

EXHIBIT A

SUMMARY BIOGRAPHIES OF COMMISSION MEMBERS

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Stan Brand
Senior Counsel, Akin Gump
Washington D.C.

Stan, former General Counsel to the U. S. House of Representatives under Speaker “Tip” O’Neill and defense attorney for many prominent public figures involved in political and public corruption cases, brings decades of extensive white collar compliance and government investigation experience to the Commission’s work, with a particular emphasis on due process and institutional control.

Elizabeth Conklin
Associate Vice President of the Office of Institutional Equity, Title IX
Coordinator and ADA Coordinator
University of Connecticut
Storrs, CT

With a private practice background in labor and employment litigation, Elizabeth currently serves as the Associate Vice President for the Office of Institutional Equity, Title IX Coordinator and ADA Coordinator at the University of Connecticut. In this role, she has responsibility for overseeing and ensuring the University’s compliance with non-discrimination, anti-harassment and equal employment opportunity policies and procedures consistent with state and federal law.

Janet Judge
President, Sports Law Associates, LLC
Boston, MA

With experience as a higher education, intercollegiate sports, and employment lawyer, Janet has evolved her expertise into a nationally known and respected practice focusing on sexual harassment, including sexual violence prevention, intercollegiate sports, and employment law counseling. Janet regularly conducts workshops on these issues throughout the country and has advised and represented institutions and conferences on Title IX issues for more than 20 years.

Bill Morelli
President, Morelli Law PLLC
Franklin, TN

As a former Executive Vice President and General Counsel for a large private company, Bill was responsible for providing business and legal counsel to the owner’s of the business and, as the person responsible for the company’s compliance and ethics program, brings extensive experience in developing and implementing compliance and ethics plans in large organizational settings with an emphasis on organizational dynamics.

EXHIBIT B

**STATUTES, REGULATIONS, AND AGENCY GUIDANCE
APPLICABLE TO COMMISSION'S REVIEW AND NOTE ON AGENCY
GUIDANCE**

EXHIBIT B

STATUTES, REGULATIONS, AND AGENCY GUIDANCE APPLICABLE TO COMMISSION'S REVIEW AND NOTE ON AGENCY GUIDANCE

- Title IX of the Education Amendments of 1972 (codified at 20 U.S.C. §1681 et seq.) ("Title IX")
- Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (20 U.S.C. § 1092 (f) ("Clery Act")
- Violence Against Women Act (codified at 42 U.S.C. §§ 13701-14040) ("VAWA"), as amended by the Campus Sexual Violence Elimination Act ("SaVE Act") which was passed as part of the VAWA Reauthorization Act of 2013
- Family Educational Rights and Privacy Act (20 U.S.C. §1232g) ("FERPA")
- Implementing regulations for the above statutes
- January 2001 Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, Or Third Parties ("2001 Revised Guidance")
- August 4, 2004 Grievance Procedures, Postsecondary Education
- August 4, 2004 OCR Notice of Nondiscrimination Fact Sheet
- January 25, 2006 Dear Colleague Letter: Sexual Harassment Issues ("2006 DCL on Sexual Harassment Issues")
- October 26, 2010 Dear Colleague Letter: Harassment and Bullying ("2010 DCL on Harassment and Bullying")
- April 4, 2011 Dear Colleague Letter ("2011 DCL") that outlines the OCR's views on the obligations of educational institutions under Title IX related to sexual harassment and sexual violence and which supplements the 2001 Revised Guidance
- April 29, 2014 Questions and Answers on Title IX and Sexual Violence ("2014 Q and A"), which was intended to answer questions raised by the 2011 DCL and to be read in conjunction with both the 2011 DCL and the 2001 Revised Guidance
- April, 2015 Title IX Resource Guide, U.S. Department of Education OCR
- April 24, 2015 Dear Colleague Letter: Title IX Coordinators and April 24, 2015 Letter to Title IX Coordinators ("2015 DCL")
- February 22, 2017 Dear Colleague Letter revoking prior Guidance Related to Transgender Students ("2017 DCL")

NOTE ON AGENCY GUIDANCE

While the listed guidance documents are not intended to impose new or additional legal requirements from those found in the underlying statute, or the implementing regulations developed through a formal rulemaking process, they are intended to inform the public about an agency's interpretation of, and enforcement priorities relating to, those statutes and regulations. There has been ongoing national dialog about whether the use of agency guidance documents in this manner alters the balance between complainant and respondent due process rights and imposes on educational institutions *de facto* additional statutory and regulatory requirements which haven't gone through a legislative or administrative rule-making process. While the Commission recognizes the current national debate over the desirability of informal agency action directing university action in the Title IX arena, the Commission viewed its responsibility as reviewing the UT Title IX program based on the existing state of statutory and regulatory requirements, including the relevant current guidance documents. It recognizes that either through future court decisions or actions of the DOE, it is possible that some of the guidance provided by DOE under prior administrations might be judicially restricted, or modified or withdrawn. The Commission makes no recommendation on UT's response in the event there is a judicial restriction or agency roll-back of existing DOE/OCR guidance, other than to note that any response should include UT's analysis of what would be considered Title IX best practices in light of the then remaining statutory and regulatory requirements, as well as student, parent, public, judicial, and community expectations based on what have become viewed as appropriate responses to sexual misconduct incidents.

EXHIBIT C

DOCUMENTS AND MATERIAL REVIEWED

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DOCUMENTS AND MATERIAL REVIEWED

University of Tennessee System

The University of Tennessee Title IX Implementation Plan—2016-2017

Organization chart—President's Office

Organization chart---Office of Audit and Compliance

Audit and Compliance Committee Charter

UT System HR0280—Sexual Harassment & Other Discriminatory Harassment Policy-
Effective November 29,2016

UT System-- Code of Conduct, Effective July 1, 2016

UT System--Grievances, Effective November 1, 2001

UT Knoxville

Organization Charts—Chancellor's Office and Subordinate Departments

Policy on Sexual Misconduct, Relationship Violence, and Stalking—Effective August 19,
2015

Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation—Effective
August 17, 2016

Hilltopics Student Handbook including Student Code of Conduct (copy from website
captured 11/18/2016) and later versions reviewed online

Proposed Student Code of Conduct (approved by Board of Trustees March, 2017)

Sexual Assault Response Team Protocol Checklist: Domestic Violence and Dating
(Revised September 20, 2016)

Sexual Assault Response Team Protocol Checklist: Sexual Misconduct (Revised
September 20, 2016)

Sexual Assault Response Team Protocol Checklist: Stalking (Revised September 20,
2016)

Health, Education and Wellness, *Vols Help Vols, You Are Not Alone*, Brochure

"What is Red Zone?" Postcards

Volunteers Speak Up! CHEW Presentation on Consent and Bystander Training for Resident Advisors

CHEW Training Presentation for Resident Advisors on Effective Response

CHEW Prevention and Intervention Summary, Fall, 2016

Sexual Assault Center of East Tennessee, Helen Rose McNabb Center

Resident Advisor Training Schedule Fall 2016

Hall Director/Graduate Assistant Fall 2016 Training Schedule

PowerPoint Presentation from Resident Advisor Training on University Housing and Protocols

University Housing Protocol Contact List

University of Tennessee Football Program Schedule of Title IX and Related Training and Various Training Materials

Center for Health Education & Wellness Prevention & Intervention Summary, Fall, 2016

Office on Violence Against Women Grant Goals and Objectives; Summary of Center for Health Education and Wellness Grant Outcomes

Parents and Family Magnet: "Start the Conversation—Alcohol and Consent"

Sexual Harassment is Illegal—Federal Discrimination Laws: A Brief Summary

Campus Connections, Office of Student Conduct and Community Standards

The Social Ecological Model: A Framework for Sexual Misconduct, Domestic Violence, Dating Violence & Stalking Prevention and Intervention, UT Knoxville

Report of Student-on-Student Sexual Misconduct-2015

Office of Equity and Diversity Pamphlet on Roles and Responsibilities

Office of Equity and Diversity Pamphlet: Federal Discrimination Laws: A Brief Summary

Office of Equity and Diversity Pamphlet: Your Rights Under Title VI of the Civil Rights Act of 1964

April is Sexual Assault Awareness Month Card with Pin

2016-2017 Sexual Misconduct--Division of Student Life Prevention and Education Programming

The University of Tennessee, Knoxville—Distressed Student Flow Chart

Various Training Presentations From Title IX Coordinator's Office

Policy on Sexual Misconduct, Relationship Violence, & Stalking, 2016

Mandatory Reporter Training for Employees, Fall, 2016

Annual Security and Fire Safety Report--Appendix A: Crime Statistics—2014 (January 2013—December, 2013)

974-HELP Vols Help Vols Card

Memorandum of Understanding between Knoxville Police Department and University of Tennessee Police Department, April 15, 2013

Memorandum of Understanding between The Sexual Assault Center of East TN and The University of Tennessee, September 11, 2014

Directive: Response to Sexual Assault Issued by: Troy Lane, Chief of Police, revised January 8, 2016

UTPD Protocol Checklist: Initial Meeting with a Victim of Sexual Assault, Domestic Violence, or Stalking

“UTK Interim Measures. Care Support for Students Who Report Sexual Misconduct”- 2015

Title IX Training-Athletic Department (PowerPoint)

2016-2017 Athletic Prevention Programming and Wellness Education Roll-Out Plan

Sexual Misconduct, Relationship Violence, Stalking, and Retaliation: Annual Report (January-December 2016) (Released Spring, 2017)

UT Chattanooga

Organization Charts—Chancellor's Office and Subsidiary Departments

Policy on Sexual Misconduct, Relationship Violence, and Stalking, Effective August 13, 2015

Policy on Sexual Misconduct, Relationship Violence, and Stalking, Effective January 9, 2017

Sexual Misconduct, Relationship Violence and Stalking, University Investigation & Resolution, Know More @UTC

Know More @UTC, Consent Definition Cards

Know More @UTC, Respondent Rights and Resources

Campus and Confidential Resources Card

UTC Student Handbook 2016-2017

Memorandum of Understanding between Chattanooga Police Department and UTC Campus Police, September 28, 2006

Memorandum of Understanding among Local Law Enforcement Agencies, Chattanooga Police Department, Hamilton County Sheriff's Office, East Ridge Police Department, Hamilton County District Attorney General's Office, UT Chattanooga, and Partnership for Families, Children and Adults Rape Crisis Center, March 26, 2013

External Memorandum of Understanding UT Chattanooga Campus Transformation Project and Victim Service Provider, March 9, 2009

UT Martin

Organization Charts—Chancellor's Office and Subsidiary Departments

Student Handbook, September 22, 2014

Policy on Sexual Misconduct, Relationship Violence, and Stalking, Effective September 1, 2016

Student Health and Counseling Services Program Flyer, "Can You See How I Feel"

Live the Green Dot Training Summary

Peers Educated for Early Response: P.E.E.R. Advocate Training

UToo Matter Student Health and Counseling Services Booklet on Sexual Assault Resources (Supported by Office on Violence Against Women Grant No. 2009-WA-AX-0032)

Safety Matters Flyer

Support Matters Flyer

Partnering to End Sexual Violence Stickers

Resources from UTM website- Personal Safety Empowerment Partnership Program

University of Tennessee at Martin 2016 Annual Campus Security and Fire Safety Report

Memorandum of Understanding/Mutual Assistance Agreement between City of Martin on behalf of the Martin Police Department and the University of Tennessee at Martin, on behalf of the UTM Department of Public Safety, April 1, 2006

UT Health Science Center

Organization charts—Chancellor’s Office and Subsidiary departments

Policy on Sexual Misconduct, Relationship Violence, and Stalking. Effective August 16, 2016

Program Resources Flyer—Bridging Troubled Waters October 1, 2016

Program Resources Flyer—Domestic Violence Awareness Month Collection, October 1—20, 2016

Take a Stand Against Domestic Violence Awareness Campaign Materials October, 2016

What Every Student, Faculty, and Staff Member Should Know About

Mandatory Reporter Training email from Chancellor Schwab to Faculty and Staff regarding Haven Training, April 15, 2016

Mandatory Reporter Role Summary Handout

Prevention is Possible-Sexual Assault Awareness Month 2016:

- Wristband Program
- Consent Flyer
- Prevention is Possible
- 10 Things You Need to Know About Sexual Assault
- Bystander Intervention Training
- Day of Action Flyer
- Speak Out and Stand Up Flyer

OED Domestic Violence Month T-Shirt

Announcement of Sexual Misconduct and Relationship Violence Policy from Steve Schwab, Chancellor

Final Four Spring Training Dates, Mandatory Reporter

Memphis Police Department Mutual Aid Agreement with UT Police, March 22, 2010

UT Space Institute

Organization Chart—Executive Director’s Office and Subsidiary Departments

Title IX/Sexual Harassment Policy from website (includes link to UTK Title IX Sexual Violence Policy)

Discrimination and Harassment Complaint Form, July 16, 2014

Other

April 21, 2017 Letter from Michelle Owens, Attorney and Accompanying Statements

EXHIBIT D

**INTERVIEWS, FOCUS GROUPS, AND
LISTENING SESSIONS**

EXHIBIT D

INTERVIEWS, FOCUS GROUPS, AND LISTENING SESSIONS

Interviews

November 29, 2016 (In Person)

Melissa Shivers—Assoc. Vice Chancellor for Student Life and Dean of Students

Maxine Davis—Asst. Vice Chancellor for Student Life

Troy Lane—Assoc. Vice Chancellor for Public Safety

Cpl. Kelly Mihalik—Investigator, UTPD

Cynthia Polk-Johnson—Assoc. Dean of Students

Mike Ward—Senior Assoc. Athletic Director for Admin. And Sports Programs

Erin Stoner*—Deputy Title IX Coordinator

Betsy Smith*—Student Conduct and Community Standards

David Ndiaye—Asst. Director, Disability Services

Clay Culp—Case Management Coordinator, Distressed Student Protocol

Patricia Burks-Jelks*—Director, Equity and Diversity/Title IX Coordinator, UT Space Institute

Joe Henderson*—Interim Director of Equity and Diversity/Title IX Coordinator, UTM

Michael Alston*—Asst. Vice Chancellor for Equity and Diversity/Title IX Coordinator, UT Health Science Center

November 30, 2016 (In Person)

Matthew Scoggins*—Deputy General Counsel (General Counsel later in process)

Jenny Richter*—Assoc. Vice Chancellor, Title IX Coordinator

Ashley Blamey*—Director, Center for Health and Wellness Education

Vince Carilli—Vice Chancellor for Student Life

Stephanie Rowland*—Title IX Coordinator, UTC

March 10, 2017 (Video Conference)

Frank Cueves—University Housing

March 15, 2017 (Video Conference)

Kelly Morgan Phillips—Sorority and Fraternity Life (Interim)

March 19, 2017 (Interviews During UT Martin Campus Visit)

Keith Carver—Chancellor

Mike Swaim—Interim Athletic Director

Shannon Perry—Interim Director of Conduct

Scott Robbins—Director, UT Martin Public Safety

Margaret Toston—Vice Chancellor for Student Affairs

John Paul Robinson—Student Life Coordinator

Rachel Stephens—Student Life Coordinator

March 20, 2017 (Interviews During UT Martin Campus Visit)

Gina McClure—Chief Housing Officer

Shannon Deal—Director, Student Health and Counseling Services

Danelle Fabianich—Asst. Athletics Director for Academics and Student Athlete Services/SWA

March 26, 2017 (Interviews During UT Knoxville Visit)

Joe DiPietro*—President

Beverly Davenport—Chancellor

Rick Barnes—Men's Head Basketball Coach

March 27, 2017 (Interviews During UT Knoxville Visit)

Butch Jones—Head Football Coach

Donna Thomas—Senior Assoc. Athletics Director

Jimmy Cheek—Former Chancellor

April 9, 2017 (Interviews During UT Chattanooga Visit)

Steve Angle—Chancellor

Terry Denniston—Chief of Staff

Yousef Hamadeh—Asst. General Counsel

Dee Dee Anderson—Interim Vice Chancellor, Student Development

Jim Hicks—Dean of Students/Deputy Title IX Coordinator

Laura Herron—Senior Associate Athletic Director/SWA

Danny Grzesik—Assoc. Dean for Fraternity/Sorority Life

April 10, 2017 (Interviews During UT Chattanooga Visit)

Brett Fuchs—Assoc. Dean for Student Conduct

David Blackburn—Vice Chancellor and Athletic Director

Sara Peters—Director of the Women's Center

Jennifer Henkle—Asst. Dean of Students and Case Manager

Val Sample—Director of Housing and Residence Life

Bryan Samuel—Director, Office of Equity and Diversity/Deputy Title IX Coordinator

April 11, 2017 (Interview During UT Space Institute Visit)

Mark Whorton—Executive Director

April 12, 2017 (Interview during UT Health Science Center Visit)

Steve Schwab—Chancellor

April 25, 2017 (Video Conference)

John Currie—Athletic Director, UT Knoxville

May 25, 2017 (In Person)

Brian Lapps—Deputy General Counsel

Student Focus Groups/UT Knoxville

March 26, 2017 (During UT Knoxville Visit)

Representatives from the Four Greek Councils (8 Students)

IFC--VP of Public Relations-Farm House

IFC--Alpha Tau Omega

IFC-- President, Alpha Gamma Rho

IFC—Programming Director, Kappa Sigma

Panhellenic VP of Internal Affairs, Delta Zeta

Panhellenic VP of Public Relations, Sigma Kappa

National Pan-Hellenic Council—Kappa Alpha Psi,
Incorporated

Multicultural Greek Council—President, Delta Phi Omega

Representatives from the Student-Athlete Advisory Council
(16 Students)

Men's Golf (2 Students)

Track and Field (3 Students)

Soccer (2 Students)

Men's Basketball (2 Students)

Football (1 Student)

Volleyball (2 Students)

Women's Swimming (2 Students)

Men's Tennis (2 Students)

March 27, 2017 (During UT Knoxville Visit)

Resident Assistants (13 Students) Halls Represented:

Brown

Clement

Hess

Laurel

Massey

Morrill

North Carrick

Orange and White

South Carrick

Stokely

Volunteer

Campus-Wide Listening Sessions for Students, Faculty, and Staff

March 20, 2017 UT Martin

31 Attendees

March 27, 2016 UT Knoxville

54 Attendees

April 10, 2017 UT Chattanooga

34 Attendees

NOTE: * indicates that the Commission conducted follow-up interviews with these individuals subsequent to their initial interviews