office of Title IX brought the Interim Policy to the attention of the SGA Senate, Staff Senate, and Faculty Senate. After hosting several information sessions and visiting with the campus constituencies, the policy was approved by Shared Governance. On March 5, 2021, the UNA Board of Trustees approved

UNA's Policy against Sexual Harassment and other Sexual Misconduct (Sexual Misconduct Policy).

The approximately 30 pages of policy are accompanied by procedures and other information available on our Title IX website and sent to parties involved in Title IX cases. This document details the University's prohibition on acts of sexual misconduct and exists to update definitions and articulate the process by which allegations are moved through the formal grievance process. The policies and procedures are separated for ease of use and are always available at una.edu/titleix.

The policy is reviewed each year and after changes are made at the state or federal level regarding Title IX and other similar laws. It is updated as needed to best serve our students, faculty, and staff and stay compliant with any new or updated state or federal laws related to Title IX.

In addition to the policy, the Office of Title IX is committed to creating and updating other resources to help facilitate understanding of the work we do and the complicated policy and procedures we must follow. During the school year, our office added an Investigations tab on our newly redesigned website. This tab hosts a comprehensive flow chart related the Formal Grievance Process, information about No Contact Orders, and important resources for University Advisors. We will continue to add to this tab and find new ways to provide information to those navigating our procedures and policies.

Education, Training, and Prevention

Throughout the year, the Office of Title IX coordinated a lot of training – and received a lot of training!

In 2020-2021, members of the Title IX team received training from leading experts in the field. In October, we virtually hosted D. Stafford & Associates and trained 13 team members on Title IX Decision-Making. Throughout the year, other team members received training through Husch Blackwell and ATIXA, including an Investigative Report Writing course.

UNA's Title IX Coordinator also stayed abreast of the latest training related to Title IX and received training through NACUA, NASPA, ATIXA, and more. She became certified in Violence Risk Assessments, Informal Resolutions, and attended numerous trainings focused on specific aspects of diversity, equity, and inclusion.

Members of the Title IX team and the University CARE team attended the ATIXA/NaBITA training on using Violence Risk Assessments for Title IX cases. Additionally, we were able to identify and train five new members of the Title IX Team to serve as Advisors for students or employees navigating the Formal Grievance Process. These individuals were able to attend training and become certified through ATIXA. The Title IX Coordinator also attended the Higher Education Compliance Conference, the 2020 Assessment Institute, the 2020 SACSCOC Conference, and the 2021 NASPA Strategies Conference.



The Title IX Team also made a conscious effort to increase our training with respect to marginalized populations during 2020-2021. Multiple members of the Title IX team attended SafeZone Ally training during the year. The Title IX Coordinator attended the NACUA Virtual Workshop on Discrimination Law and also obtained the University of South Florida's Muma School of Business Certificate on Diversity, Equity, and Inclusion in the Workplace. In preparation for the 2021-2022 school year, Title IX training continued over the summer and the Title IX Coordinator attended a workshop on Gender Identity on College Campuses: Managing Misgendering, Deadnaming, Pronouns, and other Challenges of Trans, Transitioning, and Non-Binary Identities in Higher Education.



In addition to the training that we did as a team, the Office of Title IX was out in our UNA community providing education and training.

The Office of Title IX, along with the Office of Student Conduct, oversaw the implementation of AlcoholEDU and Sexual Assault Prevention for all incoming students. Over 1,200 incoming students completed all parts of those courses. This number actually exceeded the number of matriculating students in the freshmen cohort. The reasons for greater than 100% completion could include the following:

- an increased number of students who decided later than usual that they would not attend UNA in the fall
- an increased number of first-year transfer or online students who weren't required to complete the training, but opted to
- an increased number of participation in an online/virtual format due to the pandemic
- unidentified user errors that invited more than the identified pool (although none have been detected).

In fall 2020, we revamped our First-Year Experience Presentation based on the groundbreaking book *Sexual Citizens* by Jennifer Hirsch and Shamus Khan. We used their research and data to begin changing the way that we think about prevention on campus and brought those lessons, along with important training related to Bystander Intervention, to each and every FYE class. With our in-person and virtual presentations, we reached 867 students and continued the tradition of each incoming student receiving Bystander Intervention training while at UNA.



During the spring, the Office of Title IX partnered with Fraternity and Sorority Life and One Place of the Shoals in recognition of Sexual Assault Awareness Month (SAAM). Throughout the month of April, we participated in three events to raise awareness. First, One Place of the Shoals and UNA “turned the town teal.” Members of fraternities and sororities, and staff from the Office of Title IX and Fraternity and Sorority Life, hung 50 large teal bows across campus. We also purchased t-shirts from One Place of the Shoals to support the great work they are doing and wore them all month to participate in Teal Tuesdays. Finally, we had Teal Ribbon days early in the month where students and employees signed a Teal Ribbon in honor of SAAM. In all, 175 ribbons were signed and displayed in the GUC throughout the month of April.

Sexual Misconduct

UNA EMPLOYEE RESPONSE GUIDE

Listen

Believe what is being told to you. There is no need to ask investigative questions, provide counseling, or make judgments about what happened. This person sought you out as a trusted source to listen. Everyone responds differently to trauma. The person may not react the way you would.

Because you are a mandated reporter, convey that you have an obligation to share information about sexual misconduct with Title IX and will safeguard their privacy. The goal of sharing the information is to provide safety options, campus resources and investigation options.

***Mandated Reporters:** All UNA employees are considered “mandated reporters.” That means that any employee (that is not otherwise designated as a Confidential Reporting option) who receives notice of sexual harassment, sexual violence, dating/domestic partner violence, or stalking is obligated to report the information to the Title IX Coordinator.

Support

If there is concern for any person's safety, contact UNA Police Department at (256) 765-4357. In the event of an emergency or an immediate concern for someone's safety, contact 9-1-1.

Ask how you can help. Encourage the person to seek help through appropriate resources, which may include:

- Student Counseling Services provides confidential support, counseling and crisis intervention located in Rice Hall, 1st Floor, (256) 765-5215.
- Assistance with supportive measures and resources (no contact order, change in housing/work arrangements, etc.) through Title IX at (256) 765-4223.
- Confidential healthcare, including a medical-forensic exam, along with crisis counseling, legal advocacy and safety planning are available at no cost through One Place of the Shoals at (256) 284-7600. One Place has a 24-hour crisis line at (256) 767-1100.
- Confidential counseling, housing relocation assistance, violence intervention and support groups are available through SafePlace of Northwest Alabama at (256) 767-6210.

Report

Share all known details of the incident (date, time, location), the names of all the parties involved, including potential witnesses, and a description of the incident with the Title IX Coordinator, Kayleigh Baker by using the online reporting form at una.edu/titleix/reporting.

Individuals reporting an incident will receive confirmation that the office received their report. To protect privacy, confidentiality and due process, Title IX will only update involved parties about the investigation.

If criminal behavior is involved, ask if the person would like you to call the police. If so, contact the UNA Police Department at (256) 765-4357, or the police agency where the incident occurred.

UNA's Sexual Misconduct Policy provides for amnesty in many situations that involved drug and alcohol use or abuse.

Parents of UNA students are not notified of sexual misconduct reports brought to Title IX without a request from the student and a signed FERPA release.

What happens after the report?

Title IX will contact the person through email and ask to meet. If the person doesn't want to meet, the case will be evaluated to determine if action is needed by the University, and if not, it will be closed.

If the person decides to meet, they may bring a support person and/or an advisor. The Title IX Coordinator will review safety measures and available resources and discuss which option is best for the situation, such as an informal resolution or a formal resolution with an investigation.

During an investigation, trained investigators will collect and review evidence and conduct individual meetings with each person associated with the incident. If a student is found responsible for violating the Policy, sanctions may be administered up to suspension and expulsion. If a faculty or staff member is found responsible for violating the Policy, disciplinary action may be administered up to termination. If a crime is involved, Title IX will recommend filing a police report and will discuss options for pursuing a separate criminal case.

In addition to our prevention work, we also found new ways to educate the community on the scope of Title IX and the responsibilities of Mandated Reporters. This began in the fall as we visited Staff, Faculty, and SGA senate to discuss the new Title IX regulations. We also hosted two faculty townhalls that had 46 faculty participants. We met with 47 new employees to talk about reporting obligations with respect to Title IX and trained 44 Resident Advisors and Residence Hall staff about their responsibilities. We met with various departments, including the University Police Department and Athletics, to train their employees on various obligations.

Beginning this summer, and ramping up next fall, we plan to launch more focused employee training on mandated reporting obligations. We've created the graphic above to advise mandated reporters on potential ways to support students going through trauma, by Listening, Supporting, and then Reporting what they learn. Our hope is that this graphic, along with the information made available during the presentation, will encourage our students to continue to rely on the wisdom of our staff and faculty across campus, and give our employees greater confidence and increased tools to guide their response.

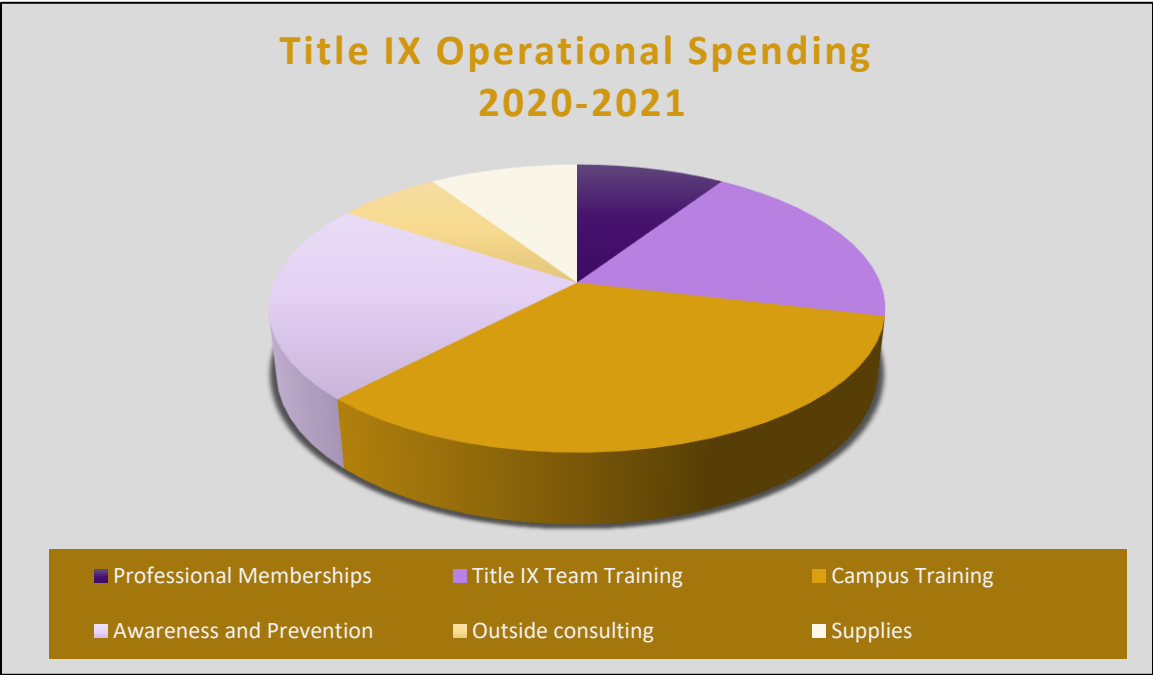
The Office of Title IX is always available to present to student-focused or employee-focused groups across campus. To discuss a presentation, contact the Office of Title IX at 256-765-4223 or email titleix@una.edu.

During the 2020-2021 Fiscal Year², the Office of Title IX utilized an operational budget to provide training, do prevention work, and conduct the day-to-day functions of the office. The largest percentage of the budget, aside from internal staffing, was related to prevention and training for campus-based populations. This includes the purchase of AlcoholEDU and Sexual Assault Prevention for our student body and the Sexual Harassment training for employees through EverFi. In spring 2021, Title IX also collaborated with other stakeholders across campus to partner with Get Inclusive, who will begin providing training to our student and employee populations beginning in Fall 2021.

Title IX also spent money on education and prevention with events to raise awareness. This included participating in events for Sexual Assault Awareness Month, creating incentives for the Campus Climate Survey, and purchasing giveaways for students who attend Title IX events across campus, including our Title IX branded tacos that are given with a message of encouraging students to remember to “taco ‘bout consent.” In summer 2021, Title IX also purchased 100 copies of the book *Sexual Citizens* to be given away to students and employees in anticipation of bringing the authors to campus for an event in fall 2021. We also revised and printed flyers related to gender-neutral restrooms and advertisements in the Mane Book and the Mane Month Book. Title IX also uses these funds to stock the Mamava lactation pod with supplies.

The Office of Title IX also uses its budget to participate in professional organizations for staff. This includes our Super Membership with ATIXA, which allows us to utilize resources created by experts in the field and gives us a discounted rate to Title IX trainings. Additional training for members of the Title IX team also comes out of the Title IX budget and is reflected in the chart below. Title IX also purchases not only office supplies, but also electronic tools to function and conduct investigations. These supplies include sharing in the cost of an electronic file management database and transcription software. During the 2020-2021 school year, the Office of Title IX also purchased two laptops for use by parties during investigations.

Overall, it is anticipated that future year spending should stay proportional to the spending in 2020-2021; however, our hope is that prevention and education events will increase, and thus, our costs may also increase. Additionally, as more staff become trained, the need for outside consulting should lessen. Based on the federal requirements for our formal grievance process, additional costs may also be incurred related to live hearings in upcoming years.

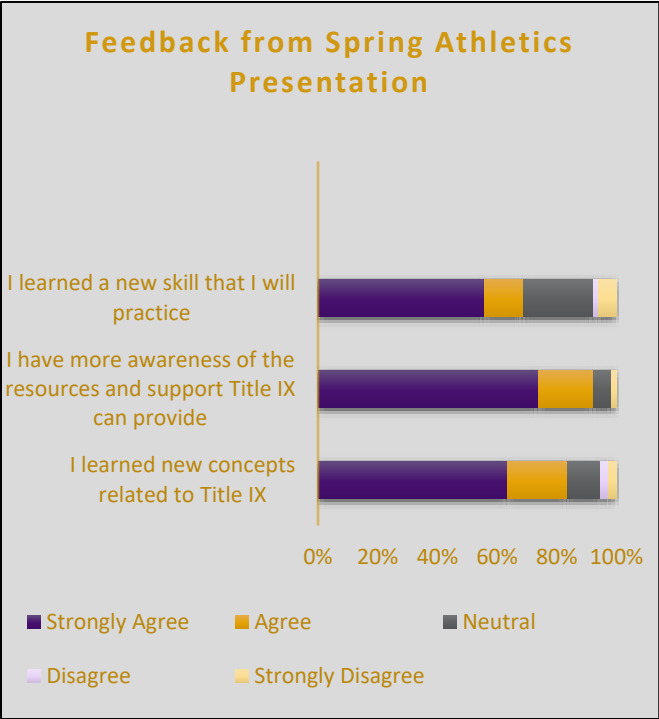


Prevention Spotlights

Athletics

Last year was a big year for North Alabama Athletics as representatives from every aspect of campus were completing a self-study as part of Year 3 of the 5-year transition to Division I in the NCAA. It was also a big year for the partnership between the Athletics Department and the Office of Title IX. Multiple members of the Athletics staff received training as part of their roles on the Title IX team, and Debbie Williams, the Senior Women Administrator and Business Manager, earned a Certification for Title IX & Athletics prior to the beginning of the school year.

As a continuation of the self-study, in the 2021-2022 school year Title IX and Athletics will be conducting an assessment for all aspects of Athletics compliance with Title IX. In Spring 2021, the Title IX Coordinator began meeting with the SWA and the Athletics Director monthly to discuss ways we can continue to bring new prevention efforts to our student-athletes.



In the fall, the Office of Title IX spoke with the coaches and Athletics’ staff to remind them of their obligations as mandated reporters. In April, the Title IX Coordinator provided an in-person training that highlighted the tragic death of a student-athlete at the University of Utah, Lauren McCluskey. This mandatory training for student-athletes provided information on University policies, supportive measures available to students, and overall violence prevention.

Based on that training, we provided a follow-up survey to every student-athlete in the Athletics program. Some of the feedback is showcased at left. Additionally, based on the feedback provided by the student-athletes, in fall 2021 and beyond, the Office of Title IX will work with Athletics to find ways to provide the training on a team-by-team basis rather than to the student-athletes as a whole. We will also continue to search for ways to make the presentations interactive rather than a speaker “talking at” the students the entire time.

Band

The University of North Alabama Band program is the largest student organization on the UNA campus. Since its inception in 1949, the band program has had many talented members march through its ranks. As such, it is an honor for Title IX to be invited at the beginning of each school year to share breakfast with the band and provide information about the resources our office can provide. This informal conversation is another way we are able to reach students outside of class and provide information before it is needed. Even during a pandemic, the support and dedication of Dr. Lloyd Jones and the entire Department of Music allowed our office to have increased visibility to help ensure students know who we are and what we do.

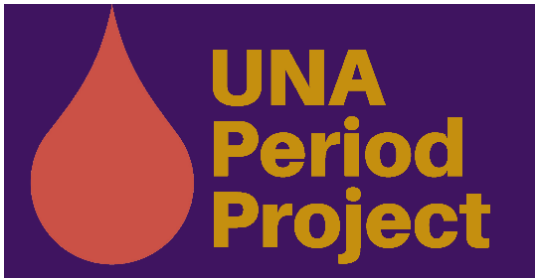
Partnership Highlights

Beginning in Fall 2021, UNA will partner with Get Inclusive to provide training for our campus community on a wide range of topics to give our employees and students more tools to help them navigate the tough issues we're all facing. Incoming UNA students will complete Voices for Change – a module that focuses on alcohol and other drugs, bystander intervention, hazing, inclusiveness, and sexual harassment. Students will have the option to also complete a Mental Health module.

UNA Employees will also be utilizing Get Inclusive. Beginning in Fall 2021, UNA employees will complete trainings on Title IX and Harassment; Diversity, Equity, and Inclusion; and Educational Privacy Rights.

Although the Office of Title IX spearheaded this effort, this partnership would not exist without the cooperation of the Division of Diversity, Equity, and Inclusion; The Office of Human Resources; The Office of Student Conduct; and the University Registrar.

UNA is excited to join the Get Inclusive family and is looking forward to providing these great trainings to the Lions! For more information about Get Inclusive, please visit <https://www.una.edu/get-inclusive/index.html>.

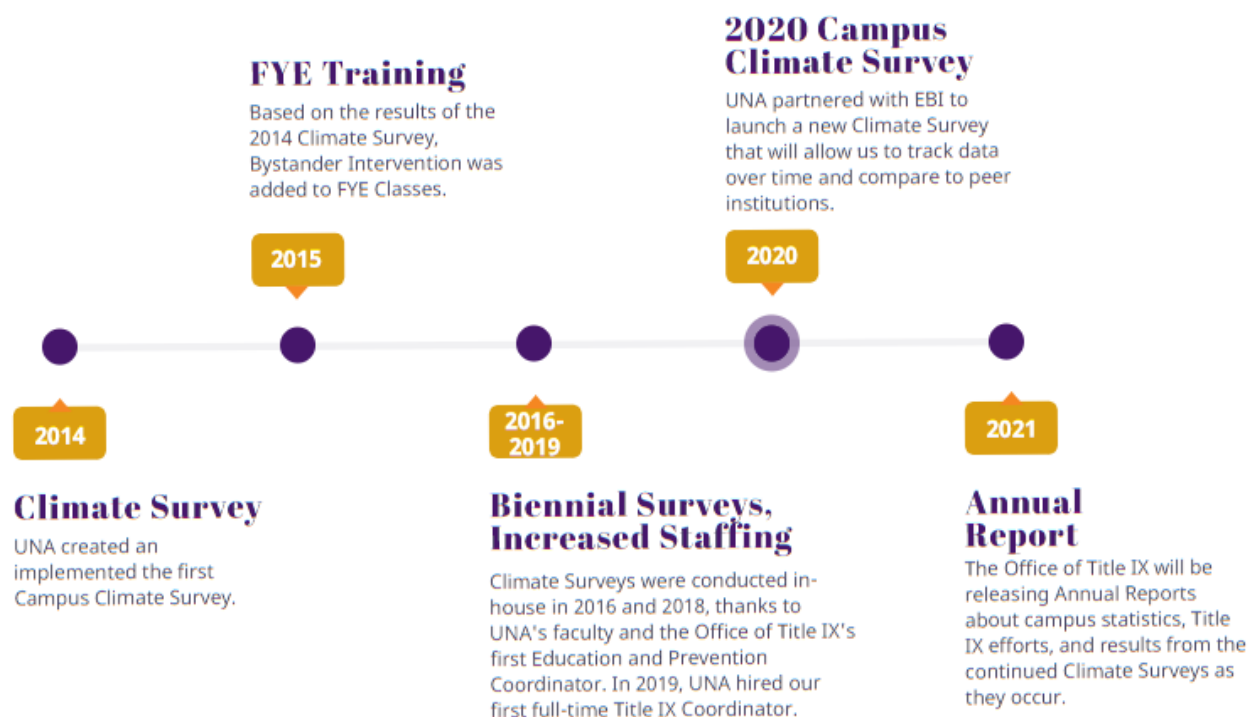


During the 2020-2021 academic year, the Office of Title IX continued to partner with multiple areas of campus to participate in the Period Project to provide free hygiene products to students and employees across campus. Title IX partners with University Center Operations & Events Management, the Center for Women's Studies, Fraternity and Sorority Life, and the College Panhellenic Council to provide pads, tampons, wipes, and more to bathrooms across campus.

Donations are welcome year-round and can be made to any partner office across campus or during specific donation drives throughout the year.

Currently, all gender-neutral and women's restrooms in the GUC and in the Women's Center are stocked by various partners as needed. During the next school year, we are looking to expand and hope to have products available in more buildings across campus.

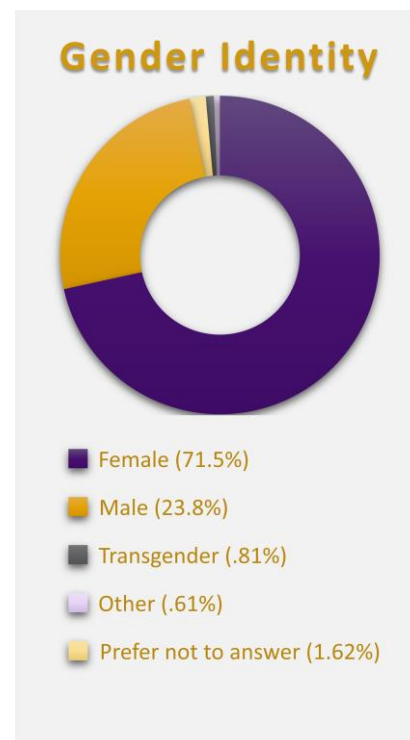
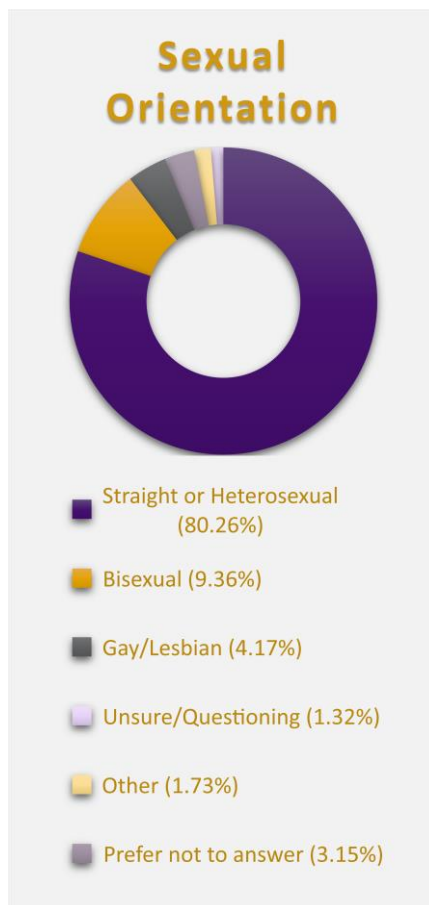
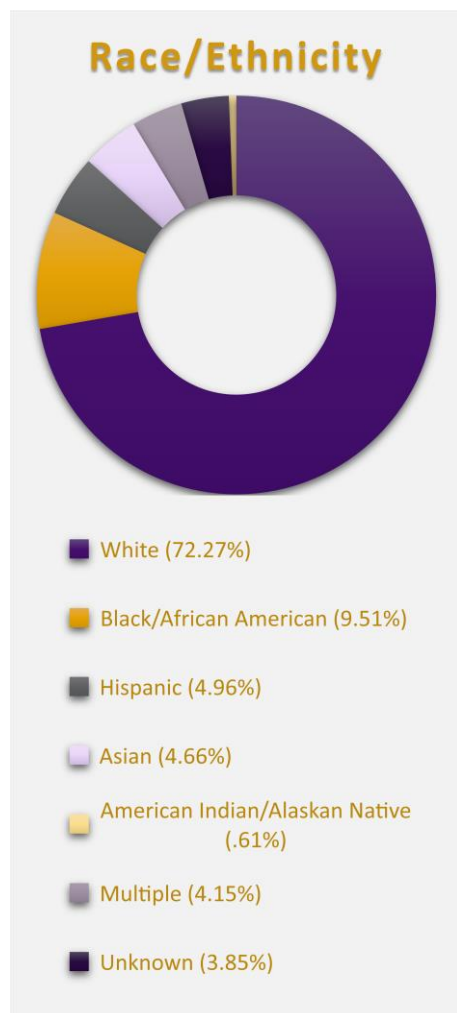
Campus Climate



In October 2020, the Office of Title IX launched UNA's 4th biennial Campus Climate Survey. Building from the progress made during the 2014, 2016, and 2018 campus climate surveys, UNA decided to switch to a nationally normed instrument for the 2020 climate assessment. We partnered with EBI to use the Skyfactor tool to survey our student body for approximately one month to find out essential information for the Office of Title IX, the Divisions of Student Affairs and Diversity, Equity, and Inclusion, and the University community.

The survey was sent to 5,932 students with differing demographics, academic standing, and backgrounds, and 988 students responded. This response represented an increase over both the 2014 and 2018 climate surveys. The responses, as indicated in-part below, show that, based on industry best practice, UNA students indicated levels of satisfaction that matched or exceeded the goals for all high-impact factors related to both overall student satisfaction and overall student learning. Additionally, the survey captured a wide cross-section of the campus community.

The survey participants were from a variety of academic class standings (25% first-year, 20% sophomore, 20% junior, 24% senior, and the rest being graduate or non-degree seeking students). The participants were also of varying ages, with 53% being under 20, 34% between 21-25, and the rest 26 and up, including some respondents who identified as being over 50. Students also lived both on and off campus. Thirty-five percent of the participants lived in the residence halls or in on-campus apartments, while 30% lived somewhere they considered "home," and another 28% lived in off-campus apartments. Our students who responded also shared other statistics, including information about gender, sexual orientation, and race, which are indicated on graphics on the next page. These statistics, even with a significant sample size, do not necessarily reflect our entire study body; however, they do reflect the students who participated in the survey.



In spring 2021, the results of the Campus Climate Survey were shared with the Division of Student Affairs as a whole. These results were also communicated, via the Vice President of Student Affairs, with the University Executive Council. The results were also shared with the incoming SGA President. In May 2021, EBI sent a detailed report to the Title IX Coordinator that indicated UNA's campus climate compared to a select group of peer institutions.

As the results of the climate survey indicate, UNA can continue to make progress towards ensuring all students on campus, no matter their backgrounds, feel safe and supported; however, in many ways that progress has already started and is building momentum. Since the 2020 climate survey was released and shared with UNA's Executive Council, changes based on the data have occurred. As can be seen on the next page, students were given an opportunity to provide open-ended responses to questions such as "How would you describe campus?" and "What would you improve?" In those responses, there were suggestions to have more programming related to a broader category of diversity and to have mandated training for topics like diversity and inclusion. In Fall 2021, the One Book will be "Grace Will Lead Us Home" by Jennifer Berry Hawes. Working with the One Book Committee, the Division for Diversity, Equity, and Inclusion will host programming to look at the religious aspects of this book. Likewise, beginning in Fall 2021, the switch to Get Inclusive will allow students to receive information and training on topics like diversity and inclusion, as requested in the climate survey. Another area of concern was resources related to counseling on-campus; however, this was prior to Spring 2021, when Student Counseling Services was able to hire a Mental Health and Well-Being Coordinator position to provide additional resources and outreach for students across campus.

HOW WOULD YOU DESCRIBE CAMPUS CLIMATE?



Over 80% of respondents had positive things to say about UNA's climate, including things like "welcoming," "inclusive," and "pretty dope fresh."



Over 25% of the negative descriptions about UNA's climate dealt with the COVID-19 pandemic and related restrictions.



About 10% of the negative feedback about UNA's climate dealt with concern for those in LGBTQ+ communities and sexual harassment.



Multiple students commented about diversity in a positive way, although some students felt that the University could do more or was "forcing" some efforts onto campus.



A small number of critiques were offered about various biases students have experienced in the classroom.

WHAT WOULD YOU IMPROVE?



The most consistent answer was related to being afraid to walk on-campus due to inadequate lighting. Other safety concerns related to lack of patrols and lack of cameras.



COVID-19 also received numerous mentions in this question as several students called for more in-person activities and more accessible activities.



Additionally, several students mentioned accessibility and wellness. Students talked about the need for greater wheelchair access, increased funding for Counseling Services, and shared about food insecurity.



A few students suggested changes related to the Office of Title IX and Mitchell-West. There was an overall push for increasing our work as it relates to sexual harassment and LGBTQ+ students.



One student called for the return of Einstein Bros. Bagels, another called for a swimming pool.



The remaining suggestions all related to issues within the scope of diversity and inclusion.

- Comments were made in support of and opposed to the renaming of 601 Cramer Way
- Comments were made in favor of and against political speech on campus
- Multiple students requested mandatory training on diversity, bias, and kindness
- Multiple students requested more programming and awareness for other kinds of diversity, particularly age and religion

Supportive Measures



Many people think of investigations when they think of the role of Title IX on college campuses; however, the Office of Title IX is here to provide support regardless of whether an investigation ever begins. This assistance is often provided by offering what are commonly referred to as “supportive measures.” These supportive measures are offered in order to prevent discrimination from occurring, such as when a student reaches out to the Office of Title IX requesting accommodations related to a pregnancy, and also to prevent discrimination from reoccurring, such as when

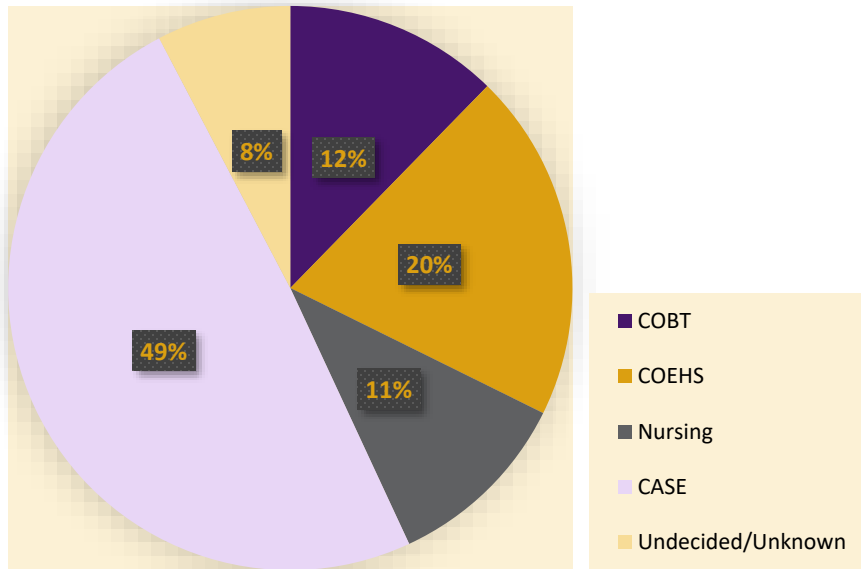
someone reports they’ve experienced some conduct that could constitute sexual harassment.

In 2020-2021, the Office of Title IX worked with 8 students in order to provide pregnancy or parenting related support to help ensure these students did not experience discrimination based on their pregnancy. Our pregnant and parenting students represented programs in the Anderson College of Nursing and Health Professions, the College of Business and Technology, and the College of Education and Human Sciences. As of the writing of this report, at least one student who requested support from the Office of Title IX related to a pregnancy in 2020-2021 subsequently went on to apply for graduation. One way the Office of Title IX is further supporting pregnant and parenting people on campus is with the acquisition and installation of a dedicated lactation space in the heart of campus. UNA’s Mamava Lactation Pod allows people who are breastfeeding or need to pump to have additional options on campus and is available on their schedule. The Mamava is located on the first floor of the Guillot University Center (GUC), in the mailroom hallway. It can be unlocked through an app or with the assistance of the Office of Title IX and is accessible during business hours in the GUC.

The Mamava was installed in January 2021 and throughout the spring and summer it was used at least 10 times. Over the coming years, we hope to increase awareness about the Mamava on campus and use the data to determine whether we are currently meeting the needs of breastfeeding people on campus. We plan to continue to work with UNA Facilities to consider installing lactation rooms in all new constructions and to look for ways to utilize renovations as a way to add lactation rooms, and separately, gender-neutral restrooms in academic buildings across campus. The Office of Title IX wants all students to feel comfortable on campus and this is one small step toward that goal.

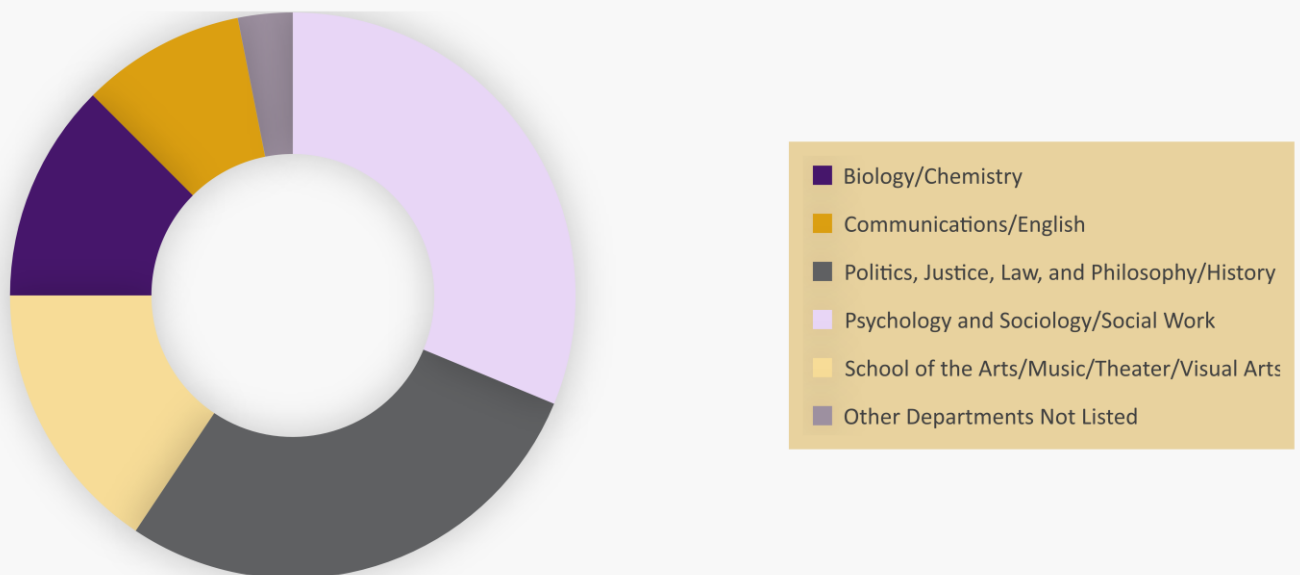
During the 2020-2021 school year, the Office of Title IX received 54 reports of possible prohibited conduct. For each case with an identified Complainant³, the Office of Title IX reached out to provide information about potential investigative options, if any, and, most importantly, to alert them of support the University might be able to provide. Many students who sought services from the Office of Title IX were seeking services related to experiences off-campus and with individuals not affiliated with the University. For these students, the University provides supportive measures and resources to support academic access and success. When the Office of Title IX has contact with Complainants, they are not required to provide information. Some choose to identify the respondent and share the location of where the prohibited conduct took place, others do not, and others may not know the identity or location. Regardless of whether they identify a respondent or location, students who seek services from the Office of Title IX are offered supportive measures. Supportive measures can include things such as issuing No Contact Orders, making referrals to other offices, or even working with faculty to request academic accommodations.

Complainants by College

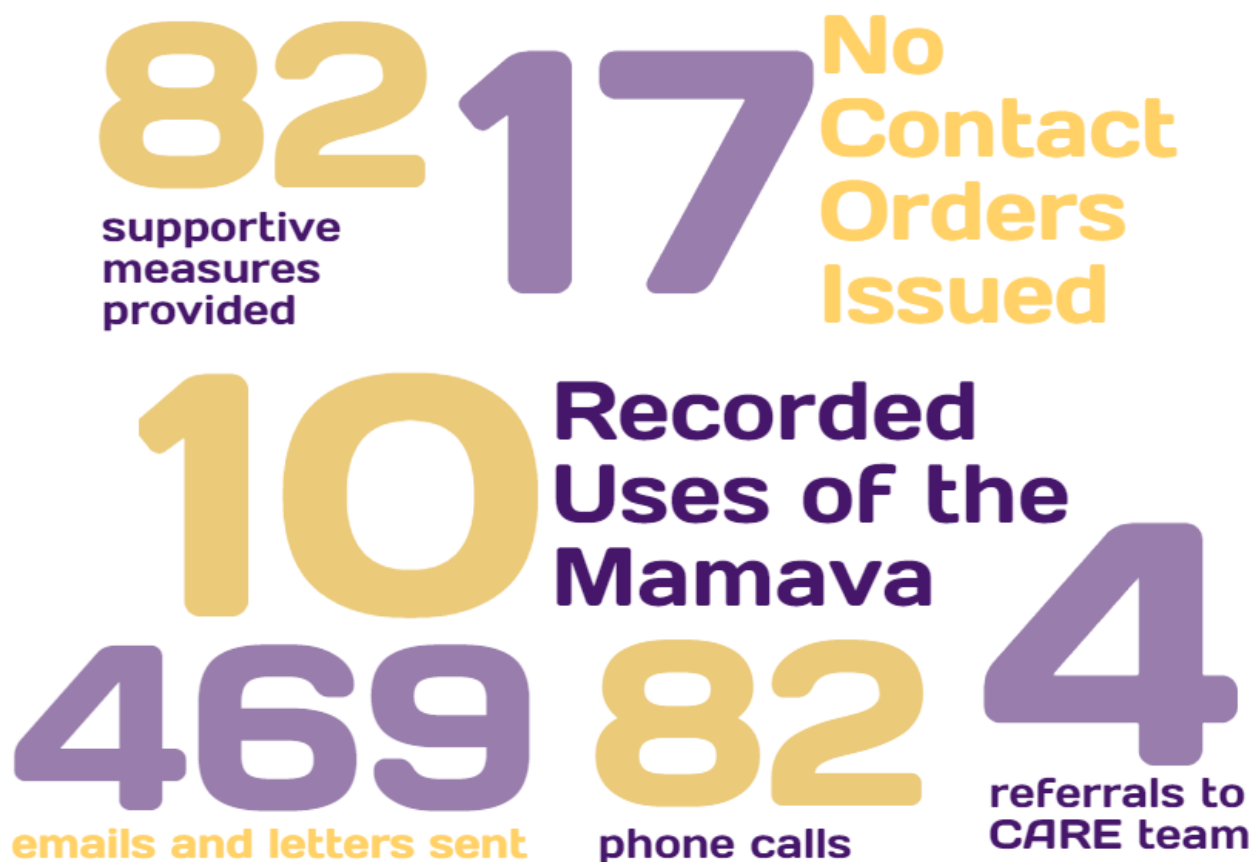


The Office of Title IX supports UNA's academic programs by helping students feel safe and supported so they are able to succeed academically. Over the year, Title IX provided information about reporting options and supportive measures to Complainants in each of UNA's four colleges. Given that the College of Arts, Sciences, and Engineering (CASE) is home to the largest and most diverse learning community at UNA, it is no surprise that the majority of students seeking support were part of CASE. In 2020-2021, 28% were first-year students, 28% were sophomores, 29% were juniors, 13% were seniors, and 2% were graduate students. Four percent of students who sought out services with Title IX were online only students. At least 19% of Complainants from 2020-2021 have gone on to graduate or will be eligible to apply for graduation in fall 2021. The two graphics on this page provide additional information on the programs of study for students who were referred to or requested services from the Office of Title IX in 2020-2021.

CASE Complainants by Major



During the 2020-2021 school year, the Office of Title IX provided support to the entire UNA community in many ways. Collectively, the Office of Title IX made 4 referrals to the University CARE team about students in distress. We issued 17 No Contact Orders across campus in order to prevent policy violations from occurring, and provided 82 instances of other supportive measures to those who experienced sexual harassment or discrimination. We also made over 500 contacts through emails, letters, and phone calls to students and employees related to pending or potential Title IX Investigations.



Additionally, throughout the school year, the Office of Title IX continued to provide additional resources to the community and to make information more accessible and user-friendly to all students and employees. This included updating a brochure provided to all Complainants, revamping our website, highlighting gender-neutral restrooms across campus, and constantly adding new features to our website. In 2020-2021, we added information about pregnancy-related resources, including our new Mamava Lactation Pod, no contact orders, and investigation information. We also stayed informed about the new Title IX regulations and what the presidential election meant for potential changes to federal requirements related to Title IX.

Prohibited Conduct

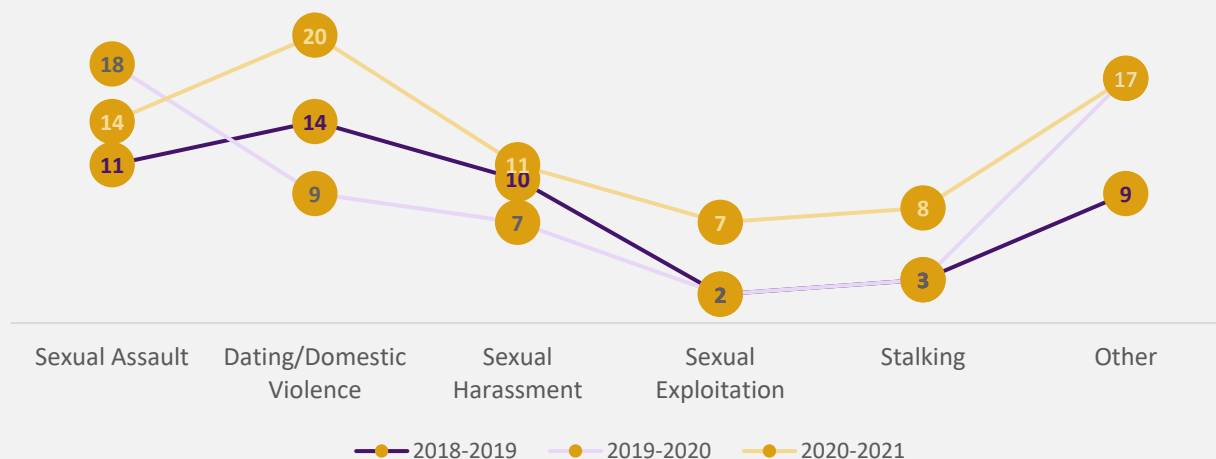
In 2020, the U.S. Department of Education released over 2,000 pages of new regulations that changed many things related to the formal grievance process of adjudicating a Title IX Formal Complaint⁴ on college campuses. In addition, these regulations also changed the definition of prohibited conduct⁵ under Title IX.

In 2020, UNA's Office of Title IX rewrote UNA's sexual misconduct policy and transitioned to a new file management system that will allow the office to have more access to data. For purposes of this report, we have tried to compare the number of incidents reported to our office during the 2020-2021 academic year with the number of reports from the two prior years. Given the nuanced differences in the file management systems, the comparisons are as accurate as possible, but there are several important things to note within the data. In this report, we try to differentiate between the number of reports (allegations of potential prohibited conduct that could violate University policy) and Formal Complaints (a signed, formal document that was signed by the Title IX Coordinator or a Complainant who initiated a Title IX investigation). Unless otherwise specified, the numbers below relate to reports, not Formal Complaints. Just because a report was made does not mean that a Formal Complaint was signed, or that an Investigation occurred. Neither reports nor Formal Complaints are indicative of a Responsible Finding or of guilt. Per the Sexual Misconduct Policy, all Respondents⁶ are presumed to be Not Responsible unless and until a Responsible Finding is reached as part of a live hearing.

The numbers below are simply an accounting of reports that have made their way to the Office of Title IX during the last school year. These numbers include things that happened off campus and/or outside of the University's jurisdiction⁷, things that could have occurred years prior, things that would not have risen to the level of a policy violation had an investigation occurred, and more. The numbers below also may include multiple incidents that were reported by one Complainant and/or at one time. If someone made reports of multiple, separate incidents on one occasion – those reports are counted multiple times. For example, if someone reported they were in a dating relationship and there were three separate instances of physical abuse and now the person was extorting them and threatening to send out nude photographs, that would be counted 4 times as three separate counts of dating violence and one count of sexual exploitation. This is not done to inflate the number of cases that we are seeing on campus, but to increase transparency about the experiences that are being reported to Title IX throughout any given school year.

During the 2020-2021 academic year, we saw 20 reports of dating or domestic violence, 14 reports of sexual assault – including fondling, 11 instances of sexual harassment not otherwise categorized, 8 instances of stalking, and 7 instances of sexual exploitation. Title IX saw 17 other reports of instances where we may not have had enough information to categorize it as a particular type of report or it may not have risen to the level of a particular offense. In 2020-2021, the highest number of reports were received in October and February. The least number of reports were received in December. Of the reports that identified a University-affiliated Respondent, 75% of Respondents were assigned male at birth, 19% were female, and 6% did not identify as male or female. Ninety percent of the cases reported to Title IX involved Complainants identifying as female, 6% involved Complainants that identify as male, and 4% involved Complainants that made the Office of Title IX aware that they identified as transgender or neither male nor female.

REPORTS OF PROHIBITED CONDUCT, 3-YEAR COMPARISON 2018-2019, 2019-2020, 2020-2021

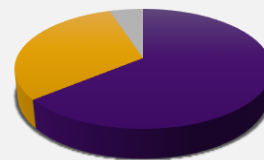


During the 2020-2021 Academic Year, five Formal Complaints were signed. Due to the low number of Formal Complaints, the specifics of these cases will not be discussed in this report. However, a number of these Formal Complaints were still traveling through the grievance process in 2021-2022, some were dismissed, and some were resolved through Informal Resolution. In addition to those cases where a Complainant or the Title IX Coordinator signed a Formal Complaint, there were a number of cases reported that were resolved in various ways throughout the year, including by taking limited action.⁸

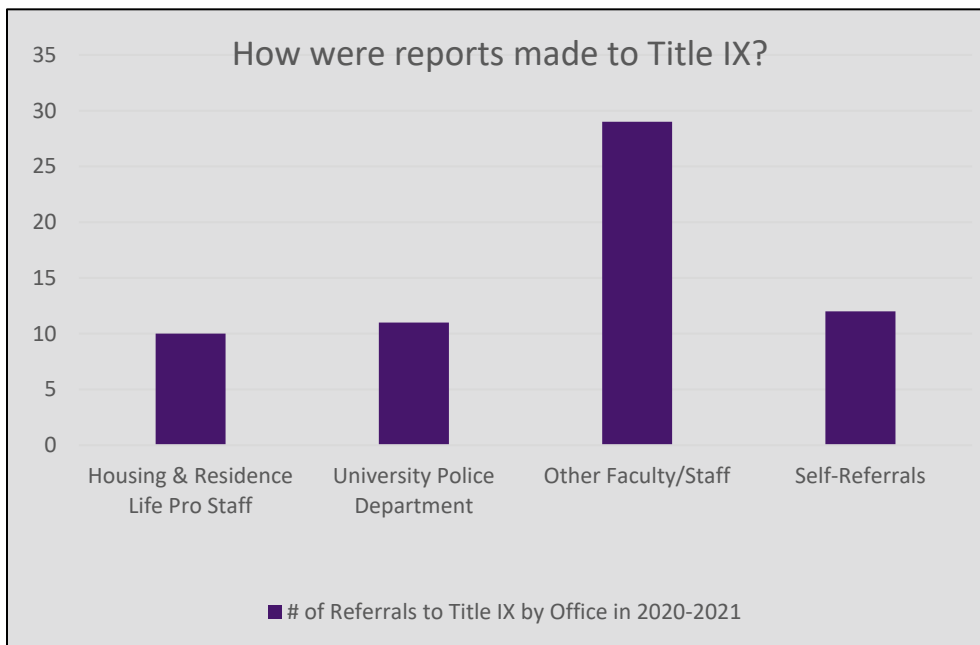
Of the reports that were resolved during the 2020-2021 academic year, over 60% were closed without filing a Formal

Complaint at the request of the Complainant. Nearly a third were closed due to no response from the Complainant after multiple attempts at contact from the Title IX Office, and the remaining almost 5% of cases were resolved via Informal Resolution.⁹ In all instances, supportive measures were offered to the Complainant. These numbers do not include any cases going through the Formal Grievance Process that were not completed or were otherwise pending before the year ended. Some cases were resolved during the first meeting between the Title IX Coordinator and the Complainant, some were resolved after many meetings or no meetings, and some were resolved after an investigation had already started, and in some cases, were prepared to schedule the live-hearing before another resolution was reached.

How cases were resolved in 2020-2021



- Closed at request of the Complainant
- Closed after no response from Complainant
- Informal Resolution



Title IX receives reports from numerous sources on and off campus. All University employees¹⁰ who are not designated as Confidential Resources are obligated to refer reports or allegations of sexual misconduct to the Office of Title IX. A referral or a report does not automatically trigger an investigation; however, it does trigger a response from the Office of Title IX to ensure that the Complainant has information about options and resources that may be available to them. In 2020-2021, we received reports from numerous places across campus.

The accompanying chart provides a snapshot of how many reports were received from certain key stakeholders across campus. This also includes a number of self-reports by Complainants.¹¹

Further Inquiries

For additional information related to the Office of Title IX or this report, please contact UNA's Title IX Coordinator.

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 256-765-4223
 Guillot University Center • Suite 202
 Title IX website • una.edu/titleix

Published December 2021

Endnotes

¹ This report was inspired by, and modeled after, the reports from our friends at the University of Tennessee – Knoxville.

² All budgetary references pertain to the 2020-2021 Fiscal Year, running from October 2020-September 2021 due to the budget year in the State of Alabama. As such, this does not perfectly align with the 2020-2021 academic year.

³ A Complainant is an individual who is alleged to be the victim of conduct that could constitute prohibited conduct, regardless of whether that person makes a report or seeks action.

⁴ A Formal Complaint is a document filed by a Complainant (or, in some circumstances, signed by the Title IX coordinator) alleging prohibited conduct against a Respondent and requesting that the University investigate the allegations. This is different than a report. A report is anything that is brought to the attention of the Office of Title IX, including submitting a form on the online reporting website at una.edu/titleix, calling, or emailing titleix@una.edu.

⁵ Sexual harassment (including sexual assault, domestic violence, dating violence, and stalking), sexual exploitation, and retaliation are collectively known as prohibited conduct. This is not an exhaustive list of behavior prohibited by UNA's Sexual Misconduct Policy.

⁶ A Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute prohibited conduct. They are presumed to be not responsible unless they are found responsible through the Formal Grievance Process.

⁷ Each year, UNA publishes an Annual Safety Report (ASR) that includes campus-based statistics related to sexual assault, relationship violence, and stalking. Unlike the ASR, this report will include events that occur outside of UNA's campus geography. Due to definitional differences, geography, and the time period covered the ASR and this report will likely have some overlapping, but many different statistics.

⁸ Limited Action. In these instances, the Title IX Coordinator still processed the case and proceeded with some level of limited action. When the University receives notice of a potential incident of prohibited conduct, the Title IX Coordinator will communicate with the Complainant about how to file a Formal Complaint and share information about supportive measures that the University can offer, and on- and off-campus resources that the Complainant can access for assistance. If a Complainant declines to respond to outreach or states that they do not wish to file a Formal Complaint or participate in an investigation, the University may take limited action. Limited action includes providing supportive measures like academic support, safety escorts, no-contact directives, and campus support services. For more information about supportive measures, refer to the Sexual Misconduct Policy. There are limited circumstances in which the Title IX Coordinator may determine that the University must continue with an investigation without a Complainant's participation or assent in order to provide a safe and nondiscriminatory learning, living, and working environment.

⁹ Informal resolutions are resolutions that are reached through an agreement. An informal resolution is available for a limited type of Title IX cases. Informal resolutions must be agreed to by all parties and the Title IX Coordinator.

¹⁰ Faculty and staff include graduate teaching assistants and student employees if the reported incident occurred while they were acting in their employment capacity.

¹¹ This would only include reports that were made directly to the Office of Title IX, either in-person, via phone or email, or through the online reporting website. If a Complainant reported to a mandated reporter, including the police, it is not referenced here.

Appendix

Definitions of Prohibited Conduct

This appendix provides a summary of relevant definitions based on the most-recent Sexual Misconduct Policy at the time this document was published. For more complete definitions, the full policy, or prior versions, please visit una.edu/titleix.

SEXUAL HARASSMENT: Includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking as defined below.

QUID PRO QUO SEXUAL HARASSMENT: When an employee conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual or sex- and/or gender-based conduct.

HOSTILE ENVIRONMENT: Sexual or sex- and/or gender-based conduct occurs that is 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.

SEXUAL ASSAULT: Any sexual act, directed against **ANOTHER** person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent. This includes, rape and fondling.

RAPE: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

FONDLING: Touching of the private body parts of another person, including the buttocks, groins, and breast, for the purpose of sexual gratification without the consent of the Complainant.

DATING VIOLENCE: Violence, or sexual violence, is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. This includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

DOMESTIC VIOLENCE: Any felony or misdemeanor crimes of violence that are committed by a current or former spouse/intimate partner or similarly situated under Alabama law.

STALKING: A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

SEXUAL EXPLOITATION: The taking or attempted taking of non-consensual sexual advantage of another for one's own advantage or benefit or to benefit a person other than the one being exploited.

NON-CONSENSUAL SEXUAL CONTACT: Any non-consensual intentional touching or physical contact, or attempts thereof, that is done for the purpose of the Respondent's or a third-party's sexual gratification or arousal.

RETALIATION: It is prohibited for the University or any member of the University community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or 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 under this policy and procedure.

CONSENT: Consent is clear permission to engage in sexual activity, given knowingly and voluntarily, by words or action. While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Nonverbal consent expressed through actions may lead to confusion and potential for misunderstandings.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication prior to engaging in the activity is highly recommended. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

A lack of resistance does not grant consent. Previous consent does not grant consent to future sexual acts. Consent to some sexual acts cannot be presumed to be consent for other sexual acts. A current or previous intimate relationship is not sufficient to constitute consent. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

It is the responsibility of the initiator of any sexual activity to obtain their potential partner's consent; however, proof of consent or non-consent is not a burden placed on either party involved in an incident. The University must determine whether a policy has been violated based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances.

Consent to a sexual act is not freely given if the consent is obtained by force or coercion. Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent. Sexual activity that is forced is, by definition, non-consensual, but nonconsensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent. Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on multiple factors, including the type or extent of pressure used. If a person makes clear that they do not want to engage in certain sexual activities or that they want to stop, continued pressure beyond that point may constitute coercion.

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. Therefore, in situations when the Respondent knew or should have known that the Complainant is physically or mentally incapacitated, any "consent" obtained is invalid. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment. Incapacitation is based on the totality of the circumstances and all relevant indicators of an individual's state of mind. An individual is deemed to have an inability to give consent in situations where the individual is:

- Incapacitated due to alcohol, drugs, or other substances including, but not limited to, prescription medications; Determining consent when alcohol or other drugs are involved: In incidents involving alcohol, drugs, or other substances, the totality of the circumstances is analyzed to determine whether the use of alcohol, drugs, or other substances caused an inability to make rational, reasonable decisions about sex activity. Whether a

Respondent knew or reasonably should have known of the Complainant's inability to give knowing consent is an element of the policy violation. An individual's use of alcohol or drugs does not diminish that individual's responsibility to obtain consent if that individual is the one who initiates sexual activity. Incapacitation differs from drunkenness or intoxication. Incapacitation is a state where an individual cannot make a rational, reasonable decision because they lack the capacity to make informed judgments about the situation.

- Some factors considered to determine whether an individual is incapacitated due to alcohol, drugs, or other substances and therefore not able to give consent include, but are not limited to:
 - whether the individual was conscious or unconscious,
 - whether the individual became sick due to intoxication,
 - the individual's ability to communicate and/or slurred speech,
 - the individual's coordination (ex. ability to walk, dress/undress, perform simple tasks),
 - and any other action that would be indicative of a level of cognitive functioning.

The existence of any one of these factors may support a finding of incapacitation for purposes of this policy. The mere presence of alcohol, drugs, or other substances does not equate to an inability to give consent. Stated differently, it is possible for an individual to have alcohol, drugs, or other substances in their system and not be incapacitated.

- Unconscious, asleep, or in a state of shock.
- Under the age of consent as defined by the jurisdiction in which the act occurred, which, in Alabama, is less than 16 years of age.
- Mentally or physically incapacitated and not reasonably able to give consent.

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Office of
TITLE IX
University of NORTH ALABAMA

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance."

Title IX of the Education Amendments of 1972
Implementing Regulations at: 20 U.S.C. § 1681 & 34 C.F.R. Part 106

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