



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

AUDIT AND COMPLIANCE COMMITTEE	
Friday, October 13, 2023	Ballroom, Student Union, UTK
10:15 a.m. (EDT)/9:15 a.m. (CDT)	Knoxville, TN

AGENDA

Public Session

- I. Call to Order and Roll Call
- II. Opening Remarks of the Committee Chair
- III. [Approval of Minutes from Last Meeting](#) - Action..... Tab 1
- IV. [Institutional Compliance Program](#) - Update..... Tab 2
- V. [Athletics Compliance Programs](#) - Update..... Tab 3
- VI. [Title IX](#) - Update..... Tab 4
- VII. [Consent Agenda](#)..... Tab 5

Information Items

- A. [2023 Audit Plan Update](#)..... Tab 5.1
- B. [Outstanding Audit Issues](#)..... Tab 5.2
- C. [Travel Exception Report](#)..... Tab 5.3
- D. [Audit & Compliance Committee Work Plan](#)..... Tab 5.4
- VIII. Other Business

[Note: Under the Bylaws, items not appearing on the agenda may be considered only upon an affirmative vote representing a majority of the total voting membership of the Committee. Other business necessary to come before the Committee at this meeting should be brought to the attention of the Committee or Board Secretary before the meeting.]
- IX. Adjournment



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

Nonpublic, Executive Session

Following the public session, the Committee will convene in a nonpublic, executive session pursuant to Tennessee Code Annotated § 4-35-108 to review:

- Audits
- Investigations
- Litigation



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

MINUTES OF THE AUDIT AND COMPLIANCE COMMITTEE February 23, 2023

The Audit and Compliance Committee of The University of Tennessee Board of Trustees met at 4:15 p.m. (EST) on Thursday, February 23, 2023. The meeting was held in the Tennessee Room of the University Center located at the University of Tennessee at Chattanooga, in Chattanooga, Tennessee.

Committee Members Present: Decosta E. Jenkins, Committee Chair; John C. Compton, Board Chair; and Bradford D. Box.

Others in Attendance:

Trustees: Hayden Galloway (Student Trustee); Charles Hatcher, Commissioner, Tennessee Department of Agriculture; Shanea A. McKinney; Christopher L. Patterson; William (Bill) C. Rhodes III; Donald J. Smith; David N. Watson; and Jamie R. Woodson. Also in attendance was T. Lang Wiseman, who was awaiting confirmation of his appointment to the Board by the Tennessee General Assembly.

University Administration: President Randy Boyd; Brian Daniels, Chief Audit and Compliance Officer; David Miller, Senior Vice President and Chief Financial Officer; Cynthia Moore, Board Secretary and Special Counsel; C. Ryan Stinnett, General Counsel; Chancellor Steven R. Angle (UT Chattanooga); Chancellor Peter Buckley (UT Health Science Center); Chancellor Keith Carver (UT Martin); Interim Chancellor Linda C. Martin (UT Southern); and Chancellor Donde Plowman (UT Knoxville). In addition, other members of the University staff were present.

Ms. Moore announced the presence of a quorum. The meeting was webcast for the convenience of the University community, the general public, and the media.

Opening Remarks of the Chairperson

Committee Chair Jenkins welcomed everyone to the meeting. He advised the Committee members that in the near future they will be asked to provide input, review, and comment on a draft Work Plan for the coming year, which will be shared at the June 2023 Committee meeting.

Approval of the Minutes

Committee Chair Jenkins noted that the minutes of the October 28, 2022, meeting were included in the meeting materials (Tab 1). He asked for any corrections to the minutes. Hearing none, the minutes were approved.

Code of Conduct Update

Brian Daniels, Chief Audit and Compliance Officer, introduced Dr. Brian K. Dickens, Chief Human Resources Officer, who provided an overview of the updated Code of Conduct for University employees (Tab 2). Dr. Dickens explained that the updated Code of Conduct emphasizes several key areas: (i) bullying and retaliation; (ii) prompt reporting of arrests and incidents; (iii) alignment with Be One UT values; and (iv) focusing on positive, aspirational behaviors. Additionally, the organizational structure and readability of the Code of Conduct has been much improved. Dr. Dickens concluded his remarks by advising the Committee members that the Office of Human Resources is in the process of ensuring that the University's employees are aware of the recent update to the Code of Conduct.

2023 Internal Audit Plan

Mr. Daniels began his presentation on the 2023 Internal Audit Plan by discussing improvements to the audit process, including: (i) modernizing the 2023 audit plan approach; (ii) increasing audit efficiency by streamlining the report writing process; (iii) implementing cloud-based software to allow for more effective site visits; and (iv) aligning the work of the Audit & Compliance Office to the top risks facing the System and its campuses as identified by University leadership.

Mr. Daniels discussed the four types of projects undertaken by the Audit & Compliance Office, along with the allocation of effort by type of project:

- Audits, planned engagements based on risk assessments (40%);
- Annual audits, mandated by statute, administrative policy, or agreements with management (10%);
- Special projects and fraud, waste, and abuse investigations (23%); and
- Advisory/consulting services, as requested by offices across the UT System (27%).

After meeting with more than 100 University leaders throughout the System, the Audit & Compliance Office identified a list of risks in order to prioritize audits for the coming year. The top three risks all involved "security" in some capacity: (i) the physical safety and security of students, faculty, staff, visitors and constituents while on University property; (ii) cybersecurity and shadow information technology; and (iii) research security and compliance. Approximately one-half of the risk-based projects fall within one of these three categories.

Mr. Daniels briefly reviewed a few of the projects that are underway and discussed policy compliance reviews, which provide an opportunity to remind and educate campus personnel about existing University policies. Mr. Daniels noted that certain matters, such as "Name, Image, and Likeness" are more suited to a review and would fall under the category advisory/consulting services. Committee Chair Jenkins observed that the number of projects

that fall within the category of advisory/consulting services is a positive reflection of how others within the University view the work of the Audit & Compliance Office.

Upon motion duly made and seconded, the Committee approved the 2023 Internal Audit Plan (as presented under Tab 3).

2023 Institutional Compliance Program

Mr. Daniels advised the Committee that following the recent retirement of William A. Moles (who established the Institutional Compliance Program and served as its Director for a number of years), there was an opportunity consider the next progression in the University's compliance function. He informed the Committee that Dr. Sarah Pruettt was recently selected to serve as Executive Director of Institutional Compliance for the UT System. Due to the changes in leadership, review and approval of the 2023 Institutional Compliance Plan was deferred.

Annual Safety Report - Update

Kelly Mihalik, Special Projects Analyst and System Clery Compliance Coordinator, began her presentation (Tab 4) by noting that: (i) the data in the report provided to the Committee represents only Clery Act required crime categories; (ii) the definitions used in the report come directly from the regulations as informed by the Uniform Crime Reporting Program, Tennessee State Statutes, and the Violence Against Women Act; and (iii) the report includes all allegations of crimes reported to local law enforcement, campus police, or campus security authorities.*

Ms. Mihalik cautioned that an incident does not need to be investigated or reported to law enforcement for it to be included in the numbers, and incidents must be disclosed regardless of investigation status and with or without a finding of guilt or responsibility. She noted that institutions must include all statistics for Clery Act crimes/incidents that occur on or within its Clery Act designated geography, which includes: (i) campus property; (ii) non-campus property; and (iii) adjacent public property (e.g., streets, sidewalks, etc.). Ms. Mihalik also explained that Clery Act statistics are just one of many different measures associated with safety/security on campuses.

In October, data from the three previous calendar years are required to be published in the annual security report. These annual reports are intended to provide individuals with the information needed in order to make informed decisions regarding their personal safety. Ms. Mihalik provided an overview of the Clery Act incidents reported for each campus as further described in the meeting materials. She noted that the pausing of on-campus operations during the COVID-19 did impact the figures reported for 2020.

*Campus security authorities includes individuals who have a significant responsibility for student and campus safety and activities, such as deans, directors, Greek life staff, housing staff, and coaches.

The following additional questions and recommendations were raised by Committee members:

- Currently, the information provided is raw data (i.e., number of incidents). Is there a way to define an appropriate denominator to better understand whether we are improving as a percentage?
- How is the campus-area defined under the Clery Act and what, if any, is its relationship associated with the campus area designated under the campus master plans? By increasing the area under the master plan, do we inadvertently increase the area required to be reported under the Clery Act?
- Are there specific drivers embedded in these figures that are skewing the data (e.g., alcohol violations at an athletic event/stadium)? Are they students or members of the public.
- Are there any reasonable ways to benchmark the campuses against their peer institutions in this area?
- Are there inconsistencies between the campuses in terms of reporting that still need to be addressed? Or is it a situation where we are seeing different cultures (i.e., willingness to report) or interventions?

Committee members expressed their appreciation for the work being done to continuously improve safety and security on the campuses and to provide more detailed information to the Board. Chair Jenkins asked that the Audit & Compliance Office continue its efforts to assess whether there are additional opportunities to refine the data presented to the Committee in light of the questions and observations raised by the trustees.

Consent Agenda

Committee Chair Jenkins called the attention of the Committee members to the information items included in the Consent Agenda (Tabs 5.1 through 5.7). A complete list of the informational items included on the Consent Agenda appears at the end of these minutes. Committee Chair Jenkins announced that he was removing Item E relating to the Tennessee Financial Integrity Act (Tab 5.5) from the Consent Agenda for further discussion. He then called upon Judy Burns, Enterprise Risk Officer, to provide more information on the University's annual report of the University's risk management and internal control activities.

Ms. Burns explained that the University's approach complies with the guide issued by the Tennessee Department of Finance and Administration, which requires state agencies, including higher education institutions, risk and control activities to align with the Committee of Sponsoring Organizations of the Treadway Commission's (COSO's) enterprise

risk management (ERM) framework. She highlighted the University's six guiding ERM principles:

- Rely on current organizational structure (which includes the President, Campus Chancellors, and their respective leadership teams);
- Integrate ERM into existing functions (such as strategic planning and operations);
- Focus on risk response (to ensure performance of the University's goals, objectives, and strategies);
- Build on current risk management practices;
- Align risk-focused functions throughout the UT System; and
- Commit to continuous improvement.

Ms. Burns concluded her presentation by advising the Committee members that the Tennessee Financial Integrity Act of 1983 (TFIA), as described in *Tennessee Code Annotated* § 9-18-104 requires that the President submit an annual report to the state setting forth the University's risk management and internal control activities, a copy of the report was included in the meeting materials. It was noted that the report describes in more detail the number of risk assessments that were undertaken in 2022 and the work planned for 2023.

Other Business and Closing Remarks

With no further business to come before the Committee, the Committee Chair adjourned the meeting.

Respectfully Submitted,

/s/ Cynthia C. Moore

Cynthia C. Moore

Secretary and Special Counsel

Consent Agenda Items

- 2022 Audit Plan Update
- Outstanding Audit Issues
- Travel Exception Report
- NCAA Agreed Upon Procedures Report
- Tennessee Financial Integrity Act Report
- Compliance Program Update
- External Audit Management Letter

Attachments

- PowerPoint Presentation: Enterprise Risk Management at UT

Institutional Compliance Key Developments October 2023

UT System - The 2022 risk assessment has been completed and 2 additional items were added this year. Key risk mitigation plans under development include: Clery Act, Dept. of Defense Cybersecurity, Civil Rights, Federal subcontracting, Intellectual Property, and enhancement of workers compensation procedure awareness.

UTK - 61 risk mitigation plans are in development from the 2021 compliance risk assessment. Twenty-four plans are completed with the remainder at an average of 31% complete. Key areas under development include processes and procedures for safety and data protection, and maximizing Civil Rights training access.

UTC- 45 out of 47 risk mitigation plans have been fully implemented from the 2020 risk assessment and 2 additional plans are underway. The final 2 plans are related to laboratory equipment inventory procedures and improving a subset of accounting practices. This plan will receive final adjustments with DASH implementation.

UTM- UTM has completed all 22 risk mitigation plans. The next risk assessment is planned for 2024.

UT Southern- The UT Southern Institutional Compliance Committee has been established and the applicable regulatory areas have been assigned to responsible individuals. The initial risk assessment is planned for Fall 2023. This will be the initial risk assessment for UT Southern and will begin with areas of emphasis identified by campus leadership.

UTHSC- 50 out of 54 risk mitigations plans from the 2020 risk assessment have been fully implemented. Two of the remaining plans are for IT security with a 90% completion rate. The additional 2 outstanding plans are for safety (lighting (60%) and a subset of installation safety trainings (30%).

UTIA- 17 of 30 risk mitigation plans from the 2018 risk assessment have been fully implemented. The remaining 13 plans are from Extension, Environmental Health and Safety, and grant effort certification. The outstanding plans have an average completion rate of 74%.

IPS- IPS completed both the 2017 risk assessment and all identified corrective action plans. The 2023 risk assessment cycle was initiated this fall.

UTSI- The 2022 compliance risk assessment identified 3 risk mitigation plans. One is completed and the final 2 in Environmental Health and Safety are each at least 50% complete.



Institutional Compliance

Compliance Risk Management Process

	Risk Assessment	Plan Development	Plan Implementation	Number of Plans	Key Action Areas
UT System 2022				● 26	Key plans under development: Cybersecurity, Privacy, Intellectual Property, Clery, Research
<u>UTK</u> 2021				● 61	Research, Safety, Data Protection, Civil Rights.
UTSI 2022				● 3	Plans are being implemented in safety and environmental reporting.
UTIA 2018				● 26	Plans under development: Environmental health and safety, Extension
UTC 2020				● 47	Safety, Sponsored Projects, Equity & Inclusion, Export Control, IT Security, Privacy
UTM 2019				● 22	Sponsored Projects, Animal Care, Financial Aid, NCAA, Safety, IT Privacy/Security, Biosafety
UTHSC 2020				● 54	Plans under development: Safety and Cybersecurity
IPS 2017				● 6*	Risk assessment started Fall 2023. Data reflects completion of previous risk assessment.



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

AGENDA ITEM SUMMARY

Meeting Date:	June 29, 2023
Committee:	Audit and Compliance
Item:	<u>Annual Reports on Intercollegiate Athletics Compliance Programs</u>
Type:	Information
Presenter:	Ryan Stinnett, General Counsel

Board of Trustees Policy BT0015 (Policy on Oversight of Intercollegiate Athletics) requires the Chancellor of each campus with an intercollegiate athletics program to provide a written annual report to the Audit and Compliance Committee, through the General Counsel, to ensure that the Board receives information sufficient to understand and monitor the institution's compliance with the rules and regulations of the National Collegiate Athletic Association (NCAA) and determine the adequacy of the institution's athletics compliance function.

The written annual report from each campus must contain the following information, in addition to any other information provided at the discretion of the Chancellor:

1. An explanation of the institution's reporting structure for the intercollegiate athletics compliance office and whether and to whom the intercollegiate athletics compliance office reports outside of the athletics department;
2. Description of the process for reporting and investigating alleged violations of NCAA rules;
3. The number of full-time employees in the athletics compliance office and comparison of that number with the institution's athletics peers; and
4. A description of all NCAA rules infractions since the last annual report.

In compliance with this requirement of BT0015, the written annual reports on athletics compliance from UT Chattanooga, UT Knoxville, and UT Martin are attached. Additionally, an informational report regarding athletics compliance at UT Southern is included. General Counsel Ryan Stinnett will present the Committee with an oral summary of the reports for each of these campuses and highlight the most critical information the Committee needs to know to ensure the Board carries out its oversight role of ensuring that the institutions are controlling their intercollegiate athletics programs in compliance with NCAA rules and regulations and adequately staffing their athletics compliance functions.



THE UNIVERSITY OF
TENNESSEE
CHATTANOOGA



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MEMORANDUM

TO: Ryan Stinnett, General Counsel
FROM: Steven Angle, Chancellor *Steven Angle*
RE: Annual Report to the UT Audit and Compliance Committee
DATE: May 23, 2023

The University of Tennessee at Chattanooga is committed to integrity, transparency and maintains high ethical standards. We are also committed to the principle of institutional control and maintaining all aspects of our intercollegiate athletics program in full accordance with all NCAA, Southern Conference and University rules and regulations.

UTC's Athletics Compliance Office is comprised of two full-time professionals and a compliance intern dedicated to the day-to-day compliance process that assists the University in complying with all University, Conference, and NCAA rules and regulations governing the intercollegiate athletics operations as outlined in the slides provided. The Compliance Office is supervised by the Executive Associate Athletic Director/Senior Woman Administrator (a former Compliance Director) and the Vice Chancellor & Director of Athletics. The Chancellor is immediately notified and involved with any major Compliance improprieties. Additionally, the Chancellor meets annually with members from the Compliance Staff to discuss the University Compliance process that is outlined in the PowerPoint slides accompanying this report.

In 2022-23, UTC discovered and reported six minor (secondary or level III) violations to the NCAA. These violations were isolated and inadvertent in nature and did not result in any reprimands or fines from the NCAA.

A summary of the violations include:

1. The men's golf head coach instigated a violation of Bylaw 17 [Eligibility for Practice or Competition] when he conducted countable conditioning activities on the required day off for civic engagement. The head men's golf coach misread the email reminder from compliance regarding a required day off for sports not in the championship segment (Bylaw 17.1.7.6) versus the exception of teams participating in a segment that concludes with the NCAA championship (Bylaw 17.1.7.6.1). Consequently, the men's golf team participated in forty minutes of countable conditioning activities the morning of November 8, 2022

Ryan Stinnett

May 23, 2023

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2. The women's golf head coach triggered a violation of Bylaw 17 [Eligibility for Practice or Competition] when she unintentionally exceeded the four-hour skill instruction limit by two hours. The head coach made a mistake by miscounting practice hours with the student-athlete which resulted in the student-athlete exceeding the four-hour limit. She immediately reported the violation after discovering it.
3. The Financial Aid Office caused a violation of Bylaw 15 [Financial Aid] when the Associate Director of Financial Aid and Scholarships experienced technical difficulties with the compliance software used for renewing scholarships that prohibiting him from signing 126 scholarship agreements before the required deadline of July 1. The UTC Compliance Department has a four-step scholarship agreement signing process whereby the financial aid office approves/signs the third step and the student-athlete approves/signs the fourth step. Due to the technical difficulties we encountered with the compliance software on July 1, the Associate Director of Financial Aid and Scholarships was unable to approve/sign 126 scholarship agreements before or on July 1.
4. The Recruiting Coordinator for Football triggered a violation of Bylaw 13 [Recruiting] when he allowed UTC to cover the travel expenses for a parent of a prospective student-athlete that we brought to campus for an official visit. The violation was discovered when a member institution of the Southern Conference notified the UTC Compliance Office that the same prospective student-athlete informed their staff that UTC purchased a flight for his mother to attend an official visit. The subsequent investigation revealed that the newly hired recruiting coordinator believed UTC was allowed to provide the expenses because the NCAA allows the Football Bowl Subdivision to do it. He did not understand that it is not allowed for the Football Championship Subdivision. The Compliance Office conducted an audit of the football programs official visits dating back to the hiring of our current head football coach and discovered three additional violations where flights were purchased for family members to accompany a prospect on an official visit. All violations occurred under the direction of the new recruiting coordinator who was hired in April of 2022.
5. The volleyball head coach instigated a violation of Bylaw 15 [Recruiting] when she conducted a volleyball camp prior to the 14-day requirement for advertising camps. The head coach was newly hired and wasn't fully aware of institutional policies for camps and the newly adopted legislation for advertising camps. The violation was discovered when the compliance office reviewed the pre-camp forms submitted by the head coaches.

Ryan Stinnett
May 23, 2023
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6. Men’s Cross Country experienced a violation of Bylaw 17 [Eligibility for Practice or Competition] due to violating the “unattached participant” definition. A men’s cross-country student-athlete who had exhausted eligibility the prior season requested to compete in the 2022 Louisville Cross Country Classic as an unattached participant. Head Coach Andy Meyer explained that the former student-athlete must travel at his own expense and could not wear clothing that identified him as a UTC student-athlete to meet the definition of unattached status. However, the former student-athlete either did not hear or understand the stipulations and competed in the event wearing UTC attire. The head coach reported this violation to the UTC Compliance Office.

The University and Athletics Department have developed and adopted process and procedures that provide guidance to our staff, students, and supporters regarding how to work within the rules and to discover, report and, where possible, correct any violations of the rules that might occur. The commitment to the principle of institutional control is both organizational and individual. In response to my review of the Annual Compliance Report and consultations with staff members, I hereby confirm all information provided is sufficient and consistent with the University’s commitment to maintaining control of its athletics programs.

cc: Mark Wharton, Vice Chancellor and Director of Athletics
Yousef Hamadeh, Assistant General Counsel
David Steele, Chief of Staff

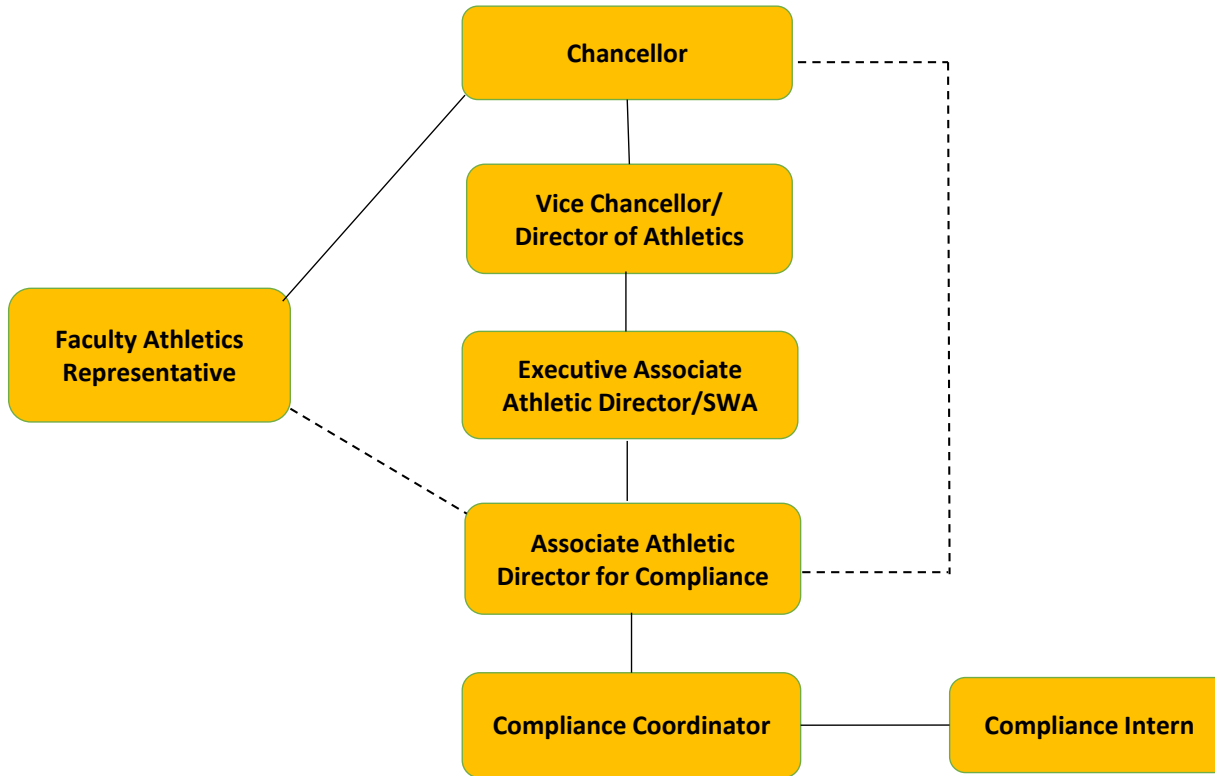
#HERETOHELP



3

DEPARTMENT OF COMPLIANCE

June 2023



Compliance Organizational Chart

Full Time Staff Comparison

<u>Institution</u>	<u>Full Time Staff</u>
Mercer	2
Western Carolina	1
Wofford	1
North Carolina at Greensboro	1
Furman	2
Virginia Military Institute	1
Citadel	2
Samford	3
East Tennessee	1
UT Chattanooga	2



Reporting a Violation

If an alleged or rumored violation is communicated to any athletic department staff member, or individual other than an athletic department staff member, the individual has an obligation to report the alleged violation to any or the following persons in a timely manner:

- Any Compliance Staff Member
- The Director of Athletics
- The Faculty Athletics Representative
- Senior Woman Administrator
- Online at [gomocs.com/Compliance Violation Reporting](http://gomocs.com/Compliance%20Violation%20Reporting)



Conducting Investigation

Step 1- Develop Case Strategy

- Identify potential NCAA violations
- Identify prospective interviewees
- Establish order in which individuals will be interviewed
- Identify documents to be collected
- Create a timeline for completing investigation



Conducting Investigation

Step 2 - Who should be interviewed

- Institution should interview any individual with potential knowledge of and/or involvement in potential NCAA violations (e.g., Staff members, student-athletes, former student-athletes).



Conducting Investigation

Step 3 - Interview Logistics

- Identify who is responsible for conducting interview.
- Who may be present during interview.
- Where the interview will be conducted.
- Who may know about the interview.
- How the interview will be performed (e.g., in person, videoconference).



Conducting Investigation

Step 4 - Document Collection Consideration

- A timeline for production of the requested documents.
- What format the requested documents should be produced (native format, Word, .pdf, Excel, photocopies, etc.) and what information may be embedded in electronic materials.
- Consequences for failure or refusal to produce requested documents.
- How a request for documents from a third party might compromise the investigation.



Conducting Investigation

Step 5 - Analysis of Information

- Review and analyze all information collected to determine whether additional interviews or documents are necessary.
- Review entire file and determine whether the factual information and relevant bylaws indicate that violations likely occurred.
- Identify the institutional staff responsible for analyzing the information and arriving at its findings.



Conducting Investigation

Step 6- Reporting Institutional Findings to NCAA

- Report using NCAA guidelines through Request/Self-Reports Online.



Violations Reported

Sport/Department	Violations	Bylaw
Men’s Golf	1	17
Women’s Golf	1	17
Financial Aid	1	15
Football	1	13
Volleyball	1	13
Men’s Cross Country	1	17





THE UNIVERSITY OF
TENNESSEE
KNOXVILLE



June 5, 2023

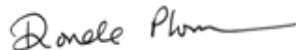
University of Tennessee Board of Trustees
Audit and Compliance Committee
c/o C. Ryan Stinnett, General Counsel
719 Andy Holt Tower
Knoxville, TN 37996-0170

Re: Annual Report to the Audit and Compliance Committee (BT0033 – Policy on Oversight of Intercollegiate Athletics)

Dear Members of the Audit and Compliance Committee:

I am pleased to submit this annual written report to the Audit and Compliance Committee to ensure that the Board of Trustees has information sufficient to understand and monitor the university's compliance with the rules and regulations of the National Collegiate Athletic Association (NCAA) and determine the adequacy of the university's athletics compliance function.

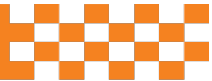
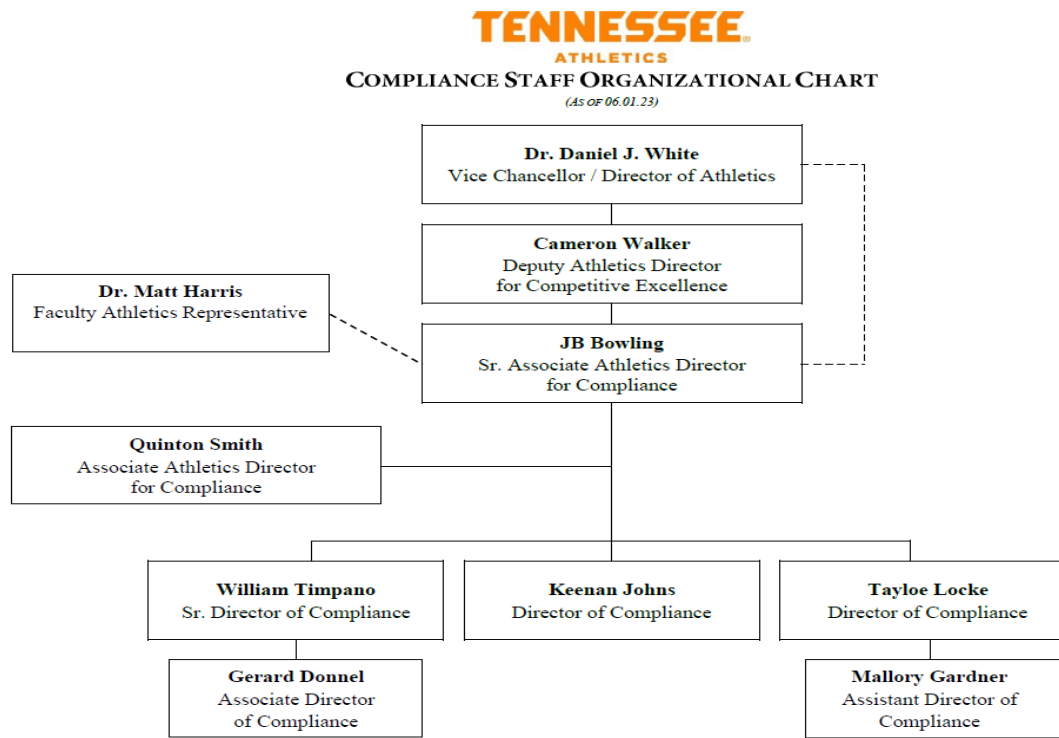
Sincerely,



Donde Plowman
Chancellor

Office of the Chancellor
800 Andy Holt Tower 1331 Circle Park Drive Knoxville, TN 37996-0180
865-974-2444 chancellor.utk.edu

ATHLETICS COMPLIANCE STRUCTURE



SEC PEER COMPARISON OF COMPLIANCE STAFFING

AS OF FEBRUARY 2021		
Rank	School	Full-Time Staff
1	Georgia	9
2	Texas A&M	8
T-3	Ole Miss	7
T-3	Arkansas	7
T-5	Tennessee	6
T-5	Alabama	6
T-5	Auburn	6
T-5	Florida	6
T-5	Kentucky	6
T-5	LSU	6
T-5	Missouri	6
T-5	South Carolina	6
T-13	Mississippi State	5
T-13	Vanderbilt	5



PROCESS FOR REPORTING A VIOLATION

Any coach, employee, student-athlete, or other individual associated with the UT athletics department or an employee of UT who has NCAA compliance responsibilities (including UT employees who work outside of the athletics department) must notify appropriate institutional officials immediately of any suspected or known violation(s) of NCAA legislation or UT or SEC policies or procedures. Notification must take place by contacting (in-person or by telephone or e-mail) an Athletics Compliance Office staff member, the AD or FAR. Reporting this information to the head coach of an involved sport does not meet this requirement.



INVESTIGATING A VIOLATION

- Upon being informed of a possible violation, the compliance office will conduct a preliminary investigation to ascertain the general facts surrounding the incident. The parties involved in the incident may be contacted directly and asked about the matter. The compliance office will communicate the preliminary findings to the AD and FAR. The compliance office, AD and FAR jointly shall have initial responsibility for determining whether the information indicates a possible violation.
- If the information indicates further investigation is warranted, depending on the level (I-IV) of the possible violation, the compliance office will notify the Chancellor, OGC, FAR, AD, Sport Administrator and head coach if applicable.
- For potential level III & IV violations, the compliance office in coordination with the FAR will investigate all facts and apply the appropriate governing rules. If a violation is determined to have occurred, the compliance office will submit a written report to the NCAA and SEC detailing the violation and any penalties that will be self-imposed.



INVESTIGATING A VIOLATION CONT'D

- For potential level I & II violations, the compliance office, in conjunction with the FAR, shall forward the information to the OGC and that office shall be responsible for directing the investigation. During the course of the investigation, the Chancellor shall receive regular reports regarding its progress. The compliance office shall inform the SEC of the inquiry. OGC will review and approve a final written report to be submitted to the NCAA at the conclusion of the investigation.
- The institution will not permit retaliatory actions against athletics staff or student-athletes who submit or are involved in a complaint or allegation concerning NCAA rules violations. Additionally, the institution will act in accordance with institutional procedures for alleged misconduct by an employee and applicable provisions of state legislation.



LEVEL III VIOLATIONS 2021-22

PER SPORT	
Baseball	3
Men's Basketball	0
Women's Basketball	0
Cross Country	1
Football	1
Men's Golf	0
Women's Golf	0
Rowing	0
Soccer	0
Softball	0
Swimming & Diving	2
Men's Tennis	0
Women's Tennis	0
Track & Field	0
Volleyball	0
	7

PER BYLAW	
Bylaw 5	0
Bylaw 10	0
Bylaw 11	0
Bylaw 12	0
Bylaw 13	6
Bylaw 14	1
Bylaw 15	0
Bylaw 16	0
Bylaw 17	0
Bylaw 18	0
Bylaw 20	0
Bylaw 31	0
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Office of the Chancellor
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fax: (731) 881-7019

May 19, 2023

University of Tennessee Board of Trustees
Audit and Compliance Committee
c/o Ryan Stinnett, General Counsel
1169 UT Tower
505 Summer Place
Knoxville, TN 37902

RE: Annual Report to the Audit and Compliance Committee (BT0033 – Policy on Oversight of Intercollegiate Athletics)

Dear Members of the Audit and Compliance Committee:

I am pleased to provide this written statement outlining UT Martin’s commitment to athletics compliance from a larger campus perspective and providing an overview of the information contained in UT Martin’s annual report.

May this letter serve as my request for the Office of General Counsel to submit this annual report to the Audit and Compliance Committee of the UT Board of Trustees. Athletics compliance is considered of utmost importance at the University of Tennessee at Martin. The Athletics department devotes a significant amount of time to ensuring that all employees and constituents are educated on NCAA, OVC, and institutional regulations that could impact the institution, and specifically, our compliance within athletics.

While the institution employs a single full-time employee in the office of compliance, the Athletic academic staff and other members of Athletics administration are responsible for compliance duties to help facilitate monitoring of activities on campus and the actions of campus members that could impact compliance. Cross training is both intentional and vital to maintaining compliance on campus due to the limited full-time staff members devoted solely to compliance. However, the reporting of violations is handled by the compliance officer, as to ensure that the party most well-versed in legislation is responsible for reporting off-campus. These reports are also provided to the Athletics Director, Faculty Athletics Representative, and the Chancellor, in the event that the report is serious enough to warrant such reporting.

The Chancellor’s oversight and support of the compliance office’s efforts helps stress the importance to the rest of the campus. This statement and my corroborating actions shall serve as my attestation of commitment to athletics compliance on UT Martin’s campus, and I will continue to act in a way that will further campus compliance.

Sincerely,

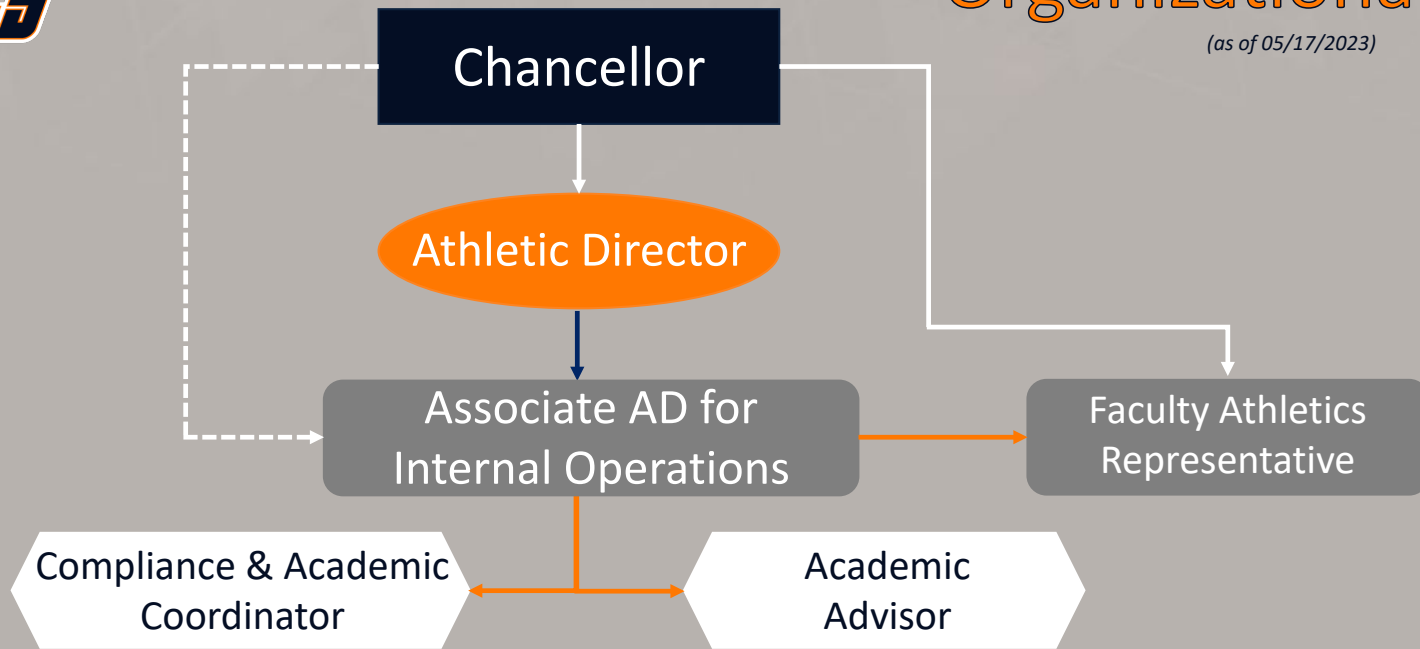
A handwritten signature in black ink, appearing to read 'Philip Acree Cavalier', written in a cursive style.

Philip Acree Cavalier
Interim Chancellor



Compliance Staff Organizational Chart

(as of 05/17/2023)



VIOLATIONS

BYLAW	SPORT	Case type	MONTH
14.3.1.6 14.3.5.1 12.1.1.1.3 12.11.1 15.01.5	Men's Track	Certification of eligibility	April 2023



OVC Peer Comparison for Compliance

Rank	School	FT Positions
	Eastern Illinois University	1
	Lindenwood University	3
	University of Arkansas at Little Rock	1
	Morehead State University	2
	Southeast Missouri State University	1
	Southern Illinois University- Edwardsville	3
	University of Southern Indiana	1
	Tennessee State University	3
	Tennessee Tech University	1
	University of Tennessee at Martin	1
	Western Illinois University	1

Process of Violation Investigations

- The process of taking reports of violations and investigating potential NCAA violations starts with a report to the Associate AD for Compliance/Academics. All staff members within the athletics department knows that if there is a report made to them, that the information should be relayed to the compliance office.
- Rules education is a key tool in this process, as keeping staff informed on the regulations is necessary in order for them to identify a possible violation.
- Once the information is initially obtained, the compliance office will write up a report and begin an investigation.
- Depending on the level of the violation, the compliance office will notify the Athletics Director, the Faculty Athletics Representative, and possibly the Chancellor. The majority of violations are Level III violations that are reported to the Athletics Director and the Faculty Athletics Representative upon intake of the report. Level II violations require notification to the Athletics Director, the Faculty Athletics Representative, and the Chancellor. Level I violations will be reported to all three parties upon initial intake of the report as well. The last party that could possibly be notified would be the Title IX Coordinator if the possible violation is in any way associated with gender inequity or assault that requires reporting to the abovementioned party.

Process of Violation Investigations cont.

- Once the initial report is taken and the proper parties are notified, the compliance office will begin interviewing any parties that were possibly involved in the violation. Upon completion of the interview process, the compliance office will confer with the Athletics Director on the plan of action for the particular situation.
- This can range from a determination that no violation occurred to the requirement that the report be forwarded to the conference office and/or the NCAA.
- Regardless of the actions taken after the initial investigation, additional rules education will be provided to the staff members in question. Even if there is no violation, the education provides a preventative measure that allows for the parties in question to avoid any future reports of possible violation in the same realm.
- Once a decision is handed down from the NCAA, if reported, the compliance office will ensure that the staff complies with any punishment that is assessed.





THE UNIVERSITY OF TENNESSEE
SOUTHERN

OFFICE OF THE CHANCELLOR

TO: Ryan Stinnett, General Counsel

FROM: Linda C. Martin, Interim Chancellor

DATE: May 24, 2023

RE: Annual Report to the UT Audit and Compliance Committee

Members of the UT Board of Trustee Audit & Compliance Committee:

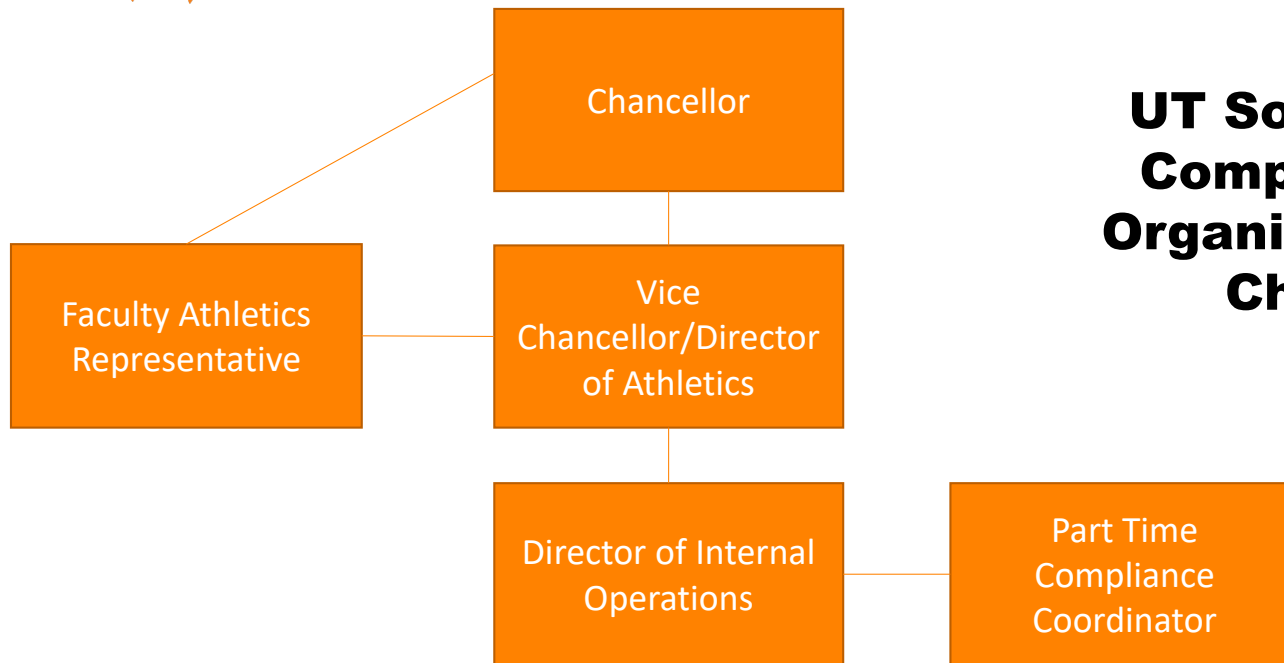
I am pleased to submit this annual report to the UT Board of Trustees Audit and Compliance Committee to ensure sufficient information has been provided demonstrating the university's compliance with the rules and regulations of the National Association of Intercollegiate Athletics (NAIA) and adequacy of the university's athletics compliance function.

The University of Tennessee Southern (UT Southern) is committed to setting and achieving high standards for integrity, behavior, transparency, and moral character. We are acutely aware of the importance of institutional control and remain committed to all National Association of Intercollegiate Athletics (NAIA) policies, regulations, and values as well as those set forth by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

Commitment to compliance is a high priority for UT Southern; we stand firm on matters of integrity, honesty, discipline, and sportsmanship. UT Southern has not had any violations of rules and/or guidelines for academic year 2022-23 per NAIA.

Sincerely,

Linda C. Martin
Interim Chancellor



UT Southern Compliance Organizational Chart

Mid-South Peer Comparison of Compliance Staffing

Institution	Compliance Professionals
UT Southern	3.5
Shawnee State University	2
University of the Cumberlands	3
Lindsey Wilson College	3

*Most NAIA schools do not have designated compliance officers. These numbers come from those in roles who may be responsible for compliance (e.g. ADs, FARs, Assistant ADs, etc.).

Process for Reporting a Violation

How to report a violation

Should any chief executive officer, faculty athletics representative, athletics director, and/or coach become aware of an apparent institutional violation involving an athlete or institutional representative of any member institution, it shall be the responsibility of the individual to notify their athletics director and faculty athletics representative of that violation immediately. The athletics director or faculty athletics representative upon being notified shall contact in writing the athletics director and faculty athletics representative at the institution in question and send copies of the notification to the National Office and the Eligibility Chair. This notification shall take place within five days of receiving the information. Failure to abide by any part of this regulation shall be viewed as unethical conduct and shall cause an investigation by the National Conduct and Ethics Committee for appropriate action against the institution for withholding information. (ARTICLE VI, SECTION B, ITEM 3.)

(*Beginning in 2023-24, the NAIA is developing a more concise compliance alignment with more clarity on policies and procedures.)



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

AGENDA ITEM SUMMARY

Meeting Date: October 13, 2023
Committee: Audit and Compliance
Item: **Title IX**
Type: Information

Background

This report to the Tennessee Comptroller of the Treasury is the University of Tennessee's Title IX Implementation Plan for 2023-2024. The plan indicates the University's commitment to Title IX and the methods that have been developed to monitor Title IX efforts.

The University of Tennessee is a recipient of federal financial assistance for education activities, and in accordance with the provisions of the Education Amendments Act of 1972 (20 U.S.C. Section 1681, *et seq.*), discrimination on the basis of sex is prohibited in all of its education programs and activities. In 1998, the Tennessee General Assembly passed Public Chapter 758, which requires that each state government entity subject to Title IX develop a Title IX implementation plan annually and submit it to the state Department of Audit. This Title IX Implementation Plan for the University of Tennessee attempts to follow the guidelines set out for Tennessee State Agencies by the state Comptroller's office.

September 27, 2023

Jason E. Mumpower
Comptroller of the Treasury
Division of State Audit
1500 James K. Polk Blvd.
Nashville, TN 37243-0264
comptroller.state.audit@cot.tn.gov

Mr. Mumpower,

Enclosed is the University of Tennessee's Title IX Implementation Plan for 2023-2024. The plan indicates the University's commitment to Title IX and the methods that have been developed to monitor Title IX efforts.

It is my understanding that I am to provide this report to the above address. Please advise me if you would like us to send additional copies, or copies to others outside the Division of State Audit.

Respectfully,



Ashley Blamey, MSSW, DSW
Title IX Coordinator, UTK
System Title IX Compliance Coordinator
1817 Melrose Avenue
Knoxville, TN 37996

Enclosures

- Cc: Michael Alston, Title IX Coordinator, UTHSC
Anitra Barrett, Title IX Coordinator, UTC
Patricia Burks Jelks, Title IX Coordinator, UTSI
Dominique Crockett, Title IX Coordinator, UTM
Brian Daniels, Chief Audit and Compliance Officer, University of Tennessee
Rachel Powell, Associate General Counsel, University of Tennessee
Sarah Catherine Richardson, Title IX Coordinator, UTS

**The University of Tennessee
Title IX Implementation Plan**

2023-2024
September 27, 2023

**THE UNIVERSITY OF TENNESSEE TITLE IX
IMPLEMENTATION PLAN
2023-2024**

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THE UNIVERSITY OF TENNESSEE TITLE IX IMPLEMENTATION PLAN

Part 1 – Overview of the University of Tennessee’s Title IX Enforcement Program

“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 (Title IX)

Overview of The University of Tennessee

The University of Tennessee’s mission is to serve all Tennesseans and beyond through education, discovery and outreach that enables strong economic, social and environmental well-being. It is comprised of campuses at Knoxville, Chattanooga, Martin, and Pulaski; the Health Science Center at Memphis; the Space Institute at Tullahoma; and the statewide Institute of Agriculture and Institute for Public Service.

The University of Tennessee System has a presence in each of Tennessee’s 95 counties. Through the combined force of its education, research, and outreach, the University serves students, business and industry, schools, governments, organizations, and citizens throughout the state.

Each year students graduate from UT campuses across the state and earn bachelor’s, master’s, doctoral and professional degrees. The UT System enrolls a little more than 55,000 undergraduate and graduate students statewide each year. The UT System’s delivery of education, discovery, outreach and public service contributes to the economic, social and environmental well-being of all Tennesseans. UT faculty and staff on each campus are working on improvements to graduation and retention rates.

The University of Tennessee is a recipient of federal financial assistance for education activities, and in accordance with the provisions of the Education Amendments Act of 1972 (20 U.S.C. Section 1681, et seq.), discrimination on the basis of sex is prohibited in all of its education programs and activities. In 1998, the Tennessee General Assembly passed Public Chapter 758, which requires that each state government entity subject to Title IX develop a Title IX implementation plan annually and submit it to the state Department of Audit. This Title IX Implementation Plan for the University of Tennessee attempts to follow the guidelines set out for Tennessee State Agencies by the state Comptroller’s office. This plan reflects the guidelines set forth in the document, “Without Regard to Gender,” produced by the State of Tennessee Office of Education Accountability in 1999. It does not mirror the University’s Title VI Plan that is also required by the State of Tennessee of all of its state agencies.

The University’s primary duty under Title IX is to ensure that its own instructional, employment, research, and public service programs and activities are offered without discrimination on the basis of sex. One focus of Title IX compliance has been with regard to athletic opportunities provided on a non-discriminatory basis by the recipients of federal funds. Title IX has also been the legislative vehicle through which individuals in the educational setting are provided coverage against gender discrimination, sexual harassment and other sexual misconduct. A secondary duty of the University is to make reasonable efforts to assure Title IX compliance by sub-recipients of federal funds distributed through the University. This obligation must be viewed within the University’s limited ability to delve into the policies and practices of other agencies that are governed by Title IX. The University’s civil rights compliance obligation for sub-recipients is carried out through surveys conducted under the requirements of Title VI.

The Department of Education’s Office for Civil Rights issued new regulations on May 6, 2020, mandating how colleges and universities address cases of sexual harassment under Title IX. From May 6 – August 14, 2020, the University of Tennessee campus and institute Title IX Coordinators worked to incorporate the regulatory requirements into campus processes and respond to campus needs and community expectations across the UT System.

The University developed a templated Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking with shared definitions and a common framework that allows for customization for each campus and institute related to its own resources and jurisdiction. The University of Tennessee campuses and institutes will continue to provide support resources to individuals who are either the complainant or respondent in reports of Title IX and Non-Title IX Prohibited Conduct, as defined by the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking. The University of Tennessee has addressed and applied all aspects of the regulation to the investigation and grievance procedures in the templated Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking. The grievance procedures and policies have not changed since implementation on August 14, 2020. However, on June 23, 2022, the U.S. Department of Education’s Office for Civil Rights (OCR) released proposed changes to its Title IX regulations on how campuses respond to and resolve Title IX concerns. The public comment period closed on September 12, 2022. In addition, on April 6, 2023, OCR released additional proposed changes to its Title IX regulations on students' eligibility to participate on athletic teams. The public comment period ended on May 15, 2023.

The Office of Civil Rights has indicated the final regulations will be posted in October 2023.

Budget Information

The University of Tennessee is a recipient of federal and state funds. Information is available from the [University’s Controller’s Office](#).

Organization and Designation of Title IX Coordinators

The University of Tennessee has designated a Title IX Coordinator at each campus location as well as a Title IX Compliance Coordinator for the University of Tennessee System.

Following is a list of the Coordinators and their respective campuses:

Michael Alston	UTHSC campus
Anitra Barrett	UTC campus
Ashley Blamey	UTK campus/System Title IX Compliance Coordinator
Michelle Buck	System Deputy Title IX Compliance Coordinator
Patricia Burks-Jelks	UTSI campus
Dominique Crockett	UTM campus
Sarah Catherine Richardson	UTS campus

These Coordinators have overall responsibility for monitoring compliance with Title IX and other state and federal civil rights functions on their respective campuses. Responsibilities for developing and implementing the University’s Title IX Implementation Plan are housed in the University’s Office of Title IX physically located at the Knoxville campus at 1817 Melrose Avenue, Knoxville, TN 37996.

Statement of Policies and Applicability

An *example* of a full University of Tennessee campus “Non-Discrimination EEO/AA Statement” reads as follows:

All qualified applicants will receive equal consideration for employment and admission without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, genetic information, veteran status, and parental status, or any other characteristic protected by federal or state law. In accordance with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, the University of Tennessee affirmatively states that it does not discriminate on the basis of race, sex, or disability in its education programs and activities, and this policy extends to employment by the university.

Inquiries and charges of violation of Title VI (race, color, and national origin), Title IX (sex), Section 504 (disability), the ADA (disability), the Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Office of Equity and Diversity, 1840 Melrose Avenue, Knoxville, TN 37996-3560, telephone 865- 974-2498. Requests for accommodation of a disability should be directed to the ADA Coordinator at the Office of Equity and Diversity.

The University of Tennessee does not discriminate on the basis of sex in our education programs or activities, including admissions and employment. The University is required by Title IX not to discriminate in such a manner. The University has a Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking which may be accessed at titleix.utk.edu. You may make a formal complaint by contacting the Title IX Coordinator at any time.

Any inquiries about the application of Title IX or to make a report should be directed to the following:

Ashley Blamey, Title IX Coordinator
1817 Melrose Avenue
Knoxville, TN 37919
Telephone: 865-974-9600
Email: titleix@utk.edu

Assistant Secretary in the Department of Education Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Telephone: 1-800-421-3481
FAX: 202-453-6012; TDD: 1-800-877-8339
Email: OCR@ed.gov

In addition to the non-discrimination statement, the University has established a policy concerning fair employment practices to ensure equal employment opportunity to all University employees and applicants for employment. University Policy HR0220 reads as follows:

It is the policy of the University of Tennessee not to discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, parental status, sexual orientation, gender identity, national origin, disability, age, genetic information, veteran status, or any other characteristic protected by federal or state law. University policy also prohibits harassment based on such characteristics. See Human Resources Policy, HR0280 - Sexual Harassment & Other Discriminatory Harassment. This policy extends to recruitment, the interview process, employment, hiring, promotion, demotion, transfer, layoff, termination, compensation, training, benefits, the performance review process and all other terms and conditions of employment.

In accordance with Executive Order 11246, which is applicable to the university as a federal

contractor, the university will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, marital status, parental status, sexual orientation, gender identity, national origin, disability, age, genetic information, veteran status or any other characteristic protected by federal or state law.

Reasonable accommodations will be made for otherwise qualified disabled veterans and persons with disabilities in accordance with the Uniformed Services Employment and Reemployment Rights Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Requests for reasonable accommodation should be directed to the appropriate ADA Coordinator.

Retaliation is an act or attempted act taken because of a person's participation in a protected activity (e.g., making or supporting a complaint of discrimination) that would discourage a reasonable person from engaging in protected activity. Protected activity includes a person's good faith (1) opposition to discrimination; (2) report of discrimination to the university or a state or federal agency; or (3) participation (or reasonable expectation of participation) in any manner in an investigation of discrimination or a proceeding related to discrimination. Retaliation is a violation of this policy regardless of whether the reported violation of this policy is ultimately found to have merit.

Retaliation should be reported in the same manner in which discrimination is reported under this policy. When the university receives notice of alleged retaliation, the university will take immediate and appropriate steps to investigate the alleged retaliation. The university will take strong responsive action if it determines that retaliation occurred, which may include disciplinary action, up to and including termination of employment against the retaliator. The university will investigate and resolve reports of retaliation in the same manner in which it handles reports of discrimination under this policy. It is the university's goal and policy to prevent and/or stop acts of retaliation before they rise to the level of violating state or federal law.

The University will implement Affirmative Action Plans, available portions of which will be shared with employees upon request.

The university will not deny alternative job assignments, modified duties, or other accommodations to employees who are unable to perform some of their job duties because of sex, which includes pregnancy, childbirth, and related medical conditions.

Each campus or institute will provide a procedure for filing complaints about violations of this policy. An employee who has a complaint about discrimination or retaliation prohibited by this policy should follow the applicable internal complaint procedure. An employee who has a complaint about sexual or other discriminatory harassment should follow the complaint procedures described in Human Resources Policy, HR0280 - Sexual Harassment & Other Discriminatory Harassment HR0280 - Sexual Harassment & Other Discriminatory Harassment.

This policy shall not be construed to: (1) confer eligibility for employment benefits for which an employee is not otherwise eligible under state law, policy, or practice as the same may be modified by federal law; (2) infringe upon the free exchange of ideas essential to the academic environment; (3) limit the free exercise of religion; (4) establish a duty to engage in affirmative action measures for characteristics not subject to affirmative action under state or federal law; (5) require the compliance of external entities or individuals or compliance of university programs governed by external government agencies in which non-discrimination does not include certain personal characteristics (e.g., ROTC); or (6) create any cause of action not currently provided by state or federal law

Other Related Policies & Definitions

The University has adopted several policies and procedures that support Title IX and Title IX adjacent concerns. Many of the campuses have adopted the new policies and procedures with adaptations for their own student and employee disciplinary procedures and campus administrative structures (see campus policies below).

Additional support resources for students and employees can also be accessed at the campus websites. Additionally, as mentioned above, University Policy HR0220, Equal Employment Opportunity and Affirmative Action, supports fair employment practices and equal employment opportunity; Policy HR0143, Recruiting, provides for the creation of systematic and equitable search procedures at each campus location; Policy HR0280, Sexual Harassment & Other Discriminatory Harassment, establishes and defines the University's overall policy prohibiting sexual harassment. Policy HR0280 also establishes the requirement that each campus location provide training for employees on what constitutes sexual harassment and create a sexual harassment complaint procedure. University Policy HR0640 establishes a grievance policy that may apply in certain complaint situations. Hiring policies and practices are monitored and reviewed on each campus by the campus Equity and Diversity/Equity and Inclusion/Affirmative Action office. Searches for faculty and professional staff are closely reviewed in order to monitor the recruitment and selection of qualified applicants, women applicants and minority applicants. Examples of campus search procedures can be found for Knoxville: <http://oed.utk.edu/searches/>, and for Martin: <https://www.utm.edu/offices-and-services/office-of-equity-and-diversity/search-procedures-for-faculty-and-higher-level-administrative-positions.php>. An example of the University's student sexual assault complaint procedures can be found at: <https://studentconduct.utk.edu/title-ix-process/>. Examples for reporting options for campuses include Chattanooga: <https://www.utc.edu/sexual-misconduct/file-report/reporting.php>, and UT Health Science Center: <https://www.uthsc.edu/oed/file-complaint.php>.

Additional related policies and procedures can be found in campus and institute affirmative action plans and in campus student handbooks and faculty handbooks. Student handbooks provide information regarding the University's sexual harassment policies, sexual assault policies and complaint procedures as they relate to students. The University's campuses receive notice each year of the current Policy on Sexual Harassment, Sexual Assault, Dating/Domestic Violence and Stalking and each campus provides training efforts to raise Policy awareness. Faculty workshops and handbooks are another method of notifying faculty of the University's prohibition against sexual harassment and misconduct. During the 2014-15 academic years, the faculty approved a policy that clearly prohibits consensual relationships. The current handbook is located at <https://facultyhandbook.utk.edu/wp-content/uploads/sites/82/2020/12/Faculty-Handbook-2021-Final-2021-01-01.pdf>.

An example of a student handbook may be found at <https://www.utc.edu/dean-students/student-handbook.php>. The Student Code of Conduct for each campus addresses the process by which Title IX and Non-Title IX related allegations are addressed in compliance with state and federal law. This is an example: <https://studentconduct.utk.edu/standards-of-conduct-overview/>.

Policies and procedures are widely available to university faculty, staff, students, and campus visitors through the University's main website, and through each respective campus website. Historically, starting in 2016, UT President Joe DiPietro appointed a special, independent commission to review and address Title IX compliance across the UT System. Comprised of four nationally recognized experts, the commission conducted a detailed review of existing policies, protocols and resources system wide. The group reviewed documents; conducted 65 interviews and follow-up conversations with 52 administrators and staff; and hosted a series of focus group discussions and listening sessions with students on campus in

Knoxville, Chattanooga and Martin. The commission released a report of its findings in June 2017. The commission's report helped lay the groundwork for a university-wide commitment to Title IX. The report included five major recommendations: (1) creation of a system wide Title IX coordinating presence; (2) campus Title IX staffing and resource enhancements; (3) policy, grievance procedures, and student code of conduct updates and modifications; (4) case management, care, and support enhancements; and (5) education, prevention, and training enhancements.

Since the special Title IX commission's report was released in June 2017, the UT System Title IX office has: (1) established a system-wide Title IX Model; (2) developed and implemented a communication plan that ensures system-wide collaboration on best practices, legal updates, trends, and a professional network for Title IX Coordinators; (3) developed a Policy framework including grievance procedures and complaint codes of conduct; (4) provided Title IX training to Board of Trustees, Audit and Compliance Committee, and online training to system employees; (5) compiled and published the UT System Title IX annual report in 2017, 2018, 2019, 2020, 2021, 2022; and (6) established a robust sharing of resources across the system of Title IX Coordinators.

The University's Title IX related policies provide guidance across the UT System so that the institution will be in compliance with state and federal regulations and operate in a way that supports the mission and values of the University. Each campus is aligned with a Policy framework with some local customization which provides clear rights and responsibilities of faculty, staff and students as they pertain to Title IX. Complaints regarding discrimination based on sex will be addressed following the campus' discrimination complaint policy and procedure.

Campus/Institute Title IX Policies

UT Knoxville including UTIA and IPS

[UTK Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking](#)

UT Chattanooga

[Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking](#)

UT Health Science Center

[UTHSC Policy on Sexual Harassment, Sexual Violence, Dating and Domestic Violence, and Stalking](#)

UT Martin

[UT Marting Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking](#)

UT Southern

[UTS Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking](#)

UT Space Institute

[UT Space Institute Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking](#)

In addition to the policies referenced above, the University's Chattanooga, Martin and Knoxville campuses have dedicated Student Pregnancy Accommodations policies. The policies can be found online: [University of Tennessee Chattanooga](#)

[University of Tennessee Knoxville](#)
[University of Tennessee Martin](#)

Staff and Budgetary Resources

Each Title IX Coordinator for each campus is responsible for coordinating compliance and training functions associated with Title IX and any other designated civil rights statutes in general, although such functions may be carried out by other units such as the General Counsel's office, Human Resources offices, or by Student Affairs staff. Resources are allocated for training, publishing and printing materials, continuing education of personnel working with Title IX issues, and purchasing of current materials and publications through each responsible campus/institute operating budget. Title IX Coordinators across the system met regularly this year via Zoom conference to review legal updates, discuss national trends, collaborate on training efforts, and to provide consultation.

Due to regulatory consistency from 2020, the policy remained aligned across campuses with limited updates. Training was evaluated and selected through the Request for Proposals (RFP) process. Consistent with our ongoing commitment, the University of Tennessee campuses are committed to ongoing resource evaluation and monitoring of needs. Title IX compliance remains within the Equity and Diversity umbrella of civil rights responsibilities on most UT campuses; however, Chattanooga and Knoxville both have dedicated Title IX offices, and Memphis, Martin, Southern, and UTSI have made training a priority for staff working within this arena.

The System Title IX Compliance Coordinator and System Deputy Title IX Compliance Coordinator collaborate with campuses to ensure access to relevant training and shared resources across the system. The training of additional staff has been a priority for the various campuses, and resources have been provided by the Chancellor of each campus. The Office of Title IX continues to support system-wide Title IX compliance through the following ongoing and completed objectives. The University is engaged in an ongoing effort to improve its Title IX compliance activities.

The Office of Title IX supported system-wide compliance through the following ongoing and completed objectives: (1) continued use of a templated Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking with shared definitions and a common framework that allows for campus localization and customization as needed; (2) continued support for campus implementation of the 2020 Title IX policies through routine meetings, ongoing legal updates, and up-to-date guidance documents; (3) continued delivery of system-wide Title IX training addressing the required elements of the 2020 Title IX regulation and relevant legal updates; (4) updated terms and definitions associated with the collection of Title IX data across the UT System to ensure internally consistent compliance assessments and compliance with the 2020 Title IX regulations; (5) enhanced Office of Title IX website, including updated information regarding fall 2023 training materials, campus Annual Title IX Reports, definitions of prohibited conduct, and campus Title IX policies; (6) continued creation of Title IX compliance documents, templates, and resources for system-wide use; the resources created included formal complaint forms, intake checklists, notices and letters to complainants and respondents, process flow charts, and guidance documents for hearing officers and advisors; (7) drafted a manual for hearing officers; and (8) facilitation of campus compliance with Title IX notification requirements for websites, handbooks, and catalogs for students and employees.

In addition to staff and system-wide efforts, the University has various committees whose responsibilities include a focus on Title IX issues. Examples of those committees include the UT Knoxville Action Collaborative, Culture of Respect, and the Title IX Response Team. At UTC, the Prevention Team began meeting in 2015 to coordinate efforts across campus. At UTM the Clery and Title IX Team meet weekly to coordinate compliance. In addition, the UTK Athletic Prevention Team meets monthly and monitors

the Title IX Athletic Prevention Plan. UTHSC utilizes OED Notes and the Diversity Matters newsletters to inform and connect invested community members.

Civil Rights Training

All Title IX Officials, Investigators, Title IX Hearing Officers, and any other person who makes decisions in a case involving Title IX allegations must, by regulation, receive annual training with the following required elements: (1) use of technology; (2) the definitions of Prohibited Conduct included in the University’s Policy; (3) the scope of the University’s education program or activity; (4) how to conduct the grievance process outlined in the Policy and Appendices (including investigations, hearings, appeals, and informal resolution processes); (5) how to serve impartially (including avoiding conflicts of interest, personal biases, and prejudgment of the facts of a matter); and (6) how to evaluate relevance for evidence, relevance for questions in the hearing, and drafting investigative reports that fairly summarize the evidence. As per the regulation, the training must be posted on the institution’s website.

For this year, the University of Tennessee System-Wide Training was facilitated, following a competitive bid process in 2022, by Grand River Solutions on August 14-15, 2023. The training materials have been posted on the UT System Title IX website, and each campus’ website links to the central site. The training can be reviewed at <https://titleix.tennessee.edu/policies/annual-title-ix-training-materials>. In addition, the UT System Title IX Coordinators meet routinely for overview on legal updates and cross campus collaboration. You may review our system-wide 2023-2024 training [here](#).

As in past years, Title IX Coordinators and/or their staff participate in national conferences, regional training opportunities, and seminars that include Civil Rights and Title IX training and issues, as resources allow.

Federal law requires UT System campuses to designate at least some employees as officials with the authority to respond to known reports of sexual harassment. UT policy refers to such officials as “Mandatory Reporters,” and nearly all campus employees (generally only excluding employees deemed confidential by licensure) serve as Mandatory Reporters when reports concern students. The policy requires Mandatory Reporters to forward reports or information about alleged sexual harassment or sexual violence under the policy to the campus’ Title IX Coordinator for review. Such referrals provide the Title IX Coordinators the ability to contact alleged complainants with care and support resources, safety information, and options for reporting to police or a university investigator. Providing annual training to Mandatory Reporters is critical, as referrals from Mandatory Reporters to campus Title IX Coordinators account for a large number of campus reports. UT campuses clearly communicated training requirements for the 2022-2023 academic year and routinely encouraged employees to complete the training.

Such efforts resulted in the following exceedingly high training completion rates:

UT Chattanooga	97%
UT Health Science Center	99%
UT Institute of Agriculture	97%
UT Knoxville	96%
UT Martin	100%
UT Southern	98%
UT Space Institute	96%
UT System Administration	99%

Additionally, the University undertakes its training and prevention responsibilities through a variety of offices. Below are some of the prevention, education, and training highlights from each campus/institute.

The University of Tennessee Chattanooga: Prevention, Education and Training

Student Education and Prevention

UTC provides in-person training regarding Title IX, consent, support and resources and other related topics to all incoming freshmen, transfer, graduate and international students. Freshman Orientation training is conducted by the Interim Title IX Coordinator, the Director of the Center for Women and Gender Equity and UTC Police Department's Sexual Relationship Violence Liaison Officer. Presentations at the transfer, graduate and international student orientations were conducted by the Interim Title IX Coordinator. Online Education: new first-year, transfer, and graduate students complete Title IX education via UTC Learn (Canvas), the University's student learning management system, which utilized several of Everfi's online training modules to augment in-person training events. The students are required to complete an online Title IX Education and Prevention program by the beginning of their first academic semester at the University. Incoming freshmen and transfer students completed Everfi's Sexual Assault Prevention for Undergraduates (SAPU). Incoming graduate students completed Everfi's Sexual Assault Prevention for Graduate Students, which includes information on the same topics as SAPU, but is geared toward graduate students. The modules include information about sexual harassment and sexual violence, stalking, bystander intervention, consent and coercion, values, identities and relationships, reporting options, and support and resources. UTC's student-athletes complete Title IX education via UTC Learn (Canvas), which utilized Everfi's Sexual Assault Prevention for Student-Athletes. The module includes information about leadership, positive values, healthy and unhealthy relationships, bullying, hazing, sexual harassment and sexual violence, consent, bystander intervention strategies, reporting options, and support and resources. Step Up! Against Dating Violence: training to prepare students to identify the signs of healthy and unhealthy/abusive behaviors, provide ways to intervene with friends who condone and engage in abusive behavior, and how best to support friends who are experiencing abuse. UTC's comprehensive and collaborative prevention and education program about sexual assault, sexual harassment, dating violence, domestic violence and stalking, KnowMore @ UTC, is a partnership between the Office of the Title IX Coordinator, the Office of the Dean of Students, the Center for Women and Gender Equity, the Center for Wellbeing, the Office of Equity and Inclusion, the Office of Human Resources, and other campus partners. The following details are some of UTC's 2022 prevention, education, and training highlights.

Approximately 400-bathroom stall flyers are posted in 23 buildings around campus each semester. The flyer includes information about resources and reporting options. Consent T-Shirt Campaign. Obtained, Affirmative, Voluntary & Continual T-shirt giveaways to the campus as part of UTC's ongoing consent and Title IX education. Starbucks sleeve stickers created for and placed on the on-campus Starbucks' coffee sleeves to promote consent awareness.

The following are some of the on-campus events in 2022 provided for students, faculty and staff. Many of the events were conducted by campus partners, including the Office of the Dean of Students, the Center for Wellbeing, the Center for Women and Gender Equity, and the Mocs Recovery Center: Hookup Culture Instagram Story Campaign; Stalking Awareness Month Instagram Story Campaign; Can We Talk? Just Talking or Stalking Discussion on "an expression of feelings that honors the other person's privacy, boundaries, and ability to shut you down, and then there's stalking"; and Stalking Awareness program: screening and discussion of Netflix's *You*.

Healthy Relationships Week included tabling addressing the following: Consent & Sexual Health Pop-

Up; Can We Talk? Situationships; Healthy Relationships Workshop with the UTC Student Success Center; Romantic Relationships 101 with the UTC MOSAIC Program; Love bombing: Romantic or Red Flag: Discussion about healthy, unhealthy and abusive; Exploring Storytelling & Art as Activism with Chanel Miller, a virtual discussion; Healthy Relationships Workshop for Athletic Bridge Program; Honor's College Retreat: Title IX and Consent Workshop; Title IX & Consent Workshop with UTC Marching Band; Consent-a-thon; AOD Jeopardy for Fraternity & Sorority Life Town Hall; Red Zone Carpet; Roommate 101- MOSAIC Healthy Relationships Series; Sexual Health Awareness Month Tabling; Boundaries in Relationships; Trauma-Informed Yoga for Survivors (and those who support them); Rated RHA; Can We Talk? Breaking Up; Media & Gender-Based Violence Presentation; and Sexual Assault Awareness Month (SAAM) events.

UTC observes Sexual Assault Awareness Month (April) every year. This year included: Dear Survivor Letters Tabling: an event which provided an opportunity to write letter to survivors of sexual assault and dating violence that were displayed in Lupton Hall for the month; SAAM Lunch Chat: What is Rape Culture? An event to discuss what rape culture is and how we can be a part of dismantling it; SAAM Lunch Chat: What is Consent? An event to discuss what consent looks like; SAAM Zine Launch Gallery Night: an event displaying art from survivors related to their healing journey, which also included readings of written works and displays of visual art by students; Consent & Coffee Hour w/ Mocs Recovery: an event discussing all things consent and how we build a culture of consent at UTC; Making Consent Common Sense: a discussion about consent wherein participants designed yard signs to place around campus with messages about enthusiastic consent; Exploring Storytelling & Art as Activism with Chanel Miller, a virtual discussion. Dating & Domestic Violence Awareness Month (DVAM) is observed by UTC every year in October. Multiple events were held, including Take Back the Night. Take Back the Night's three guiding goals are to heal individuals impacted by sexual violence, empower those who have been victimized, and take a stand to help shatter the silence and end the violence. The October 26, 2022, event included tabling and resources from campus and local partners, a march, and an opportunity for survivor speak-outs. Take Back the Night is a signature program for the Center for Women and Gender Equity. UTC also held Can We Talk? Defining Relationships. Can We Talk? is a monthly discussion series focused on growing healthier relationships. The discussion for Can We Talk on October 13, 2022, centered around defining relationships, how to have these conversations in healthy ways, and explored questions like: What are we? How do we talk about our relationship to others? Do we care about a label? What language works for us? In addition to the previous events, UTC held the Red Flag Campaign. The Red Flag Campaign, a national initiative, uses a bystander intervention strategy to address and prevent sexual assault, dating violence, and stalking on college campuses. The campaign encourages friends and other campus community members to say something when they see warning signs ("red flags") for sexual assault, dating violence, or stalking in a friend's relationship. Red flags and yard signs with information about types of red flags, additional events happening during the week, and resources was held in Chamberlain Circle during the week of October 17-21, 2022.

Employee Education and Training Highlights

Online Education: UTC employees, new and current, completed Title IX education via K@TE, the University's employee learning management system, which utilized Everfi's online education modules. Employees completed Building Supportive Communities: Clery Act and Title IX, which takes a close look at the issues of sexual harassment, sexual misconduct, and relationship violence and stalking in higher education. Completion of this module satisfies the annual Title IX training requirement. Employees also completed Building Supportive Communities: Taking Action, which supports ongoing education requirements with ways to prevent sexual harassment, maintain a safe campus community, and prepare faculty and staff to provide supportive and effective responses when someone may have experienced sexual harassment, sexual misconduct, relationship violence and stalking. Completion of this

module satisfies the annual mandatory reporter training requirement. Both modules include interactive skill-building exercises, scenarios, and a final assessment. UTC's athletics staff completed Title IX education via K@TE, the University's employee learning management system, which utilized Everfi's Sexual Assault Prevention for Athletics Staff module. The module includes information about leadership, positive values, healthy and unhealthy relationships, bullying, hazing, sexual harassment and sexual violence, consent, bystander intervention strategies, reporting options, and support and resources. UTC's Interim Title IX Coordinator conducted an hour-long session during New Faculty Orientation in August 2022. Topics covered included Title IX, resources and support available to students, faculty and staff, and mandatory reporting. UTC's Office of the Title IX Coordinator conducted 10 in-person training sessions about employee mandatory reporter responsibilities with different groups and departments across campus in 2022.

University of Tennessee Health Science Center Prevention, Education and Training

UTHSC continued to offer a variety of training and awareness events in 2022. Stalking, Mental Health, and You: The Office of Inclusion, Equity, and Diversity (OIED), in collaboration with Student Academic Support Services (SASSI), held an online webinar for Stalking Awareness Month that explored the impact of stalking on mental health and its parallels to the Netflix series *You*. The webinar was held on January 26th, 2022, for all students, faculty, and staff. Social Media SAAM Pledge: To commemorate Sexual Assault Awareness Month, OIED shared a Social Media Sexual Assault Awareness Pledge with the campus community. By signing the pledge, the individual made a personal commitment to not be a bystander to the problem, but to be part of the solution. Various faculty, students, and staff signed the pledge to help make that change. Teal Ribbon Campaign: OIED held a tabling event in the Madison Plaza Lobby to give away Teal Ribbons on April 13th, 2022. Teal Ribbons are worn by many to raise awareness in support of awareness and victims. Many students, faculty, and staff stopped by during lunch to pick up a ribbon and spread awareness.

White Ribbon Campaign: On April 19th, 2022, OIED held a tabling event in the Madison Plaza lobby to give away white ribbons for Stalking Awareness Month. Dr. Peter Buckley, Chancellor, and Dr. Michael Alston, Title IX Coordinator, encouraged all UTHSC males on campus to join them in wearing a White Ribbon for a group photograph. White Ribbon is the world's largest movement of men and boys working to end violence against women and girls, promote gender equity, healthy relationships, and a new vision of masculinity. Since its inception in Toronto in 1991, White Ribbon Campaign initiatives have been organized in over 60 countries around the world. Wearing the white ribbons demonstrates a collective pledge to never commit, condone, or remain silent about all forms of gender-based violence.

Take a Stand Reception: On October 6th, 2022, OIED, in collaboration with Campus Police, and community resources, held a Take A Stand Reception for the campus community to share information on sexual assault awareness from different perspectives. The audience was able to hear information on domestic violence awareness from on and off-campus resources like Captain Joanne Morrow (Campus Police), Miki Sisco-Sankrityayan (OIED), and Sandy Bromley (Crime Victims and Rape Crisis Center) to speak on Domestic Violence Awareness from law enforcement, legal, and wellness perspectives.

Purple Thursdays Tabling: OIED held tabling events each Thursday of the month of October to give away purple ribbons and resources to the campus community for Domestic Violence Awareness Month.

University of Tennessee Knoxville: Prevention, Education and Training

At the University of Tennessee Knoxville, the work of prevention is a cross-campus collaboration with a mission to prevent violence and support a healthy community.

Center for Health Education and Wellness

The Center for Health Education and Wellness leads and collaborates on initiatives focused on sexual misconduct awareness and prevention and sexual and relationship health promotion. In 2022, CHEW facilitated some very exciting and successful initiatives. During the fall semester, CHEW officially re-launched the Consent Is... campaign. The campaign has existed for several years in different iterations, but CHEW brought it back in full force. Led by Kayley McMahan, Interpersonal Wellness and Sexual Health Coordinator, the consent campaign has been a major success. The kickoff event for the campaign, Chill Out with CHEW: Paint the Rock and Chat about Consent, was held in August. Participants painted the Rock with words and phrases describing what consent is to them. In September, CHEW launched T-Shirt Tuesdays, a monthly event where staff set up at different locations across campus distributing hundreds of consent t-shirts and educational materials. CHEW hosted four T-Shirt Tuesday events in fall, attracting 1,163 participants. T-Shirt Tuesdays are ongoing and will continue into 2023. In September, CHEW co-facilitated Let Love Bloom with the Office of Title IX as part of the Wellness Wednesdays series. The event, which took place in the Presidential Courtyard, connected healthy relationships programming with creative expression by inviting the campus community to build bouquets with six uniquely colored flowers—each representing the different components of a healthy relationship—tied together with burlap ribbon representing equality.

The same components are incorporated within healthy relationship presentations and educational materials offered by CHEW and the Office of Title IX. More than 215 participants built bouquets. One student said, “I loved that each flower represented a different element of healthy relationships and together they formed a bouquet. I also loved the hand outs and stickers!” In October, CHEW collaborated with the Office of Title IX, Student Conduct and Community Standards, the Student Counseling Center, the Center for Care and Resilience, the Office of the Dean of Students, the Hazing Prevention Team, and the UT Police Department to host Vols A.C.T. Day, a passport style event held as part of the Wellness Wednesdays series. Vols A.C.T. Day took place the Wednesday before fall break and provided an opportunity for students to learn and practice active bystander skills in fall break scenarios. Each table had a scenario specific to the representatives at that table (for example, a dating violence scenario at the Office of Title IX table). Students would read the scenario, explain how they would use Vols A.C.T. and one or more of the “three Ds” of bystander intervention (direct, distract, delegate) to intervene. More than 150 students participated in Vols A.C.T. Day, walking away with pizza, a Vols A.C.T. t-shirt, and the knowledge they need to be active bystanders.

Athletics Prevention Programming and Wellness Plan

In 2022, the Tennessee Athletics Department continued to partner with the Office of Title IX, the Thornton Athletics Student Life Center, the Office of Sorority and Fraternity Life, and the Center for Health Education and Wellness. During Sexual Assault Awareness Month, 80 student-athletes participated in a SAAM tabling event and shared how they would be an ACTIVE bystander to support someone in need. Tennessee Athletics aimed to improve the wellness sessions for athletes with the first full year of new wellness initiatives. Teams were given the opportunity to request a topic for their second wellness session of each semester to personalize the topics for each team and create a comfortable environment that they looked forward to engaging in. A total of 75 wellness sessions were held throughout 2022. In spring, 96 percent of student-athletes found the wellness program they attended helpful, and 97 percent reported understanding the university’s definition of consent. In fall, 99.9 percent of student-athletes reported that they understood the university’s definition of consent, and 99.6 percent

reported they could define consent and provide an example to a fellow Vol.

Office of Sorority and Fraternity Life Highlights

The Office of Sorority and Fraternity Life reached 19,824 individuals in 2022 through health and safety related programming. This number was record breaking for OSFL as they enhanced their efforts to reach a broader audience, facilitated programs including the new member health and safety module and bystander intervention training for the entire Greek life community, and had more one-on-one touchpoints with chapter executive boards that included conversations about accountability and practices for hosting safe social events. Throughout these trainings, OSFL worked with its Prevention Team, which is composed of staff members from OSFL, the Office of Title IX, the Center for Health Education and Wellness, the Center for Care and Resilience, the Office of the Dean of Students, the Bias Education Referral Team, and Student Conduct and Community Standards. The major highlights of 2022, developed by OSFL in collaboration with the Prevention Team, include four programs. OSFL officially launched and integrated Psi Society, a peer education group composed of members of Greek organizations who educate the sorority and fraternity community on leadership, health, and safety, into the sorority and fraternity community. Psi Society facilitated sober monitor training and Leading Against the Tide, and hosted tabling events for the We're Committed campaign. The peer health education group will continue to receive training and execute other large-scale programs. Psi Society has 65 members representing all four councils and 30 of the 46 active organizations.

The We're Committed campaign was launched to bring awareness to the six health and safety priorities of OSFL. Each month of the academic year is themed, often corresponding to national awareness months, allowing OSFL and Psi Society to develop programming around specific prevention topics. For example, April's theme was We're Committed to Sexual Misconduct Awareness. OSFL partnered with the OSFL Prevention Team to develop the We're Committed Resource Guide, which provides students with monthly information specific to Greek life. The annual Health and Safety Summits sought to increase sorority and fraternity members' knowledge of alcohol, drugs, hazing, sexual misconduct, bias education, and mental health. Members of the OSFL Prevention Team served as breakout session facilitators. In the fall, they assisted in transition to a track model, presenting topics based on the We're Committed campaign. The Office of Title IX co-presented with staff from CHEW, the Sexual Assault Center of East Tennessee, and the Family Justice Center in the We're Committed to Sexual Misconduct Awareness session, which included information about healthy relationships, consent, the spectrum of harm, impact of trauma, and the resources and supports available to UT students for themselves or a brother or sister in need. Bystander intervention training was developed by OSFL in collaboration with the OSFL Prevention Team in the spring and offered in the fall. The training, specific to Greek life students, was based on specific interactive scenarios for each council based on its trends and social culture. In total, 45 chapters were trained across all four councils. At least one member of the OSFL staff was present at each training. This element was important, as much of the training discussed trends in the Greek life community and students asked questions specific to those trends. More than 5,200 students took part in these trainings. Participants were invited to complete an assessment following the training. Of the 4,162 who completed the survey, 92.3 percent identified the Office of Title IX as the place they would go for support.

Office of Title IX

Vol Voices Survey

As a part of the university's ongoing efforts to prevent and address sexual misconduct, the Office of Title IX partnered with the College of Social Work Office of Research and Public Service to implement the Vol Voices survey to better understand the campus climate regarding sexual misconduct. The Vol Voices survey was administered in April to all undergraduate and graduate students and employees. The survey was anonymous and confidential and was used to assess the perceptions and experiences of the campus

community. The information gathered from university students and employees will inform policy, shape prevention, and assist us with targeted interventions. The survey is based on an instrument created by the Administrator Researcher Campus Climate Collaborative. It was developed for US institutions of higher education by expert researchers in sexual harassment and interpersonal violence in collaboration with Title IX professionals, campus law enforcement, advocates, counselors, and student affairs personnel. It is recommended by the National Academies of Science, Engineering, and Medicine Action Collaborative, of which UT Knoxville is a founding member. Assessing campus perceptions and experiences in the areas of Title IX is a best practice. Sexual harassment and interpersonal violence have a direct and negative impact on our students, employees, and our mission of education and research. The full results of the Vol Voices survey will be shared with the UT community in spring 2023.

360-Degree Evaluation of Supports

To assess the supports and resources offered to those who engage with the Office of Title IX, a 360-degree anonymous survey was provided to all individuals—complainants, respondents, and pregnant and parenting students—who had contact with the Office of Title IX. These evaluations have been conducted since spring 2018. Initially only complainants were surveyed. Over the past five years, the scope expanded to include all those who receive support from the Office of Title IX. Depending on which supports and processes the individual received, they are asked about their experience with offices and resources including the Office of Title IX, Student Conduct and Community Standards, the Office of Equity and Diversity, and the UT Police Department. The results are used to evaluate communication, office resources, and student, faculty, and staff experiences.

University of Tennessee Martin Prevention, Education and Training

UTM's committed Title IX staff and various campus partners worked closely in 2022 to educate campus community members about sexual harassment and sexual violence with the goal of prevention. Events included: Here's the Tea: Over 100 students participated in the campus-wide collaboration featuring crafts and giveaways from WRAP, Title IX, the CARE Tea, Health Hawks, Student Health and Counseling Services, and The Center for Women and Gender Equality; Glow Yoga UTM: Students experienced a night of yoga and affirmations in a safe, comforting, space for self-reflection during Domestic Violence Awareness Month. Self-Defense Training: students learned and performed self-defense methods, their rights, support, and ways to report, under the direction of Lt. Charlie Jahr of UTM Public Safety, in collaboration with Title IX. Reclaiming Your Crown: Title IX, in collaboration with Women of Excellence, coordinated a brunch with author, motivational speaker, and survivor, Erica Boyd. Students learned about domestic violence, the warning signs of unhealthy relationships, and the process of healing after domestic violence.

University of Tennessee Southern Prevention, Education and Training

UTS held several awareness and prevention events in 2022 to promote a safe and nondiscriminatory campus environment. The events included: Hike the Hill in Heels: Inspired by a tradition from our friends in Knoxville, UT Southern hosted its first Hike the Hill event, a walk "up the hill" from our campus green to the gym. Around 175 students, faculty, staff, and community members joined and passed statistics regarding sexual assault in college along their way. Sex Ed Slumber Parties: A collaboration between our mental health counselor, our Clinic's nurse practitioner, and Residential Life, these events take place in residential hall lobbies and are a relaxed, informal way to discuss dating, relationships, and sexual health. Taco Bout Consent: 57 students visited a Chipotle bar to assemble tacos and bowls where each ingredient represented a different aspect of consent. Students also got sexual assault prevention month bracelets and free stickers promoting consent. Center of Hope was also present to provide education and support.

Activity Fair: Representatives from Center of Hope, Tennessee Coalition to End Domestic and Sexual Violence, and Tennessee Department of Mental Health and Substance Abuse Services all graciously visited campus for our annual Activity Fair in late August to provide education, resources, and support. Domestic Violence Awareness Month: Center of Hope partnered with the Office of Title IX to mark Domestic Violence Awareness Month in October. In a tabling event on October 5, community members were invited to sign a pledge to prevent domestic violence, paint one fingernail to show solidarity with survivors, and make a sign about the #1 thing they will do to prevent domestic violence in our community. 63 students, plus a variety of faculty and staff members, visited the table.

University of Tennessee Space Institute Prevention, Education and Training

Prevention, education, and training are a cornerstone of the UT Space Institute's efforts to create a climate that is safe and supportive for all. The UTSI Office of Human Resources and Equity & Diversity offered training covering the policy and mandatory reporter responsibilities for all new employee and faculty orientation sessions. Other employee and faculty workshops included training on mandatory reporter responsibilities, sexual harassment, Title IX, and gender discrimination. The Safety, Security and Emergency Management Coordinator is involved in developing training sessions that will occur throughout the year for designated personnel that may be primary contacts for sexual misconduct, relationship violence, and stalking complaints. The headcount for new employees and students during 2021 is as follows: New Faculty and/or Staff Orientation: 30 new hire individual orientation sessions. New Student Orientation: group orientation session at the beginning of the academic semester for all 20 new students. Upcoming related training for 2023 includes: Mandatory Reporter Identification and Responsibilities; Overview of Title IX; Know Your Policy (students): Definitions; What is Bystander Intervention?; Process for filing complaints of sexual misconduct, relationship violence, and stalking; How to get campus and security support / Interim measures; Sexual Misconduct Awareness: Consent or Not?; and other Title IX awareness related training.

Discriminatory Practices Prohibited

Some examples of prohibited discriminatory practices specific to the University include:

- Denial of admission on the basis of gender.
- Denial of academic or student support services on the basis of gender.
- Denial of scholarships or other financial aid on the basis of gender, except as allowed under the provisions of Title IX.
- Employment opportunities will not be distinguished on the basis of sex unless sex is an occupational qualification. Any instances of this would be extremely rare.
- Discrimination in the provision of working conditions/environment. Within the employment arena, the University makes no distinction between married or unmarried persons of either gender in employment or promotional opportunities, nor does the institution deny employment to women with young children, nor does the institution make any distinction based upon gender in determining age for termination from employment, where such determination is allowable by law.
- Denial of any services, or other benefits for which individuals are otherwise qualified on the basis of gender. University policies and practices assure appropriate physical facilities to both sexes. The University does not deny employment or promotional opportunity to a person of either gender because of a lack of appropriate physical facilities.
- Discrimination on the basis of gender because of a hostile environment created because of sexual harassment or sexual misconduct.

Federal Assistance/Guidance

The University's different campuses regularly receive requests from state and federal agencies requesting

assurances of compliance. All such requests receive responses from the appropriate OED office, HR office, General Counsel office or research office.

Universities around the country have worked to align with the 2020 Title IX regulation issued by the federal Department of Education's Office of Civil Rights in May 2020. The regulation has provided guidance and requirements for institution of higher education which have defined the Title IX regulation and application on college campuses.

Part 2 – Approach to Major Civil Rights Functions
Statements of Assurance

All University contracts for educational programs or services support the University's policy of non-discrimination. The following assurance is contained in the University of Tennessee's "Standard Terms and Conditions":

No person on the grounds of disability, age, race, color, religion, sex, national origin, veteran status or any other classification protected by Federal and/or Tennessee State constitutional and/or statutory law shall be excluded from participation in, or be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract. The Contractor shall, upon request, show proof of such non-discrimination, and shall post in conspicuous places, available to all employees and applicants, notice of non-discrimination.

A copy of the "Standard Terms and Conditions" can be found at:

https://policy.tennessee.edu/fiscal_policy/fi0420/; and <https://procurement.tennessee.edu/utstc/>.

In addition to the language contained in University contracts, the University requires a survey and statement of assurance from all sub-recipients of federal funds that acknowledges compliance with Federal regulations.

Public Notification

The 2020 Title IX Regulation requires institutions to prominently post Title IX Coordinator contact information. Contact information must include the Title IX coordinator's name or title, office address, email, and phone number. Notification must be provided to employees, students, parents or legal guardians of student, and applicants for admission and employment. Notice on processes for reporting misconduct also must be posted. The notice must specify that any person can report sex discrimination, including sexual harassment, in person and by mail, telephone, email, or any other means, at any time, that results in the Title IX Coordinator receiving the person's verbal or written report.

The University of Tennessee notifies the general public of the University's commitment to Title IX and other civil rights obligations through the inclusion of a statement of policy in regard to non-discrimination practices, including Title IX, on websites, brochures, policies, publications, and in University brochures and publications made available to the public.

UTK example:

The University of Tennessee does not discriminate on the basis of sex in our education programs or activities, including admissions and employment. The University is required by Title IX not to discriminate in such a manner. The University has a Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking which may be accessed at titleix.utk.edu. You may make a formal complaint by contacting the Title IX Coordinator at any time.

Any inquiries about the application of Title IX or to make a report should be directed to the following:

Title IX Coordinator
1817 Melrose Avenue
Knoxville, TN 37919
Telephone: 865-974-9600
Email: titleix@utk.edu

Assistant Secretary in the Department of Education Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Telephone: 1-800-421-3481
FAX: 202-453-6012; TDD: 1-800-877-8339
Email: OCR@ed.gov

Staff, Faculty, and student employees are regularly notified each year of the University's policy through e-mails sent from the Chancellor's offices and/or Title IX offices at the various campuses. Staff and faculty are also notified (and receive information) during New Employee onboarding. Campuses include information about sexual harassment and sexual misconduct policies at employee orientation. Flyers are posted at various locations on the different campuses. Students at some campus locations receive information about the non-discrimination policies during freshmen orientation and first-year studies training sessions. Students are also notified through e-mail, websites and student handbooks.

All campuses have created a website available for students who have questions related to sexual harassment, sexual misconduct or sexual assault. The websites include information on resources and procedures. All campuses utilize multimedia approaches as part of their promotion efforts including posters, t-shirts, consent campaigns and other efforts to educate students about Title IX issues.

It is important to note that all information related to the University's obligations in the areas of non-discrimination and civil rights, including Title IX, is widely disseminated and available to the University community and the public at large through notifications and publications on the University's websites. Each campus maintains well-developed websites that provide extensive information, data, and copies of reports that may be of interest to the public.

The University's anti-discrimination statement directs inquiries and charges of violation concerning Title IX (among other civil rights laws) to each campus location's responsible office, along with a mailing address and telephone number for each responsible office. The statement is required to be included in all position announcements, brochures, bulletins, catalogs, application forms, posters, newsletters, and other publications which are made available to alumni/ae, faculty, staff, students, applicants, and other participants in or beneficiaries of the University's programs.

Retaliation against any person who files a charge of discrimination, participates in an investigation, or who opposes an unlawful employment practice, is strictly prohibited by University policy and federal law. Training is made available to students, faculty and staff.

Compliance Reviews

The University of Tennessee has an extensive policy and procedures for the monitoring of its subrecipients. As part of the procedures, the University of Tennessee has developed a Subrecipient Monitoring Plan, depending on the perceived riskiness of the subrecipient. The Plan includes reviewing

Uniform Guidance audit reports and a review of invoices for a lower-risk entity up to performing a site visit or desk audit for a higher-risk entity. In addition, the subrecipient must submit a completed Title VI survey before the university will execute a sub-award.

The University of Tennessee's standard contract term and conditions include an anti-discrimination clause. The following is the contractual provision prohibiting discrimination used by the University of Tennessee. All subrecipients, contractors and/or vendors must agree to the statement.

No person on the grounds of disability, age, race, color, religion, sex, national origin, veteran status or any other classification protected by Federal and/or Tennessee State constitutional and/or statutory law shall be excluded from participation in, or be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract. The Contractor shall, upon request, show proof of such nondiscrimination, and shall post in conspicuous places, available to all employees and applicants, notice of discrimination.

Procedures for Noncompliance

If any of the subrecipient survey responses indicate a deficiency, the University of Tennessee will request additional documentation of compliance from the subrecipient. If a subrecipient fails to answer any part of the survey, the University is required to follow-up with the subrecipient. Any questions which concern compliance deficiencies or action to be taken by the University will be forwarded to an ad-hoc Title VI Advisory Committee for review and disposition. The committee will include, but not be limited to, the appropriate campus Title VI Coordinator and a representative from the Treasurer/Controller Office, Human Resources, and the Office of Academic Affairs. The committee will be advised by the Office of the General Counsel.

Complaints of Discrimination

Adoption of Grievance Procedures

All campuses have adopted grievance procedures for sex-based discrimination complaints for students and non-students. The current procedures are available for complainants who believe that they have been discriminated against on the basis of their gender, and for complaints of sexual harassment. Each campus has tailored its procedure to fit the particular campus needs, yet meet its civil rights obligations. A sample of a campus procedure can be found at: <https://titleix.utk.edu/wp-content/uploads/sites/96/2021/08/2021-22-Title-IX-Policy.pdf>.

Generally, the complaint procedures provide coverage for employees, students, applicants for admission or employment or any other participant in the University's programs or activities. Complainants are encouraged to reach out to their campus Title IX Office. Appeals procedures are also outlined in the Policy and appendices. In addition, complaints may be resolved informally or through an alternative or informal resolution, if appropriate.

University of Tennessee non-exempt personnel may also pursue a grievance under University Policy HR0640 (Grievances) if they are not satisfied with the determination made under the non-discrimination complaint procedures. This is available in accordance with Tennessee State law.

University of Tennessee students may use the campus sexual misconduct reporting procedures, or the nondiscrimination complaint procedures as well as any other procedure outlined in the student handbook, [Code of Conduct](#). Students, as well as faculty and staff, also have the option of pursuing complaints through available criminal justice processes.

Data Collection and Analysis

The athletic programs maintained at the Chattanooga, Knoxville, and Martin campuses have been remarkably successful, and the women's teams at the different campuses have maintained high levels of competitiveness. Readers of this report are encouraged to review each campus's athletics website for detailed information regarding the successes of the teams. For Chattanooga, see: <http://www.gomocs.com/>; for Knoxville, see: <http://www.utsports.com/>; for Martin, see: <http://www.utmsports.com/>.

Participation Rates in Intercollegiate Athletics

The University provides a wide range of intercollegiate athletic opportunities to its students. Varsity sports are available at the Knoxville, Martin, Pulaski and Chattanooga campus locations. These sports include (but may differ from campus to campus) basketball, track, football, golf, softball, tennis, indoor track, volleyball, wrestling, soccer, crew, cross-country, baseball, rodeo and rifle. The most recent participation rates reflected in the most recent Department of Education's Equity in Athletics Disclosure Act report are included in Appendix A.²

In addition to intercollegiate athletic opportunities, most campuses offer non-varsity sports and informal recreational opportunities to thousands of students of both sexes to participate in athletic activities serving their own interests. Intramural, informal and club sports on the main campus are evaluated each semester by the Recreation staff for participation rates and student interest. Teams and opportunities are created based on these evaluations and the level of interest indicated by the students.

Enrollment in Selected Classes Such as Advanced Math and Science, and Vocational Education

Enrollment in all University classes is open to all applicants without regard to gender. Enrollment in such classes as math and science does not depend on the gender of the student; rather, it depends on the requirements of the student's selected major field of study. The major field of study is self-selected and open to all qualified students, regardless of gender.

Employees in Administrative Positions

The University produces Affirmative Action Plans each year in order to analyze its workforce and evaluate the effectiveness of the University's affirmative action efforts. The Plans are another method of emphasizing the University's policies of equal employment opportunity and its commitment to make good faith efforts in the areas of recruitment, employment, promotion, demotion, transfer, lay-off, termination, compensation, training, benefits, and all other terms and conditions of employment. These annual Affirmative Action Plans provide detailed statistics and analysis of the University's workforce in terms of race and gender. Copies of these plans are available through each campus.

² Because of the timing of the EADA reporting requirements, the information provided reflects the preceding year.

Each University campus or reporting structure also compiles data on faculty and staff in terms of race and gender. Most campuses report this information in campus fact books. Samples of the information found in these fact books may be found at: https://www.utm.edu/departments/irp/statistical_reports.php <https://oira.utk.edu/reporting/fact-book/> <https://uthsc.edu/institutional-research/factbook/index.php>.

In addition, extensive data regarding employment statistics and gender/race composition of the University's workforce are compiled annually through the Integrated Postsecondary Education Data System (IPEDS) report, which is used for reporting to the Department of Labor. A copy of the Knoxville report is available from the University's Office of Institutional Research.

Compliance Reporting

The University will maintain all compliance records as required by its federal funding agencies. As the University continues to require assurances of compliance and self-surveys to include all federal civil rights obligations, it will maintain such records to demonstrate its compliance with federal regulations. The University already keeps copies of its training materials, and copies of any discrimination complaints filed through the campus discrimination complaint procedures process. Further information about complaints or complaints procedures are located on each OED/OIR/Office of Title IX campus office.

Coordination with Other Agencies

The University of Tennessee has not delegated its responsibilities for Title IX compliance to any other agency.

Effecting Compliance

The 2019 Tennessee Comptroller's Office facilitated a Performance Audit and identified areas for increased oversight by the University of Tennessee (UT) Board of Trustees. The audit disclosed 12 findings and 8 observations. In total, only two of the findings (6 and 7) overlapped with the work of Title IX. As part of the University's Title IX response, the University took corrective actions and developed, as needed, policies and procedures to be followed when it is determined that a Title IX violation may have occurred.

The University will continue to review and revise its policies and procedures annually or as needed to comply with federal and state laws. The University will also continue to reinforce its commitment to non-discrimination based on sex.

Appendix A
Athletic Participation

The University of Tennessee at Chattanooga
The University of Tennessee, Knoxville
The University of Tennessee at Martin
University of Tennessee Southern

[A copy of the Appendix is available upon Request]

Appendix B
Sub recipient List for FY2022
Schedule of Expenditures for Federal Awards

[A copy of the Schedule is available upon Request]

Appendix C
Title IX Complaint Statistics

[Attached]

Parameters

- (1) Dates of request July 1, 2022- July 30, 2023
- (2) Title IX Complaints are defined as they are defined in our policy. Title IX Prohibited Conduct Complaint: First, a Complainant may file a Title IX Prohibited Conduct Complaint in a case involving allegations that a Respondent’s conduct constitutes Sexual Harassment in the University’s education program or activity in the United States as defined in 34 C.F.R. 106.30(a) (“Title IX Allegations”) and the Complainant is participating or attempting to participate in an education program or activity. For Title IX Allegations, the University’s “education program or activity” includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.”

Includes complaints initiated by the Title IX Coordinator

- (3) **Title IX Complaint Statistics** University of Tennessee

Campus/ Institute	Title IX Formal Complaints
University of Tennessee Chattanooga	6
University of Tennessee Health Science Center	0
University of Tennessee Knoxville	17
University of Tennessee Martin	1
University of Tennessee Southern	0
University of Tennessee Space Institute	0
Total UT System Title IX Complaints	24

UT SYSTEM TITLE IX UPDATE

AUDIT AND COMPLIANCE COMMITTEE
OCTOBER 13, 2023

Ashley Blamey, MSSW, DSW
UT System Title IX Compliance Coordinator

WHAT WE ASK.

1. Be honest with yourself
2. Think about your experience in higher education
3. Be a leader in the room

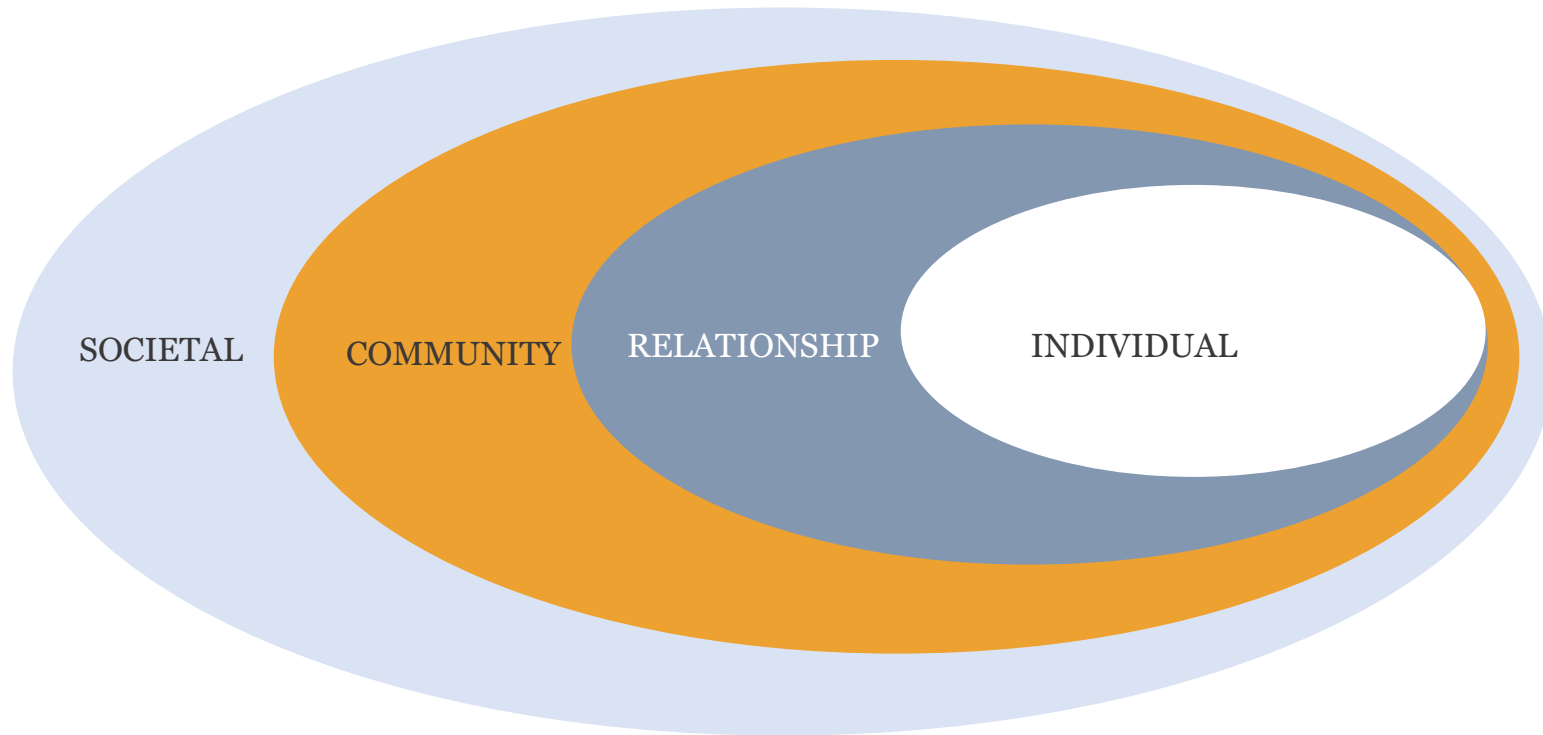
What we know.

NATIONAL
ACADEMIES

Sciences
Engineering
Medicine

The best predictor of sexual harassment in an organization is "the degree to which those in the organization perceive that sexual harassment is or is not tolerated."

SOCIAL ECOLOGICAL MODEL (SEM)



UT TITLE IX MODEL



Policy. Our foundation is in the policy and procedures we follow.

Prevention and Education. Our goal is to prevent Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence, and Stalking), Sexual Exploitation, and Retaliation before they happen.

Supportive Measures. Our promise is to provide support and 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.

Operationalize the SEM

Societal

- Compliance with Title IX Regulations
- Compliance with Violence Against Women Act
- Compliance with the Clery Act
- Incorporation of national statistics and research

Relationship

- Resident Assistant Training
- Greek Organization Training
- Hall Director/ Assistant Hall Director Training
- Bystander training for faculty, graduate, and undergraduate students
- Student Organization Leader Training
- Orientation and welcome activities

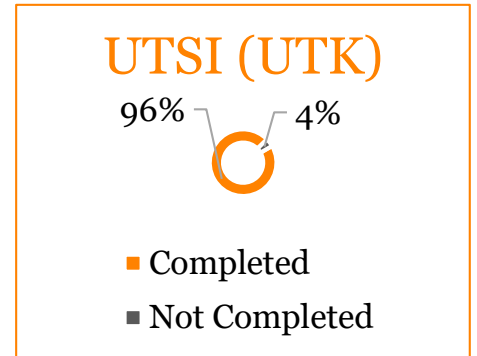
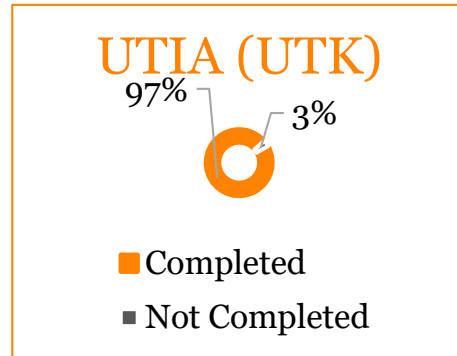
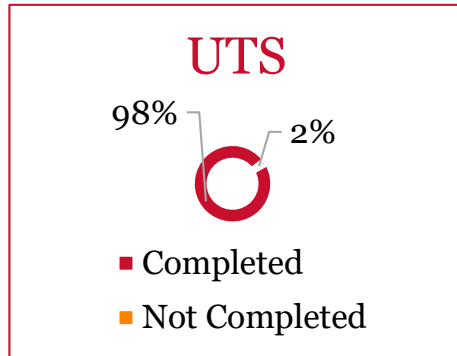
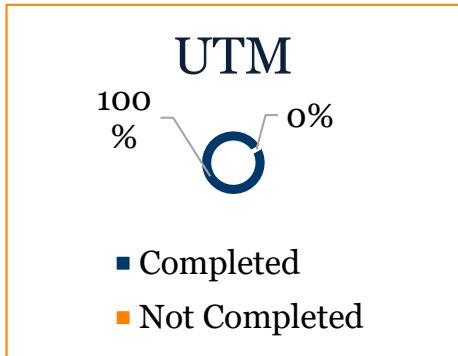
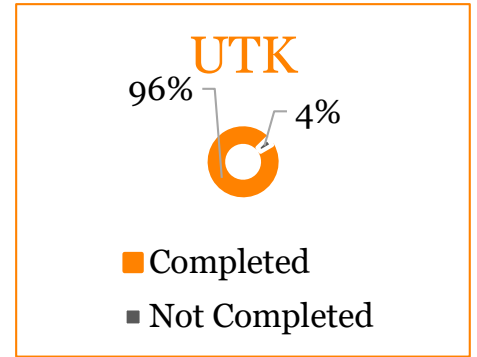
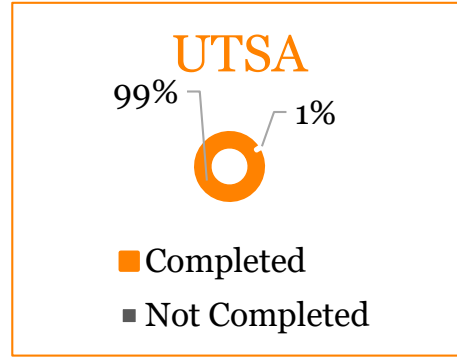
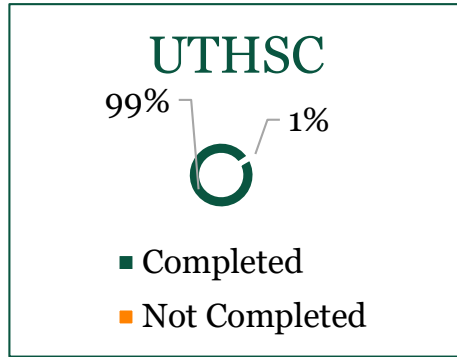
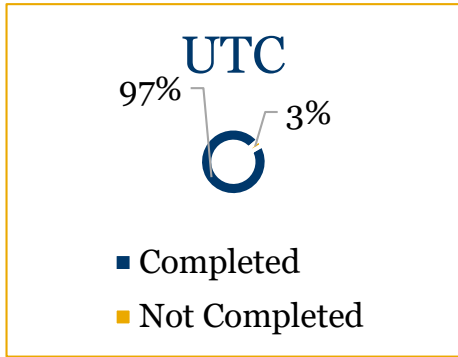
Community

- National Academies Membership in the Action Collaborative on Preventing Sexual Harassment in Higher Education
- Prevention Teams
- Greek Prevention Team
- Student Athlete Prevention Team
- Student Application Safety Questions
- Climate Surveys
- Annual Employee Training Requirement
- Social Media and Marketing Campaigns
- Sexual Assault Awareness Month
- Community agency engagements

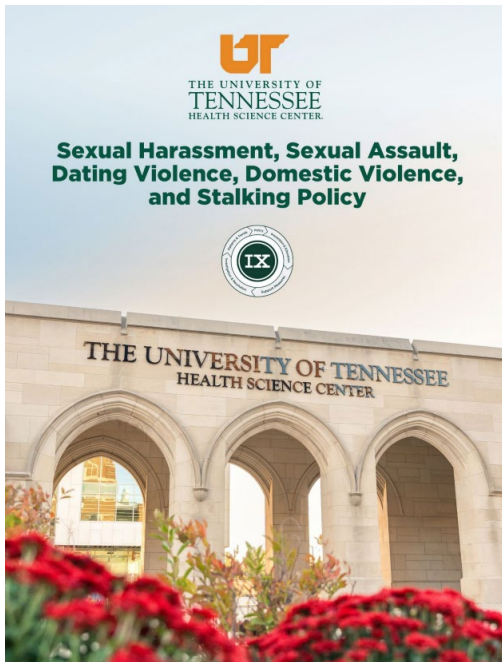


SYSTEM WIDE: MANDATORY REPORTER TRAINING

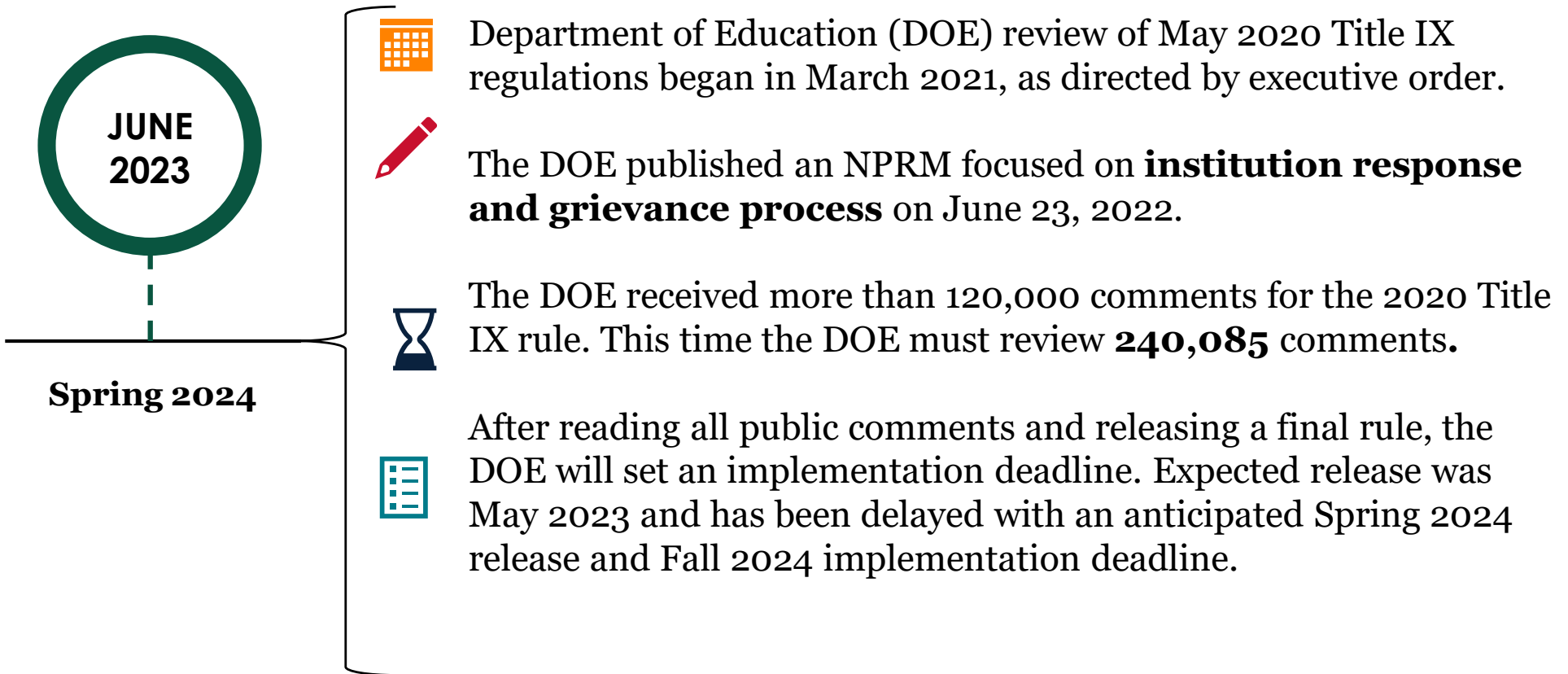
TITLE IX



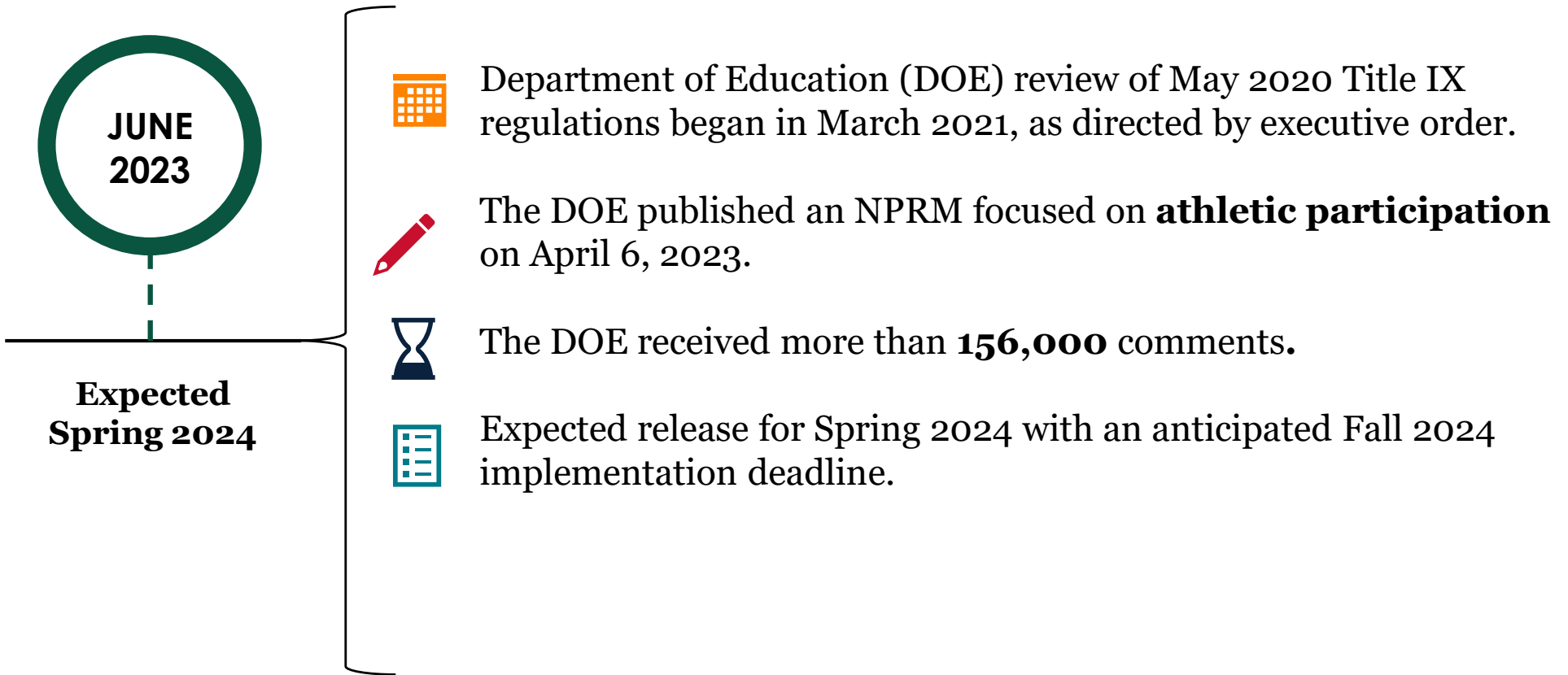
Operationalize the SEM



The Legal Landscape – Federal Regulations



The Legal Landscape – Federal Regulations



THE FUTURE

Continued Transparency

- Prevention
 - Address the known secrets/ low level behavior
 - Increase campus level training
 - Operationalize the Social Ecological Model
- Employment Attestation Policy
- Climate surveys
- Monitor our patterns and trends
- CHIPS and Science Act

Compliance

- Regulation
- National Science Foundation
- NASA
- National Institutes of Health
- National Institute for Food and Agricultural Research
USDA
- NCAA



WHAT WE ASK.

1. Be honest with yourself.
2. Think about your experience in higher education.
3. Be a leader in the room.

Questions?



TITLE IX

Federal Title IX Landscape – Grievance Process



Broadening the definition of the definition of “hostile environment sexual harassment” including behaviors that take place outside the University’s programs or activities.



Expanded availability of informal or restorative process resolution options



Eliminates cross-examination and live hearing requirements for campus hearings



Identifies separate rulemaking process on student athletes due to current evolving legal decisions on transgender student involvement in sports.



Gender discrimination protections extended to sexual orientation and gender identity

Federal Title IX Landscape – Athletics



No “one size fits all” policies for sport teams



Recognition of governing bodies and participation criteria



Application between elementary, secondary, and collegiate sports acknowledges differences in competition levels



“The proposed regulation would recognize that differences in grade and education level, level of competition, and sports must be taken into account for any eligibility criteria that would restrict transgender students from participating on teams consistent with their gender identity.”



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

AGENDA ITEM SUMMARY

Meeting Date: October 13, 2023

Committee: Audit and Compliance

Item: **Consent Agenda**

Type: Information

Presenter: Decosta Jenkins, Committee Chair

There are no action items on the Committee Consent Agenda for approval; however, certain information items have been placed on the Committee Consent Agenda. These items will not be presented or discussed in the Committee unless a Committee member requests removal of an item from the Consent Agenda. The Bylaws provide that an item will not be removed from the Consent Agenda solely for the purpose of asking questions for clarification. Those questions should be presented to the Chief Audit and Compliance Officer before the meeting. Unless there is a request to remove an information item for review or discussion, the information items will be deemed to be accepted.

**The University of Tennessee
Audit Plan Status - September
For the Year Ending December 31, 2023**

5.1

Audit Engagements	Campus	Status
Background Checks	System-Wide	Complete
Haslam College of Business - Policy Compliance	UTK	Complete
Building Access Security	UTK	Complete
Student Athlete Wellness	UTC	Complete
Vendor Insurance	UTC	Complete
OVC - Special Funding	UTM	Complete
Scholarships and Financial Assistance	UTS	Complete
IT - Third Party Providers	System-Wide	In-Progress
Construction Costs - Outsourced	System-Wide	In-Progress
2023 CCTA	System-Wide	In-Progress
Office of the President	UTSA	In-Progress
Office of the Chancellor	UTK	In-Progress
Office of the Chancellor	UTHSC	In-Progress
Dentistry - Controlled Substances & Cash	UTHSC	In-Progress
College of Medicine - Policy Compliance	UTHSC	In-Progress
Communications and Marketing - Policy Compliance	UTC	In-Progress
College of Engineering - Policy Compliance	UTM	In-Progress
IT - Shadow IT	UTK	Planned
Sponsored Programs - Pre-Award Process	UTHSC	Planned
Research Compliance	UTM	Planned
Removal - IT - Information Technology Policies	UTSA	Replaced
Removal - Faculty Conflicts of Interest	UTK	Replaced

Consulting Engagements	Campus	Status
Student Hazing Policy Review	System-Wide	Complete
Records Retention	UTSA	Complete
Extension Training Program	UTK/UTIA	Complete
IT - Change Management	UTHSC	Complete
Cash Controls	UTC	Complete
Lab Fee Utilization	UTC	Complete
IT - Business Impact Analysis	System-Wide	In-Progress
Self-Assessment of Controls	System-Wide	In-Progress
NIL Policy Review	System-Wide	In-Progress
DASH System Implementation	UTSA	In-Progress
CTN2 Program Review	UTHSC	In-Progress
Safety and Security	UTS	In-Progress
Research Security and Compliance	System-Wide	Planned
Emergency Management Accreditation	UTC	Planned
Addition - International Student Compliance	UTS	Complete
Addition - GLBA Compliance	System-Wide	In-Progress
Addition - Policy Development	UTSA	Planned
Addition - Gift Card Controls	UTHSC	Planned
Removal - College of Medicine Graduate Medical Education	UTHSC	Replaced



Outstanding High-Priority Audit Issues

5.2

As of August 31, 2023

**Internal Audit will follow up with management to confirm remediation status when due.*

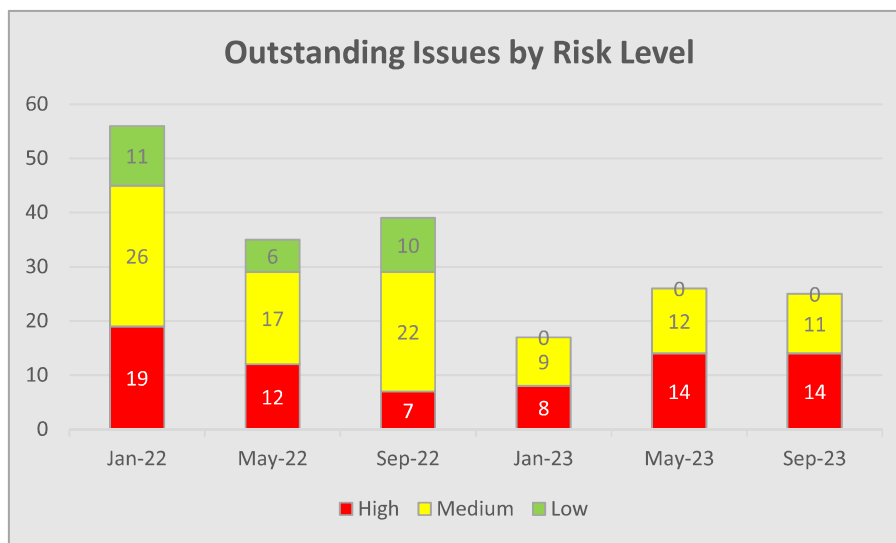
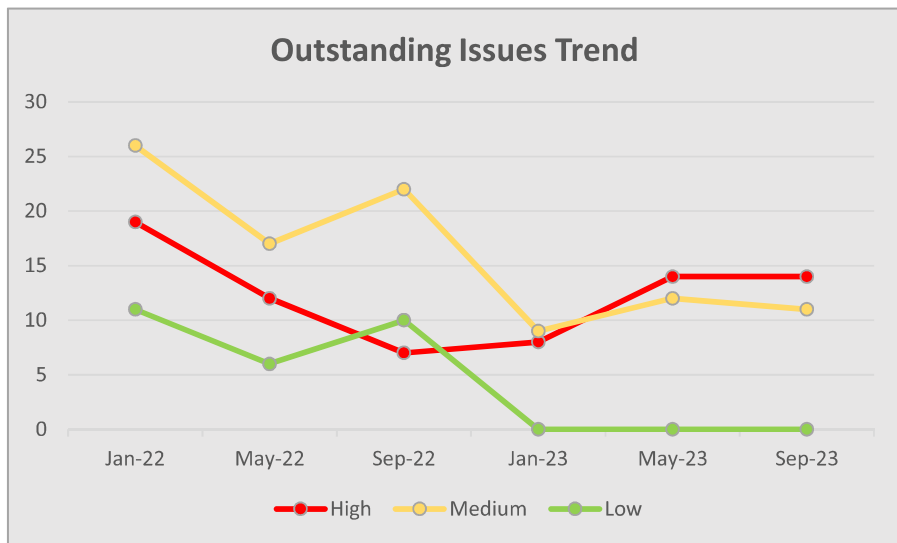
	Campus	Audit	Issue	Report Date	Expected Remediation Date*	Revised Remediation Date
1	UTSA	Ransomware Prevention/Response	Disaster Recovery Procedures	10/1/2021	3/31/2023	7/31/2024
2	UTM	Athletic Concessions Operations	Cash Sales	5/5/2022	3/31/2023	3/1/2024
3	UTM	Athletic Concessions Operations	Inventory Control	5/5/2022	3/31/2023	3/1/2024
4	System-wide	I-9 Compliance	Initial I-9 Processing	6/27/2022	5/31/2023	10/31/2023
5	System-wide	I-9 Compliance	Reverification	6/27/2022	5/31/2023	9/30/2023
6	UTS	Scholarships & Financial Assistance	Comingled Endowment Funds	1/26/2023	5/1/2023	10/31/2023
7	UTS	Scholarships & Financial Assistance	Financial Aid Award Process	1/26/2023	5/1/2023	10/31/2023
8	UTS	Scholarships & Financial Assistance	FAFSA Procedures	1/26/2023	5/1/2023	10/31/2023
9	UTSA	Recurring Background Checks	UTC & UTM Missing Initial Checks	3/22/2023	4/30/2023	12/31/2023
10	UTSA	Recurring Background Checks	UTM Missing Recurring Checks	3/22/2023	5/31/2023	12/31/2023
11	UTK	Building Access Security	Limited Building Access Processes	7/31/2023	1/15/2024	N/A
12	UTK	Building Access Security	Lack of Comprehensive Building Risk Assessment	7/31/2023	1/15/2024	N/A
13	UTK	Building Access Security	Physical Key Access Controls	7/31/2023	12/31/2023	N/A
14	UTK	Building Access Security	Alarm Management and Response	7/31/2023	1/15/2024	N/A



Issues by Priority Rating

As of August 31, 2023

5.2





THE UNIVERSITY OF TENNESSEE SYSTEM

TREASURER

5.3

MEMORANDUM

TO: Audit and Compliance Committee
Mr. John Compton, Chair of the Board of Trustees
Mr. Decosta Jenkins, Chair, Audit and Compliance Committee
Mr. Bill Rhodes, Chair, Finance and Administration Committee

FROM: Mr. Luke Lybrand *LL*

DATE: September 15, 2023

SUBJECT: Travel Exception Report

The Board of Trustee's policy on travel requires the university to report to the Audit and Compliance Committee any travel exceptions approved on behalf of the President, employees in the President's Office, senior-level administrators, or the Sr. Vice President and Chief Financial Officer. For the quarter ending June 30, 2023, there were no exceptions requested or approved in accordance with the Board's policy.

If you have any questions, please let me know.

c: Mr. Randy Boyd
Mr. David Miller
Mr. Brian Daniels
Ms. Cindy Moore



THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES

5.4

AGENDA ITEM SUMMARY

Meeting Date: October 13, 2023

Committee: Audit and Compliance

Item: **Consent Agenda**

Type: Information

Work Plan

In response to findings set forth in the 2019 Performance Audit conducted by the Comptroller of the Treasury (the “Sunset Audit”), work plans have been prepared for each standing committee of the Board, using a standardized approach. Each plan has an operating narrative that describes the role and responsibilities of the Committee reflecting various obligations under the University’s Bylaws, the Committee’s charter, and/or statutory requirements. Following such narrative, there is a chart that encompasses the following categories:

- Key Reports and Special Focus Topics;
- Action Items;
- Other Standing Reports; and
- Non-Public Meeting.

The chart is intended to identify what information is planned to come before the Committee, along with the associated timing (i.e., whether discussed at every meeting or presented more periodically and, if so, when).

An updated work plan is being presented for information only and to solicit additional feedback to assist with planning future meetings.

**AUDIT AND COMPLIANCE COMMITTEE
WORK PLAN (2023 -2024)**

PURPOSE:

The Audit and Compliance Committee (“Committee”) is established pursuant to the State of Tennessee Audit Committee Act of 2005, codified at Tennessee Code Annotated §§ 4-35-101 et seq. The Committee assists the Board in fulfilling its governance and oversight responsibilities. The Committee has specific responsibilities included in the Committee Charter, as approved by the Board, further described below.

AUTHORITY:

The Audit and Compliance Committee has authority to conduct or authorize investigations into any matter within its scope of responsibility.

The Committee is empowered to:

- Seek any information it requires from employees – all of whom are directed to cooperate with the Committee’s requests – or external parties.
- Meet with University officials, external and internal auditors, the General Counsel, or others as necessary.
- Delegate authority to subcommittees to handle any matter within the Committee’s scope of responsibility, provided that actions of the subcommittee are presented to the full Committee at a previously scheduled or called meeting.
- Oversee the internal audit and institutional compliance functions of the University, which will report directly to the Audit and Compliance Committee through the Chief Audit and Compliance Officer.
- Conduct confidential, nonpublic executive sessions as authorized by law.

**AUDIT AND COMPLIANCE COMMITTEE
WORK PLAN (2023 -2024)**

RESPONSIBILITIES:

5.4

Financial Statements

- Provide oversight for the integrity of the University’s annual financial statements through review of the scope and results of the state auditor’s examination of the University’s annual financial statements and any other matters related to the conduct of the audit, which should be communicated to the Committee.
- Review with management and the General Counsel any legal matters (including pending litigation) that may have a material impact on the University’s financial statements and any material reports or inquiries from regulatory or governmental agencies.
- Resolve any differences between management and the state auditors regarding financial reporting.

Internal Control

- Provide oversight of the University’s internal control structure and management practices by considering the effectiveness of the University’s internal control system, including information technology security and control.
- Understand the scope of internal and external auditors’ review of internal controls over financial reporting.
- Review management’s risk assessment and the University’s Code of Conduct.
- Ensure that procedures exist for the receipt, retention, and treatment of complaints regarding fraud, waste, and abuse, including procedures for anonymous complaints.
- Ensure that the Code of Conduct is easy to access, widely communicated, easy to understand, includes an anonymous reporting mechanism, and is enforced.
- Ensure that the University’s conflict of interests policy is comprehensive, clearly defines the term “conflict of interests,” and contains procedures for adequately resolving and documenting potential conflicts.
- Review the University’s process for monitoring compliance with laws and regulations.

Office of Audit and Compliance

- Ensure that the Office of Audit and Compliance has direct and unrestricted access to the Chair and other Committee members.
- Review the Chief Audit and Compliance Officer’s administrative reporting relationship to assure not only that independence is fostered, but adequate resources in terms of staff and budget are provided to enable the Office of Audit and Compliance to perform its responsibilities effectively.
- Recommend to the Board the appointment, initial compensation, and other terms of employment of the Chief Audit and Compliance Officer.

**AUDIT AND COMPLIANCE COMMITTEE
WORK PLAN (2023 -2024)**

- Review and approve the annual evaluation and compensation of the Chief Audit and Compliance Officer.
- Recommend to the Board reassignment, demotion, or dismissal of the Chief Audit and Compliance Officer.
- Review compliance with professional standards.

Internal Audit

- Review and approve the charter for the internal audit function.
- Review and approve the comprehensive annual audit plan.
- Review the results of the year's work with the Chief Audit and Compliance Officer. Changes to the plan, including management requests for unplanned assignments, should also be reviewed.
- Receive and review reports and other work prepared by the internal audit team.
- Review any difficulties encountered in the course of performing audits, including restrictions on the scope of work and access to required information.
- Review the results of external and periodic internal assessments of the quality assurance and improvement program.

Institutional Compliance

- Review of the University's process for monitoring compliance with laws, regulations, and University policies.
- Review and approve the annual institutional compliance work plan.
- Review the results of the University's compliance risk assessment process.
- Review the results of compliance work on a regular basis.
- Receive and review reports and other work prepared in conjunction with the institutional compliance efforts.

External Auditors

- Present the external auditors' conclusions to the full Board.
- Meet regularly with the external auditors to discuss any matters that the Committee or auditors deem appropriate.

Communications and Reporting

- Provide an open avenue of communication among the state auditors, the Office of Audit and Compliance, senior management, and the Board.
- Report regularly to the Board about Committee activities and issues that arise with such recommendations, as the Committee deems appropriate.
- Review and assess the adequacy of the Committee's charter annually, recommending approval of proposed changes to the Board.

**AUDIT AND COMPLIANCE COMMITTEE
WORK PLAN (2023 -2024)**

	W-2023	A-2023 (Non-Public Only)	F-2023	W-2024	A-2024	F-2024
KEY REPORTS AND SPECIAL FOCUS TOPICS						
❖ Title IX Program			X		X	
❖ Annual Safety Reporting (TBI & Clery)	X			X		
❖ NCAA Compliance Program			X			X
❖ Emerging Risk and Compliance Topics (as needed)						
ACTION ITEMS						
❖ Audit and Compliance Committee Charter				X		
❖ Internal Audit Charter				X		
❖ Annual Audit Plan & Risk Assessment	X			X		
❖ Institutional Compliance Work Plan	X			X		
❖ Approval of Minutes	X		X	X	X	X
OTHER STANDING REPORTS (Information Only)						
❖ Travel Exception Report	X		X	X	X	X
❖ Outstanding Audit Issues	X		X	X	X	X
❖ Discretionary Expenditure Report (as needed)						
❖ Institutional Compliance Program	X		X	X	X	X
❖ Management’s Risk Assessment (TFIA)	X			X		
❖ University’s Code of Conduct	X				X	
❖ Conflict of Interest (as needed)						
❖ Monthly reports and status	X	X	X	X	X	X
❖ Annual Report of Audit Plan (completed, follow-up, etc.)	X			X		
❖ Annual Evaluation of Chief Audit & Compliance Officer		X			X	
❖ Quality Assurance & Improvement Program (as needed)					X	
❖ State Audit presents Audited Annual Financial Statements	X			X		
❖ State Audit presents Athletics Agreed-Upon Procedures	X			X		
NON-PUBLIC SESSION						
❖ External Audits (as needed)	X	X	X	X	X	X
❖ Investigations in Progress	X	X	X	X	X	X
❖ Review of Claims and Litigation (see PolicyTech BT0031)	X	X	X	X	X	X

5.4