FAQ—Sexual Harassment, Sexual Assault and Title IX at the University of Alaska

Why does UA care about Title IX compliance?

The UA System takes the safety and security of our students, faculty, staff and visitors seriously. Title IX compliance is an important part of ensuring a safe and secure environment, optimum for learning, research and creative work.

What is Title IX? Most people seem to think it’s a federal law requiring gender equality in college sports.

Title IX is a section of the federal law under the Higher Education Act that prohibits sex discrimination in educational institutions. Many people have known it as a law requiring equal male-female representation in sports teams at U.S. colleges and universities, but it actually demands gender equity in all areas of colleges and universities that receive federal assistance.

The law states that “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 education program or activity receiving federal financial assistance.” Therefore, Title IX forbids sex discrimination, including sexual harassment and violence, in all university student services and academic programs.

What is the University of Alaska doing to comply with this law?

Since spring, UA has trained almost 90 percent of its faculty and staff, system wide, through numerous opportunities, both in person and online. Over 4,000 staff and faculty members have received the training throughout the UA System, and the training continues. Training includes students. Bystander training, training regarding what constitutes consent, understanding what is and what isn’t sexual harassment and assault, what to do, resources available, etc. are part of this outreach effort to students.

How well trained are UA staff members?

UA has trained 30 additional sexual assault/harassment investigators throughout the system, so that every single campus, including all rural campuses, has at least one trained investigator. UA has designated Title IX coordinators for each university and community campus. It’s important for all UA employees and students to know who their Title IX coordinator is. They are:

- UAA & community campuses, Marva Watson, 907-786-1424, mjwatson@uaa.alaska.edu
  - Website: http://www.uaa.alaska.edu/deanofstudents/title-ix.cfm
- UAF & community campuses, Mae Marsh, 907-474-7599, mmarsh36@alaska.edu
  - Website: http://www.uaf.edu/oeo/title-ix/
What’s the burden of proof for a person bringing forward a Title IX complaint?

Complaints under Title IX do not have to be “beyond a reasonable doubt,” as in the criminal justice system, before action can be taken to protect and respond to the victim. The standard used is known as “preponderance of evidence,” which means that the incident more likely than not occurred. Remedies are made available to the victim can and should be made available (such as switching housing or class schedules to avoid regular contact with an alleged aggressor, safety escorts, university no-contact orders, etc.) prior to an investigation’s conclusion.

Are UA campuses safe? What about this “climate survey”?

Yes, they are generally safe. However, there is more UA must know to ensure we’re doing everything possible to promote a safe and secure environment, one in which sexual assault and harassment are not tolerated.

UA is going to conduct a comprehensive, voluntary and confidential “climate survey” on sexual assault and harassment (nonconsensual, ie, unwanted sexual experiences and relationship aggression, rape, etc.) to help us understand how we can improve campus safety, outreach, education and services. It is a safety survey that gauges the appropriateness of our campuses’ attitudes and responses to sexual assault.

The survey is expected to occur in the very near future (October) and is voluntary, confidential and anonymous. Only aggregate results will be compiled, with no traceable information (such as IP addresses) that would link back to the participant. The goal of the survey is to improve prevention, safety and education on our campuses about sexual assault/harassment and gender discrimination.

Survey participants are forewarned that questions are explicit, and could be upsetting to some. People who object to the nature of the questions may opt not to take the survey or stop taking it even after they start. Questions are limited to non-consensual sexual contact (rape/sexual assault), and behavior and discrimination based on sex or gender. The survey will be sent to a representative sample of students, as well as to all faculty and staff. No students or staff under the age of 18 will receive the survey.

What survey methodology will be used?

Responses are anonymous, and results will only be used in aggregate. Survey participation is completely voluntary and may be stopped at any time during the survey. Surveys will be electronically distributed to all UA employees and a representative sample of our adult student population. The instrument was created
from a review of national, peer-reviewed studies and current campus practices, and represents the most promising survey practices in the field based on empirical evidence. Scales are selected from among those that appear in peer-reviewed research publications, etc. Survey methodology follows content and implementation practices endorsed by the Office of Civil Rights, with a strong focus on privacy, protecting participants from distress, and providing access to a wide range of support resources.

**Why is UA making such a big deal out of this issue?**

Safety on America’s colleges and universities, specifically regarding sexual assault and harassment, has become a national issue. In Alaska, domestic violence and intimate partner violence is higher than the national average. These are serious issues for all Alaskans.

President Pat Gamble was notified on May 5, 2014 of the U.S. Department of Education/Office of Civil Rights decision to conduct a **compliance review** examining the university’s handling of complaints and reports of sexual harassment, including sexual violence, to determine if the university has responded promptly and effectively, with particular emphasis on complaints of sexual assault. ([www.alaska.edu/files/opa/5.5.14-OCR-letter.pdf](http://www.alaska.edu/files/opa/5.5.14-OCR-letter.pdf))

The university fully cooperated with, indeed welcomed, this review. By the end of July, some 11,500 pages of information were provided to the OCR as part of an information request sent to UA on May 12. ([www.alaska.edu/files/opa/2014.05.12-OCR-Title-IX-review---Data-Request.pdf](http://www.alaska.edu/files/opa/2014.05.12-OCR-Title-IX-review---Data-Request.pdf)) We do not know why UA was chosen for a compliance review, but the OCR has told us it is not due to specific complaints.

The University of Alaska supports the growth of awareness and prevention programs at campuses across the state, as well as proper reporting, protocol and procedures in providing care to victims of sexual violence. The review by OCR will point out areas where we can improve, and UA is committed to making those improvements.

**What are these OCR site visits all about?**

As part of the ongoing compliance review, the OCR plans to conduct site visits to four different UA campuses. The schedule is:

- Monday & Tuesday, October 6 & 7 – UAF, Fairbanks
- Wednesday & Thursday, October 8 & 9 – UAA, Anchorage
- Friday, October 10 – UAS, Juneau & Kuskokwim Campus/Bethel

OCR will host numerous focus groups during these site visits to gauge the university’s compliance, awareness, training and outreach related to Title IX and sexual assault/harassment on UA campuses. The university will work diligently to encourage turnout to these sessions. OCR specifically wants to hear from students,
including members of cultural and ethnic minority groups, student athletes, international students, members of the LGBTQ community and others.

**What else is UA doing about sexual assault and harassment?**

UA is providing training to State of Alaska magistrates at their upcoming annual conference. As a result, magistrates—who are traditionally the initial “face” of the court system for those seeking protective orders—will be able to alert UA students, faculty and staff to interim services available to help alleviate some of the problems associated with sexual harassment and sexual assault.

We have also met and allied with domestic violence shelter personnel and law enforcement in many of our campus communities, including rural communities such as Nome, Kotzebue, Bethel and Dillingham. Equally important, UA is working with the Alaska State Troopers (AST) to develop protocols for ensuring that students, faculty and staff that the AST contacts are provided with information regarding interim services UA can provide victims of sexual assault and domestic violence.

**I’ve heard Alaska has a significant problem with rape and domestic violence. Is that true?**

Alaska’s overall domestic violence and abuse, including sexual and intimate partner violence, is a significant problem. In addition to the proactive efforts UA has taken to deal with the issue on our campuses, UAA’s Justice Center annually conducts the Alaska Victimization Survey, in partnership with the Alaska Council on Domestic Violence and Sexual Assault through the Governor’s Choose Respect initiative and the Alaska State Legislature.

The results of these surveys are chilling, showing that out of every 100 women in Alaska, 59 experience intimate partner violence, sexual violence or both. The governor’s Choose Respect campaign is helping to increase awareness of the issue, the first step toward eradicating sexual assault and violence.

**What are UA’s rates of sexual harassment and assault?**

UA Sexual Harassment/Sexual Assault Rates from 2011-2014 are:
- UAF--103 sexual harassment (including sexual assault) complaints
- UAA--46 sexual harassment (including sexual assault) complaints
- UAS--8 sexual harassment (including sexual assault) complaints

UA publishes crime statistics, including allegations of rape and sexual assault, on the following sites: