

TAKING PRECAUTIONS

2014

Annual Security & Fire Safety Report
for the Knoxville Campus



THE UNIVERSITY of
TENNESSEE **UT**
KNOXVILLE

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ANNUAL SECURITY REPORT

MESSAGE FROM CHIEF OF POLICE TROY LANE

On behalf of the University of Tennessee Police Department, welcome to our great university. We hope you will find the information in this report informative and helpful and that your experience will be safe and rewarding. While we enjoy one of the lowest crime rates amongst major universities, no campus is immune to crime. Though it is our department's mission to minimize crime and the opportunity for it to occur, safety is a shared responsibility. We ask you to be an active member in your personal safety and that of the community, which begins by considering the following:

- Report crime and situations that seem suspicious to our department immediately.
- Don't leave property unattended/unsecured. Theft is the most common crime reported, and unattended items are an easy target.
- Always lock your residence & car. Don't leave valuables, including GPS units visible.
- Avoid walking alone at night.

UNIVERSITY OF TENNESSEE POLICE DEPARTMENT OVERVIEW

The University of Tennessee Police Department (UTPD) provides basic police services to the campus of Tennessee's largest university, the University of Tennessee, Knoxville. UTPD's main objective is to provide a safe campus for students, staff, faculty, and visitors. UTPD officers perform a variety of tasks that include investigation of criminal activity, apprehension of criminals, accident and fire response, traffic enforcement, and security for special events. Through its Community Relations Unit (CRU), UTPD offers services such as property engraving and educational programs to increase the safety of members of the UT community and their belongings. The CRU also offers campus safety statistical information, as well as posters, brochures, and seminars on a variety of safety topics.

UTPD reports to the Senior Associate Vice Chancellor for Finance and Administration, 523 Andy Holt Tower, Knoxville, TN 37996, 865-974-3061.

Mission Statement

The mission of the University of Tennessee Police Department is to provide professional police services, while working with faculty, staff and students to reduce criminal opportunity and community anxiety. Our department is committed to treating all people fairly while supporting an environment where diverse social, cultural, and academic values are allowed to develop. We embrace the core values of professionalism, respect, integrity, dedication, and excellence.

Contact Information

UTPD may be contacted at:

UT Police Department
1101 Cumberland Ave. Knoxville, TN 37996
E-mail: utpolice@utk.edu
Telephone: 865-974-3111
Emergency: 911

UTPD maintains a website and two social media accounts, which provide safety and security information to the University community:

Website: utpolice.utk.edu
Facebook: facebook.com/utkpd
Twitter: twitter.com/utpolice

Officers and Training

UTPD employs 53 state certified police officers on the Knoxville campus. Police Officers receive 420 hours of basic police training through a Tennessee Peace Officer Standards and Training-certified (POST) training academy, within their first six months of employment. Upon completion of the basic academy, officers are assigned to field training officers and must complete 320 hours of additional field training.

UTPD officers complete a minimum of 80 hours of in-service training each year. Additional training may include such topics as:

<i>Cultural Diversity</i>	<i>Officer Stress Training</i>	<i>Legal Updates</i>
<i>Racial Profiling</i>	<i>Fire Safety</i>	<i>Rape Crisis</i>
<i>Crime Prevention</i>	<i>Investigations</i>	<i>Basic First Aid</i>
<i>Crime Scene Protection</i>	<i>Firearms</i>	<i>Cardiopulmonary Resuscitation (CPR)</i>
<i>Evidence Handling</i>	<i>Crisis Intervention Training</i>	<i>Aerosol Control Options</i>
<i>Mental Health</i>	<i>Drug Recognition Expert</i>	<i>Active Shooter Response</i>
<i>Child Abuse</i>	<i>Forensic Anthropology</i>	

UTPD operations also are supported by:

- non-sworn officers, called Community Service Officers (CSOs), who serve as additional patrol units; perform vehicle unlocks and vehicle boosts for students, faculty and staff; and assist with traffic control, building unlocks, and other duties as assigned;
- a supplemental staff of non-sworn officers, called Campus Protection Specialists (CSPs), who serve as additional protection during special events (for example, sporting events, construction areas, concerts, etc.); and
- a Central Alarm/Communications Division (Central Alarm), which is staffed by trained and certified dispatchers who answer calls for service, dispatch officers and other emergency services to incidents, and monitor security cameras, intrusion, fire and environmental alarms.

Accreditation

In August 2009, UTPD earned national accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). In July 2012, UTPD was awarded re-accreditation through CALEA. Representatives from CALEA assessed UTPD's policies, procedures, management, operations, and support services. They specifically examined the department's ability to prevent and respond to crime, deliver services, build a rapport with the campus

community, cooperate with other law enforcement agencies, and continue in its efforts to improve its practices and procedures. As of August 2014, UTPD is one of two university police agencies in the state to hold national accreditation.

CALEA accreditation means that UTPD has met national and international standards for law enforcement policies and procedures. These policies strengthen the department's level of accountability to the community. The accreditation promotes best practices for administrative decision-making. To be accredited, UTPD successfully demonstrated the following:

- A comprehensive set of formal goals and directives;
- A solid structure for providing information and analysis to the chief of police and the management team;
- An emergency preparedness program in place;
- Developing or improving the agency's relations with the community;
- Adherence to stringent standards that promote strong lines of accountability, both within the agency and with the community, and reduce liability and risk exposure to the agency; and
- Facilitation of the agency's pursuit of professional excellence.

On January 13, 2010, UTPD received accreditation through the International Association of Campus Law Enforcement Administrators (IACLEA). UTPD was the first agency in the state to be dually accredited through IACLEA and CALEA, which is a testament to UTPD's commitment to excellence and professionalism.

Authority, Jurisdiction, and Working Relationships with State and Local Law Enforcement Agencies

UTPD's state certified officers are duly commissioned by the State of Tennessee. As such, UTPD officers have full police powers in the City of Knoxville, Knox County, and on any other property contiguous to property of the University of Tennessee, Knoxville. As duly commissioned officers, UTPD carry service weapons and have arrest authority. In general, each UTPD officer shall, in all cases, use only the minimum amount of force that is consistent with the accomplishment of his/her mission, and shall exhaust every other reasonable means of apprehension of defense before considering the use of a firearm.

CSOs and CSPs are not commissioned by the State of Tennessee, do not carry service weapons, and do not have arrest authority.

UTPD patrols the University campus and its surrounding areas 24 hours a day, 365 days a year. These patrols include vehicle patrols, as well as motorcycle, bicycle, and foot patrols when weather permits or need arises. UTPD patrols also include frequent building and facility checks for suspicious activity or those in need of assistance. UTPD also provides security for athletic events and other functions hosted in campus facilities.

UTPD is computer linked to city, state and federal criminal justice agencies, which provide access to information concerning criminal records, wanted persons, stolen property, and vehicles. All crimes reported to UTPD are investigated and, when appropriate, are referred for prosecution through the District Attorney General. Criminal matters involving university

students may also be referred to the appropriate university administrative office (e.g., Office of Student Conduct and Community Standards) for disciplinary action.

UTPD maintains a close working relationship with the Knoxville Police Department (KPD). A written agreement between UTPD and KPD regarding the exercise of jurisdiction has been adopted. UTPD and KPD officers communicate regularly at the scene of incidents that occur in and around the campus area. UTPD investigators work closely with KPD investigators when incidents arise that require joint investigative efforts, resources, crime related reports, and exchanges of information. KPD has primary investigative responsibility when the following crimes occur on university property:

- Violations of the Racketeer Influenced and Corrupt Organization Act of 1989, T.C.A. §§ 39-12-201, *et seq.*;
- Aggravated assault and vehicular assault, as defined in T.C.A. §§ 39-13-102 and -106;
- Criminal homicide, first-degree murder, second-degree murder, voluntary manslaughter, criminally negligent homicide, vehicular homicide, and viable fetus as victim, as defined in T.C.A. §§ 39-13-201, -202, -210, -211, -212, -213, and -214;
- Kidnapping, aggravated kidnapping, and especially aggravated kidnapping, as defined in T.C.A. §§ 39-13-303, -304, and -305;
- Aggravated robbery and especially aggravated robbery, as defined in T.C.A. §§ 39-13-402 and -403;
- Aggravated rape, rape, aggravated sexual battery, sexual battery, statutory rape, and limited spousal exclusion, as defined in T.C.A. §§ 39-13-501 through -507. However, T.C.A. § 49-7-129 requires that higher education law enforcement agencies lead rape investigations;
- Arson, aggravated arson, and related crimes, as defined in T.C.A. §§ 39-14-301 through -306; and
- Especially aggravated burglary, as defined in T.C.A. § 39-14-404.

Serious crimes and other incidents that are deemed by UTPD to be of interest to state and/or local agencies are reported to those agencies. All crimes that occur on campus are reported by UTPD on a monthly basis to the Tennessee Bureau of Investigation (TBI) and to the Federal Bureau of Investigation (FBI) headquarters for publication in the annual ***Uniform Crime Report***.

UTPD also maintains working relationships with the Knox County Sheriff's Office, TBI, and the FBI. However, UTPD does not have a written agreement with those law enforcement agencies.

The Clery Act requires the university to include in this report a statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities. The University does not officially recognize student organizations; rather, the University only registers student organizations. With respect to criminal activity in which students engage at off-campus locations of registered student organizations, UTPD officers can and do assist with responding to and investigating student-related incidents that occur in close proximity to campus,

consistent with UTPD's written agreement with KPD. If KPD or the Knox County Sheriff's Office is contacted about criminal activity occurring off campus involving University students, KPD or the Knox County Sheriff's Office may notify UTPD. However, there is no official KPD or the Knox County Sheriff's Office policy requiring such notification. Students in those cases may be subject to arrest and university discipline.

REPORTING A CRIME, EMERGENCY, OR SUSPICIOUS ACTIVITY

UTPD strongly encourages students, employees, and visitors to promptly and accurately report criminal incidents, suspicious activity, and other public safety related emergencies and incidents to UTPD, another appropriate law enforcement agency, or to designated university officials. This includes situations in which the victim of such crime either elects or is unable to report an incident. Promptly reporting criminal incidents, suspicious activity, and other emergencies and incidents to UTPD or other designated university officials assists the university in issuing **UTAlerts** or **Safety Notices**, as required by the Clery Act, and including the incident in the university's annual crime statistics.

UTPD cannot overemphasize the importance of prompt and accurate reporting of criminal incidents. If a criminal incident is not reported promptly, evidence can be destroyed and/or the potential to apprehend a suspect can be lost. Without accurate reports, leads could be missed and the investigation could proceed in the wrong direction. If you witness a crime, promptly report it to UTPD and be prepared to answer questions as accurately as you can. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, or you have seen or received information of criminal activity, please contact UTPD immediately.

Emergencies

Call **911** to report criminal incidents, suspicious activity, or other incidents that are emergencies, whether on campus or off campus. The University operates a telephone system that provides expanded emergency service to the University community. All 911 calls placed on campus telephones are routed to the Knoxville E911 emergency center. The call is dispatched to UTPD and/or the City of Knoxville Police Department for response. On campus emergency calls may be placed directly to **911** or to UTPD (**4-3111** from a campus phone or **865-974-3111** from an off campus phone, campus pay phone, or cell phone).

Blue light emergency telephones are located across campus and the 16th Street corridor in the Fort Sanders neighborhood. A map indicating a location of the emergency blue phones is published each year by the university's **Parking and Transit Services (<http://parking.utk.edu>)** department. Calls placed from blue light emergency telephones transmit directly into the E911 Communications center on an emergency line. The emergency line is high priority and dispatchers will answer immediately. The E911 Dispatcher will transfer or contact a UTPD Central Alarm Officer via radio or phone and relay the location and brief summary of incident for response. The location of the blue light emergency telephone from which the call has been placed is made available to the E911 Dispatcher when the call comes in. The UTPD Central Alarm officer will dispatch an officer(s) to the location of the blue light emergency telephone. Bluephones located in high traffic areas are equipped with 24/7 communication with the University's current contract transportation provider. "The T" transit system provides

University students, staff, faculty, and visitors a convenient and efficient campus wide transportation service. Service is fare-free for all passengers.

All campus elevators have emergency phones that transmit to the UTPD Central Alarm designated phone. A UTPD Central Alarm officer answering that designated phone will have the phone number, building name, and elevator number (depending on the building) available through the caller ID system. A UTPD officer will always be dispatched unless the person states that the button was pushed by accident and there is no reason to indicate there is a problem. The Knoxville Fire Department (KFD) will be dispatched to open the elevator when the repair service response time will exceed what the UTPD Central Alarm officer determines is a reasonable amount of time. If the elevator service company or facility services are unable to give an estimated time of arrival to the UTPD Central Alarm officer, he/she will wait five minutes and make contact again. KFD will be dispatched if a reasonable response time is not provided on the second contact. Non-emergency calls during working hours require contact with the university's **Facilities Services (<http://fs.utk.edu>)** department. After hours, non-emergency calls require contact with on-call elevator technicians from an elevator company.

The Knoxville campus has various departments that utilize panic alarms. The panic alarms provide information directly to UTPD Central Alarm and UTPD officers respond appropriately to the activations.

Non-Emergencies

To report criminal incidents, suspicious activity, or other incidents that are not emergencies, individuals may contact UTPD by:

- Calling **4-3114** (from a campus phone) or **865-974-3114** (from an off campus phone, campus pay phone, or cell phone) (UTPD operates on a 24-hour basis and a police dispatcher is always available to take information);
- Sending UTPD an e-mail at **utpolice@utk.edu**; or
- Reporting in person at **1101 Cumberland Avenue, Knoxville, TN.**

As an alternative to reporting a criminal incident to UTPD, an individual may report criminal incidents, suspicious activity, or other incidents that are not emergencies to the following university offices:

Dean of Students	865-974-3179	413 Student Services Building
Title IX Coordinator	865-974-2498	1840 Melrose Avenue
Asst. Vice Chancellor for Student Life	865-974-2150	515 Andy Holt Tower
Executive Director, University Housing	865-974-2571	405 Student Services Building

Director, Office of Student Conduct and Community Standards	865-974-3171	409 Student Services Building
Director, Center for Health Education and Wellness	865-974-5725	201E Student Health Center
Sr. Associate Vice Chancellor for Finance and Administration	865-974-3061	405B Andy Holt Tower
Director, Human Resources	865-974-2889	230 UT Conference Center Building
Sr. Associate Athletics Director	865-974-9190	1551 Lake Loudoun Blvd
Director, Ag. Extension	865-974-7245	212D Morgan Hall
Director, Center for International Education	865-974-2173	1620 Melrose Avenue

To report criminal incidents, suspicious activity, or other incidents that are not emergencies that occur off campus in Knox County, individuals also may contact:

City of Knoxville Police Department (within the City of Knoxville):
800 Howard Baker, Jr. Avenue
Knoxville, TN 37915
865-215-4010

Knox County Sheriff (outside the City of Knoxville but within Knox County)
400 Main Street, Suite L165
Knoxville, TN 37902
865-215-2243

To report criminal incidents, suspicious activity, or other incidents that are not emergencies that occur off campus outside of Knox County, individuals also may contact the law enforcement agency that has jurisdiction over the location where the incident occurred. Individuals may contact UTPD for assistance in contacting another jurisdiction's law enforcement agency.

Anonymous Reporting

If you are the victim of a crime and do not want to pursue action within the university's disciplinary system or the criminal justice system, you may still want to consider making an anonymous report to UTPD. Reporting a criminal incident anonymously to UTPD allows you to keep the matter as private as possible, while taking steps to enhance the future safety of yourself and others. With such information, UTPD can keep an accurate record of the number of

criminal incidents involving students, faculty, staff and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community of potential danger. Anonymous reports of Clery Act crimes to UTPD will be included in the university's annual crime statistics published in the Annual Security Report. Anonymous reports of sexual misconduct and relationship violence (as those terms are defined in the university's interim policy on sexual misconduct and relationship violence, a copy of which can be found in **Appendix F**) to UTPD will also be made available to the university's Title IX Coordinator.

Individuals may report crime anonymously to UTPD through Tip411. Tip411 is an Internet-based tool that enables the public to send an anonymous tip to police via text message, and lets police respond by creating a two way anonymous "chat." To send an anonymous tip to UTPD via text message, text the keyword **UTPD** and your message to **847411** (tip411). You may also send an anonymous tip to UTPD online at:

<http://www.citizenobserver.com/cov6/app/webTipForm.html?id=6653>

Individuals may report a crime anonymously to the Knoxville Police Department by calling **865-215-7212**. Individuals may report a crime anonymously to the Knox County Sheriff by visiting www.knoxsheriff.org/tip/index.php or by texting the keyword **Knox** to **Crimes 274637**.

Texting is not an alternative to calling 911; in an emergency, call 911.

Confidentiality

UTPD encourages anyone who is the victim of or witness to any crime to promptly report the incident to UTPD or another law enforcement agency. However, UTPD cannot ensure that a report will remain confidential because police reports relating to closed cases generally are subject to inspection by any citizen of Tennessee under the Tennessee Public Records Act.

The University's annual crime statistics do not include any personally identifiable information relating to a victim, suspect, or witness.

The university's interim policy on sexual misconduct and relationship violence, a copy of which can be found in **Appendix F**, provides information on the University's policy for handling a situation in which a person reports an incident of sexual misconduct or relationship violence to the University but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken. That policy also provides information on confidential resources that serve as alternatives to reporting an incident of sexual misconduct (e.g., sexual assault) or relationship violence (e.g., domestic violence, dating violence, stalking) to the University.

Pastoral and Professional Counselors

In accordance with the Clery Act, professional counselors are not considered campus security authorities (i.e., they are not obligated to report crimes to UTPD). The term "professional counselor" means a University employee whose official responsibilities include providing mental health counseling to members of the University's community and who is functioning within the scope of his/her license or certification. The University does not have procedures for

encouraging professional counselors, if and when they deem appropriate, to notify persons whom they are counseling of the voluntary, anonymous reporting options to ensure that an incident is included in the University's annual disclosure of crime statistics.

The University does not employ pastoral counselors. Pastoral counselors not employed by the university are not obligated to report crimes to UTPD. In addition, the university does not have procedures that encourage pastoral counselors to inform persons they are counseling of the University's procedures to report crimes on a voluntary, anonymous basis for inclusion in the University's annual disclosure of crime statistics.

Reporting Sexual Misconduct and Relationship Violence

Additional information concerning options for reporting sexual misconduct (e.g., sexual assault) and relationship violence (e.g., domestic violence, dating violence, stalking) can be found in the university's interim policy on sexual misconduct and relationship violence, a copy of which can be found in **Appendix F**. The interim policy also provides information on confidential resources that are alternatives to reporting an incident to the University.

Retaliation

No University officer, employee, or agent shall retaliate, intimidate, threaten, coerce, seek retribution, or otherwise discriminate against any person for exercising their rights or responsibilities under any provision of the Clery Act. The university's interim policy on sexual misconduct and relationship violence prohibits retaliation relating to the opposition to, reporting of, or participation in a University investigation, hearing, proceeding, or other measure relating to sexual misconduct or relationship violence. **University of Tennessee Human Resources Policy HR0580** (http://policy.tennessee.edu/hr_policy/hr0580/) protects employees from retaliatory discharge if in good faith they report or attempt to report illegal activities.

TIMELY WARNINGS (SAFETY NOTICES)

A timely warning, in the form of **Safety Notice**, will be disseminated utilizing method(s) likely to reach members of the affected campus community when the reported incident is a Clery Act crime which: (1) is reported in good faith to UTPD directly or reported to UTPD indirectly through a university campus security authority or a local law enforcement authority; (2) occurs on the university's Clery geography (i.e., on campus, in or on a non-campus building or property in use or controlled by the university, or on public property immediately adjacent to the university); and (3) is a serious or continuing threat to University students and employees, or their property.

A Safety Notice will be issued in a manner which: (1) is timely (i.e., as soon as the pertinent information is available); (2) does not disclose the name or other identifying information about the victim, as defined in 42 U.S.C. § 13925(a)(20); and (3) will aid in the prevention of similar crimes. A Safety Notice will contain sufficient information about the incident to enable persons to protect themselves or their property and aid in the prevention of similar crimes. Such information generally will include: (1) a brief description of the incident; (2) the general location, date, and time of the incident; (3) a description of the suspect, if a sufficient amount of detail is known about the suspect, which may include a composite drawing or photograph of

the suspect; (4) a description of injuries or the use of force, if relevant; (5) a description of the incident's possible connection to other incidents; (6) suggested measures that university students and employees can take to help protect themselves or their property; and (7) contact information for UTPD and other instructions for the campus community. Safety Notices will not include information that, in the judgment of the Chief of UTPD or his/her designee, would compromise law enforcement efforts.

The decision whether to issue a Safety Notice is made by the Chief of UTPD or his/her designee on a case-by-case basis in light of all of the facts known concerning the crime, such as the nature of the crime and whether university students and employees are at risk of becoming victims of a similar crime. The apprehension of the alleged perpetrator typically removes the risk to university students and employees. UTPD typically does not issue a Safety Notice for an incident for which a report was filed with UTPD more than five days after the alleged incident.

The Clery Act does not require the university to issue a Safety Notice for: (1) a Clery Act crime that occurs outside of the university Clery Geography; or (2) for a crime that is not a Clery Act crime, even if that crime occurs on the university's Clery Geography. However, the Chief of UTPD or his/her designee may, in his/her discretion, issue a Safety Notice for a crime for which the Clery Act does not require the university to issue a Safety Notice.

Safety Notices typically are written by the Chief of Police or his/her designee and sent to the Office of Communications and Marketing for approval and distribution to all UTK netid accounts (e.g., students, faculty, and staff) through the Office of Information Technology. Safety Notices also may be distributed through UTPD's website, utpolice.utk.edu, and UTPD's social media accounts (e.g., Facebook, www.facebook.com/UTKPD, and Twitter, twitter.com/utpolice). If an incident occurs on property owned or controlled by the university, a Safety Notice may be distributed through a flyer on buildings adjacent to the incident area, to individuals located in the incident area, or to the entire campus community.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the University will follow its **Emergency Response and Evacuation Procedures**. No Safety Notice based on the same circumstance will be issued. However, follow-up information will be disseminated to the campus community as needed.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Clery Act requires the University to have and disclose the following emergency response and evacuation procedures, which the University will follow in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Emergency Response

The University's Emergency Management Plan (EMP) is updated annually and available on Sharepoint for viewing for anyone with at UT NetID and password at <https://tiny.utk.edu/CampusEMP>. The EMP provides information on how the University will prepare and organize to respond to emergencies. The EMP provides detailed guidance on roles and responsibilities for emergency response personnel and guidance for colleges' and departments'

continuity and emergency action planning. The EMP is administered by the university's **Office of Emergency Management** following the principles of the National Incident Management System.

The EMP establishes a three year exercise cycle to test and evaluate the EMP and to improve the skills of the university personnel assigned emergency management responsibilities. The training includes an annual exercise that is designed to progress from training and workshops to a table top exercise and culminate in a full scale exercise in the third year. Multiple additional training and exercises are conducted in addition to the campus exercises to include participation with local, state, and federal agencies efforts. A description of exercise activity conducted in 2013 is available at <http://utk.edu/go/dk>. The descriptions include a description of the exercise activity, the date the test was held, the duration of the test, and whether the test was announced or unannounced.

In addition to making the EMP available on Sharepoint, campus specific information and procedures are also published at <http://safety.utk.edu> and in an emergency preparedness training module available on Blackboard at <https://bblearn.utk.edu/webapps/portal/frameset.jsp>. The Office of Emergency Management, UTPD, Environmental Health and Safety, and Office of Communication and Marketing regularly conduct awareness efforts to encourage campus community members to review safety related information. At a minimum, this is done during a safety day at the beginning of the fall semester and during national emergency preparedness week. University buildings are equipped with emergency posters that indicate best shelter locations, assembly areas, and an emergency coordinator point of contact.

UTPD officers and various campus administrators have received training on incident command and responding to critical incidents on campus. The university works in conjunction with a variety of local, state, and federal agencies to respond to any type of incident impacting our campus.

Evacuation

Evacuation drills are conducted regularly in all university buildings on a schedule based on the occupancy and functionality of the building. The purpose of the evacuation drill is to prepare building occupants for an organized evacuation in case of fire or other emergency. Drills are used as practice and to familiarize students, faculty, and staff with exit locations and assembly areas and educate them on emergency procedures. Documentation of university building evacuation/fire drills is maintained by Environmental Health and Safety and is maintained in accordance with the procedure (GS 43) for Records Retention for Safety, Health and Environmental Protection procedure, which can be found in the Safety Manual (<http://web.utk.edu/~ehss/safety%20manual/smanualaph2kj.html>). Key performance measures are established, evaluated, and feedback is provided to the building occupants. A record of drills conducted in 2013 can be reviewed at <http://utk.edu/go/p7>.

The university maintains a plan for a campus-wide evacuation, which includes multiple methods of transporting the campus population, depending on the nature of the emergency, to a safe off campus location. Directions will be provided via the campus' emergency notification system. Neyland Stadium gate 21 and staff lot 25 across from the Allen Jones Intercollegiate Aquatics Center have been designated as evacuation bus stop locations for the campus transit system.

Sheltering inside a building is often the safest action depending on the emergency, such as tornado, hazardous materials release, or active shooter. The campus community may be told to seek shelter via a **UTAlert** at which time they should proceed to the best available shelter in the building they are in. Shelter locations are designated on signage in the building and detailed instructions are available at <http://safety.utk.edu>. Individuals should know the basic characteristics of good shelter so they can respond properly when informed of an emergency. More information on what to do during an emergency is available at <http://safety.utk.edu>.

The following is basic shelter guidance:

- If you are inside when directed to seek shelter, stay where you are. If you are outdoors, proceed to the closest building as quickly as possible. Continue to monitor campus communications and do not exit unless directed by competent authority.
- For sheltering from severe weather or other threats to the building's integrity, you should seek an interior room as low in the building as possible preferably with no windows.
- For sheltering from hazardous materials release, you also want to shut off ventilation and air handling systems and use available materials to seal windows and doors.
- The reaction to an active shooter event depends on your locations in regard to the threat. Barricading in a room is a form of sheltering and the proper response for most of the campus.

How to Report an Emergency

Students and employees are encouraged to notify UTPD of any situation or incident that involves a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Emergency Notification System

The university will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The university utilizes multiple methods to notify the campus community of emergency situations.

The following information describes the university's emergency notification system.

Confirming the Existence of a Significant Emergency or Dangerous Situation

As stated above, the university will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Examples of situations in which an emergency notification likely will be issued include: a building fire; a hazardous material spill/leak impacting a large area; severe weather related threat; or an active shooter.

As used in this section, “confirmation” generally means that the university has verified that a legitimate emergency or dangerous situation exists involving an immediate threat to the health or safety of students or employees occurring on the campus. The UTPD Shift Supervisor is the primary person who determines whether such a situation exists; however, the Director of Emergency Management, UTPD command staff, the Chancellor, the Vice Chancellor for Finance and Administration, and the Senior Associate Vice Chancellor for Finance and Administration could also make such a determination. In the process of verifying whether such a situation exists, those persons may rely on information received from witnesses, first responders, university departments/units, and entities outside of UTPD with information relevant to the situation including, but not limited to: the Knoxville Police Department; the Knox County Sheriff’s Office; the Knoxville Fire Department; the National Weather Service; and personnel from the university’s Environmental Health and Safety department. So that there is no undue delay in notification, confirmation does not necessarily mean that all of the pertinent details about the situation are known or even available.

UTAlert

UTAlert is one of the primary methods of notifying the campus community about serious emergencies, ongoing situations or disruptions to normal operations on campus in a timely manner. Once students, faculty or staff sign up/“opt-in” to receive UTAlerts, they will begin receiving text messages through their cellular phone. UTAlert subscribers can also sign up to receive the same UTAlert messages through their UT e-mail account. Students, staff, and faculty can register to receive UTAlerts at <http://www.utk.edu/utalert/>. Individuals are responsible for updating their contact information periodically to ensure their continued participation in the UTAlert system. Participation in the UTAlert system is not mandatory but is strongly encouraged by the university. Signing up for the UTAlert system is not a guarantee of one’s personal safety. Individuals may discontinue participation in the UTAlert system at any time. Individuals are responsible for the cost of any text messaging fees from their mobile service provider that they incur as a result of active or test UTAlert messages received during their participation in the UTAlert system.

The UTAlert emergency notification method is tested during the spring and fall semesters each year through a published announcement and full activation. Each test includes a sign-up campaign to encourage the campus community to register for UTAlerts. The blue light phones’ public address system is tested by activating units monthly on a rotational basis with all units being tested annually.

Information on other methods of emergency notification used by the university can be found later in this section of the report.

Determining the Appropriate Segment(s) of the Campus Community to Receive an Emergency Notification

UTAlert text and e-mail messages will reach subscribers regardless of their actual location when the emergency notification system is activated. However, the university has the capability to send emergency notifications to blue light and campus phones based on geographic area should the emergency or dangerous situation be specific to

one area of campus. The campus is divided into zones to assist in determining if notification will be specific to a geographic area of campus. In addition to alerting UTAAlert subscribers, e-mail can be used to notify every member of the campus community with an “utk.edu” e-mail address. The incident dictates the appropriate area(s) to be notified. For example, a building fire would generally only impact one zone while a severe weather event would potentially impact the entire campus. The UTPD Shift Supervisor generally is the person who determines which segment of the campus community receives an emergency notification.

Initiating the Emergency Notification System and Determining the Contents of an Emergency Notification

UTPD, in the course of responding to an emergency or dangerous situation, typically will gather the necessary information pertinent to share with the campus community about incidents on campus that present an ongoing risk. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the UTPD Shift Supervisor is the primary person with the authority to send a UTAAlert. A UTAAlert may also be sent by the UTPD command staff and the Director of Emergency Management.

The content of UTAAlert text and e-mail messages for most potential campus emergencies have been pre-scripted and are ready to be immediately sent. Employees with authority to send a UTAAlert also have the ability to amend the content of the message in the event that none of the pre-scripted messages are sufficient or more specific details are appropriate. UTAAlert text messages are generally short and very direct due to character limitations. The initial UTAAlert message is primarily designed to quick notification of a dangerous situation. The campus community is encouraged to seek additional information after becoming aware of an emergency by monitoring their utk.edu e-mail, the university’s Twitter account (<https://twitter.com/UTKnoxville>), and the utk.edu website. The university’s emergency notification system uses various communication methods that vary in delivery speed and more details can be provided in e-mail and on the web.

Emergency Notification Methods

Emergency notifications may be sent using some or all of the following methods, based upon the situation and availability:

NOTIFICATION METHOD	USES	TYPES OF WARNINGS	CONTENT ADMINISTRATOR
UT Alert Text (SMS) Message & Email	Campus-wide emergency requiring immediate action	Text messages	UTPD & Office of Emergency Management (OEM)
Code Blue Units & Neyland external speakers	Campus-wide emergency requiring immediate action	PA system	UTPD & OEM
656-SAFE	Partial or full campus wide action	Pre-recorded message; phone bank	Communications & Marketing
UTPD vehicle PA system	Emergency Information	Voice	UTPD
UT Email	Emergency Information	Email	Communications & Marketing
Power Fail Emergency Phones	Zone specific emergency requiring immediate action	Phone	UTPD, OEM, Telephone Services
UT Emergency Website (Homepage)	Provide additional information	Web-based	Communications & Marketing
Portable L.E.D. Display Boards	Emergency Information	Outdoor	UTPD & Parking Services
WUOT-FM	Issue emergency statements	Radio Station 91.9 FM	College of Communications
NOAA Weather Radio & Wireless Emergency Alerts	National, state, and local hazards	Voice and tone	National Weather Service & TEMA
Social Media	Issue emergency statements	Twitter & Facebook	Communications & Marketing
Local Media	Issue emergency statements	Radio, TV, web & print	Communications & Marketing

The following provides a more detailed summary of the university's various emergency notification methods:

- **UTAlert Text (SMS) Message and Email** - This method can send thousands of text and e-mail messages to staff, faculty, and students that have registered with the UTAlert system.
- **Code Blue Units** - These are units located across the campus that can be activated by UTPD and/or the OEM. The message is preceded by an audible tone and can cover most parts of the campus. Neyland Stadium exterior speakers can be employed in the same fashion.
- **656-SAFE** - This designated number serves as the university's official number for pre-recorded emergency information. During critical events it can be activated as a live phone bank to provide the latest updates on the incident.
- **UTPD Vehicle Public Address Systems** - Each UTPD patrol vehicle has a public address system that can be utilized for emergency announcements.
- **UT Email** - The university has the ability to send emergency information via the university's e-mail exchange to all Knoxville-area students, staff, and faculty with a netid, even if they have not subscribed to UTAlert.
- **Power Fail Emergency Phones** - Colleges, EP Zone Coordinators and key leadership have been equipped with analog phones that continue to function when the power is out. These phones can be used to relay UTAlerts or specific emergency messages through the university's emergency notification system.
- **UT Emergency Website** - The university's homepage (<http://utk.edu>) is a secondary notification system where more detailed information concerning an incident or an emergency may be found. The UTAlert text or e-mail notice may advise faculty, staff, and students to go to the university's homepage to obtain additional information and updates.
- **Portable L.E.D. Display Boards** - Parking and Transit Services maintain several vehicle-towed LE.D. boards that may be utilized to assist during large-scale emergency events.
- **WUOT-FM** - The university's College of Communications controls this campus radio station and emergency announcements can be transmitted as needed.
- **NOAA Weather Radio and Wireless Emergency Alerts** - Units receive all hazard information from the Emergency Alert System (EAS) regarding Amber Alerts, severe weather and regional emergencies. The university does not control content and cannot initiate a message using these devices. Several departments on-campus have these units.
- **Social Media** - The Office of Communications and Marketing (Communications and Marketing) will repost UTAlerts to Twitter. Communications and Marketing will also monitor and respond to Twitter and Facebook traffic using the main campus accounts to provide updates, dispel rumors, and share emergency information. UTPD will augment this effort as appropriate using UTPD's social media accounts.
- **Local Media** - Communications and Marketing will use their contacts to all local media to assist in spreading emergency public information.

The notification methods described above are implemented with the understanding that they are best used in combination with each other. The type of emergency or dangerous situation ultimately drives which methods are used. Notification methods will almost always include SMS text and e-mail.

The university will, without delay, and taking into account the safety of the community, determine the content of the emergency notification (i.e., what information to release about the situation), and initiate the emergency notification system, unless issuing an emergency notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency or dangerous situation.

The goal for issuing an emergency notification is to provide accurate information as quickly as possible so that the campus community can take precautions in the case of an emergency or dangerous situation. Not every individual will be reached; thus, the campus community is asked to spread emergency notification information to others.

Information pertaining to an emergency or dangerous situation that exceeds the boundaries of the University of Tennessee's campus typically is provided by the Office of Communication and Marketing to local television and radio media outlets. The Office of Communication and Marketing determines the content of the information that is provided. Such information may also be provided directly by the City of Knoxville.

MISSING STUDENT NOTIFICATION PROCEDURES

This section of the Annual Security Report sets forth the university's missing student notification procedures for students who reside in on-campus student housing facilities. These procedures only apply to students who reside in on-campus residential facilities operated by University Housing or in Greek residential facilities owned and/or controlled by the University of Tennessee, Knoxville. The university does not own property or control either Farm House or the Phi Delta Theta facilities. The university owns the property of Kappa Sigma, but does not own the house or control the facility.

How to Report a Missing Student

Students, employees, or other individuals who want to report that a student who lives in on-campus housing has been missing for 24 hours should contact UTPD at **865-974-3111**.

If a university employee believes that a student who lives in on-campus housing has been missing for 24 hours, then that employee must immediately report his/her belief to UTPD, the Executive Director of Housing (or his/her designee), and the Dean of Students (or his/her designee). Those individuals will contact other university officials who have a need to know about the missing student report.

Individuals may report a student missing at any time; there is no requirement for the individual to wait until he/she believes the student has been missing for 24 hours.

Unless there is evidence to the contrary, a student living in on-campus housing should not necessarily be considered missing if the student provided information about his/her intended whereabouts or if the student is absent during recognized university holidays or breaks.

Identification of Emergency Contact(s)

Upon contracting with the university to live in on-campus housing, all students have the opportunity to identify and provide confidential emergency contact information for the university's use when the university or a local law enforcement agency has officially determined that a student is missing. Upon checking into on-campus housing (except for Greek Housing), students are provided with a written reminder of the opportunity to identify and provide confidential emergency contact information for the university's use when the university or a local law enforcement agency has officially determined that a student is missing. Students living in on-campus housing (except for Greek Housing) may add or change confidential emergency contact information visiting the "My UT Housing" portal and clicking on "My Emergency Contacts."

Students are advised that emergency contact information will be accessible only to authorized university officials and that emergency contact information will not be disclosed to others except to UTPD or other law enforcement personnel in furtherance of a missing person investigation.

Investigation of a Missing Student Report

UTPD will investigate a report that a student who lives in on-campus housing is believed to be missing. If UTPD officially determines that the student has, in fact, been missing for 24 hours or more, and UTPD is unable to locate the student, UTPD will contact the following individuals within the next 24 hours:

For a Student Who Is:

UTPD Will Contact:**

***Under 18 years old and not emancipated

Student's parent or guardian and the student's emergency contact (if the student has requested the university to contact someone in addition to his/her parent or guardian) and the Knoxville Police Department****

***Under 18 years old and emancipated

Student's emergency contact and the Knoxville Police Department****

18 years old or older

Student's emergency contact and the Knoxville Police Department****

**UTPD will obtain the emergency contact information from University Housing or other Division of Student Life personnel. If the student has not provided the university with emergency contact information, then, if appropriate, UTPD may contact other law enforcement agencies.

***The determination as to whether a student is emancipated will be based upon the information available and the university official's knowledge at the time the contact is required.

****The Knoxville Police Department will not be notified if the Knoxville Police Department was the entity that made the determination that the student was missing.

SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE

Additional information concerning options for reporting sexual misconduct (e.g., sexual assault) and relationship violence (e.g., domestic violence, dating violence, stalking) can be found in the university's interim policy on sexual misconduct and relationship violence. The interim policy on sexual misconduct and relationship violence also provides information on confidential resources that are alternatives to reporting an incident to the university. A copy of the interim policy is contained in **Appendix F**. A copy of the interim policy can also be found at <http://sexualassault.utk.edu>.

SECURITY AND ACCESS TO CAMPUS FACILITIES

The University of Tennessee system's policies concerning the use of university property and the use of university property for free expression activities, which apply to UTK, can be found on the website of the Tennessee Secretary of State, <http://www.tn.gov/sos/rules/1720/1720-01/1720-01.htm>. Campus-specific rules relating to security and access to campus facilities are described below.

Security Cameras

The university has more than 500 security cameras throughout the campus, which includes residence halls. All non-commuter garages currently have security cameras in place. Some commuter garages have security cameras in place. Security cameras are placed in parking garages based upon security analyses conducted by UTPD. Security cameras in parking garages record to a device, are not operated under UTPD's authority, and are not monitored in real-time. Security cameras are located on 16th Street between Highland Avenue and Cumberland Avenue. Those security cameras are periodically checked by UTPD, with more frequency between dusk to dawn, but are not monitored in real-time. Several cameras are in place for large venue locations such as Neyland Stadium and Thompson-Boling Arena. These cameras are beneficial to law enforcement on game days and to the entire campus throughout the year. The video surveillance systems in all university residential facilities have been upgraded from analog tape storage to digital hard drive storage. In addition, North Carrick, South Carrick, Clement, Fred D. Brown Jr., Humes, Massey, Laurel, and Reese Halls have all been outfitted with digital, networked cameras. Plans are underway to outfit Hess and Volunteer Halls with new digital, networked cameras during the 2014-15 academic year.

Panic Alarms

There are approximately 85 panic alarms at various university facilities. These alarms are provided to locations at which monetary transactions are conducted, have a high potential for disturbances or threatening activity, or large numbers of students and/or employees are present. These alarms are transmitted directly to UTPD and UTPD officers respond appropriately.

Security Analyses

Upon request, certified and trained officers from UTPD's Community Relations Unit will conduct a security analysis of university workplace environments and residence halls, which may include suggestions for creating safer and more secure environments. The Community Relations Unit also provides crime prevention training to university employees who work in high risk areas, such as areas that handle money and/or sales of merchandise, high risk areas.

Residence Halls

The university has nine traditional residence halls and three apartment-style residence halls. Of the traditional halls, two (Hess, Massey) offer double room accommodations with a common bathroom on each floor. The remaining seven traditional halls (Clement, North Carrick, South Carrick, Humes, Morrill, Reese, Fred D. Brown) offer suite accommodations with four persons in two rooms sharing a bath. Seven halls (Apartment Residence Hall, Clement, Hess, Massey, Morrill, Fred D. Brown, and Volunteer Hall) provide housing for men and women in different sections of the building. Three halls (Apartment Residence Hall, Volunteer Hall and Laurel Hall) offer apartment style accommodations featuring a commons area and private bedrooms.

The university's Department of University Housing (University Housing) manages UTK's residence halls. Each residence hall staff primarily consists of: one full-time, live-in hall director; at least one live-in assistant hall director; and one resident assistant per floor. The university currently employs 12 hall directors, 17 assistant hall directors, and 159 resident assistants.

Each residence hall lobby desk is staffed 24 hours a day by University Housing personnel whenever the residence hall is open, including during university breaks. During periods of visitation, all members of the opposite sex must be escorted by their hosts at all times in nonpublic areas of the residence hall. Residence hall students may have overnight guests of the same sex only if prior arrangements have been made with the roommate(s). The maximum length of any visit is three days and three nights. All guests are governed by university and residence hall regulations, and it is the host's responsibility to make guests aware of those rules. In cases where the guest is in violation of university regulations, disciplinary action may be brought against the host. During the course of their stay, guests may be asked to provide identification.

All maintenance and service personnel are required to sign-in at the lobby desk and to wear identification badges while in the residence hall. Whenever possible, escorts are provided for such personnel. Deliveries may not be made directly to residence hall rooms.

All exterior doors in residence halls, excluding the lobby entrance, are locked so that entrance to the hall is by the 24-hour staffed lobby desk. During nightly hall walks, all exterior doors are checked to ensure that they are secure. In addition, security cameras have been installed in all of the residence halls, allowing the desk staff to monitor the exterior doors. All residence halls have a security camera system that monitors all exterior doors. Door access card readers have been installed in all halls. In Apartment Resident Hall, Fred Brown, Clement, Massey, Hess, Reese, Morrill, North Carrick, South Carrick, Laurel, Volunteer, and Humes, the card readers control access from the lobbies to the living areas. Students use their university IDs to gain access to the building or living area.

All residence hall rooms are equipped with smoke detectors approved by Underwriters Laboratory (UL), and all halls have fire alarm systems installed in accordance with the National Fire Protection Association (NFPA). All buildings are wired to sound an alarm in a central monitoring station. All residence halls are equipped with sprinkler heads in each room and common area. Evacuation drills are conducted each term.

All residence hall room doors have deadbolt locks. If a key is lost or misplaced, the room's lock is re-coded, and new keys are issued. Residents are urged to keep their doors locked at all times. During periodic inspections, residence hall staff remind students to lock their doors. All windows are equipped with locking devices. Door viewers have been installed in all student room doors.

At the beginning of each semester, floor meetings are held to discuss safety and security issues. Educational programs are presented periodically in the halls to increase residents' awareness of safety and the steps they may take to improve their personal safety. Such program topics include self-defense, operation ID, and sexual assault.

The Apartment Residence Hall and Volunteer Residence Hall are the only campus residences that remain open over university breaks. All other halls are closed. Staff members conduct regular tours and inspections of these halls.

Sorority and Fraternity Housing

The university Greek student organization community is composed of 41 national fraternal organizations. Of those, 28 university Greek organizations are housed on campus—13 in Fraternity Park, 13 in Sorority Village, 1 fraternity on Melrose Avenue and 1 fraternity on Terrace Avenue. The 13 fraternity houses located in Fraternity Park have a combined capacity of 480 beds, the 13 houses in Sorority Village have a capacity of 590 beds. All of the houses offer both single and double rooms, with varying bathroom and shower facilities.

The university's Office of Sorority and Fraternity Life, operating under the Division of Student Life, coordinates the activities of the house corporations that supervise housing in sorority and fraternity houses. All Fraternity Park and Sorority Village housing assignments are made by the individual chapters. Residents must be members of the chapter and enrolled in the university. New housing agreements, information cards, and contracting process guidelines are distributed in early March to the president of each chapter. They are completed and returned to the Office of Sorority and Fraternity Life no later than the third week of April.

All areas except individuals' rooms and chapter rooms are considered public areas. For the non-public areas, each chapter has their own security policies. All maintenance personnel are admitted to the houses by the president of the chapter or his designee. Maintenance personnel wear identification badges while in the house. Deliveries are made to the individual resident's rooms in Fraternity Park or the chapter facility in Sorority Village.

Each fraternity and sorority has a Housing Corporation that elects a Housing Corporation Spokesperson (HCS). This HCS is an alumni member of the fraternity or sorority and is ultimately responsible for the security of the house. The exterior doors of the houses are secured with a lock device (mostly punch-code locks or swipe card access). In a few cases in Fraternity Park, student

room keys will unlock certain exterior doors so that students may gain access to the building at these locations. All houses are equipped with proper fire and safety equipment, and are inspected by the university's Office of Environmental Health and Safety once per semester. Fire evacuation drills are held monthly. All room doors have key locks. If a key is lost or stolen, new keys are issued by the HCS or his designee. Residents are urged to keep their doors locked at all times. The fraternities and sororities have the option of keeping their houses open during breaks.

Other University Facilities

UTPD conducts random patrols by using foot, bicycle, motorcycles and vehicle patrols of the non-residential university facilities (e.g., academic and administrative buildings) as time permits; however, most buildings do not have officers exclusively assigned to them. Most buildings are open to students, staff, and faculty during normal business hours. Facilities on campus have varied levels of access including key access and card access. For more information about security and access to university facilities, please contact the facility's **building representative** (<http://fs.utk.edu/buildingreps.htm>) or contact UTPD at **865-974-3114**.

SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

UTK's Facilities Services strives to ensure that campus facilities, grounds, and landscaping are maintained in such a way as to eliminate natural obstructions that could become safety concerns. Periodically, a lighting survey is performed by a group of campus representatives in conjunction with UTPD. Based on results of past surveys, significant improvements in outdoor lighting and placement of emergency blue-light telephones have been made. Additionally, UTPD conducts C.P.T.E.D. (Crime Prevention Through Environmental Design) surveys upon request or when a serious or continuous facility security problem is noted. UTPD also regularly patrols the campus and reports malfunctioning lights and other potentially unsafe physical conditions to Facilities Services for correction. Members of the university community are encouraged to report any deficiency in lighting (e.g., dim, obstructed, or non-operational lighting) or other potentially unsafe physical conditions to Facilities Services at **865- 946-7777** or **4-7777** (from a campus phone). Such reports to Facilities Services may be made 24 hours a day, seven days a week. Students residing in university residence halls may submit non-emergency requests for maintenance online (<http://housing.utk.edu/students/services/>) and may submit emergency requests and lock and key requests by visiting the front desk of the residence hall.

EVENING AND SPECIAL TRANSPORTATION

The university's transit system, called the "T," is provided by First Transit and offers the "T:Link," a free on-demand shuttle service for individuals. During the academic year, students, faculty, and staff can call **865-974-4080** between 6 p.m. and 7 a.m. to get a ride. The "T:Late Nite" is also available to students. T:Late Nite is a bus route that runs on campus and in Fort Sanders from 6 p.m. to 2 a.m. Sunday through Thursday, and from 6 p.m. to 4 a.m. Friday and Saturday. Schedules vary when classes are out of session. For more information and schedules, visit <http://ridethet.utk.edu/>.

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Continually throughout the year, multiple university units facilitate programs dealing with security procedures and practices and/or programs encouraging to look out for themselves or one another.

UTPD

UTPD facilitates crime prevention and security awareness programs in which members of UTPD's Community Relations Unit (CRU) explain and demonstrate how students, staff, and faculty can protect themselves and their property. CRU staff speak to students and parents at orientation sessions, hall representatives in residence halls, students in the Panhellenic Building and employees who work in the UT residence halls. A few of the programs conducted by the CRU include:

- S.A.F.E.* (Self-defense Awareness & Familiarization Exchange): A crime-victim prevention program that encompasses strategies and techniques that introduce participants to the physical aspects of self-defense.
- Personal Safety: A simple approach with realistic safety tips. Optional overview of self-defense devices can be included.
- Alcohol Awareness: Alcohol awareness program in which "Fatal Vision" goggles are used in conjunction with the Wii gaming system to demonstrate vision and coordination impairment.
- Basic R.A.D. (Rape Aggression Defense): Self-defense program for women that offers risk reduction and avoidance information. This course incorporates physical defense skills in a realistic training environment. In addition to the basic program, UT Police offers other R.A.D. programs targeted to children and men.
- Operation ID: Register and engrave your personal property to assist in theft prevention and recovery. You may also begin the Operation ID registration process at http://web.utk.edu/~utpolice/Operation_Identification.html
- Sexual Assault Awareness: Discussions of awareness, prevention, avoidance, and effective communication regarding non-stranger rape.
- Substance Abuse: Information about alcohol and other common abused drugs.
- Spring Break Information: Safety program geared towards common threats faced while vacationing.
- Workplace Violence: Information regarding the escalating problem of violence in the workplace. Identification of characteristics of potentially violent individuals, as well as prevention and avoidance strategies.
- Community Response to Active Shooter: One of the most frightening situations that can occur on a college campus is dealing with an active shooter. An active

shooter is a person who is actively threatening lives or prepared to threaten lives in a populated area. This program focuses on how to deal with a potential active shooter situation. The course gives information on past occurrences, warning signs, and what to do if a shooting occurs in your immediate area.

All UTPD programs and courses are free to university students and employees. In 2013, UTPD's CRU instructed 291 programs making contact with 18,488 individuals. The CRU conducts programs throughout the year upon request ([865-974-4674](tel:865-974-4674) or utpolice@utk.edu). Literature and brochures are distributed at most programs. The CRU staff has extensive training in a variety of areas and in many cases can adapt programs to meet a group's specific needs.

Other UTPD crime prevention and security awareness programs include:

- UTAlert Registration: Police set up kiosk/table displays to promote and encourage UT staff, students, and faculty to register for the **UTAlert emergency notification system**.
- Crime Prevention through Environmental Design: Several UTPD officers are certified to assist with the design of built structures and environmental conditions and a safer community. Security surveys are completed upon request through the CRU.
- Liaison Program: The CRU takes the initiative to bridge the gap between the university community and UTPD. CRU officers are assigned to University Housing, sorority and fraternity organizations, the Department of Intercollegiate Athletics, the Office of Multicultural Student Life, the Division of Student Life, the Fort Sanders neighborhood, and other various groups. Through these partnerships, UTPD organizes and participates in social events (e.g., softball games, 3-on-3 basketball games) and open forums on campus.

Center for Health Education and Wellness

The mission of the Center for Health Education and Wellness (Center) is to engage in prevention and intervention efforts to increase awareness, educate students, and positively impact the university environment. The Center is a unit in the Division of Student Life dedicated to the holistic development and support of students. The unit is designed to create connections which draw from across the Division of Student Life, the university and the greater Knoxville community. The goal of the Center is to facilitate supports, mobilize access, and create opportunities for education. The Center was originally developed as a unique approach to campus alcohol and substance abuse prevention efforts. The Center was reconstituted to serve as an umbrella that encompasses the Center's original mission and broadened to include supports addressing distressed students, sexual assault, personal safety, and health education. The Center conducts programs throughout the year upon request ([865-974-5725](tel:865-974-5725) or wellness@utk.edu). Literature and brochures are distributed at most programs. All Center programs and courses are free to UT students and employees.

The Center facilitated the following programs and courses in 2013:

- Alcohol & You is an interactive, online module that was developed to educate all incoming freshmen at the university about alcohol, their choice to use alcohol, and the impact that choosing to use alcohol can have on their success as student. All incoming students were required to complete the module prior to matriculation in 2013. Approximately 4,100 students completed the Alcohol & You module in 2013.
- Alcohol e-CheckUP to Go is a self-assessment tool available for use by students to examine their own alcohol use. The program provides immediate personalized feedback about: drinking patterns, risk patterns, aspirations and goals, and campus and community resources. Approximately 250 students completed Alcohol e-CheckUP to Go in 2013.
- The Alcohol Diversion Program (DEP) is a mandated education class, and was offered by UTPD and the S.E.E. Center to students who were been cited with an alcohol violation. In 2013, 309 students completed the Alcohol Diversion Program.
- Annual Health & Wellness Survey was administered to 4,000 full-time undergraduate students to measure student perceptions regarding four domains: health, personal safety, substance use/perceptions, and suicide. In 2013, 862 students participated in the Health & Wellness Survey.
- Campus Wide Presentations are provided by request to student, faculty, and staff groups regarding: 974-HELP, Distressed Student Protocol, Case Management, and Sexual Assault Response. In 2013 presentations were conducted for approximately 7,100 students, faculty, and staff.
- First Year Studies (FYS) 101 Alcohol Education Curriculum was developed for FYS 101 instructors. The curriculum allowed faculty and staff instructors to further address alcohol use, risks, and consequences. The addition of the curriculum provided supplementary material for discussion, decision making scenarios, and self-evaluation of substance use behaviors. Curriculum was provided to all FYS 101 instructors.
- Start to Conversation: How to Discuss Alcohol with Your Student was developed to encourage and provide resources to parents to have a conversation about the use of alcohol, family expectations, and consequences prior to fall matriculation. Approximately 4,100 families received the Start the Conversation booklet.
- Marijuana CheckUP to Go is a brief assessment and feedback tool designed to educate college students about marijuana use. The program provides immediate personalized feedback about: marijuana use patterns, risk patterns, aspirations

and goals, and campus and community resources. Approximately 10 students completed Marijuana CheckUP to Go.

- Media Campaigns were utilized to promote central office messages. Messaging campaigns were run in the student newspaper, *The Daily Beacon*, on electronic media boards, were found on the S.E.E. Center's website (seecenter.utk.edu), in pamphlets, on bulletin boards, and on safety sandwich boards across campus. Messages promoted personal safety, sexual assault prevention, social norms, healthy behaviors, and the distressed student protocol. Media Campaigns reached approximately 20,000 students.
- New & Transfer Student Orientation Be Smart. Be Safe. Be a Vol! session was attended by all incoming new and transfer students. The session was facilitated by UTPD and the Center. Content discussed during the presentation covered the following areas: personal safety, sexual health, alcohol & drugs, and sexual assault. Approximately, 5,200 students attended new & transfer student orientation sessions during 2013.
- World Aids Day Awareness was held in partnership with the Lambda Student Union and the Knox County Health Department. During the event, students received free and confidential HIV testing, learned from an informational display, and interacted with others globally through the Facing AIDS Project photo testimonial. Approximately 150 students participated in the event.
- Volunteers Speak UP! is a program focused on preventing sexual assault, dating violence, domestic violence and stalking. The program educated the University of Tennessee community around prevention, bystander intervention, and campus and community resources. Approximately 300 students were trained to Speak UP! in 2013.
- VOLS 2 VOLS Peer Education Program was established in the fall of 2013 to educate students about how to move from a basic awareness of health related topics to discussing beliefs and values through education and participatory activities. Topics presented in the 2013 year included Safer Sex & Healthy Relationships. Approximately, 245 students attended a VOLS 2 VOLS Peer Education Program in 2013.

University Housing

A list of crime prevention and security awareness programs conducted by University Housing in 2013 is contained in **Appendix D**.

ALCOHOL AND ILLEGAL DRUGS

This section of the report provides information on the university's policies regarding the possession, use, and sale of alcoholic beverages and enforcement of Tennessee's underage drinking laws. This section also provides information on the university's policies regarding the

possession, use, and sale of illegal drugs and enforcement of federal and Tennessee drug laws and a description of the university's drug and alcohol abuse prevention programs.

Drug Free Campus and Workplace Policy

A copy of the following policy can be found at: http://policy.tennessee.edu/hr_policy/hr0720/.

It is the policy of the University of Tennessee to maintain a safe and healthful environment for its students and employees. Therefore, university policy prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on university property or during university activities.

Violation of this policy is grounds for disciplinary action--up to and including immediate discharge for an employee and permanent dismissal of a student. Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C. 841 et seq.; T.C.A. 39-6-401 et seq.). Local ordinances also provide various penalties for drug- and alcohol-related offenses. The university is bound to take all appropriate actions against violators, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved drug use or alcohol abuse assistance or rehabilitation program.

Individuals who are paid by UT through federal grants or contracts must abide by this policy and notify the university in writing of any criminal drug statute conviction which includes a finding of guilt, a plea of nolo contendere, or a sentence by any state or federal judicial body for a violation occurring in the workplace within five days after such conviction. The university is, in turn, required to inform the granting or contracting agency of such a violation within 10 days of the university's receipt of notification.

To maintain a safe and drug-free environment, University of Tennessee campuses and institutes may establish procedures to perform screenings for controlled substances and alcohol within areas or positions of employment that affect the public welfare or safety, or where such screenings are required by federal regulations, such as those developed by the Federal Highway Administration and Federal Aviation Administration. In addition, screenings are permissible where there is reasonable suspicion of drug or alcohol use.

Each University of Tennessee campus or institute conducting such screenings shall develop and document the necessary screening procedures. The procedures shall identify specifically the positions and locations that will require testing, the conditions under which the screenings will be conducted, and the specific plans for conducting the tests. Before implementation, all plans and procedures for such screenings must be approved by the Senior Vice President and Chief Financial Officer and the General Counsel. Costs of all required screenings will be borne by the individual campus or institute of the University of Tennessee.

A complete set of the drug screening procedures for employees in positions requiring the use of a commercial driver's license (CDL) is available for those employees and their supervisors from their campus or institute human resources office. The procedures discuss the types of

screenings, when and how they are to be conducted, and the actions that will be taken by the university should the employee receive a confirmed positive alcohol or drug test.

Alcohol

All members of the university community and guests are required to comply with university policies and federal, state and local laws regarding the distribution, possession and consumption of alcoholic beverages. UTPD strictly enforces those laws and policies. University policies relating to alcoholic beverages are outlined below under the description of the Standards of Conduct for students and the Code of Conduct for employees.

It is unlawful in Tennessee for:

- any person 21 years of age to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer;
- any person to purchase an alcoholic beverage for or at the request of a person under 21 years of age;
- any person who is younger than 21 years of age to purchase or attempt to purchase any alcoholic beverage;
- any person under 21 years of age to knowingly make a false statement or exhibit false identification to the effect that the person is 21 years of age or older to any person engaged in the sale of alcoholic beverages for the purpose of purchasing or obtaining the same;
- any person to give or buy alcoholic beverages or beer for or on behalf of any minor or to cause alcohol to be given or bought for or on behalf of any minor for any purpose;
- a driver to consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle in this state
- any person to persuade, entice or send a minor to any place where alcoholic beverages or beer, are sold, to buy or otherwise procure alcoholic beverages or beer in any quantity, for the use of the minor, or for the use of any other person; and/or
- any owner, occupant or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow a person to consume alcoholic beverages, wine or beer on the property; provided, that the owner, occupant or other person knows that, at the time of the offense, the person consuming is an underage adult.

Consequences for violating those laws and/or university policies could result in criminal prosecution, fines, imprisonment, and/or disciplinary sanctions by the university.

Illegal Drugs

Various federal and Tennessee laws make it unlawful to manufacture, distribute, dispense, deliver, or sell or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances. The penalty imposed for violating one or more of those laws depends upon many factors, which include the type and amount of controlled substance involved, the number of prior offenses, if any, and whether any other crimes were committed in connection with the use of the controlled substance. Possible sanctions include incarceration up to and including life imprisonment and imposition of substantial monetary fines. Consequences for violating those laws and/or university policies prohibiting the similar misconduct could result in criminal prosecution, fines, imprisonment, and/or disciplinary sanctions by the university.

Standards of Conduct for Students

UTK's Standards of Conduct for students state that a student may be disciplined for engaging in the following misconduct:

- Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on university-controlled property or in connection with a university-affiliated activity.
- Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.
- Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.
- Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.
- Committing an act that is prohibited by local, state, or federal law.

These and other Standards of Conduct for students, in addition to the possible sanctions for violating the Standards of Conduct can be found in the student handbook, *Hilltopics*, at <http://hilltopics.utk.edu>.

Code of Conduct for Employees

The University of Tennessee's Code of Conduct for employees, a copy of which can be found at http://policy.tennessee.edu/hr_policy/hr0580/, prohibits: "The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in a university vehicle on or off university property; possession or use of alcohol while on duty (except at university-sponsored events and other events an employee is expected to attend as part of his or her duties); or reporting to work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances." Violation of the Code of Conduct is grounds for disciplinary action, up to and including termination of employment, pursuant to University of Tennessee Human Resources Policy 0525, a copy of which can be found at http://policy.tennessee.edu/hr_policy/hr0525/. Illegally using, manufacturing, possessing, distributing, purchasing or dispensing of controlled substances or alcohol constitutes gross misconduct under university policy.

Drug and Alcohol Abuse Prevention

Units in the university's Division of Student Life (e.g., the Center for Health Education and Wellness, the Student Health Center, the Student Counseling Center, and the Office of the Dean of Students) are committed to promoting responsible decision making regarding alcohol and drugs through educational programming, resources, and referrals. The university's **Employee**

Assistance Program (855-437-3486) (<http://hr.utk.edu/employee-relations/employee-assistance/>) manages the alcohol & drug abuse and rehabilitation program for benefits-eligible employees. The Employee Assistance Program also provides counseling and referral services.

Health Risks

Aside from any legal or university policy considerations, the use of illicit drugs and/or the abuse of alcohol may be harmful to one's health. Some of the health risks associated with such use/abuse are:

- Alcohol-abuse health risks: Liver damage—cirrhosis, alcoholic hepatitis; heart disease—enlarged heart, congestive heart failure; ulcers and gastritis; malnutrition; cancer—of the mouth, esophagus, stomach, liver; brain damage—memory loss, hallucinations, psychosis; damage to fetus if pregnant mother drinks; death—50 percent of fatal auto accidents involve alcohol, 31 percent of suicides are committed by alcoholics.
- Drug-use health risks: Overdosing—psychosis, convulsions, coma, death; long-term use—organ damage, mental illness, malnutrition, death; casual use—heart attack, stroke, brain damage, death; needles—infections, hepatitis, AIDS, death; if a pregnant mother uses drugs, her baby can be stillborn or born addicted.

WEAPONS

With respect to the possession of firearms and other weapons on university property, it is important to differentiate between Tennessee criminal law and university policies.

Tennessee Criminal Law

It is a criminal offense for a person to carry or possess a firearm or other weapon, whether openly or concealed, on any property owned, used, or operated by the University of Tennessee (Tennessee Code Annotated § 39-17-1309). Tennessee law (Tennessee Code Annotated § 39-17-1313) contains a limited exception to that criminal offense for the holder of a valid handgun carry permit who: (1) transports and stores a firearm or firearm ammunition in the permit holder's privately owned motor vehicle; (2) parks the vehicle in a location where it is permitted to be; (3) keeps the firearm or firearm ammunition from ordinary observation; and (4) if the permit holder is not in the vehicle, locks the firearm or firearm ammunition within the trunk, glove box, or interior of the person's privately owned motor vehicle or a container securely affixed to such vehicle.

University Policies

The university's Standards of Conduct for students prohibit students from: "possessing, using, storing, or manufacturing any weapon or facsimile of a weapon on university-controlled property or in connection with a university-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee." Weapons that are brought to campus by students for sporting purposes must be checked in and stored at UTPD. The university's Code of Conduct for employees, **Human Resources Policy 0580** (http://policy.tennessee.edu/hr_policy/hr0580/), prohibits the "possession of firearms, explosives, or other dangerous materials on university property or during university activities."

TENNESSEE SEX OFFENDER REGISTRY

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act and the Family Educational Rights and Privacy Act of 1974, UTPD is providing the link below to the Tennessee Sex Offender Registry. The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student.

In Tennessee, convicted sex offenders must register with the Tennessee Sex Offender Registry maintained by the Tennessee Bureau of Investigation (TBI). Tennessee Code Annotated § 40-39-206 requires persons who are required to register pursuant to the Tennessee Sexual Offender and Violent Offender Registration, Verification and Tracking Act of 2004 (Tennessee Code Annotated § 40-39-201 et seq.) to disclose the name and address of any institution of higher education in Tennessee at which the offender is employed, carries on a vocation or is a student. TBI is responsible for maintaining the Tennessee Sex Offender Registry. Click on the following link to access the Tennessee Sex Offender Registry: http://www.tbi.state.tn.us/sex_ofender_reg/sex_ofender_reg.shtml. In accordance with Tennessee Code Annotated § 40-39-201, members of the public should not use information from the Tennessee Sex Offender Registry to inflict retribution or additional punishment on offenders. Though much of the information in the registry is of record, some of the information contained on the registry is obtained directly from offenders. Neither Tennessee Bureau of Investigation nor UTPD guarantees the accuracy or completeness of the information in the registry. The information contained in an offender's record does not imply that the offender will commit a specific type of crime in the future, nor does it imply that if a future crime is committed by an offender what the nature of that crime may be. Neither TBI nor UTPD makes any representation as to any offender's likelihood of re-offending. If you believe that information concerning a specific offender is incorrect, please contact TBI at 888-837-4170.

DISCLOSURE TO VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES

The university will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim. The university also notifies victims in accordance with its interim policy on sexual misconduct and relationship violence, a copy of which can be found in **Appendix F**.

THE ANNUAL DISCLOSURE OF CRIME STATISTICS

UTPD is responsible for preparing and distributing this Annual Security Report to comply with the Clery Act. Within UTPD, the responsibility for preparing the Annual Security Report is assigned to the Commander of the Records section. The Annual Security Report is published and distributed every year by October 1st. The Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on the university's Clery

Geography. Statistics for Clery Act offenses that did not occur within Clery Geography are not included in the university's Clery Act crime statistics even if university students or employees were involved.

UTPD prepares the Annual Security Report, including the annual disclosure of crime, arrest, and referral statistics, with input from various sources, including: UTPD; the university's Division of Finance and Administration; the university's Title IX Coordinator; the university's Division of Student Life; university Campus Security Authorities; and local law enforcement agencies, including the City of Knoxville Police Department and the Knox County Sheriff's Office. For statistical purposes, crime statistics reported to any of those sources are recorded in the calendar year in which the crime was reported. The statistics represent offenses that were reported to any of those sources, regardless of whether the alleged offense was investigated or whether there was a finding of guilt or responsibility. Annually, UTPD requests the university's Student Counseling Center to provide general, non-personally identifying information that was communicated to them concerning Clery Act crimes for inclusion in the university's statistics.

UTPD submits the crime statistics published in the Annual Security Report to the United States Department of Education (ED), which makes crime statistics available to the public through the ED website. In addition, a copy of the Annual Security Report and a daily crime log are available for review 24 hours a day on UTPD's website, <http://utpolice.utk.edu>. The university provides an electronic notice of availability of the Annual Security Report to: (1) all current university faculty, staff, and students; and (2) prospective university students, faculty, and staff.

In compliance with the Clery Act, the university shares the crime statistics contained in [Appendix A](#).

DEFINITIONS OF TERMS USED IN THIS REPORT

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed).

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Clery Act: The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

Clery Geography: Property for which the university is required to report crime statistics pursuant to the Clery Act (i.e., On-Campus buildings or property, Non-Campus buildings or property, and Public Property).

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

Domestic Violence: A felony or misdemeanor crime of violence committed by: (1) a current or former spouse of the victim; (2) a person with whom the victim shares a child in common; (3) a person who is cohabitating with or has cohabitated with the victim as a spouse; (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies; or (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Destruction/Damage/Vandalism of Property (except Arson): To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Disciplinary Referral(s): Those individuals referred to the university's Office of Student Conduct and Community Standards (OSCC) for liquor law, drug law, and illegal weapons violations. The numbers include incidents that are reported via UTPD incident reports and reports provided to OSCC from other members of the university community.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (enzedrines, enzedrine).

Hate Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's preformed negative opinion or attitude toward a group of persons based on their:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics;

Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female;

Gender Identity: A preformed negative opinion or attitude toward a group of persons because of their actual or perceived gender-related characteristics.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being;

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex;

Ethnicity: A preformed negative opinion or attitude toward a group of persons of the same ethnicity;

National Origin: A preformed negative opinion or attitude toward a group of persons who share the same national origin;

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced aged or illness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny - Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities (Public Intoxication and driving under the influence are not included in this definition).

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Includes all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is being used in direct support of, or in relation to, the institution's educational purposes, is frequented by students and is not within the same reasonably contiguous geographic area of the institution.

On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

NOTE: Crime statistics for university housing facilities are recorded and included in both the "All On-Campus Property" category and the "On-Campus Residential Only" category.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

NOTE: The Clery Act does not require disclosure of crime statistics for public property that surrounds Non-Campus buildings or property.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex Offenses - Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses - Non-Forcible: Unlawful, non-forcible sexual intercourse. Includes only incest and statutory rape.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for his or her safety or the safety of others; or (2) suffer substantial emotional distress.

University or UTK: The University of Tennessee, Knoxville.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

ANNUAL FIRE SAFETY REPORT

Federal law requires the university to produce an annual fire safety report outlining fire safety policies, fire safety systems, fire statistics, and other information relating to on-campus student housing. The following information satisfies that requirement.

Fire Log and Reporting Non-Emergency Fires

The university's **Environmental Health and Safety** (<http://web.utk.edu/~ehss/default.html>) department maintains a log of all fires that occur in on-campus student housing facilities. The fire log is available for review 24 hours a day at <http://safety.utk.edu/occupational-safety/fire-log/> or in person at 2111 Terrace Avenue, 8:00 a.m. – 5:00 p.m., Monday through Friday on university business days.

In addition, the university is required by federal law to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the **non-emergency** numbers to call to report fires that have already been extinguished in on-campus student housing facilities. These are fires for which you are unsure whether UTPD, University Housing, or the Environmental Health and Safety department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

UTPD	865-974-3111
University Housing	865-974-2397
Environmental Health and Safety	865-974-5084

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

Fire Statistics

Statistics for reported fires in on-campus student housing facilities are contained in **Appendix B** to this report.

Fire Safety Systems

Appendix C to this report contains a description of each on-campus student housing facility's fire safety system, including the number of fire drills held during 2013.

Policies and Rules for Appliances, Smoking and Open Flames

Smoking

The University of Tennessee system's policy on smoking can be found at: http://policy.tennessee.edu/safety_policy/sa0900/ As used in this section, "smoke" or "smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette (including electronic cigarette) pipe or other lighted tobacco product in any manner or in any form. Smoking devices, including, but not limited to electronic cigarettes, pipes, bongos and hookahs, are not permitted in residence halls.

Entrances to all university buildings, including residence halls are designated as smoke free. Unless otherwise posted, smoking is prohibited within twenty-five (25) feet of all doorways, windows and ventilation systems of all university buildings. Smokers are

responsible for ensuring that all smoking activity, including lighting and discarding cigarettes, takes place a sufficient distance from doorways, windows and ventilation systems of university buildings to avoid infiltration of smoke into the building.

Open Flames

Items that require an open flame to operate or which produce heat are not permitted in resident's rooms. No materials, liquid or otherwise, of an explosive or combustible nature shall be kept on premises. Examples of prohibited items include, but are not limited to candles, incense, lit cigarettes, open heating coils, halogen lamps and gasoline.

Portable Electric Appliances

Hall kitchens and other facilities are provided for residents to use for cooking. UL-approved appliances with fully enclosed heating elements and/or electrical wiring are permitted. Appliances prohibited in residence halls include, but are not limited to toasters, toaster ovens, electric fryers, and all similar appliances with exposed heating elements and appliances that could cause a fire if left unattended (include George Foreman type grills and space heaters). Washers, dryers and dishwashers are not permitted.

Microfridges are provided in residence halls. This is a combination refrigerator, freezer and microwave appliance. Other refrigerators and microwave ovens are not permitted in student residence hall rooms. A microwave oven is permitted in the kitchen areas of apartment-style residence halls: Apartment Residence Hall, Laurel Hall and Volunteer Hall. No additional refrigerating or microwave units are permitted. One microwave units and one toaster are permitted in kitchens in apartment style halls

An extension cord must be UL-approved, 16-gauge and not exceed a length of six feet with a polarized plug and a single outlet; it may not be placed under floor coverings or furnishing and it may not be secured by penetrating the insulation of the cord. Multiple outlets are prohibited; however one UL-approved 15-amp, multiple outlet strips with a circuit breaker may be used in each room. Extension cords may not be used with microfridges. Total electrical usage cannot exceed that which can be provided by one surge protector strip per outlet and cannot overload, short or create line disturbances.

Ironing is permitted in student rooms. Irons must always be used on ironing boards that have a fire-resistant cover. Irons with automatic cut-off, mechanisms are required. Irons are not permitted to be left plugged into a socket when not in use.

Students who are found to have violated the policies or rules described above will be subject to discipline in accordance with the procedures outlined in *Hilltopics*, <http://hilltopics.utk.edu/>.

False Reports and Interference with Fire Safety Systems

The university's Standards of Conduct for students prohibits: Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment. Students who are

found to have violated that Standard of Conduct will be subject to discipline in accordance with the procedures outlined in *Hilltopics*, <http://hilltopics.utk.edu/>.

Evacuation Procedures for Student Housing in Case of a Fire

Evacuation procedures are both general and specific for the university's on-campus student housing facilities. In case of a fire, all students are directed to leave their room, close the door and proceed to the nearest exit upon fire alarm activation. Elevators are not to be used during evacuation. Once outside the building students assemble at a designated location. Additional site-specific evacuation information is provided on the room side of bedrooms in sorority housing, fraternity housing, and community- and suite-style residence halls (e.g., Hess Hall, Reese Hall). Site-specific evacuation information is provided the hallway entry door for apartment-style residence halls (e.g., Volunteer Hall).

Procedures that Students and Staff Should Follow in Case of a Fire

The Knoxville Fire Department is the community organization that responds to fires on campus. Fire Station number 9, located on Highland Avenue in Knoxville, is the primary fire company that responds. The downtown station may also respond based on location of the fire and other factors.

The following are general procedures for university staff in the event of a fire or other emergency that requires evacuation:

R – Rescue anyone in danger if it is safe to do so.

A – Alarm If you are inside a building, sound the alarm by activating the building's fire alarm system or use another method to alert occupants of the building. Fire alarm pull stations are typically located near an interior stairway entrance or near an exterior door. Pulling a fire alarm will send a signal to Central Alarm. Central Alarm will dispatch the Knoxville Fire Department and a UTPD officer to the building. If you are outside a building and can't readily access a fire alarm pull station, call 911. This number connects you with the 911 Center, which will dispatch the Knoxville Fire Department.

C – Close all doors.

E – Extinguish the fire if safe to do so or evacuate the building to a defined assembly point for a head count and do not to re-enter the building until approval is given by police or fire officials.

Designated university staff should check the area to ensure everyone hears the alarm and evacuates.

The following are general procedures for university students in the event of a fire or other emergency that requires evacuation:

1. Activate the nearest fire alarm pull station.
2. Students are not encouraged to use portable fire extinguishers.
3. Upon hearing the alarm, leave the building using the nearest exit stairway.

4. Close doors while exiting the building
5. Meet at the designated assembly point for a head count.
6. Do not re-enter the building until approval is given by police or fire officials.

Evacuation and Fire Drill Procedures for Individuals with Disabilities

The University of Tennessee recognizes that emergency conditions can occur at any time and no one policy can cover every emergency condition or the limitations presented by various disabilities. Individuals with disabilities will need to make decisions based upon the circumstances they are presented with at that time of each emergency.

Each individual with a disability has the responsibility to contact the Office of Disability Services ([974-6087](tel:974-6087) or <http://ods.utk.edu>) to register for assistance they may need in case of an emergency. In addition, they should meet with their Hall Director and Resident Advisor to communicate their disability related needs as well. Hall Directors are required by the Assistant Director of Housing Services once each semester, to identify residents with disabilities, gather necessary assistance information, and work with the Office of Disability Services in providing proper evacuation procedures for their residents.

Typically, elevators are recalled to the ground level floor and remain inactive until emergency personnel determine the building is safe to reenter. Therefore, whenever possible, individuals with mobility impairments will be assigned housing on a level from which they are able to exit without the use of the elevator and unassisted. Individuals with mobility impairments and who are assigned to floors that require the use of the elevator and/or assistance, should immediately dial 911 to report their current location and that they will move to the nearest stairwell to wait for assistance.

Prior planning and practicing of emergency evacuation routes are important in assuring a safe evacuation:

1. If the building alarm sounds or a general announcement for evacuation is made over the intercom, individuals with disabilities are to evacuate the building by the safest and nearest exit and follow the general procedures for emergency evacuation.
2. If individuals with disabilities are unable to evacuate without assistance, they should call 911, report their current location and that they will move to the nearest stairwell to wait for assistance, they should also request that any available person notify UTPD or the fire department upon their arrival to the building.
3. Individuals with disabilities should provide the available person with any information that may be required to assist in the evacuation process (wheelchair use and/or lift required, etc.).
4. In the event a fire alarm sounds, the first responding agency (UTPD or the fire department) will search out individuals with disabilities reported to be in the building and provide assistance to evacuate the building if necessary. Keep in mind, emergency personnel may be engaged in various activities that prevent assisting all individuals; each person should be responsible for their own evacuation whenever possible.
5. In the event of an evacuation during a non-fire emergency, the steps described above will be followed.

6. Individuals should provide a copy of their current schedules and immediately report changes to their Hall Director, Resident Advisor and UTPD. NOTE: individuals with disabilities who anticipate that they may have difficulty in evacuating any campus building should provide a copy of their current schedule as well as any updates to UTPD.

The procedures to be followed for fire drills are identical to the emergency evacuation plan in the steps described above, except that individuals with disabilities may be asked to remain in the building if the availability of evacuation personnel and/or special equipment is limited. Moving to the nearest stairwell is an acceptable safe space for individuals unable to exit the building.

Fire Safety Education and Training Programs for Students and Staff

Fire safety training and education programs are required all staff and students. Training sessions are provided for students living in on-campus sorority houses by the university's Environmental Health and Safety department. Hall directors, assistant hall directors and resident assistants in residence halls attend training at the beginning of the fall semester on fire extinguisher use, sprinkler systems, fire drills and fire response. In addition, these individuals also receive instruction during the year for fire alarm system.

Policies related to fire safety education and training can be found in the **UT Safety Manual** (http://web.utk.edu/~ehss/safety%20manual/smanualaph2kj.html?utm_source=twitter&utm_medium=social&utm_campaign=http://web.utk.edu/~ehss/safety%20manual/smanualaph2kj.html) and include the following:

<u>Safety Policy Name</u>	<u>Safety Policy Number</u>	<u>Hyperlink</u>
Safety Training	GS 25	http://web.utk.edu/~ehss/safety%20manual/smpdf/Safety%20Training%201%205.pdf
Fire Drills	FS 5	http://web.utk.edu/~ehss/safety%20manual/smpdf/Fire%20Drill%2010.pdf
Fire Plans	FS 1	http://web.utk.edu/~ehss/safety%20manual/smpdf/Department-Specific%20Fire%20Plans%2010.pdf
Fire Extinguishers	FS 30	http://web.utk.edu/~ehss/safety%20manual/smpdf/Fire%20Extinguishers%201%2000.pdf

Plans for Future Improvement in Fire Safety Sorority Village

All structures in the Sorority Village, the complex that contains on-campus student housing for sororities, are new and no plans for renovation or fire safety improvements are proposed at this time.

Fraternity Housing

Overall on-campus fraternity residential facilities are in good condition with most having undergone a significant renovation in the past five to eight years. There are no plans at the current time to upgrade fire safety systems in the fraternities.

Residence Halls

Major changes are underway for residence halls over the next five to eight years.

- Gibbs Hall was vacated during 2013 and was demolished during the spring/summer of 2014. A new 700 bed residence hall will replace Gibbs Hall and should be ready for occupancy in less than three years.
- A new residence hall (Fred D. Brown, Jr. Hall) opened in August 2014. This multi-story building will have a complete fire suppression system, standpipes and an automatic fire alarm system. Smoke detectors will be installed in sleeping rooms and selected areas (including hallways) in the building. Stairways and other vertical shafts (e.g. elevators) will be fire rated for two hours. Portable fire extinguishers will be provided and drills will be conducted similar to other dorms. Hallways will be smoke-tight with self-closing, positive latching doors.
- Shelburne Towers, which was acquired by the university within the past few years, will be razed during 2014 to make way for a future residence hall.
- Clement Hall will be closed during the fall 2014/spring 2015 semester based on the demolition of an adjacent building.
- The most significant future change will be the demolition of the President Court Complex and construction of new residence halls. This project will take several years to complete and will involve the demolition of the following residence halls: Apartment Residence Hall, Morrill, Humes, Reese and Carrick (North & South). In addition, Presidential Court, which serves these residential buildings, will also be razed and replaced. The new facilities that replace these residence halls will not be high-rise structures. All new residence halls will have complete automatic fire suppression (sprinkler) systems, with automatic alarms connect to Central Alarm, smoke-tight hallways, fire-rated exits and other fire code requirements. Portable fire extinguishers will be installed and maintained in accordance with National Fire Protection Association 10 ("Standard for Portable Fire Extinguishers"). Standpipes will be provided for buildings four or more stories in height. Fire safety training and drills will be conducted similar to the existing residence halls.

UNIVERSITY OF TENNESSEE, KNOXVILLE
NON-DISCRIMINATION EEO/AA STATEMENT

All qualified applicants will receive equal consideration for employment and admissions without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.

Eligibility and other terms and conditions of employment benefits at The University of Tennessee are governed by laws and regulations of the State of Tennessee, and this non-discrimination statement is intended to be consistent with those laws and regulations.

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), ADA (disability), Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Office of Equity and Diversity (OED), 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.

E01-7252-001-15

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX A: CRIME STATISTICS

CRIME STATISTICS: JANUARY 1, 2013 – DECEMBER 31, 2013

OFFENSE	ALL ON-CAMPUS PROPERTY				NON-CAMPUS PROPERTY				PUBLIC PROPERTY				GRAND TOTAL	ON-CAMPUS RESIDENTIAL ONLY			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SECTION TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	4	0	0	4	0	0	0	0	0	4	0	4	8	0	0	0	0
Aggravated Assault	1	0	0	1	0	0	0	0	1	2	0	3	4	1	0	0	1
Motor Vehicle Theft	5	0	0	5	0	0	0	0	0	2	0	2	7	0	0	0	0
Arson	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1
Burglary	42	0	0	42	0	0	0	0	0	0	0	0	42	20	0	0	20
Sex Offenses - Forcible (Forcible Fondling; Forcible Rape; Forcible Sodomy; or Sexual Assault with an Object)	4	0	3	7	0	0	0	0	0	0	0	0	7*	4	0	1	5
Sex Offenses - Non-Forcible (Incest or Statutory Rape)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	125	29	0	154	0	0	0	0	30	0	0	30	184	65	24	0	89
Liquor Law Violations Referred for Disciplinary Referral	90	9	358	457	0	0	0	0	12	1	0	13	470	64	0	327	391
Drug Law Arrests	53	0	0	53	0	0	0	0	20	0	0	20	73	27	0	0	27
Drug Law Violations Referred for Disciplinary Referral	116	0	18	134	0	0	0	0	5	0	0	5	139	104	0	18	122
Illegal Weapons Possession Arrests	1	1	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1
Illegal Weapons Possession Violations Referred for Disciplinary Referral	7	0	1	8	0	0	0	0	0	0	0	0	8	7	0	1	8
Dating Violence**	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence**	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1
Stalking**	2	0	1	3	0	0	0	0	1	0	0	1	4	0	0	1	1

*The breakdown of the 7 forcible sex offenses is as follows: 4 forcible rapes (all in an on-campus residence); 1 sexual assault with an object (in an on-campus residence); and 2 forcible fondlings (both on-campus; neither in an on-campus residence).

**Statistics for this crime were not kept prior to 2013.

CRIME STATISTICS: JANUARY 1, 2012 – DECEMBER 31, 2012

OFFENSE	ALL ON-CAMPUS PROPERTY				NON-CAMPUS PROPERTY				PUBLIC PROPERTY				GRAND TOTAL	ON-CAMPUS RESIDENTIAL ONLY			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SECTION TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	1	0	0	0	0	1	3	0	4	5	0	0	0	0
Aggravated Assault	3	0	0	3	0	1	0	1	0	1	0	1	5	1	0	0	1
Motor Vehicle Theft	13	1	0	14	0	0	0	0	1	3	0	4	18	0	0	0	0
Arson	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	0	0
Burglary	37	0	0	37	0	0	0	0	0	0	0	0	37	27	0	0	27
*Sex Offenses - Forcible (Forcible Fondling; Forcible Rape; Forcible Sodomy; or Sexual Assault with an Object)	6	0	5**	11**	0	0	0	0	0	0	0	0	11**	2	0	2**	4**
Sex Offenses - Non-Forcible (Incest or Statutory Rape)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	150	0	0	150	0	0	0	0	33	0	0	33	183	121	0	0	121
Liquor Law Violations Referred for Disciplinary Referral	144	7	508	659	0	0	0	0	18	12	0	30	689	94	7	507	608
Drug Law Arrests	15	0	0	15	0	0	0	0	8	6	0	14	29	1	0	0	1
Drug Law Violations Referred for Disciplinary Referral	140	0	21	161	0	0	0	0	1	2	0	3	164	131	0	21	152
Illegal Weapons Possession Arrests	2	1	0	3	0	0	0	0	0	3	0	3	6	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	9	0	0	9	0	0	0	0	0	0	0	0	9	5	0	0	5

*The breakdown of the forcible sex offenses is as follows: 1 forcible rape (in an on-campus residence); 1 forcible sodomy (on-campus; not in an on-campus residence); 4 sexual assaults with an object (all on-campus; 2 in an on-campus residence); and 2 forcible fondlings (both on-campus; neither in an on-campus residence).

**Three non-police reports of forcible rape in 2012 (2 on-campus, 1 on-campus residence hall) inadvertently were not included in the 2012 Crime Statistics published in the 2013 ASR and 2014 ASR. The University has submitted the revised statistics to the U.S. Department of Education.

CRIME STATISTICS: JANUARY 1, 2011 – DECEMBER 31, 2011

OFFENSE	ALL ON-CAMPUS PROPERTY				NON-CAMPUS PROPERTY				PUBLIC PROPERTY				GRAND TOTAL	ON-CAMPUS RESIDENTIAL ONLY			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SECTION TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	1	0	0	1	0	0	0	0	0	1	0	0	2	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	10	0	0	10	0	0	0	0	0	8	0	0	18	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	28	0	0	28	0	0	0	0	0	0	0	0	28	14	0	14	
Sex Offenses - Forcible (Forcible Fondling; Forcible Rape; Forcible Sodomy; or Sexual Assault with an Object)	4	0	0	4	0	0	0	0	0	0	0	0	4*	3	0	3	
Sex Offenses - Non-Forcible (Incest or Statutory Rape)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Liquor Law Arrests	46	0	0	46	0	0	0	0	49	2	0	51	97	27	0	27	
Liquor Law Violations Referred for Disciplinary Referral	118	51	544	713	0	0	0	0	11	3	0	14	727	97	3	610	
Drug Law Arrests	19	0	0	19	0	0	0	0	9	11	0	20	39	3	0	3	
Drug Law Violations Referred for Disciplinary Referral	127	3	32	162	0	0	0	0	7	0	0	7	169	108	1	140	
Illegal Weapons Possession Arrests	1	0	0	1	0	0	0	0	1	0	0	1	2	0	0	0	
Illegal Weapons Possession Violations Referred for Disciplinary Referral	3	0	5	8	0	0	0	0	1	0	0	1	9	3	0	8	

*The breakdown of the 4 forcible sex offenses is as follows: 2 forcible rapes (both in an on-campus residence); and 2 forcible fondlings (both on-campus; 1 in an on-campus residence).

Hate Crimes: January 1, 2013 - December 31, 2013

CRIME	RACE				GENDER				RELIGION				GENDER IDENTITY*				SEXUAL ORIENTATION				ETHNICITY				DISABILITY				NATIONAL ORIGIN*			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder an Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism/ Destruction of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC=On Campus Property
NC=Non-Campus Property

PP=Public Property
RF=On-Campus Residential Facility**

*Statistics for this type of hate crime were not kept prior to 2013.

**Statistics for On-Campus Residential Facilities are also counted under the On-Campus Property (OC) category.

Hate Crimes: January 1, 2012 - December 31, 2012

CRIME	RACE				GENDER				RELIGION				SEXUAL ORIENTATION				ETHNICITY				DISABILITY							
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP				
Murder an Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism/ Destruction of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC=On Campus Property
NC=Non-Campus Property

PP=Public Property
RF=On-Campus Residential Facility*

*Statistics for On-Campus Residential Facilities are also counted under the On-Campus Property (OC) category.

Hate Crimes: January 1, 2011 - December 31, 2011

CRIME	RACE				GENDER				RELIGION				SEXUAL ORIENTATION				ETHNICITY				DISABILITY							
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP				
Murder an Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism/ Destruction of Property	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC=On Campus Property
NC=Non-Campus Property

PP=Public Property
RF=On-Campus Residential Facility*

*Statistics for On-Campus Residential Facilities are also counted under the On-Campus Property (OC) category.

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX B: FIRES IN ON-CAMPUS STUDENT HOUSING FACILITIES

Housing Facility	TOTAL FIRES IN THE HOUSING FACILITY			CAUSE OF FIRE			NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY			NUMBER OF DEATHS RELATED TO A FIRE			VALUE OF PROPERTY DAMAGE CAUSED BY FIRE		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
Apartment Residence Hall, 2117 Andy Holt Avenue	1	1	0	Food in bottom of oven flamed	Food cooking in oven caught fire	N/A	0	0	N/A	0	0	N/A	\$0	\$0	N/A
Fred D. Brown, Jr. Hall, 1817 Andy Holt Avenue	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	0	0	1 (North)	N/A	N/A	Electrical fire	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$100,000-\$249,999 (estimated)
Clement Hall, 1629 W. Cumberland Avenue	2	0	0	Pizza box in microwave ignited (Fire #1)	N/A	N/A	0 (Fire #1)	N/A	N/A	0 (Fire #1)	N/A	N/A	\$240 (Fire #1)	N/A	N/A
				Door decorations ignited (Fire #2)	N/A	N/A	0 (Fire #2)	N/A	N/A	0 (Fire #2)	N/A	N/A	\$0 (Fire #2)	N/A	N/A
Gibbs Hall, 1311 Lake Loudoun Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Hess Hall, 1720 Melrose Place	0	0	1	N/A	N/A	Poster on door set on fire	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$0
Humes Hall, 1911 Andy Holt Avenue	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Laurel Hall, 1615 Laurel Avenue	0	1	1	N/A	Candle on stove ignited	Oven mit caught fire	N/A	0	0	N/A	0	0	N/A	\$438	\$10
Massey Hall, 825 Volunteer Boulevard	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Morrill Hall, 1038 20 th Street	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Reese Hall, 1910 Caledonia Street	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Volunteer Hall, 1525 White Avenue	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	1	0	0	Candle ignited a cushion	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$100	N/A	N/A
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Kappa Sigma Fraternity, 1730 Melrose Pl.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Kappa Psi, 1840 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Sigma Kappa Fraternity, 1800 Fraternity	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Park Dr.																
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pi Kappa Phi, 1828 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sigma Alpha Epsilon Fraternity	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sigma Chi Fraternity	1	0	0	Candle ignited a bed sheet	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$15,000	N/A	N/A	
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Delta Delta Sorority,	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

2620 Ann Baker Furrow Blvd.															
Delta Gamma Sorority, 2906 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Zeta Sorority, 3018 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	0	0	1	N/A	N/A	Gasket on a pump overhead and smoked	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$500
Pi Beta Phi Sorority, 3006 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX C: FIRE SAFETY SYSTEMS IN ON- CAMPUS STUDENT HOUSING FACILITIES

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2013	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Apartment Residence Hall, 2117 Andy Holt Avenue	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Fred D. Brown, Jr. Hall, 1817 Andy Holt Avenue	✓	✓	✓	✓	Not open in 2013	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Clement Hall, 1629 W. Cumberland Avenue	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Gibbs Hall, 1311 Lake Loudoun Blvd.	✓	✓	✓	✓	2 Not open fall semester	✓	Fire rated stairs, floors, roof assembly,
Hess Hall, 1720 Melrose Place	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Humes Hall, 1911 Andy Holt Avenue	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Laurel Hall, 1615 Laurel Avenue	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Massey Hall, 825 Volunteer Boulevard	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways

¹ The term “full sprinkler system” is defined as having sprinklers in both the common areas and individual rooms.

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2013	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Morrill Hall, 1038 20 th Street	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Reese Hall, 1910 Caledonia Street	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Volunteer Hall, 1525 White Ave	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Kappa Sigma Fraternity, 1730 Melrose Pl.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	✓	✓	✓		0 (not open in 2013)	✓	Fire rated stairs, smoke-tight hallways
Phi Kappa Psi, 1840 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	✓	✓	✓		4 (not open for full year)	✓	Fire rated stairs, smoke-tight hallways
Pi Kappa Phi, 1828 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Sigma Alpha Epsilon Fraternity 1808 Fraternity Park Drive	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Sigma Chi Fraternity 1816 Fraternity Park Dr	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2013	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	✓	✓	✓		8	✓	Fire rated stairs, smoke-tight hallways
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	✓	✓	✓	✓	0 (not open in 2013)	✓	Fire rated stairs, smoke-tight hallways
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Delta Gamma Sorority, 2906 Sorority Village Circle	✓	✓	✓	✓	2 (not open for full year)	✓	Fire rated stairs, smoke-tight hallways
Delta Zeta Sorority, 3018 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Pi Beta Phi Sorority, 3006 Sorority Village Circle	✓	✓	✓	✓	3 (not open full year)	✓	Fire rated stairs, smoke-tight hallways
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke-tight hallways
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	✓	✓	✓	✓	0 (not open in 2013)	✓	Fire rated stairs, smoke-tight hallways

**APPENDIX D: CRIME PREVENTION AND
SECURITY AWARENESS PROGRAMS
CONDUCTED BY UNIVERSITY HOUSING
IN 2013**

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-08-28	05:30 pm	Clement Hall	Operation Identification	Planned	Clement Hall	6. Safe and Healthy Lifestyles	Operation identification for people to tag their valuable items so in the event that they are lost or stolen, there is a chance they can be returned. Also we did a Fort Sanders project where we talked about safety in the fort to residents within the building.	UTPD	100
2013-08-28	05:00 pm	Clement Hall	Safety Blitz	Spontaneous	Clement Hall, 6th Floor	6. Safe and Healthy Lifestyles	The objective of this program is to inform the residents of the risks that are present here on campus and to suggest actions that they can take to prevent many of the more common incidents from occurring.	UTPD	60
2013-08-28	05:00 pm	Clement Hall	Operation Identification	Planned	Clement Lobby	6. Safe and Healthy Lifestyles	A New school year has started and those expensive new electronic purchases would be better off to our residents not stolen. So in coordination with UTPD we will help residents get their new tech registered with the university of Tennessee police dept. In the event their items are taken, at least this will increase the odds of them receiving their belonging back.	UTPD	80
2013-08-28	05:30 pm	Clement Hall	Personal Identification and Fort Sanders Awareness	Planned	Clement Hall	6. Safe and Healthy Lifestyles	UTPD will label students' electronics for free, encourage them to lock their doors at all times, and inform them of the Fort Sanders area. Students will be aware of the sporadic occurrences on and about campus when they sign up for UT alert and will receive useful information and tips from police officers themselves.	UTPD	11
2013-08-29	06:30 pm	Hess Hall	Guy Code: Know How to Party Safely	Planned	Old Bookstore	4. Life Skills	Just before everyone begins the semester off strong and decide to have their weekends to party. We want to teach the residents that if they do go out, that they are being responsible and safe. With the help of UTPD we are having "Social Event Safety," this program addresses many of these potential dangers about college parties and gives participant safety tips for enjoying social settings in a college atmosphere. They will also go over if you're in the presence of under age drinking and drugs.	UTPD	25
2013-09-03	06:00 pm	North Carrick Hall	Alcohol Awareness	Planned	NC Multipurpose Room	6. Safe and Healthy Lifestyles	UTPD will discuss the dangers of intoxication, such as alcohol poisoning and drunk driving, as well as safe drinking practices (since we know it is not feasible to stop all alcohol consumption). UTPD will use Drunk Goggles and Mario Kart on a Wii, along with other interactive activities to educate our residents about alcohol.	UTPD	40

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-09-04	07:00 pm	Massey Hall	Protect Yourself!	Planned	Massey Hall Study Lounge	6. Safe and Healthy Lifestyles	Residents can learn self defense moves to protect themselves if they are ever in danger.	UTPD	5
2013-09-10	06:45 pm	Massey Hall	Self Defense UTPD	Planned	5th floor kitchen	6. Safe and Healthy Lifestyles	UTPD will be coming and teaching a self-defense class to the 5th floor.	UTPD	8
2013-09-11	08:59 pm	Hess Hall	Breaking Bad Habits	Planned	J2 RA's room/study room	4. Life Skills	I wanted to give my guys some tips and tricks on decision making. I know that they love the show breaking bad, so I decided to incorporate it into the show. We watched some clips and talked about making good decisions and living life in college. I told them that I am a resource if they ever need to talk about things or anything.		10
2013-09-12	06:45 pm	Massey Hall	Self Defense	Planned	South Lounge	6. Safe and Healthy Lifestyles	The description of the women-only program as stated by the UTPD website is: "You are your best defense. This educational awareness, crime-victim prevention program encompasses strategies, techniques, options, and prevention. It will provide teenage and adult women with information that may reduce their risk of exposure to violence and introduces them to the physical aspects of self-defense."	UTPD	8
2013-09-19	08:00 pm	Massey Hall	Thirsty Thursday	Planned	Seven North Elevator Lobby	6. Safe and Healthy Lifestyles	I would like to go ahead and do my alcohol awareness program for the semester, just so we can start the year off on the right foot. The program will be simple, just mocktails and alcohol trivia, but I think my residents will enjoy it. They like programs later at night in the elevator lobby and this will combine interactions with some important information.		20
2013-09-19	07:30 pm	Volunteer Hall	Thirsty Thursday	Planned	6th Floor Multi Purpose Room	6. Safe and Healthy Lifestyles	We will have water pong with drunk goggles and information about how to stay safe during weekend events.		25
2013-09-20	05:00 pm	Humes Hall	Lock 'em Up!	Passive	Floor	6. Safe and Healthy Lifestyles	My plan is to take the lock and key cut outs that I purchased from the dollar store, and hang four on each door. On them, will have reasons why you should lock your door, and how to keep your stuff safe. I have heard some of my girls complain about their roommates not locking doors and I think this will alleviate that problem.		38
2013-09-26	08:00 pm	Hess Hall	Club Hess	Planned	Hess MPR	6. Safe and Healthy Lifestyles	The residents were all invited to come down and participate in our mock club. We had food and drinks for them and a live DJ was there. Throughout the night, there were alcohol facts posted up for everyone to see and the residents were served mocktails (or virgin drinks).		250

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
							<p>I hosted this program twice last year as my alcohol safety awareness program. My residents enjoyed the virgin cocktails, and I provided them with tips and advice for staying safe and responsible if they decide to drink.</p> <p>I will use the link below for myths versus facts regarding alcohol consumption. I don't plan on making it a quiz, but I think it may be fun to have the trivia so residents can be more engaged. http://www.minnesotasafetycouncil.org/facts/factsheet.cfm?qs=B6EBC3D9BAAB04E7F908D7D68B570E85 I will find other alcohol safety tips, such as "never take your eyes off of your drink" or "always mix your own drink" to emphasize the safety factor.</p>		
2013-10-14		Massey Hall	Mocktail Hour	Planned	4th Floor Elevator Lobby	6. Safe and Healthy Lifestyles	I will have this be a no waste program by requesting that residents bring their own cups!		5
							<p>We are going to do a Floor Mixer with UTPD being an invited guest to talk about alcohol awareness. We are going to use the drunk goggles and the Wii simulator to have a little Battle of the Sexes competition. We will have representatives from each floor to compete in different parts of the competition to try and increase attendance.</p> <p>I will be moving speakers to the lobby for the program to help bring people to the floor; and also we will be setting up tables on the floor for some (root)Beer pong.</p>		
2013-10-14	06:00 pm	Morrill Hall	UTPD/Alcohol Awareness	Planned	9th Floor Elevator Lobby	6. Safe and Healthy Lifestyles		UTPD	32
							<p>There will be a box at the front desk (probably two weeks before the program unless it needs to be there longer) where residents can write down any question that they have for a police officer-no matter how ridiculous or serious it may be. Kelly and Cedric from UTPD are going to come in and pull questions out of the box and answer all of them honestly.</p>		
2013-10-14	07:30 pm	Massey Hall	Ask a Cop	Planned	Massey Hall Lobby	6. Safe and Healthy Lifestyles		UTPD	12

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-10-21	06:00 pm	Humes Hall	UTK Safety Awareness Information Distribution	Passive	2 East hallway	6. Safe and Healthy Lifestyles	I'm not sure if a passive program can count as a Safe and Healthy Lifestyles program, but if so, then I would like to use that objective. If not, then this will just be a social program where I can check in on the girls and distribute free Ramen noodles around the hallway. The main purpose of this passive program is to check in with the girls, distribute the 44 free ramen packs that I acquired at VolAware Street Fair, and also distribute the safety.utk.edu information that is attached to the packages. The two ideas don't really correlate, but that doesn't matter, because they'll enjoy the free Ramen!		38
2013-10-22		Humes Hall	Domestic Violence Awareness	Passive	4 west	6. Safe and Healthy Lifestyles	This program is both passive and spontaneous -- I thought of it just now when I saw the "Week without Violence" flyer in my email, and even though it is slightly more last-minute, I still think it would be a good way to spread awareness and encourage people to attend Take Back the Night. My plan is that sometime tomorrow night, I will hang a small, informative card/thing on each suite door (since statistically, 1 in 4 women are affected by domestic violence, I might define domestic violence and then put that stat in terms of 1 in 4 people in this suite; 9 people on the floor; 130 people in Humes). I plan to have some sort of large poster hanging in an obnoxiously visible location, and I will include information about TBTN on both places. Then I will encourage residents to wear purple on Thursday in support of spreading awareness, and on Thursday I will hang something positive/empowering on their suite doors about being a strong woman or speaking out as a follow-up to my depressing statistic. Ideally I would create some kind of "pledge" for residents to sign about advocating for awareness and speaking out against domestic violence, but I will see where residents are with it (especially during/right after lip sync) before I make that decision		38

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-10-23	07:00 pm	Massey Hall	Vols Speak Up Floor Dinner	Planned	4th Floor Kitchen	6. Safe and Healthy Lifestyles	As a campus wide initiative, "Volunteers Speak UP! is a program to address reduce risks related to sexual assault, domestic violence, dating violence and stalking. The mission of Volunteers Speak UP! is to educate and engage the University of Tennessee community around prevention, bystander intervention and campus resources." By collaborating with MHC, we would like to serve dinner to residents while I educate them on how to make safer decisions and help others who make be put in challenging situations.	SEE Center	22
2013-10-24	08:00 pm	Humes Hall	Margaritas and Manicures!	Planned	6 West	6. Safe and Healthy Lifestyles	I am doing an alcohol awareness program that is fun and informative. I also want it to be a time where my residents can ask me questions and just feel comfortable talking about alcohol safety. I will make virgin margaritas and also maybe "roofie" one or two people with a skittle at the bottom to prove how easy it is to get roofied. Also, every cup will have an alcohol safety tip that they will read out loud.		12
2013-10-26	06:30 pm	Apartment Residence Hall	Root Beer Pong	Planned	13th Floor Lobby	6. Safe and Healthy Lifestyles	This program is an alcohol awareness program and is aimed at educating residents about the variety of dangers associated with drinking alcohol in college. In this program when residents "drink-up" from their cup, they will look at a small label on the bottom that corresponds to a myth and this myth will be busted with a fact that posted on the wall.		14
2013-10-27	06:45 pm	Humes Hall	Volunteer's Speak Up!	Planned	West Multipurpose Room	6. Safe and Healthy Lifestyles	Volunteers Speak Up! is a program that the SEE center is advocating for UTK's campus. During this campaign, RAs will give a presentation describing the details of this campaign and also how to participate in this campaign on campus. We will also be pairing with HHRA for this CB. HHRA will be providing "mocktails" & snacks before the presentation.	SEE Center	28

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
							<p>Volunteer's Speak Up is a campaign advocated for by the SEE Center. A presentation will be given by the RAs on speaking up to</p> <ol style="list-style-type: none"> 1. Promote an awareness of interpersonal or sexual violence and its impact on the UT community 2. Provide interpersonal or sexual violence prevention education and strategies to students 3. Empower active bystanders and survivors with access to on- and off- campus resources <p>We will be pairing with HHRA. HHRA will be providing "mocktails" and snacks before the presentation we will be putting skittles in peoples drinks and seeing if others notice or if they say anything.</p>		
2013-10-27	07:00 pm	Humes Hall	Vols Speak Up	Planned	WMPR	6. Safe and Healthy Lifestyles		SEE Center	28
							<p>A UT Police officer will come and set up a mock sobriety checkpoint. Residents will wear goggles while attempting to walk on a straight line and while trying to play Mario Kart with the Nintendo Wii. If an appropriate time to address the entire group arises, we will ask the officer to make a short presentation so that this event can be as informative as possible. Residents will be able to come and go as they please and can individually ask the police officer questions about alcohol, UT Police, university policies, local laws, etc.</p>		
2013-10-29	06:30 pm	Morrill Hall	Drunken Mario Kart	Planned	Floor 7	6. Safe and Healthy Lifestyles		UTPD	35
							<p>I'm going to be having a pre-Halloween party with snacks and "mocktails", and I'll be educating the residents about how to have a fun and safe Halloween night, as well as how to be safe and still have fun on any other nights that they may be out.</p>		
2013-10-29	09:00 pm	Apartment Residence Hall	Halloween Bash	Planned	3rd floor/MPR	6. Safe and Healthy Lifestyles			35
							<p>I will provide different types of non alcoholic drinks to my residents. The cups will have different numbers on the bottom of the cups. Each number will correspond to a real life scenario about alcohol and what could happen to my residents if they do decide to drink this Halloween. I will also give each resident a slip of paper with some information about the S. E. E. centers Vols Help Vols campaign.</p>		
2013-10-30	05:30 pm	South Carrick Hall	Beware and Be Aware	Planned	6th floor elevator lobby	6. Safe and Healthy Lifestyles		SEE Center	25

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-10-30	05:00 pm	South Carrick Hall	Beware and Be Aware	Planned	12th floor elevator lobby	6. Safe and Healthy Lifestyles	I will set up a table in the 12th floor elevator lobby with drinks on it. I will ask my residents if they want a drink as they pass by. If they take a drink and the drink has a Skittle in it, that represents somebody slipping something in their drink. We will then discuss the dangers of alcohol such as accepting open drinks from people, etc.		36
2013-10-30	06:00 pm	South Carrick Hall	Self-Defense Skills	Planned	TV Lounge	6. Safe and Healthy Lifestyles	Ashley Hardin's dad is a KPD officer and has agreed to lead a program teaching various self-defense skills.	Community Agency	13
2013-10-31	08:00 pm	Hess Hall	Pre Halloween/Homecoming Safety	Passive	J4 Study Room	6. Safe and Healthy Lifestyles	RA White will be having candy and games while Residents and I come and talk about the dangers of trick or treating and how to properly party safely and also how to look out for friends. Also The program will end with a "Real Talk" session where residents are able to ask and talk about any problems they may be having or questions or concerns they have.		13
2013-11-07	07:00 pm	North Carrick Hall	Mario Kart Drunk Driving	Planned	North Carrick Lobby	4. Life Skills	Coordinated with UTPD to simulate how hard it would be to drive while under the influence.	TRec	25
2013-11-07	07:00 pm	North Carrick Hall	UTPD Drunk Driving Mario Kart	Planned	North Carrick MPR	6. Safe and Healthy Lifestyles	With Halloween fast approaching, JT and I felt it would be smart to address each of our floors with an alcohol awareness program. So we contacted Officer Miller from UTPD to set up a date for the program. Basically, UTPD will come in and talk to our residents about having smart decisions with alcohol, especially around Halloween when many college students tend to become pretty "wild." So with UTPD talking as well as the Mario kart drunk goggles going on, we both feel it will provide a safe, healthy and fun way to create awareness. JT and I have already decided will we split the cost on purchasing Morrill Pizza's and drinks for the program. Furthermore, we decided a plan of action for advertising for the program, with an email, Facebook message going out ASAP, followed by door hangers on Tuesday, which will then be followed by door decoration reminders on Wednesday. Together we both feel we can possibly bring in 20 residents hopefully, that won't just come for free pizza, but the actually fun that will ensue.	UTPD	25

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-11-09	08:00 pm	Humes Hall	Roofie the Resies	Planned	Humes elevators	6. Safe and Healthy Lifestyles	At approximately 8PM, RAs set up tables and mocktails in the elevators, and offered anyone who got in the elevator a free drink. However, we failed to mention that we have strategically placed something sketchy in their drinks (AKA Skittles), and before they exit the elevator, we reminded them to always use caution and never accept a drink from someone they don't know/leave their drink unattended. This was a reminder to make responsible choices as they go out for homecoming.		70
2013-11-20	07:15 pm	Hess Hall	Super Mario Kart Twisted	Planned	Hess Lobby	6. Safe and Healthy Lifestyles	UTPD will be our guests as we host an annual favorite, Mario Kart Twisted. This is a great opportunity to get people to come to the lobby and play Mario Kart. Once they are lured in by a great classic game, UTPD will talk about safety on campus and bring the "drunk goggles" to show students how alcohol can impair vision and judgment. Residents will wear these goggles and try to race each other in Mario Kart and simulate the dangers of drunk driving.	UTPD	32
2013-11-20	08:00 pm	Morrill Hall	Volunteers Speak Up	Planned	Morrill 7 Lobby	4. Life Skills	Residents will participate in various workshop activities provided by the SEE Center. This community builder will focus on encouraging residents to make smart decisions and "speak up" when they see something that needs to be addressed. The Volunteers Speak Up campaign is very similar to the "If you see something, say something" campaign in New York City. This will be a great opportunity for students to have discussions with each other and meet other residents. In order to maximize this opportunity for the audience, residents will be able to guide the discussion and ask questions that they want answered.	SEE Center	27
2013-11-20	06:00 pm	Morrill Hall	S.A.F.E Course	Planned	Tenth Floor Lobby	4. Life Skills	UTPD instructed self-defense course to teach the girls about prevention of violence and give them guidance with the physical aspects of self defense. The girls have requested this program and I would thus expect a healthy amount of participation. Will be held in the tenth floor lobby. I plan to post a sign-up sheet within the first or second week of November to get a head count for the event for UTPD.	UTPD	21

Date	Time	Hall	Program Title	Program Type	Program Location	Objective	Program Description	Offices Used	Attendance
2013-11-21	08:00 pm	Morrill Hall	ByStander Training	Planned	Floor 13 Lobby	4. Life Skills	RAs led a discussion that outlined the ByStander pledge and the various scenarios where students can make a difference in a crisis without becoming just a "bystander". Began with a small quiz, started a discussion with a few topics and then broke up into smaller discussion group to get residents knowledgeable about training and guided them to taking the ByStander pledge online.	SEE Center	5
2013-11-24	05:30 pm	Morrill Hall	Vols Speak Up	Planned	3rd Floor	6. Safe and Healthy Lifestyles	Vols Speak Up is a program that teaches residents the importance of speaking up when something bad happens.	Counseling and SEE Center	25
2013-11-26	06:30 pm	South Carrick Hall	Self Defense	Planned	South Carrick TV lounge	6. Safe and Healthy Lifestyles	Officer Kelly from UTPD will be coming here to teach everyone some self defense skills for everyday life. This promotes a safe life style because it makes everyone more aware of their surroundings and prepared for any situation.	UTPD	6
2013-11-26	10:00 pm	Reese Hall	Root Beer Pong	Planned	5th floor study room	6. Safe and Healthy Lifestyles	Our floor will play drinking games using root beer and learn about alcohol safety with clips of paper with facts about alcohol laws and consumption on the bottom of each cup. We have a rootbeer pong table set up and we can play flip cup and other games that residents know.		4

1306 Total

APPENDIX E: RESOURCES

RESOURCES

University of Tennessee Police Department
1101 Cumberland Avenue
Emergency: 911 or 865-974-3111
General Inquiries: 865-974-3114
Community Relations Unit: 865-974-4674
Email: utpolice@utk.edu
utpolice.utk.edu

Employee Assistance Program
Here4TN.com
1-855-Here4TN (1-855-437-3486)

Dean of Students
413 Student Services Building
865-974-3197
dos.utk.edu

Student Handbook
hilltopics.utk.edu

The Student Health Center
1800 Volunteer Boulevard
General Information: 865-974-3135
Appointment Line: 865-974-3648
web.utk.edu/~shs/

Campus Bus Schedule
Ridethet.utk.edu

Center for Health Education & Wellness
1800 Volunteer Boulevard, Suite 201
865-974-5725
Email: wellness@utk.edu
wellness.utk.edu

UT Human Resources
224 Conference Center Building
865-974-8847
Email: hr@utk.edu

Student Conduct & Community Standards
409 Student Services Building
865-974-3171
Email: studentconduct@utk.edu
studentconduct.utk.edu

Disability Services
ods.utk.edu

University Housing
405 Student Services Building
865-974-2571
Email: housing@utk.edu
housing.utk.edu

Campus Blue Light Phone Map
utk.edu/maps

Distressed Student Protocol
865-974-HELP (4357)
wellness.utk.edu/974-help/distressed-student-protocol/

US Department of Education Campus Crime Data
ope.ed.gov/security/

Distressed Staff Protocol
865-974-CARE (2273)
hr.utk.edu/care/

Family Educational Rights and Privacy Act
ed.gov/ferpa

Title IX Coordinator
Office of Equity & Diversity
1840 Melrose Avenue
865-974-2498
oed.utk.edu

Campus Safety
safety.utk.edu

Sexual Misconduct and Relationship Violence
Sexualassault.utk.edu

Policies
utk.edu/policycentral/

**APPENDIX F: SEXUAL MISCONDUCT AND
RELATIONSHIP VIOLENCE: INTERM POLICY,
PROCEDURES, PROGRAMS AND RESOURCES**

**SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE:
INTERIM POLICY, PROCEDURES,
PROGRAMS, AND RESOURCES**

August 20, 2014

THE UNIVERSITY of
TENNESSEE 
KNOXVILLE

THE UNIVERSITY of TENNESSEE 
INSTITUTE of AGRICULTURE

I. INTRODUCTION¹

The University of Tennessee, Knoxville and the University of Tennessee Institute of Agriculture are committed to creating and maintaining a learning, living, and working environment free from all forms of Sex Discrimination, including Sexual Misconduct and Relationship Violence. Sexual Misconduct and Relationship Violence will not be tolerated and will be grounds for disciplinary action up to, and including, permanent dismissal from the University and termination of employment.

This policy describes prohibited conduct; explains multiple options for reporting Sexual Misconduct and Relationship Violence; sets forth the procedures the University will follow for promptly, thoroughly, and equitably investigating and resolving reports of Sexual Misconduct and Relationship Violence in order to eliminate Sexual Misconduct and Relationship Violence, prevent their recurrence, and address their effects on Complainants or the University community; identifies resources for Complainants; and describes the University's prevention and awareness programs relating to Sexual Misconduct and Relationship Violence.

This policy implements the requirements of Title IX, Title VII, and the Clery Act with respect to Sexual Misconduct and Relationship Violence, including amendments to the Clery Act made by the Violence Against Women Reauthorization Act (VAWA) but not including proposed VAWA regulations published in the U.S. Department of Education's notice of proposed rulemaking, 79 Fed. Reg. 35418-35460 (June 20, 2014).

A. APPLICABILITY OF THIS POLICY

This policy applies to:

- students of the University of Tennessee, Knoxville and the University of Tennessee Institute of Agriculture;
- employees of the University of Tennessee, Knoxville and the University of Tennessee Institute of Agriculture; and
- University volunteers, University contractors, and third parties participating in a University program or activity.

This policy applies regardless of the Complainant's or the Respondent's sex, sexual orientation, or gender identity. Sexual Misconduct and Relationship Violence can be committed by anyone (regardless of sex, sexual orientation, or gender identity), can occur between strangers or acquaintances, and can occur between people of the same or of different sexes, gender identities, and/or sexual orientations.

The University's jurisdiction concerning off-campus misconduct by students is outlined in *Hilltopics*. With respect to employees and other non-students, there is no geographical limitation on this policy.

¹ This is an interim policy, which is effective upon issuance and will remain in effect until a permanent version of this policy is issued. A permanent version of this policy will be issued after representatives of relevant stakeholders, including the Sexual Misconduct Task Force, have had a reasonable opportunity to review and provide feedback on the interim policy. The permanent version of this policy also may incorporate subsequent federal guidance, regulations, and/or statutes. The University encourages persons who have feedback or questions concerning the policy to contact the Title IX Coordinator.

B. DEFINITIONS

Key terms used in this policy (such as Sex Discrimination, Sexual Misconduct, and Relationship Violence) are defined in **Appendix A** and are capitalized throughout this policy.

C. TITLE IX

The University is a recipient of federal financial assistance for education activities, and in accordance with the provisions of Title IX, all of its education programs and activities are subject to the prohibition against Sex Discrimination. The University's **Nondiscrimination Statement** (<http://oed.utk.edu/statement/>) prohibits Sex Discrimination in any University education program or activity, including employment and admissions. Title IX applies to all students, employees, applicants for admission or employment, volunteers and visitors at the University and prohibits unequal treatment on the basis of sex including Sexual Harassment, Sexual Assault, and Sexual Exploitation, which are all types of Sex Discrimination.

D. TITLE IX COORDINATOR AND DEPUTY TITLE IX COORDINATORS

Reports or complaints of Sex Discrimination, Sexual Misconduct, or Relationship Violence, or questions about the University's policies, procedures, resources, or programs concerning any of those issues, may be directed to the University's Title IX Coordinator or one of the University's Deputy Title IX Coordinators. The responsibilities of the Title IX Coordinator and the Deputy Title IX Coordinators are summarized below and are described in more detail in other sections of this policy. The Title IX Coordinator and the Deputy Title IX Coordinators generally are available Monday - Friday on University business days from 8:00 a.m. to 5:00 p.m.

The University's **Title IX Coordinator** is:

Jennifer L. Richter
Title IX Coordinator
Interim Director, Office of Equity and Diversity
1840 Melrose Avenue
Knoxville, TN 37996
865-974-2498 (phone)
865-974-0943 (fax)
jrichter@utk.edu
<http://oed.utk.edu>

The Title IX Coordinator's responsibilities include, without limitation:

- coordinating and maintaining ultimate oversight responsibility with respect to the University's compliance with Title IX;
- receiving, tracking, and monitoring reports of Sex Discrimination, including Sexual Misconduct and Relationship Violence, and maintaining records of such reports;
- interacting with the Sexual Assault Response Team;
- ensuring prompt, thorough, and equitable investigations and resolutions of reports of Sex Discrimination, including Sexual Misconduct and Relationship Violence, which are usually conducted by the Office of Equity and Diversity (if the Respondent is an

- employee or other non-student) or the Office of Student Conduct (if the Respondent is a student);
- identifying and addressing patterns or systemic problems concerning Sexual Misconduct and Relationship Violence;
- coordinating training, prevention, and awareness efforts concerning Sexual Misconduct and Relationship Violence;
- supporting the Deputy Title IX Coordinators;
- providing information to students, employees, and third parties concerning this policy;
- coordinating the provision of Interim Measures to students and employees;
- making appropriate reports (that do not personally identify Complainants) for purposes of including incidents in the University's annual Clery Act crime statistics, if applicable; and
- being available to meet with students, employees, and others, including, without limitation, Complainants, Respondents, and Reporters of violations of this policy.

The Title IX Coordinator is assisted by two trained Deputy Title IX Coordinators who also are accessible to members of the University community for consultation and assistance.

The University's **Deputy IX Coordinator for Students** is:

Ashley Blamey
 Director, Center for Health Education and Wellness
 1800 Volunteer Blvd., Suite 201
 Knoxville, TN 37996
(865) 974-5725 or (865) 974-HELP
ashleyblamey@utk.edu
<http://wellness.utk.edu>

The Deputy Title IX Coordinator for Students assists with Title IX compliance for certain matters involving students, including, without limitation:

- coordinating the Sexual Assault Response Team;
- coordinating and maintaining oversight responsibility within the Division of Student Life with respect to compliance with Title IX;
- receiving, tracking, and monitoring reports of Sexual Misconduct and Relationship Violence involving students;
- identifying and addressing patterns or systemic problems concerning Sexual Misconduct and Relationship Violence involving students, in coordination with the Title IX Coordinator;
- coordinating training, prevention, and awareness efforts for students concerning Sexual Misconduct and Relationship Violence;
- assisting the Title IX Coordinator;
- providing information to students about this policy;
- coordinating the provision of Interim Measures to students; and
- being available to meet with students, including, without limitation, Complainants, Respondents, and Reporters of violations of this policy.

The University's [Deputy Title IX Coordinator for Athletics](#) is:

Mike Ward

Senior Associate Athletics Director for Administration and Sports Programs

Brenda Lawson Athletic Center

1551 Lake Loudon Boulevard

(865) 974-9190

mikeward@utk.edu

The Deputy Title IX Coordinator for Athletics assists with Title IX compliance for certain matters, including, without limitation:

- coordinating and maintaining oversight responsibility within the Department of Intercollegiate Athletics with respect to compliance with Title IX, including gender equity;
- receiving reports of Sex Discrimination, including Sexual Misconduct and Relationship Violence, involving student-athletes, and referring those reports to the Title IX Coordinator, Deputy Title IX Coordinator for Students, or the Sexual Assault Response Team;
- identifying and addressing any patterns or systemic problems concerning Sexual Misconduct and Relationship Violence committed by or against student-athletes, in coordination with the Title IX Coordinator;
- coordinating training, prevention, and awareness efforts for students and employees involved in intercollegiate athletics concerning Sexual Misconduct and Relationship Violence;
- assisting the Title IX Coordinator and the Deputy Title IX Coordinator for Students;
- providing information to students and employees involved in intercollegiate athletics on this policy;
- coordinating the provision of Interim Measures to students and employees involved in intercollegiate athletics; and
- being available to meet with students and employees involved in intercollegiate athletics, including, without limitation, Complainants, Respondents, and Reporters of violations of this policy.

Inquiries or complaints concerning Title IX also may be referred to the United States Department of Education:

United States Department of Education

Office for Civil Rights

61 Forsyth Street, S.W., Suite 19T10

Atlanta, GA 30303-8927

(404) 974-9406 (phone)

(404) 974-9471 (fax)

OCR.Atlanta@ed.gov

E. SEXUAL ASSAULT RESPONSE TEAM

The Sexual Assault Response Team (S.A.R.T.) is a multidisciplinary team of University employees who work collaboratively to:

- serve as a primary option for reporting Sexual Misconduct and Relationship Violence for which students are Complainants and/or Respondents;
- utilize a victim-centered approach to create a support network for Complainants and focus on minimizing the trauma experienced by Complainants in a sensitive and proficient manner;
- assist the Complainant in accessing the support resources identified in **Section V**, including Interim Measures, and inform the Complainant of the right to report a crime to campus or local law enforcement and provide the Complainant with assistance in reporting if requested by the Complainant;
- coordinate the provision of Interim Measures to students;
- provide reports to UTPD for Clery Act reporting in a manner that does not personally identify Complainants;
- promote the consistent application of this policy to all students and enable the University to respond promptly, thoroughly, and equitably to eliminate Sexual Assault or Relationship Violence, prevent its recurrence, and eliminate its effects; and
- answer questions about the University's policies, procedures, or programs concerning Sexual Assault and Relationship Violence.

A member of the S.A.R.T. may be contacted by calling **(865) 974-HELP (4357)**, Monday-Friday on University business days from 8:00-5:00 p.m. More information about the S.A.R.T. can be found at: <http://wellness.utk.edu/sexual-assault-2/sexual-assault-response-team-sart/>. Members of the S.A.R.T. have received training to work with Complainants.

F. REPORTING VIOLATIONS OF THIS POLICY TO THE UNIVERSITY

Only **Responsible Employees** are required to report Sexual Misconduct, Relationship Violence, or Retaliation to the University. However, the University encourages all members of the University community to report conduct of which they become aware that they in Good Faith believe may constitute a violation of this policy. Additional information about reporting Sexual Misconduct or Relationship Violence to the University or to law enforcement can be found in **Section III**.

G. CONSENSUAL RELATIONSHIPS

Consensual romantic or sexual relationships between members of the University community also are subject to other University policies. For example, the University's policy on consenting romantic or sexual relationships between faculty and students can be found in **Appendix 7 of the UTK Faculty Handbook** (<http://provost.utk.edu/faculty/manuals/faculty-handbook/>). Even if a romantic or sexual relationship between members of the University community begins as consensual, it can evolve into situations that lead to allegations of Sexual Misconduct or Relationship Violence. In addition, depending on the circumstances, a consensual sexual relationship may also violate other University policies, including, without limitation, University of Tennessee System Human Resources Policies **0220** ("Equal Employment Opportunity Affirmative Action and Diversity"), **0280** ("Sexual Harassment"), and **0580** ("Code of Conduct").

H. ACADEMIC FREEDOM AND FIRST AMENDMENT RIGHTS

This policy is not intended to, and will not be used to, infringe on academic freedom or to censor or punish students, faculty, or staff who exercise their First Amendment rights, even though such expression may be offensive or unpleasant.

I. DUE PROCESS

This policy is designed to comply with Title IX while also ensuring that due process (if constitutionally required) is provided to Respondents who are accused of violating this policy.

J. TENNESSEE LAW

The information provided in this policy concerning Tennessee law is provided in accordance with the Clery Act. It is not intended, nor should it be construed, as legal advice.

K. RELATIONSHIP BETWEEN THIS POLICY AND OTHER UNIVERSITY POLICIES/PROCEDURES

1. Child Abuse and Child Sexual Abuse

University of Tennessee System Safety Policy 0575 (“Programs for Minors”) (http://policy.tennessee.edu/safety_policy/sa0575/) takes precedence over this policy with respect to reporting suspected child abuse and child sexual abuse. Except for Safety Policy 0575 and as otherwise provided in this policy, this policy takes precedence over other University policies and procedures concerning Sexual Misconduct and Relationship Violence in the event of a conflict.

2. Student Policies and Procedures

The Standards of Conduct for students can be found in *Hilltopics*, the University’s student handbook (<http://hilltopics.utk.edu/>). This policy modifies Standard of Conduct Number 7 for students as follows:

Former Standard of Conduct Number 7

Sexual assault or misconduct. “Sexual assault” is defined as any sexual act or attempt to engage in any sexual act with another person without the consent of the other person, or in circumstances in which the person is unable to give consent due to age, disability, or an alcohol/chemical or other impairment. “Sexual Misconduct” is defined as any intimate touching of another person, or forcing a person to engage in intimate touching of another, without the consent of the other person, or in circumstances in which the person is unable to give consent due to age, disability, or an alcohol/chemical or other impairment. It is the responsibility of the person initiating sexual activity to ensure the other person is capable of consenting to that activity. Consent is given by an affirmative verbal response or acts that are unmistakable in their meaning. Consent to one form of sexual activity does not mean consent is given to another type of sexual activity.

New Standard of Conduct Number 7

Engaging in Sexual Misconduct, Relationship Violence, and/or Retaliation. The terms “Sexual Misconduct,” “Relationship Violence,” and “Retaliation” are defined in the University policy titled, “*Sexual Misconduct and Relationship Violence: Policies, Procedures, Resources, and Programs*,” a copy of which can be found at <http://sexualassault.utk.edu>.

In the event of a conflict between this policy and *Hilltopics*, this policy shall control. If this policy does not supply a substantive or procedural rule relating to an issue, then *Hilltopics* shall supply the rule.

3. Employee Policies and Procedures

In the event of a conflict between this policy and another University employee policy or procedure, this policy shall control. If this policy does not supply a substantive or procedural rule relating to an issue, then another employee policy or procedure, if applicable, may supply the rule. The following is a non-exclusive list of other policies and procedures that in some cases may apply to the investigation and/or resolution of a report of Sexual Misconduct or Relationship Violence involving a University employee:

- **University of Tennessee Board of Trustees Policy 0006** (Policies Governing Academic Freedom, Responsibility, and Tenure)
- **University of Tennessee, Knoxville Faculty Handbook**
- **University of Tennessee System Human Resources Policy 0160** (Termination of Employment)
- **University of Tennessee System Human Resources Policy 0220** (Equal Employment Opportunity and Affirmative Action)
- **University of Tennessee System Human Resources Policy 0355** (Leave of Absence)
- **University of Tennessee System Human Resources Policy 0525** (Disciplinary Action)
- **University of Tennessee System Human Resources Policy 0580** (Code of Conduct)
- **University of Tennessee System Human Resources Policy 0640** (Grievances)

4. Tennessee Uniform Administrative Procedures Act

Chapter 1720-1-5 of the Rules of the University of Tennessee (<http://www.tn.gov/sos/rules/1720/1720-01/1720-01-05.pdf>) sets forth the University’s procedures for conducting a contested case hearing pursuant to the Tennessee Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-301 *et seq.* In a case involving alleged Sexual Misconduct, Relationship Violence, or Retaliation, the administrative judge or hearing officer shall modify those procedures when required to comply with federal law, including without limitation, Title IX and the Clery Act.

L. ADDITIONAL INFORMATION ABOUT SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE

For additional information about the University’s procedures and programs relating to Sexual Misconduct and Relationship Violence, please visit <http://sexualassault.utk.edu>.

II. PROHIBITED CONDUCT

This University prohibits Sexual Misconduct, Relationship Violence, and Retaliation.

This policy prohibits students from engaging in Sexual Misconduct, Relationship Violence, and/or Retaliation. The University's Standards of Conduct for students prohibits students from violating this policy.

With respect to employees, Sexual Misconduct and Relationship Violence violates standards of conduct that have been established in existing University policies, including without limitation, the University's **Nondiscrimination Statement** (<http://oed.utk.edu/statement/>), **University of Tennessee Human Resources Policy 0280** (Sexual Harassment) (http://policy.tennessee.edu/hr_policy/hr0280/), and **University of Tennessee System Human Resources Policy 0580** (Code of Conduct) (http://policy.tennessee.edu/hr_policy/hr0580/). This policy supplements existing University standards of conduct in order to be more specific concerning the University's prohibition of Sexual Misconduct, Relationship Violence, and Retaliation.² Employees who violate this policy will be subject to disciplinary action, up to, and including, termination of employment, in accordance with University policies, including, without limitation, **University of Tennessee System Human Resources Policy 0525** (Disciplinary Action), **University of Tennessee System Human Resources Policy 0640** (Grievances), and the **University of Tennessee, Knoxville Faculty Handbook**.

² For example, **University of Tennessee Human Resources Policy 0280** (Sexual Harassment) already prohibits an employee from engaging in the Sexual Harassment of another employee. Sexual Assault is an extreme type of Sexual Harassment.

III. HOW TO REPORT SEXUAL MISCONDUCT OR RELATIONSHIP VIOLENCE

The University encourages Complainants of Sexual Misconduct or Relationship Violence to promptly report the incident to the University and/or to law enforcement. The University also encourages others who are aware of Sexual Misconduct or Relationship Violence to promptly report the incident.³ Options for reporting Sexual Misconduct or Relationship Violence to the University (other than to UTPD) are described below in **Section III.A**. Options for reporting Sexual Misconduct or Relationship Violence to UTPD or local law enforcement are described below in **Section III.B**.

A. HOW TO REPORT TO THE UNIVERSITY (OTHER THAN TO UTPD)

Complainants⁴ are not required to report Sexual Misconduct or Relationship Violence to the University if they do not want the University to respond to the incident or assist with Interim Measures. However, reporting a violation of this policy to the University empowers Complainants to obtain the support they need and enables the University to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, taking disciplinary action against a Respondent.

If a person reports an incident of Sexual Misconduct or Relationship Violence to the University, there is no requirement that the Complainant pursue criminal prosecution or University discipline against a Respondent.

A report of Sexual Misconduct or Relationship Violence that alleges Sex Discrimination generally must be filed within 300 days of the alleged discriminatory action. In certain circumstances, however, at the discretion of the Title IX Coordinator, such as when the Complainant is a student, a report communicated to the University outside of that time limit may be investigated. The University does not limit the time frame for reporting an incident of Sexual Misconduct or Relationship Violence committed by a Respondent who is not an employee, although a delay in reporting may impact the University's ability to: obtain evidence; conduct a prompt, thorough, and equitable investigation; and/or otherwise respond and take appropriate action.

This policy requires certain University employees, called Responsible Employees, to report information they receive concerning Sexual Misconduct or Relationship Violence to the University in accordance with Section VII.

Because Responsible Employees have an obligation to report information they receive about Sexual Misconduct or Relationship Violence (and take other responsive actions), one of the purposes of this **Section III.A** is to inform students, employees and other persons about which University employees are Responsible Employees so that students, employees and other persons can make informed decisions about whether to disclose information to those University employees. Whether an employee is a Responsible Employee will vary based on factors such as the status of the Complainant and the Respondent (i.e., whether they are students, employees, and/or persons who are neither students nor

³ Responsible Employees are required to report information they receive about Sexual Misconduct or Relationship Violence.

⁴ The reporting options in this section also are available to a Reporter who is not a Complainant.

employees) and the employee’s authority to address violations of this policy. Questions concerning whether a particular employee is a Responsible Employee should be directed to the Title IX Coordinator.

Appendix B identifies the options for a Complainant to report an incident of Sexual Misconduct or Relationship Violence to the University. The employees identified in Appendix B as reporting options in a particular situation are the University’s Responsible Employees.

Responsible Employees are not confidential University resources like the resources described in Section V.A.1. However, subject to a Complainant’s request for confidentiality (**Section III.A.5**) and applicable legal disclosure obligations (**Section III.E**), information communicated to a Responsible Employee will initially be shared only within the limited circle of those University employees whom the University reasonably needs to involve in the University’s response to an incident of Sexual Misconduct or Relationship Violence. Subsequently, information about the report will be shared only as reasonably necessary with investigators, witnesses, and the Respondent, subject to a Complainant’s request for confidentiality and applicable legal disclosure obligations. **Responsible Employees who are not employees of UTPD will not share information with UTPD or any other law enforcement agency without a Complainant’s written consent, in accordance with FERPA.**

The only way for a Complainant (or any other person) to provide notice to the University of an incident of Sexual Assault or Relationship Violence is to report the incident to a Responsible Employee. If an incident is not reported to a Responsible Employee, then the University will not be able to take steps to: identify resources for the Complainant, such as Interim Measures; or promptly, thoroughly, and equitably investigate the incident and/or resolve the situation in order to eliminate the Sexual Misconduct or Relationship Violence, prevent its recurrence, and address its effects on the Complainant or the University community.

1. Reporting Options for a Complainant Who is a Student

This Section III.A.1 describes the non-law enforcement options for a Complainant who is a University student to report Sexual Misconduct or Relationship Violence to the University.

A Complainant who is a University student is encouraged to report Sexual Misconduct or Relationship Violence to one of the following University employees:

Title IX Coordinator or the Office of Equity & Diversity (Section I.D)	S.A.R.T. (865-974-HELP)/(865-974-4357)	Deputy Title IX Coordinators (Section I.D)
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A Complainant who is a University student may also report Sexual Misconduct or Relationship Violence to one of the University's other non-law enforcement Responsible Employees:

<p>Office of the Dean of Students (865-974-3179)</p>	<p>Office of Student Conduct (865-974-3171)</p>	<p>Faculty Members</p>
<p>Hall Director, Assistant Hall Director, or Resident Assistant in University Housing</p>	<p>Complainant's supervisor <i>(only if the Complainant is a University student employee)</i></p>	<p>Chancellors, Vice Chancellors, Associate Vice Chancellors, or Assistant Vice Chancellors</p>
<p>Deans, Associate Deans, Assistant Deans, Executive Directors, Directors, Associate Directors, Assistant Directors, or Department Heads</p>	<p>Academic advisors (but not tutors)</p>	<p>Faculty and staff advisors to registered student organizations</p>
<p>Respondent's supervisor <i>(only if the Respondent is a University employee, including a student employee)</i></p>	<p>The Executive Director or the Director of Human Resources Employee Relations (865-974-8847) <i>(only if the Respondent is a University employee, including a student employee)</i></p>	<p>One of the following employees in the Department of Intercollegiate Athletics <i>(only if the Complainant is a University student-athlete or if the Respondent is a University student-athlete or employee, including a student employee, in the Department of Intercollegiate Athletics)</i>:</p> <p>Athletic Director; Executive Senior Associate Athletic Director; Senior Associate Athletic Directors; Associate Athletic Directors; and Assistant Athletic Directors; Coaches, Associate Coaches, and Assistant Coaches; Compliance staff; Sports Medicine staff (but not Team Physicians, Director of Mental Training, and Team ENHANCE/EXCEL Coordinator); Strength and Conditioning staff; and Directors of Operations.</p>
<p>Graduate Teaching Assistants who receive a report in their teaching capacity</p>	<p>A University employee designated as a Campus Security Authority for Clery Act compliance (http://utpolice.utk.edu/clery-act/)</p>	

2. Reporting Options for a Complainant Who is an Employee

A Complainant who is a University employee has four non-law enforcement options to report Sexual Misconduct or Relationship Violence to the University **when the Respondent is not a University student** (e.g., the Respondent is a University non-student employee):

Title IX Coordinator or the Office of Equity & Diversity	Complainant's supervisor
Respondent's supervisor (if the Respondent is a University employee)	Executive Director or Director of the University's Human Resources Employee Relations unit (865-974-8847)

A Complainant who is a University employee has six options to report Sexual Misconduct or Relationship Violence to the University **when the Respondent is a University student**:

Title IX Coordinator or the Office of Equity & Diversity	Complainant's supervisor
Respondent's supervisor (if the Respondent is a University employee, including a student employee)	Executive Director or Director of the University's Human Resources Employee Relations unit (865-974-8847)
Deputy Title IX Coordinators	Office of the Dean of Students (865-974-3179) or Office of Student Conduct (865-974-3171)

3. Reporting Options for a Complainant Who is Neither a Student Nor an Employee

The Title IX Coordinator (or the Office of Equity & Diversity) is the only non-law enforcement option for a Complainant who is neither a University student nor a University employee to report a violation of this policy to the University.

4. What to Expect after Reporting Sexual Misconduct or Relationship Violence to a Responsible Employee

After receiving a report of Sexual Misconduct or Relationship Violence (either directly from a Reporter or indirectly from a Responsible Employee), the Title IX Coordinator, a Deputy Title IX Coordinator, and/or a member of the S.A.R.T. will initiate immediate and appropriate steps by the University to: have an appropriate University employee meet with or otherwise communicate with the Complainant;

in cases of Sexual Assault and Relationship Violence, provide a Complainant with a copy of this policy and/or another written publication approved by the Title IX Coordinator to inform the Complainant of the Complainant's rights under this policy (if that has not already been done by a Responsible Employee); evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant's request for confidentiality (**Section III.A.5**), initiate the investigation and resolution procedures outlined in **Section VI** of this policy. The Title IX Coordinator, a Deputy Title IX Coordinator, and/or a member of the S.A.R.T. also can assist a Complainant in reporting the incident to law enforcement.

5. If the Complainant Requests Confidentiality: How the University Will Weigh the Request and Respond

If a Complainant discloses an incident of Sexual Misconduct or Relationship Violence to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University will seriously weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all members of the University community, including the Complainant.

If the University honors the Complainant's request for confidentiality, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent or take other remedial action may be limited. Although rare, there are times when the University may not be able to honor a Complainant's request in order to provide a safe, non-discriminatory environment. For example, if the University has credible information that the Respondent has committed one or more prior acts of Sexual Misconduct or Relationship Violence, then the balance of factors might compel the University to investigate the allegation, and, if appropriate, pursue disciplinary action in a manner that may make known the Complainant's identity to the Respondent.

The Title IX Coordinator typically is the University official who evaluates requests by Complainants for confidentiality. When weighing a Complainant's request for confidentiality or that no investigation or discipline be pursued, the University will consider a range of factors, including, without limitation, the following factors:

- the risk that the Respondent will commit additional acts of Sexual Misconduct or Relationship Violence, such as:
 - whether there have been other Sexual Misconduct or Relationship Violence reports concerning the same Respondent;
 - whether the Respondent has a history of Sexual Misconduct or Relationship Violence;
 - whether the Respondent threatened further Sexual Misconduct or Relationship Violence or other misconduct against the Complainant or others; and
 - whether the Sexual Misconduct or Relationship Violence was committed by multiple perpetrators;
- whether the Sexual Misconduct or Relationship Violence was perpetrated with a weapon;
- whether the University possesses other means to obtain relevant evidence of the Sexual Misconduct or Relationship Violence (e.g., security cameras or personnel, physical evidence); and

- whether the Complainant's report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of those factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of those factors is present, then the University will likely respect the Complainant's request for confidentiality. If the University determines that it can respect a Complainant's request for confidentiality, then the University will take reasonable steps to respond to the report consistent with the Complainant's request for confidentiality and will take immediate actions that the University determines are necessary to protect and assist the Complainant while keeping the Complainant's identity confidential (e.g., providing the Complainant with Interim Measures).

If the University determines that it cannot maintain a Complainant's confidentiality, then the University will inform the Complainant prior to starting an investigation and will, to the extent possible and unless otherwise required by law, only share information with people responsible for handling the University's response. If the University determines that it must disclose the Complainant's identity to the Respondent, then the University will inform the Complainant of that determination prior to the disclosure. The University will honor a request by the Complainant that the University inform the Respondent that the Complainant asked the University not to investigate or seek discipline. The University will take ongoing steps that it determines are reasonable and appropriate to protect the Complainant from Retaliation or harm and work with the Complainant to create a safety plan. Retaliation against the Complainant, whether by students or University employees, will not be tolerated. The University will also assist the Complainant to access the support resources identified in **Section V**, including Interim Measures, and inform the Complainant of the right to report a crime to campus or local law enforcement (and provide the Complainant with assistance in reporting if the Complainant requests it).

The University will not require a Complainant to participate in any investigation or disciplinary proceeding.

Because the University is under a continuing obligation to address the issues of Sexual Misconduct and Relationship Violence campus-wide, reports of Sexual Misconduct or Relationship Violence (including non-identifying reports) may also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported Sexual Misconduct or Relationship Violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting additional climate assessments/victimization surveys; and/or revisiting its policies and practices.

6. Amnesty for Students Who Report Sexual Misconduct or Relationship Violence to the University

The University recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident may be hesitant to report an incident to the University because of a fear of disciplinary sanctions for student's own violation of the Standards of Conduct. However, a student who reports Sexual Misconduct or Relationship Violence to the University, either as a Complainant or a Reporter, generally will not face disciplinary charges under the Standards of Conduct solely for possessing or being under the influence of alcohol and/or drugs.

B. HOW TO REPORT TO LAW ENFORCEMENT

Sexual Misconduct or Relationship Violence may constitute both a violation of this policy and criminal law. Therefore, the University encourages persons to report incidents of Sexual Misconduct or Relationship Violence to law enforcement. Prompt reporting of an incident to law enforcement is especially critical for incidents of Sexual Assault and Relationship Violence because the collection and preservation of evidence relating to Sexual Assault and Relationship Violence often is essential for law enforcement investigations and criminal prosecutions.

A Complainant has the right to decline to report the incident to law enforcement. Even if a Complainant does not report the incident to law enforcement, the Complainant may still request Interim Measures from the University by reporting the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, the S.A.R.T., or another Responsible Employee.

1. Contact Information for Campus and Local Law Enforcement

The following options are available 24 hours, seven days a week, for reporting an incident of Sexual Misconduct or Relationship Violence to law enforcement:

INCIDENT LOCATION	CONTACT
Regardless of where the incident occurred	Call 911 in an emergency or UTPD 1101 Cumberland Avenue, Knoxville, TN 865-974-3111 http://utpolice.utk.edu/
In the City of Knoxville	Knoxville Police Department (KPD) 800 Howard Baker, Jr. Avenue, Knoxville, TN 865-215-4010 http://www.cityofknoxville.org/kpd/ or UTPD
In Knox County but outside of the City of Knoxville	Knox County Sheriff 400 Main Street, Suite L165, Knoxville, TN 37902 865-215-2243 http://www.knoxsheriff.org or UTPD
Outside of Knox County	Contact the law enforcement agency that has jurisdiction over the location where the incident

	<p>occurred</p> <p>or</p> <p>Contact UTPD for assistance in contacting another jurisdiction's law enforcement agency</p>
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Upon the Complainant's request, the Title IX Coordinator, a Deputy Title IX Coordinator, and/or another member of the S.A.R.T. will assist a Complainant in contacting UTPD or another appropriate local law enforcement agency.

Employees of UTPD are also Responsible Employees. Accordingly, if a person reports an incident to UTPD, and the incident has not been previously reported to a Responsible Employee outside of UTPD, then UTPD will contact the Title IX Coordinator, a Deputy Title IX Coordinator, and/or a member of the S.A.R.T. Then, the Title IX Coordinator, a Deputy Title IX Coordinator, and/or a member of the S.A.R.T. will contact the Complainant regarding the University's response to the report (**Section III.A.4**). In contrast, if a Complainant reports the incident to KPD or another law enforcement agency other than UTPD, then the Complainant also will need to report the incident to a Responsible Employee if the Complainant wants the University to take any action under this policy.

2. What to Expect after Reporting Sexual Misconduct or Relationship Violence to Law Enforcement

Even if the Complainant is unsure whether to pursue criminal prosecution or an order of protection, the University recommends that the Complainant report the incident to law enforcement as soon as possible. In most cases, after addressing a Complainant's immediate safety needs and/or needs for medical care, a law enforcement officer will meet with the Complainant and take a statement about what occurred. It may help a Complainant to write down every detail the Complainant can remember, as soon as possible, so the Complainant can communicate the details to law enforcement. In cases of Sexual Assault and Relationship Violence, in addition to taking a statement, the law enforcement officer may ask to examine the scene of the incident and collect bedding, clothing, or other items of evidentiary value. A UTPD law enforcement officer also will conduct a thorough interview to record as many details as possible and as precisely as possible.

If law enforcement determines that a crime occurred after concluding its investigation, then law enforcement will refer the matter to the district attorney. **The district attorney will decide whether to pursue criminal prosecution; however, it is unusual for cases to proceed without the cooperation of the Complainant. Reporting the incident to law enforcement does not obligate the Complainant to cooperate with the district attorney's criminal prosecution.** If criminal prosecution is pursued, however, the likelihood of success will be much higher if the Complainant reported and allowed evidence to be collected immediately after the incident of Sexual Assault or Relationship Violence.

3. How University Policies/Procedures Relate to Criminal Law/Procedures

The University will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process, to the extent permitted by law. However, this policy may differ in significant respects from criminal law. A Complainant may seek resolution through the University's procedures outlined in this policy, may pursue criminal action, may choose one but not the other, or may choose both.

Neither law enforcement’s determination whether to prosecute a Respondent nor the outcome of any criminal prosecution is determinative of whether Sexual Misconduct or Relationship Violence occurred in violation of this policy. Procedures under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. The University normally does not wait until a criminal investigation or proceeding is concluded before conducting its own investigation, implementing Interim Measures, and/or taking other appropriate action. Although the University may need to delay temporarily the fact-finding portion of its investigation while law enforcement is gathering evidence, the University will take Interim Measures to support the Complainant during such a delay. Decisions made or sanctions imposed by the University are not based on a result of criminal or civil charges against a Respondent arising from the same incident being dismissed, reduced, rejected, sustained, or not prosecuted; however, a Respondent’s plea or a finding against a Respondent in a criminal or civil proceeding may, at the University’s discretion, be used by the University in a University disciplinary proceeding.

C. HOW TO REPORT ANONYMOUSLY

Persons may report Sexual Misconduct or Relationship Violence anonymously to UTPD through **Tip411**. Tip411 is an Internet-based tool that enables the public to send an anonymous tip to police via text message, and enables the police respond by creating a two way anonymous “chat.” To send an anonymous tip to UTPD via text message, text the keyword “**UTPD**” and one’s message to **847411** (tip411). One may also send an anonymous tip to UTPD online at <http://utpolice.utk.edu/anonymous-tips/>. UTPD generally will respond as described in **Section III.B**. The amount and level of detail of the information provided to UTPD will affect how thoroughly UTPD is able to respond to the report.

Persons also may report a crime anonymously to the Knoxville Police Department by calling **(865) 215-7212**. Persons may report a crime anonymously to the Knox County Sheriff by visiting www.knoxsheriff.org/tip/index.php or by texting the word “**Knox**” to “**Crimes 274637**”.

Texting is not an alternative to calling 911; in an emergency, call 911.

D. CONFIDENTIAL RESOURCES

Section V.A describes options to communicate confidentially with someone regarding an incident of Sexual Misconduct or Relationship Violence.

E. THE UNIVERSITY’S DISCLOSURE OBLIGATIONS UNDER FEDERAL AND TENNESSEE LAW RELATING TO REPORTS OF SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE

1. Clery Act

Certain University employees, called Campus Security Authorities, have a duty to report certain incidents of Sexual Misconduct and Relationship Violence to UTPD to comply with the Clery Act. Campus Security Authorities are not required to report personally identifiable information to UTPD for Clery Act purposes, but statistical information must be sent to UTPD regarding the type of incident that occurred and its general location (e.g., on or off-campus) for publication in an annual report of crime statistics, called the Annual Security Report. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, **but the statistics do not personally identify Complainants.**

Complainants of Sexual Misconduct and Relationship Violence also should be aware that the Clery Act requires the University to issue timely warnings for crimes reported to UTPD or Campus Security Authorities that pose a substantial threat of bodily harm or danger to members of the campus community. The University will undertake reasonable efforts to avoid disclosing a Complainant's name and other identifying information, while still providing enough information for community members to make safety decisions in light of the potential danger.

2. FERPA

In accordance with FERPA, personally identifiable information concerning a Complainant, Respondent, or Reporter who is a student will not be disclosed by the University to third parties unaffiliated with the University without the consent of the student except in response to a lawfully issued subpoena, court order, or as otherwise required or allowed by law (see, e.g., **Section III.E.3** relating to the Tennessee Public Records Act) However, if, during a University's investigation or resolution of Sexual Misconduct or Relationship Violence, a Respondent who is a student makes a request to review documents concerning the investigation, the University will be required by FERPA to grant the Respondent's request to inspect and review records that relate specifically to the Respondent, but the University will redact the Complainant's name and any other identifying information to the maximum extent allowed by law.

3. Tennessee Public Records Act

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

4. Due Process

After the University has formally accused a Respondent of violating this policy, the Respondent may have a constitutionally-protected due process right to be informed of the nature of the allegations, including the identity of the Complainant.

F. TAKE BACK THE NIGHT AND OTHER PUBLIC AWARENESS EVENTS

Public awareness events such as "Take Back the Night," candlelight vigils, protests, "survivor speak outs" or other forums in which students or employees disclose incidents of Sexual Misconduct or Relationship Violence, are not considered notice to the University of Sexual Misconduct or Relationship Violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University may provide information about Complainants' Title IX rights at these events.

G. FALSE REPORTING

An accusation of Sexual Misconduct or Relationship Violence may have severe consequences for a Respondent. A Reporter who makes a report that is later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action, up to and including termination of employment or dismissal from the University. This provision does not apply to reports made in Good Faith, even if the facts alleged in the report are not substantiated by an investigation. Similarly, a Respondent or other person who is later proven to have intentionally given false information during the course of a University investigation or disciplinary proceeding action may be subject to disciplinary action, up to and including termination of employment or dismissal from the University.

IV. RETALIATION

The University prohibits acts or attempted acts to retaliate, intimidate, threaten, coerce, seek retribution, or otherwise discriminate against any person:

1. because the person opposed conduct prohibited by this policy;
2. because the person reported Sexual Misconduct or Relationship Violence to the University in Good Faith;
3. because the person participated (or is reasonably expected to participate) in Good Faith in any manner in an investigation, proceeding, hearing, or Interim Measure under this policy; or
4. because the person exercised their rights or responsibilities under any provision of the Clery Act.

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 independent of any sanction or Interim Measures imposed in response to the underlying allegation of misconduct. Retaliation is a violation of this policy regardless of whether the underlying allegation of a violation of this policy is ultimately found to have merit.

Retaliation should be reported in the same manner in which Sexual Misconduct and Relationship Violence is reported under this policy (**Section III**). The University generally will investigate and resolve reports of Retaliation in the same manner in which it handles reports of Sexual Misconduct and Relationship Violence under this policy (**Section VI**).

V. CARE AND SUPPORT FOR COMPLAINANTS

This section of the policy outlines a variety of University and external resources and measures relating to Sexual Misconduct and Relationship Violence. In addition to the information provided in this section, information concerning options for Complainants following a Sexual Assault can be found at: <https://rainn.org/get-information/sexual-assault-recovery>.

A. CONFIDENTIAL RESOURCES

The resources identified below are able to keep information communicated to them by a Complainant completely confidential and will not communicate such information to the University, law enforcement, or any other third party, unless required by law in the limited circumstances described in **Appendix C**.

Information communicated to a person identified as a confidential resource in this Section V.A does not constitute notice or a report to the University of an incident of Sexual Misconduct or Relationship Violence. In other words, a disclosure of Sexual Misconduct or Relationship Violence to a person identified in this Section V.A (including a person supervised by them (e.g., nurses, assistants, and front-desk staff)) will not trigger a University response to an incident because the people identified in this Section V.A are not Responsible Employees and do not report any information about an incident to the Title IX Coordinator, a Deputy Title IX Coordinator, the S.A.R.T., UTPD, or another Responsible Employee without the Complainant's permission. As a result, the University will be unable to investigate the incident, pursue disciplinary action against the Respondent, or provide Interim Measures to the Complainant.

The persons identified in **Section V.A.1** can, however, help a Complainant explore options, provide information, including information on Interim Measures, and provide emotional support. A Complainant who at first requests confidentiality may later decide to report the incident to the University and/or to law enforcement and have the incident fully investigated. The persons identified in **Section V.A.1** can provide the Complainant with assistance in making such reports if the Complainant asks them to do so.

Complainants may pursue the communication options outlined in this Section V.A regardless of whether or not they choose to report the incident to the University or law enforcement. In other words, the resources described in this policy are not mutually exclusive.

1. Confidential Resources - University

If a Complainant does not desire action by the University and would like the details of the incident to be kept confidential, but desires to confide in someone, the Complainant may speak with the following persons:

- A **licensed psychologist in the Student Counseling Center (865-974-2196, from 8:00 a.m. - 5:00 p.m., Mondays-Fridays, except on University holidays, breaks, or closures)** (*resource option for students only*);

- A **licensed psychiatrist in the Student Health Center** (865-974-3648, from 8:00 a.m. – 5:00 p.m., Mondays-Fridays, except on University holidays, breaks, or closures) (*resource option for students only*);
- A **licensed physician in the Student Health Center** (865-974-3135, from 8:00 a.m. – 5:00 p.m., Mondays-Fridays, except on University holidays, breaks, or closures) (*resource option for students only*);
- A **licensed psychologist in the Psychological Clinic** (865-974-2161, from 8:00 a.m. – 5:00 p.m., Monday-Thursday, and 8:00 a.m. – 5:00 p.m. on Fridays, except on University holidays, breaks, or closures);
- A **counselor with the Employee Assistance Program** managed by Magellan Health Services (855-Here4TN (855-437-3486)) (*resource option for employees only*); and
- The following persons associated with the Department of Intercollegiate Athletics (*resource options for intercollegiate student-athletes only*):
 - the **Team ENHANCE/EXCEL Coordinator** (865-974-9754);
 - a **Team Physician** (Team Physicians are University contractors, not employees); and
 - a **Team Psychiatrist or Team Psychologist** (Team Psychiatrists and Team Psychologists are University contractors, not employees).

A physician, psychologist, psychiatrist, or social worker identified in this section is a confidential resource only if the student or employee is communicating with that person as a patient or client.

2. Confidential Resources – Non-University

Complainants of Sexual Misconduct or Relationship Violence also have options to communicate confidentially with someone who is not affiliated with the University or law enforcement. Complainants who desire to speak confidentially with someone not affiliated with the University or law enforcement may contact one of the following:

Knoxville-area resources available 24 hour/7 days a week

- **Sexual Assault Center of East Tennessee** **865-522-7273**
6215 Kingston Pike, Suite A, Knoxville (24 hour crisis line)
<http://www.mcnabbcenter.org/sacet>

In order to better serve its students, the University has entered into a Memorandum of Understanding with the Sexual Assault Center of East Tennessee (SACETN). The primary mission of the SACETN is to provide excellent and compassionate services for survivors of sexual assault and to empower communities through education and social change. The SACETN is a service of the Helen Ross McNabb Center. **A Complainant does not have to report a sexual assault to law enforcement in order to receive services from the SACETN.**

SACETN has four program areas: Sexual Assault Nurse Examinations; Advocacy; Therapy; and Education and Outreach. Three of those program areas are described in more detail below.

- Sexual Assault Nurse Examinations. A Sexual Assault Nurse Examiner (SANE) is available 24/7, 365 days a year to provide forensic nursing to sexual assault

crime victims ages 13 and older. SANE exams can be performed at a local hospital or at SACETN. All services provided by the SACETN are free, including no-cost SANE exams, pregnancy prevention, and testing and preventative treatment for sexually transmitted infections.

- Advocacy. The advocacy program of the SACETN provides victims of sexual assault with the support, information, and resources needed throughout the recovery process. Advocates work to ensure that Complainants' legal rights are protected, while also empowering Complainants to make their own decisions. Advocacy assistance includes: accompaniment during SANE exams, police interviews, legal appointments, and University and court proceedings; and assistance filing victim's compensation applications and petitions for orders of protection.
- Therapy. Therapy services are available to Complainants in crisis, Complainants who are victims of a recent sexual assault, and Complainants who were victims of a sexual assault or sexual abuse that happened months or years ago. The goal of the SACETN is to work collaboratively to address the many concerns and issues associated with sexual violence in order to promote healing. Therapists at the SACETN specialize in treating female, male, and LGBTQ Complainants and offer services to individuals of all ages.

- **University of Tennessee Medical Center** **865-305-9000**
1924 Alcoa Highway
<http://www.utmedicalcenter.org/>

NOTE: The University of Tennessee Medical Center is a separate legal entity from the University of Tennessee. As a result, a report to the University of Tennessee Medical Center does not put the University of Tennessee on notice of Sexual Misconduct or Relationship Violence.

National and state crisis lines available 24 hour/7 days a week

- **Tennessee Coalition Against Domestic & Sexual Violence** **1-800-356-6767**
<http://tncoalition.org/>
The Tennessee Coalition to End Domestic and Sexual Violence (TCEDS) is a private nonprofit organization composed of diverse community leaders and program members who share a common vision of ending violence in the lives of Tennesseans through public policy, advocacy, education and activities that increase the capacity of programs and communities to address violence. The TCEDS is a stateside organization that serves: domestic violence and sexual assault programs; community groups and organizations; criminal justice agencies; allied professionals (e.g., medical, legal, mental health professionals); individuals seeking information and resources; and immigrant victims of domestic or sexual violence, stalking or trafficking.
- **RAINN National Sexual Assault Crisis Hotline** **800-656-HOPE (4673)**
<http://www.rainn.org/get-help/national-sexual-assault-hotline>

- **National Domestic Violence Hotline** 800-799-SAFE (7233)
www.thehotline.org
- **Love is Respect – National Dating Abuse Hotline** 866-331-9474
www.loveisrespect.org/

Other confidential, non-University resources

- **A personal attorney**
- **A clergy member**
- **A physician or Qualified Mental Health Professional who is not an employee or contractor of the University**
- **A licensed marital or family therapist, licensed professional counselor, or certified clinical pastoral therapist who is not an employee or contractor of the University**

Non-University counselors, advocates, and health care providers will generally maintain confidentiality unless state law otherwise requires (**Appendix C**) or the Complainant requests the disclosure and signs a consent or waiver form.

B. NON-CONFIDENTIAL UNIVERSITY RESOURCES

The University employees/units identified below are trained to support Complainants. While not bound by confidentiality (i.e., they are Responsible Employees who are required to report knowledge of incidents of Sexual Misconduct or Relationship Violence to the University and/or take other responsive action), these University employees/units will maintain the privacy of information shared by Complainants within the limited circle of those University employees involved in the University’s response to an incident of Sexual Misconduct or Relationship Violence. When speaking with one of the resources below, Complainants are free to limit the details they share while they decide whether to report an incident to the University.

The following University employees/units are generally available Monday-Friday from 8:00 a.m. to 5:00 p.m. on University business days unless otherwise specified below:

- **Title IX Coordinator** 865-974-2498
- **Sexual Assault Response Team** 865-974-HELP (4357)
- **Deputy Title IX Coordinator for Students** 865-974-5725 or 865-974-HELP
- **Deputy Title IX Coordinator for Athletics** 865-974-9190
- **University of Tennessee Police Department** 865-974-3111
(24 hours/day, seven days/week)

Please contact UTPD if you would like a UTPD police officer to take you either to a local hospital or the Sexual Assault Center of East Tennessee for medical treatment, including a sexual assault nurse examination.

- **Office of Student Conduct and Community Standards** 865-974-3171
409 Student Services Building
<http://studentconduct.utk.edu/>
- **Office of the Dean of Students** 865-974-3179
413 Student Services Building
<http://dos.utk.edu>

C. MEDICAL CARE

A Complainant may seek medical care at any time following Sexual Misconduct or Relationship Violence. The resources described in this Section V.C are confidential resources, as described in **Section V.A.**

Medical care may be obtained from the following:

- University of Tennessee **Student Health Center** (865-974-3648, from 8:00 a.m. – 5:00 p.m., Mondays-Fridays, except on University holidays, breaks, or closures) (*option for students only*)
- **Sexual Assault Center of East Tennessee** (865-522-7273, 24 hours, seven days a week)
- **UT Medical Center** or another local hospital (24 hours, seven days a week)

In cases of Sexual Assault or Relationship Violence, it is important for a Complainant to seek immediate medical attention to determine the presence of physical injury, address pregnancy concerns, determine the possibility of exposure to sexually transmitted diseases, and, if the Complainant later decides to pursue legal options, to obtain evidence to assist in criminal prosecution, a civil action, or in obtaining a civil protection order. **According to the Sexual Assault Center of East Tennessee, the key to success in collecting physical evidence of a Sexual Assault is to collect the evidence as soon as possible after a Sexual Assault (ideally within 24 hours of a Sexual Assault but no later than 72 hours after a Sexual Assault).** Prior to seeking medical care, Complainants of Sexual Assault should not change their clothing, bathe, shower, douche, use the bathroom, brush their teeth, drink liquids, wash their hands or face, or comb their hair. If Complainants change clothes, they should place all of their clothing that was worn at the time of the incident in a paper (not plastic) bag.

The collection of evidence for use in a criminal prosecution or an order of protection hearing relating to Sexual Assault can only be performed by trained personnel at a hospital emergency room (e.g., UT Medical Center) or at the Sexual Assault Center of East Tennessee; physical examinations by other healthcare providers are likely to impede potential future legal remedies. In cases of Sexual Assault, a medical professional usually will: examine the Complainant; provide appropriate medical treatment; collect evidence of the assault, such as hairs, fluids, and fibers; and, if applicable, talk with the Complainant about the prevention of venereal disease and pregnancy. A medical examination preserves evidence for forensic analysis in the event that a Complainant wishes to pursue a criminal prosecution or an order of protection. The medical examination likely will be performed by a sexual assault nurse examiner, a nurse who is specially trained to collect evidence in cases of Sexual Assault.

D. INTERIM MEASURES

After a Responsible Employee receives a report of Sexual Misconduct or Relationship Violence, the University will implement Interim Measures designed to eliminate the reported Sexual Misconduct or Relationship Violence and protect the persons involved in the matter (e.g., Complainant, Reporter, potential witnesses).

1. Availability of Interim Measures

Interim Measures are available:

- even if the Complainant does not want to report the incident to law enforcement;
- even if the Complainant has requested confidentiality or that the University not pursue an investigation or discipline and the University has determined that it can respect a Complainant's request for confidentiality (**Section III.A.5**). (The University may be able to take measures to protect the Complainant while keeping the identity of the Complainant confidential, such as: providing support services to the Complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the Sexual Misconduct or Relationship Violence occurred);
- prior to or during an investigation of Sexual Misconduct or Relationship Violence; and
- prior to a final determination that Sexual Misconduct or Relationship Violence occurred.

2. Examples of Interim Measures

The following are examples of Interim Measures:

- informing the Complainant of the Complainant's rights under the University's procedures for complaints against students or procedures for complaints against employees or other non-students;
- informing the Complainant of the Complainant's right to report the incident to law enforcement for criminal investigation and prosecution and assisting the Complainant in reporting an incident to law enforcement, if the Complainant wants to report the incident;
- issuing a no-contact directive to the Respondent, which prohibits the Respondent from having verbal, physical, or written contact with the Complainant for a definite or indefinite period of time (the Complainant may also receive a directive to not contact the Respondent);
- issuing an interim suspension to the Respondent (if a student) prior to the conclusion of the investigation and resolution of a complaint of Sexual Misconduct or Relationship Violence (an interim suspension may be issued when the Vice Chancellor for Student Life (or designee) has reasonable cause to believe that a student's or student organization's continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of the University);
- putting a Respondent (if an employee) on leave, in accordance with other applicable University policies, prior to the conclusion of the investigation and resolution of a report of Sexual Misconduct or Relationship Violence;
- providing medical and counseling services to a Complainant who is a student;

- exploring changes in living, transportation, dining, and working arrangements for the Complainant and the Respondent;
- providing an escort to ensure that a Complainant who is a student can move safely between classes and activities;
- arranging appointments for a Complainant with follow-up on-campus support services (if a student) or off-campus support services, such as those identified in **Section V** (e.g., arranging an appointment with the Knoxville Family Justice Center to discuss options for pursuing an order of protection in Knox County Fourth Circuit Court);
- exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes (if both the Complainant and the Respondent are students);
- assisting the Complainant in communicating with faculty (for Complainants who are students);
- reviewing any disciplinary action(s) taken against the Complainant to see if there is a causal connection between the Respondent's misconduct and the misconduct that may have resulted in the Complainant being disciplined;
- providing academic support for the Complainant, including tutoring (for Complainants who are students); and
- exploring the options of re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty (for Complainants who are students).

3. Determination of Interim Measures

The specific Interim Measures implemented and the process for implementing those measures will vary depending on the facts of each case and the student or employee status of the Complainant and the Respondent. The Title IX Coordinator or a Deputy Title IX Coordinator, in consultation as needed with the S.A.R.T. or other appropriate University employees (e.g., an employee who would be involved in implementing the Interim Measure being considered), will consider a number of factors in determining what Interim Measures the University will take, including, for example: the specific desire(s) expressed by the Complainant; whether the Complainant has requested confidentiality (**Section III.A.5**); the age of the persons involved; the severity or pervasiveness of the allegations; any continuing effects on the Complainant; whether the Complainant and Respondent share the same residence hall, dining hall, classes, extracurricular activities, transportation, or job location; and whether judicial measures have been taken to protect the Complainant (e.g., civil protection orders). In implementing Interim Measures, the University attempts to minimize the burden on the Complainant while balancing the due process rights, if any, of the Respondent.

4. Subsequent Communications with the University Concerning Interim Measures

The University will strive to maintain consistent contact with the Complainant and the Respondent to ensure that all safety, emotional, and physical well-being concerns are being addressed. Persons are encouraged to report to the Title IX Coordinator concerns about the failure of another person to abide by the terms of an Interim Measure. The University will take immediate and responsive action to enforce a previously implemented Interim Measure.

E. ORDERS OF PROTECTION AND OTHER LEGAL REMEDIES

For assistance in pursuing orders of protection in Knox County Fourth Circuit Court and other legal remedies, a Complainant may contact:

- **Knoxville Family Justice Center**
400 Harriet Tubman Street
Knoxville, TN 37915
865-521-6336 (24/7 crisis line)
<http://fjcknoxville.com/>

The Title IX Coordinator/Deputy Title IX Coordinators, a member of the S.A.R.T., or UTPD can assist a Complainant with arranging an appointment with the Knoxville Family Justice Center to discuss options for pursuing an order of protection and other legal remedies.

Additional information on orders of protection can be found here:

- The Tennessee District Attorneys General Conference provides information for victims of Sexual Assault and Relationship Violence on multiple pages of its website:
<http://www.tndagc.org/dv.htm> (FAQ on orders of protection)
<http://www.tndagc.org/vwh.htm> (resource describing the criminal justice system written specifically for those who need to understand how the system relates to them as victims/survivors and how perpetrators interact with the system)
<http://www.tndagc.com/vr.htm> (description of victims' rights under Article I, Section 35 of the Tennessee Constitution relating to criminal cases)
- The Knoxville Police Department provides a list of community resources for victims of domestic violence here: http://www.cityofknoxville.org/kpd/dvu_gethelp.asp.
- The Knox County Fourth Circuit Court provides information on domestic violence and orders of protection here:
http://www.knoxcounty.org/fourthcircuitcourt/domestic_violence.php.

VI. UNIVERSITY PROCEDURES FOR INVESTIGATING AND RESOLVING REPORTS OF SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE

A. SUMMARY OF STUDENT AND EMPLOYEE PROCEDURES

A report of any form of Sexual Misconduct or Relationship Violence involving a Respondent who is a student will be resolved using the procedures described in **Section VI.B** and **Section VI.D**.

The procedure used to investigate and resolve Sexual Misconduct or Relationship Violence involving a Respondent who is an employee or other non-student generally depends on whether the incident allegedly involved non-Consensual physical contact with the Complainant.

- A report involving Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, a Sexual Violence Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking will be resolved in accordance with the procedures described in **Section VI.B** and **Section VI.C**.
- A report of Sex Discrimination (e.g., Sexual Harassment) that does **not** involve Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, a Sexual Violence Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking will be resolved by the Office of Equity & Diversity in accordance with the University's **Discrimination Complaint Procedure** (<http://oed.utk.edu/complaints/>).

Appendix D contains a chart that summarizes which complaint procedures will be used to resolve reports of Sexual Misconduct and Relationship Violence.

B. STANDARDS APPLICABLE TO ALL PROCEDURES

The standards in this Section VI.B apply to all procedures under this policy (i.e., Section VI.C and Section VI.D) for investigating and resolving reports of Sexual Misconduct or Relationship Violence, regardless of whether the Complainant or Respondent is a University student, University employee, or a person who is neither a student nor an employee.

1. Determining the Appropriate Procedure

The appropriate University procedure for investigating and resolving reports of Sexual Misconduct or Relationship Violence generally is determined by whether the Respondent is a student, employee, or a person who is neither a student nor an employee. In all of the procedures described below, the University is committed to providing a prompt, thorough, and equitable investigation and resolution. A University investigation may occur alongside, rather than in lieu of, a law enforcement investigation. The University does not use mediation to resolve incidents of Sexual Assault or Relationship Violence. The Title IX Coordinator will resolve issues regarding the appropriate investigatory and resolution procedure.

2. Selecting an Investigator

For each report of Sexual Misconduct or Relationship Violence to be investigated, the University may select an investigator(s) of its choosing, provided that the investigator has specific training and experience investigating allegations of Sexual Misconduct and Relationship Violence. Any

investigator(s) chosen to conduct the investigation must be impartial and free of any conflict of interest. The investigator(s) may be a University employee, a team of University employees, an external investigator(s) engaged to assist the University in its fact-gathering, or a team of investigators that pairs an external investigator(s) with a University employee. Investigations of reports of Sexual Misconduct and Relationship Violence are usually performed by the Office of Equity and Diversity (if the Respondent is an employee or other non-student) or the Office of Student Conduct (if the Respondent is a student). A separate law enforcement investigation may be conducted by UTPD.

3. Preponderance of the Evidence Standard

All investigations and proceedings, including disciplinary hearings, relating to Sexual Misconduct and Relationship Violence must be conducted using a “Preponderance of the Evidence” standard.

4. Advisors and Support Persons

Both the Complainant and the Respondent are entitled to bring a person of their choice to University meetings and hearings, but the person’s role is limited to providing advice, guidance, and/or support for the Complainant or the Respondent, not acting as an advocate or participant (except in a TUAPA Hearing, in which a Complainant and a Respondent are entitled to have an attorney advocate on their behalf).

5. Training

University employees and students participating in University investigations and disciplinary hearings involving Sexual Misconduct or Relationship Violence receive annual training on issues related to Sexual Misconduct and Relationship Violence and how to conduct an investigation and/or hearing in a way that protects the safety of Complainants and promotes accountability.

6. Complainants’ Rights

In addition to rights for Complainants described in other parts of this Section VI and other sections of this policy, Complainants have the following rights in cases involving Sexual Misconduct or Relationship Violence:

- notice concerning the procedure by which the University will handle the Complainant’s report and an opportunity to ask questions about University policies and procedures;
- a prompt, thorough, and equitable investigation of the Complainant’s report;
- the same opportunity as the Respondent to present an explanation of the facts during the University’s investigation;
- notice of the outcome of the University’s investigation;
- notice of the date, time, and location of a disciplinary hearing; the right to have a disciplinary hearing closed to the public if a hearing involves a student Complainant or Respondent; and the right to request rescheduling of a disciplinary hearing for good cause;

- the same access as the Respondent to any information or documents that will be used by the University during a disciplinary hearing, unless prohibited by law;
- to challenge the seating of any administrative judge or hearing officer for good cause (determined at the discretion of the Chancellor/ Agency Head); any member of a hearing board, panel, or committee for good cause (determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board; or any other hearing decision maker for good cause (determined at the discretion of the University employee responsible for supervising the hearing board));
- the same opportunity as the Respondent to be present during a disciplinary hearing, present witnesses and other evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary hearing;
- to testify or remain silent in an investigation or disciplinary hearing;
- not to be questioned directly by the Respondent during a disciplinary hearing or at any other time during the University's investigation or resolution;
- to submit a written impact statement to a hearing board, panel, or committee, or other hearing decision maker, for consideration during the sanctioning phase of a disciplinary hearing, if the Respondent is found responsible for the charges, or to the Office of Student Conduct or other administrator for consideration during the sanctioning phase of an administrative hearing, if the Respondent admits responsibility for the charges;
- to be provided with the same or equivalent rights as the Respondent to challenge or appeal the decision of a University investigation or disciplinary hearing panel, board, or other decision maker.

7. Notice to Complainants and Respondents Regarding the Outcome of Disciplinary Hearings

With respect to any University disciplinary hearing that arises from an allegation of Sexual Misconduct or Relationship Violence, the University will provide simultaneous written notification to the Complainant and the Respondent of:

- the results of the hearing;
- the University's procedures for the Complainant and the Respondent to appeal the results of the University disciplinary hearing, if such procedures are available (any such procedures shall be available to both the Complainant and the Respondent);
- any change to the results of the hearing before the results are final; and
- when the results of the hearing become final.

For the purposes of this Section VI.A.7, “results” means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the University. The results include any sanctions imposed by the University and include the rationale for the results.

8. Time Frames

The University will strive to meet the time frames described in this Section VI. In each case, however, the University will balance the need to complete a prompt investigation and resolution with the need to conduct a thorough investigation and a resolution that complies with due process. Thus, the actual time to complete an investigation and resolution may require a reasonable adjustment of the time frames in this policy depending on many factors, including: the complexity of the allegations; the complexity of the investigation and resolution; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, witnesses, and evidence (e.g., forensic evidence); a request by a Complainant to conduct an investigation or resolution at a slower pace; the effect of a concurrent criminal investigation; any intervening University holidays, breaks, or other closures; and/or other unforeseen circumstances. In the event that the need arises to significantly adjust the time frames in this policy or those previously communicated to the Complainant and the Respondent for good cause, the University will notify the Complainant and the Respondent in writing of the reason for the delay and the expected adjustment in time frames.

9. Prompt, Fair, and Impartial Proceedings

All activities related to a non-criminal resolution of a University disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings conducted by the University under this policy shall be prompt, fair, and impartial. Those activities shall be conducted in a manner that: (1) is consistent with the University’s policies and transparent to the Complainant and the Respondent; (2) includes timely notice of meetings at which the Complainant or the Respondent, or both, may be present; and (3) provides timely access to the Complainant, the Respondent, and appropriate officials to any information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings. Decision makers concerning appeals shall not have a conflict of interest or bias for or against the Complainant or the Respondent.

C. PROCEDURES FOR INVESTIGATING AND RESOLVING REPORTS INVOLVING A RESPONDENT WHO IS A UNIVERSITY EMPLOYEE OR OTHER NON-STUDENT

This Section VI.C describes procedures for investigating and resolving a report of Sexual Assault, Sexual Exploitation, Sexual Violence Crimes, Relationship Violence, or Retaliation involving a Respondent who is an employee or other non-student.

1. Meeting (Communication) with the Complainant

After receiving a report of Sexual Misconduct or Relationship Violence from a Reporter or a Responsible Employee, the Title IX Coordinator will initiate immediate and appropriate steps by the University to: inform the Complainant about this policy, including the Complainant’s rights, and give the Complainant an opportunity to ask questions; implement Interim Measures; and, subject to a Complainant’s request for confidentiality (**Section III.A.5**), investigate and resolve the matter promptly, thoroughly, and equitably in accordance with the procedures outlined in this section.

Subject to the University's legal disclosure obligations, information about the report will be shared only as reasonably necessary with investigators, witnesses and the Respondent. The Title IX Coordinator will designate one or more persons to investigate the report, which most often will be an employee in the Office of Equity and Diversity.

2. Investigation and Resolution

Unless the University determines that it will not investigate a report of Sexual Misconduct or Relationship Violence following a Complainant's request for confidentiality (**Section III.A.5**), the investigator selected by the University will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any witnesses. As part of the investigation, the University will provide an opportunity for the Complainant and the Respondent to identify witnesses and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough and equitable, and all persons will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns.

The University's investigator will make findings and recommendations (including a statement outlining the basis for them) and transmit the findings and recommendations to the appropriate University administrator. The findings and recommendations will be made available simultaneously to the Complainant and the Respondent. The appropriate administrator will review the investigator's findings and recommendations, make a determination whether this policy was violated (and, if so, what disciplinary and/or other corrective actions should be imposed), and will provide simultaneous written notification of the determination to the Complainant and the Respondent.

The University strives to complete the procedures in this Section VI.B.2 within 60 calendar days of the receipt of a report of Sexual Misconduct or Relationship Violence.

3. Appeals

A Respondent who is an employee who is not satisfied with the administrator's determination may appeal in accordance with applicable University policies and procedures, including, without limitation, **University of Tennessee System Human Resources Policy 0525 (Disciplinary Action)**, **University of Tennessee System Human Resources Policy 0640 (Grievances)**, and the **University of Tennessee, Knoxville Faculty Handbook**. A Complainant shall be provided the same opportunity as a Respondent to submit information to the decision maker on appeal.

Within fifteen (15) calendar days after receipt of the administrator's determination, a Complainant who is not satisfied with the determination may appeal in writing to the next higher administrative level. The University will inform the Complainant in writing of the person to whom an appeal may be made. Any administrator who receives a Complainant's appeal shall make a decision on the appeal within ten (10) calendar days of the administrator's receipt of the appeal.

Decision makers concerning appeals must be impartial and free of any conflict of interest.

Decisions on appeals shall be provided in writing simultaneously to the Complainant and Respondent.

4. Disciplinary or Other Corrective Actions

Disciplinary actions with respect to an employee found to have committed Sexual Misconduct and/or Relationship Violence can include, without limitation: termination, demotion, suspension without pay, and/or oral or written corrective action. When the person found to have committed Sexual Misconduct and/or Relationship Violence is neither a student nor an employee, the University's corrective action(s) will vary based on the University's ability to implement corrective action(s).

D. PROCEDURES FOR INVESTIGATING AND RESOLVING REPORTS INVOLVING RESPONDENTS WHO ARE UNIVERSITY STUDENTS

This Section VI.D describes procedures for investigating and resolving reports of Sexual Misconduct or Relationship Violence involving a Respondent who is a student.

1. Meeting (Communication) with the Complainant

After receiving a report of Sexual Misconduct or Relationship Violence from a Reporter or a Responsible Employee, the Title IX Coordinator, a Deputy Title IX Coordinator, and/or a member of the S.A.R.T. will initiate immediate and appropriate steps by the University to: have an appropriate University employee meet with or otherwise communicate with the Complainant; in cases of Sexual Assault and Relationship Violence, provide a Complainant with a copy of this policy and/or another written publication approved by the Title IX Coordinator to inform the Complainant of the Complainant's rights under this policy (if that has not already been done by a Responsible Employee); evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant's request for confidentiality (**Section III.A.5**), initiate the investigation and resolution procedures outlined in this section. The Title IX Coordinator, a Deputy Title IX Coordinator, and/or a member of the S.A.R.T. also can assist a Complainant in reporting the incident to law enforcement.

2. Investigation

Unless the University determines that it will not investigate a report of Sexual Misconduct or Relationship Violence following a Complainant's request for confidentiality (**Section III.A.5**), the investigator(s) selected by the University will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any witnesses. As part of the investigation, the University will provide an opportunity for the Complainant and the Respondent to identify witnesses and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough and equitable, and all persons will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns. Investigations usually will be conducted by the Office of Student Conduct.

The investigator(s) will provide simultaneous written notice of the outcome of the investigation to the Complainant and the Respondent. The University strives to complete the procedures in this Section VI.C.2 within 60 calendar days of the receipt of a report of Sexual Misconduct or Relationship Violence.

3. Resolution

If the University determines after an investigation that a student has violated the University's Standard of Conduct for students, then the University will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. One of those steps likely will involve the Office of Student Conduct charging the Respondent with a violation of the Standards of Conduct and resolve the matter in accordance with **Section VI.B** and the University's student disciplinary regulations and procedures, a complete copy of which can be found in *Hilltopics*, the University's student handbook. A Respondent accused of committing Sexual Misconduct or Relationship Violence may accept responsibility for the disciplinary charge(s) and accept the proposed disciplinary penalty(s), or the Respondent may contest the accusation(s) and/or disciplinary penalty(s) either through a hearing before the Student Disciplinary Board, following the procedures set forth in *Hilltopics*, or a TUAPA Hearing.

The University strives to conduct disciplinary hearings concerning Sexual Assault or Relationship Violence within ten (10) calendar days of the notice to the Complainant and Respondent of the outcome of the University's investigation. The University strives to provide notice of the decision of the Student Disciplinary Board or an administrative judge or hearing officer within ten (10) calendar days after the hearing.

Decisions concerning resolutions shall be provided in writing simultaneously to the Complainant and Respondent. Before a Respondent accused of committing Sexual Misconduct or Relationship Violence accepts responsibility for a disciplinary charge(s) and accepts a proposed disciplinary penalty(s), the Complainant shall be offered an opportunity to appeal the proposed disciplinary penalty, as described in accordance with **Section VI.D.4**.

4. Appeals

Appeal by the Complainant of an Investigator's Determination. A Complainant may appeal an investigator's determination to the Vice Chancellor for Student Life by filing a written request for appeal within fifteen (15) calendar days after receipt of the investigative determination. The Vice Chancellor for Student Life may affirm the decision of the investigator, reverse the decision of the investigator and direct the Office of Student Conduct to charge the Respondent with violating the Standards of Conduct, or remand the matter for additional investigation or consideration. The Vice Chancellor for Student Life will issue a decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the appeal. A Complainant may appeal the decision of the Vice Chancellor for Student Life to the Chancellor. The Chancellor will issue a final decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the appeal.

Appeal by the Complainant of a Proposed Disciplinary Penalty. In a case in which the Respondent has indicated a willingness to accept responsibility for violating a Standard of Conduct, but the Complainant is not satisfied with the disciplinary penalty proposed by the Office of Student Conduct for the Respondent's violation of the Standard of Conduct, the Complainant will have the opportunity to appeal to the Vice Chancellor for Student Life by filing a written request for appeal within fifteen (15) calendar days after notification of the proposed disciplinary penalty by the University. The Vice Chancellor for Student Life may affirm the disciplinary penalty proposed by the Office of Student Conduct, modify the disciplinary penalty proposed by the Office of Student Conduct, or remand the matter for additional consideration by the Office of Student Conduct. The Vice Chancellor for Student

Life will issue a decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the request for review. A Complainant may appeal the decision of the Vice Chancellor for Student Life to the Chancellor. The Chancellor will issue a final decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the appeal.

Appeal by either the Complainant or the Respondent of a Decision of the Student Disciplinary Board. In cases involving Sexual Assault or Relationship Violence heard by the Student Disciplinary Board, the timeframes for appeals shall be modified in order to accomplish the goal of resolving all appeals within thirty (30) calendar days of the written decision of the Student Disciplinary Board. To accomplish that goal:

- Appeals of decisions of the Student Disciplinary Board to the Student Tribunal shall be submitted in writing to the Office of Student Conduct within five (5) calendar days of the written decision of the Student Disciplinary Board. The Student Tribunal shall issue a written decision within five (5) calendar days of the receipt of the appeal by the Office of Student Conduct.
- Appeals of decisions of the Student Tribunal to the Student Life Council shall be submitted in writing to the Office of Student Conduct within five (5) calendar days of the written decision of the Student Tribunal. The Student Life Council shall issue a written decision within five (5) calendar days of the receipt of the appeal by the Office of Student Conduct.
- Appeals of decisions of the Student Life Council to the Chancellor shall be submitted in writing to the Chancellor within five (5) calendar days of the written decision of the Student Disciplinary Board. The Chancellor shall issue a final decision on the appeal within five (5) calendar days of the receipt of the written appeal.

Appeal by University, the Complainant, or the Respondent of an Initial Order in a TUAPA Hearing. An appeal of an initial order of in a TUAPA Hearing shall be filed with the Chancellor/Agency Head within fifteen (15) calendar days after entry of the initial order. In cases involving Sexual Assault or Relationship Violence, the Chancellor/Agency Head will issue a final order or an order remanding the matter for further proceedings within ten (10) calendar days after the filing of an appeal.

Decisions on Any Type of Appeal. Decisions on appeals shall be provided in writing simultaneously to the Complainant and Respondent.

5. Disciplinary Sanctions and Other Remedial and Protective Measures

Following a final determination under University procedures that a student committed Sexual Misconduct or Relationship Violence (e.g., after appeals have been exhausted), the University will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. Such steps likely will include imposing one or more of the following disciplinary sanctions: permanent dismissal, indefinite suspension, suspension for a specific period of time, disciplinary probation, disciplinary reprimand, restitution, education, loss of privilege, and/or warning. In addition to imposing disciplinary sanctions, the University may implement other remedial and protective actions, including: issuing a no-contact directive to the Respondent; providing medical and counseling services to the Complainant (for a student Complainant); exploring changes in living,

transportation, dining, and working arrangements for the Complainant and the Respondent; providing an escort to ensure that the Complainant can move safely between classes and activities (for a student Complainant); exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes (for a student Complainant); assisting the Complainant in communicating with faculty (for a student Complainant); providing academic support for the Complainant, including tutoring (for a student Complainant); and exploring options for re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty (for a student Complainant). The University will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects.

VII. REQUIREMENTS AND GUIDELINES FOR RESPONSIBLE EMPLOYEES

A. REQUIRED ACTIONS

A Responsible Employee who receives information concerning an incident of Sexual Misconduct or Relationship Violence **shall**:⁵

1. assist the Complainant with obtaining medical assistance (if needed or requested) or accessing other on- or off-campus resources (if requested);
2. encourage the Complainant to report the incident to law enforcement and assist the Complainant in contacting law enforcement if requested by the Complainant; and
3. report the incident to the University:
 - evaluate whether University Safety Policy 0575 applies because the incident involves suspected child abuse or child sexual abuse (if so, comply with the reporting requirements of that policy); or
 - if University Safety Policy 0575 does not apply, report the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, or a member of the S.A.R.T. promptly after receiving notice of the incident (no later than 48 hours after receiving the report⁶).⁷ The Responsible Employee shall communicate: (1) details known about the alleged incident that the University will need to determine what happened – including the names of the Complainant, Reporter, and Respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident; and (2) if applicable, communicate to the Title IX Coordinator, a Deputy Title IX Coordinator, or a member of the S.A.R.T. that a Complainant has requested that the University maintain confidentiality.

Deputy Title IX Coordinators and members of the S.A.R.T. must inform the Title IX Coordinator of all reports of Sexual Misconduct and Relationship Violence. In cases involving Sexual Assault or Relationship Violence, the Title IX Coordinator must ensure that a copy of this policy or another

⁵ In addition to the responsibilities of a Responsible Employee described in this Section VII, the Title IX Coordinator, Deputy Title IX Coordinators, the S.A.R.T., and UTPD also are responsible for carrying out responsibilities described in other sections of this policy. The Title IX Coordinator, Deputy Title IX Coordinators, the S.A.R.T., and/or UTPD may develop internal procedures for the purposes of implementing this policy, as long as the procedures do not conflict with this policy.

⁶ If the end of the 48 hour reporting window falls on a weekend or a University holiday, then the Responsible Employee should report the incident as soon as possible on the next University business day.

⁷ A Responsible Employee may also inform his/her supervisor of the incident. With the prior approval of the Title IX Coordinator, a University unit may adopt a policy that requires a Responsible Employee in the unit to report an incident of Sexual Misconduct or Relationship Violence to his/her supervisor or other designee within the unit, who, in lieu of the Responsible Employee who received notice of the incident, shall promptly report the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, or a member of the S.A.R.T.

written publication approved by the Title IX Coordinator has been provided to the Complainant to inform the Complainant of their rights under this policy.

Complainants who are Responsible Employees are not required to report or take any other action identified in this section with respect to Sexual Misconduct or Relationship Violence to which they have been subjected.

B. RECOMMENDED ACTIONS

Before a person reveals information to the Responsible Employee that the person may wish to keep confidential, use his/her best efforts to ensure that the person understands:

1. the Responsible Employee's obligation to report the names of a Respondent and a Complainant involved in the alleged Sexual Misconduct or Relationship Violence, as well as other relevant facts regarding the alleged incident, to the University;
2. the person's ability to share the information confidentially with certain on- and off-campus resources (**Section V.A**);
3. a Complainant's option under this policy to request that the University maintain confidentiality (**Section III.A.5**), if the person indicates that he/she wants to disclose information to the Responsible Employee but wishes to maintain confidentiality;
4. if the person indicates hesitancy to report an incident to the University, inform the person that the University prohibits Retaliation and will not only take steps to prevent Retaliation but also take strong responsive action if Retaliation occurs; and

A Responsible Employee who receives information concerning an incident of Sexual Misconduct or Relationship Violence **should**:

1. provide emotional support to the Complainant;
2. encourage the Complainant to preserve any physical evidence (e.g., if possible, the Complainant should not shower, bathe, douche, change clothes, brush his/her teeth, or comb his/her hair);
3. inform the Complainant that the Responsible Employee will be reporting the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, or a member of the S.A.R.T., one of whom will be contacting the Complainant to provide further guidance and assistance; and
4. provide a Complainant with a copy of this policy or another written publication approved by the Title IX Coordinator, if available, to inform the Complainant of the Complainant's rights under this policy.

C. PROHIBITED ACTIONS

A Responsible Employee who receives notice of an incident of Sexual Misconduct or Relationship Violence **shall not**:

1. guarantee to a Complainant that the Responsible Employee will keep information confidential;
2. share information about the incident with a person who does not have a University-related need to know;
3. share information about the incident with law enforcement (including UTPD) without the Complainant's consent; and/or
4. investigate or otherwise attempt to resolve reports of Sexual Misconduct or Relationship Violence without the approval of the Title IX Coordinator (this provision does not apply to UTPD), other than taking an action required or recommended in **Section VII.A-B**.

D. UTPD

UTPD shall provide the Title IX Coordinator with access to its investigation notes and findings as necessary for the University's non-law enforcement investigation, as long as providing the notes and findings would not compromise UTPD's law enforcement investigation.

When the University's non-law enforcement investigation of a report of Sexual Misconduct or Relationship Violence occurs concurrently with a law enforcement investigation of the same incident, UTPD shall not cause the University's non-law enforcement investigation to be delayed pending the outcome of UTPD's law enforcement investigation, except for the collection of evidence.

VIII. PREVENTION AND AWARENESS PROGRAMS

The University implements comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to prevent Sexual Misconduct and Relationship Violence by and against members of the University community. The University intends that its Prevention Programs: (1) be culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and (2) consider environmental risk and protective factors as they occur on the individual, relationship, University, community, and societal levels. Prevention Programs include both Primary Prevention Programs, Primary Awareness Programs, and Ongoing Prevention and Awareness Campaigns.

A. PRIMARY PREVENTION PROGRAMS

The University implements comprehensive, intentional, and integrated programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to prevent Sexual Misconduct and Relationship Violence by and against members of the University community through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe Bystander Intervention, and seek to change behavior and social norms in healthy and safe directions.

The University implements programs for incoming students and new employees that inform them about:

- this policy, including: the University's prohibition against Sexual Misconduct and Relationship Violence; the definitions of Tennessee Sexual Violence Crimes and Tennessee Relationship Violence Crimes; the definition of consent with respect to crimes relating to sexual activity in the State of Tennessee; and the information that is included in this policy in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);
- Bystander Intervention; and
- Risk Reduction.

Questions about the University's current Primary Prevention Programs should be directed to the Title IX Coordinator or the Deputy Title IX Coordinator for Students.

B. PRIMARY AWARENESS PROGRAMS

The University implements comprehensive, intentional, and integrated community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent Sexual Misconduct and Relationship Violence, promote safety, and reduce the perpetration of Sexual Misconduct and Relationship Violence.

Questions about the University's Primary Awareness Programs should be directed to the Title IX Coordinator or the Deputy Title IX Coordinator for Students.

C. ONGOING PREVENTION AND AWARENESS CAMPAIGNS

The University implements comprehensive, intentional, and integrated programming, initiatives, and strategies for students and employees that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing Sexual Misconduct and Relationship

Violence using a range of strategies with audiences throughout the University and including information about:

- this policy, including: the University's prohibition against Sexual Misconduct and Relationship Violence; the definitions of Tennessee Sexual Violence Crimes and Tennessee Relationship Violence Crimes; the definition of consent with respect to crimes relating to sexual activity in the State of Tennessee; and the information that is included in this policy in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);
- Bystander Intervention; and
- Risk Reduction.

Questions about the University's ongoing prevention and awareness campaigns should be directed to the Title IX Coordinator or the Deputy Title IX Coordinator for Students.

APPENDIX A: DEFINITIONS

The following definitions apply for the purposes of this policy:

- A. BYSTANDER INTERVENTION:** Safe and positive options that may be carried out by a person(s) to prevent harm or intervene when there is a risk of Sexual Misconduct or Relationship Violence. Bystander Intervention includes: recognizing situations of potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening; identifying safe and effective intervention options; and taking action to intervene. More information about Bystander Intervention can be found at: <http://wellness.utk.edu>.
- B. CAMPUS SECURITY AUTHORITIES:** Individuals from whom the University collects certain crime statistics for purposes of the Clery Act. A list of the job titles of the University's Campus Security Authorities can be found at: <http://utpolice.utk.edu/clery-act/>.
- C. CLERY ACT:** The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. § 1092(f). More information about the Clery Act, including the University's Annual Security Report, can be found at: <http://utpolice.utk.edu/clery-act/>.
- D. CLERY GEOGRAPHY:** Clery Geography means property for which the University is required to report crime statistics pursuant to the Clery Act.
- E. COERCION:** Words or conduct that, viewed from the perspective of a Reasonable Person, substantially impair a person's ability to voluntarily choose whether to engage in a particular sexual act (e.g., Sexual Contact or Sexual Intercourse). Coercion is something more than mere seduction or persuasion.
- Coercion includes, without limitation:
1. physical force; and
 2. words and/or conduct that would cause a Reasonable Person to fear imminent: harm to the person's health, safety, or property or that of a third person; threat of the loss of a job benefit; or kidnapping of the person or a third person.
- F. COMPLAINANT:** A person who asserts that he/she has been subjected to Sexual Misconduct or Relationship Violence. This term does not imply pre-judgment concerning whether the person was subjected to Sexual Misconduct and/or Relationship Violence.
- G. CONSENT (OR CONSENSUAL):** The knowing and voluntary communication, through words and/or conduct, of an agreement to engage in a particular act, including without limitation a particular act of Sexual Contact or Sexual Intercourse.

For the purposes of this policy, the following rules shall be used to determine whether Consent was communicated for a particular act:

1. Whether an individual has communicated Consent is evaluated from the perspective of what a Reasonable Person who perceived the individual's words and/or conduct would have understood.
2. One's own use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from the other person. Moreover, another person's use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from that person.
3. Consent must exist from the beginning to the end of each sexual encounter and for each particular act (e.g., Sexual Contact and Sexual Intercourse) that occurs during a sexual encounter.
4. The responsibility for obtaining Consent rests with the individual who voluntarily and physically initiates a particular act (e.g., Sexual Contact and Sexual Intercourse), even if the other person initiated the sexual encounter.
5. Consent cannot be obtained by taking advantage of the Incapacitation of another person, or inferred from the Incapacitation of another person, if one knew (or a Reasonable Person would have known) that the other person was Incapacitated. Because the Incapacitation of another person may be difficult for one to discern, persons subject to this policy are strongly encouraged to err on the side of caution (i.e., when in doubt, assume that the other person is Incapacitated and therefore unable to give Consent.)
6. Consent also cannot be obtained by or inferred from:
 - Coercion;
 - silence that is not accompanied by conduct evidencing an agreement to engage in a particular sexual act;
 - Consent communicated by the other person on a previous occasion;
 - Consent communicated to another person;
 - the other person's failure to resist physical force (however, for purposes of this policy, the other person's resistance to physical force will be viewed as a clear demonstration that the person has not communicated Consent);
 - the sexual arousal of the other person;
 - a current or previous dating, romantic, intimate, or sexual relationship with the other person;
 - currently or previously cohabitating with the other person;
 - the other person's attire;
 - the other person's reputation;
 - the other person's giving or acceptance of gifts; or
 - the other person's extension or acceptance of an invitation to go to a private residence, room, or location.
7. A verbal "No" (or words equivalent to "No"), even if it sounds insincere or indecisive, always means that Consent has not been communicated, or if previously communicated,

- has been withdrawn. The absence of a verbal “No” does not necessarily mean that Consent has been communicated.
8. Consent to one type of Sexual Contact or Sexual Intercourse (e.g., oral intercourse) does not constitute or imply Consent for another type of Sexual Contact or Sexual Intercourse (e.g., vaginal intercourse), whether during a sexual encounter or during a previous sexual encounter.
 9. A person has a right to change his/her mind; thus, Consent to engage in a particular act of Sexual Contact or Sexual Intercourse may be withdrawn by a person at any time. A withdrawal of Consent is communicated through a person’s words and/or conduct. Once a person’s withdrawal of Consent has been communicated through that person’s words and/or conduct, the other person must cease the particular act of Sexual Contact or Sexual Intercourse. Consent also is automatically withdrawn by a person who becomes Incapacitated.
 10. A person who is under the age of eighteen (18) (i.e., a minor) cannot give Consent; however, a person who is at least the age of thirteen (13) and less than the age of eighteen (18) can give Consent to sexual acts with another person who is less than four (4) years older than them.
 11. The definition of consent for the purposes of criminal law in the State of Tennessee is explained in **Appendix E**.

H. DEPUTY TITLE IX COORDINATOR(S): The person(s) identified as Deputy Title IX Coordinators in **Section I.D**.

I. FERPA: The Family Educational Rights and Privacy Act of 1974.

J. GOOD FAITH: Having a belief in the truth of information that a reasonable person in the same position could have, based on the information known to the person communicating the information at the time the information was communicated by that person. A report or other information communicated during an investigation, hearing, or other proceeding under this policy is not made in good faith if made with knowing or reckless disregard for information that would negate the report or information.

K. INCAPACITATED (OR INCAPACITATION): A temporary or permanent state in which a person cannot make informed, rational judgments (e.g., judgments concerning Sexual Contact, Sexual Intercourse, or Sexual Exploitation) because: the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct; and/or the person is unable to physically or verbally communicate Consent. Incapacitation can be voluntary or involuntary. Incapacitation is determined based on the totality of the circumstances.

Incapacitation may result from: sleep; unconsciousness; temporary or permanent physical or mental disability; involuntary physical restraint; or the influence of alcohol, drugs, or other

substances, including, without limitation, substances used to facilitate Sexual Assault (e.g., Rohypnol, Ketamine, GHB, and Burundanga).

When alcohol, drugs, or other substances are involved, Incapacitation is a state beyond mere drunkenness or intoxication. Indicators of Incapacitation may include, without limitation: lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; vomiting; unresponsiveness; and inability to communicate coherently.

- L. INTERIM MEASURES:** Reasonable and appropriate measures, as determined by the University, which are designed to eliminate reported Sexual Misconduct or Relationship Violence and protect the persons involved in the matter (e.g., Complainant, Reporter, potential witnesses).
- M. NON-CONSENSUAL SEXUAL CONTACT:** Engaging in Sexual Contact with another person without the Consent of that person.
- N. NON-CONSENSUAL SEXUAL INTERCOURSE:** Engaging in Sexual Intercourse with another person without the Consent of that person.
- O. OFFICE OF STUDENT CONDUCT:** The University's Office of Student Conduct and Community Standards.
- P. PREPONDERANCE OF THE EVIDENCE:** The amount of evidence that causes one to conclude that an allegation is probably true (i.e., more likely true than not true). If the evidence on a particular allegation is equally balanced, then that allegation has not been proven by a preponderance of the evidence. *(The source of this definition is Tennessee Pattern Jury Instruction 2.40.)*
- Q. QUALIFIED MENTAL HEALTH PROFESSIONAL:** A person who is licensed in the state of Tennessee, if required for the profession, and who is: a psychiatrist; physician with expertise in psychiatry as determined by training, education, or experience; psychologist with health service provider designation; psychological examiner or senior psychological examiner; licensed master's social worker with two years of mental health experience or licensed clinical social worker; marital and family therapist; nurse with a master's degree in nursing who functions as a psychiatric nurse; professional counselor; or if the person is providing service to children, any of the above educational credentials plus mental health experience with children. *(The source of this definition is Tennessee Code Annotated § 33-1-101.)*
- R. REASONABLE PERSON:** A sober, objectively reasonable person in the same situation and with the same sex, gender identity, and sexual orientation as the person whose words and/or conduct are being evaluated.

- S. REGISTERED STUDENT ORGANIZATION:** A student organization registered with the University in accordance with University rules.
- T. RELATIONSHIP VIOLENCE:** A term that encompasses Dating Violence, Domestic Violence, Stalking, and all other words and/or conduct that would constitute a Relationship Violence Crime. Relationship Violence may be a form of Sex Discrimination prohibited by federal and state antidiscrimination laws, such as Title VII and Title IX.
- U. RELATIONSHIP VIOLENCE CRIME(S):** A term that encompasses both Clery Act Relationship Violence Crimes and Tennessee Relationship Violence Crimes, which are defined below:
- 1. CLERY ACT RELATIONSHIP VIOLENCE CRIMES:** The Clery Act requires the University to report certain statistics for the following crimes of relationship violence that occur on Clery Geography in the University's Annual Security Report:
 - a. DATING VIOLENCE:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim of the violence. The existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence. Whether an incident will be counted as an incident of Domestic Violence for purposes of the Clery Act will also be determined based on the statement of the Reporter.
 - b. DOMESTIC VIOLENCE:** A felony or misdemeanor crime of violence committed: (1) by a current or former spouse or intimate partner of the victim; (2) by a person with whom the victim shares a child in common; (3) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (5) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
 - c. STALKING (CLERY ACT):** Engaging in a Course of Conduct directed at a specific person that would cause a Reasonable Person (Clery Act - Stalking) to: (1) fear for the person's safety or the safety of others; or (2) suffer Substantial Emotional Distress.

For purposes of Stalking (Clery Act), the following definitions apply:

- (i) **COURSE OF CONDUCT:** Two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.
- (ii) **REASONABLE PERSON (CLERY ACT - STALKING):** A reasonable person under similar circumstances and with similar identities to the victim.
- (iii) **SUBSTANTIAL EMOTIONAL DISTRESS:** Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

2. **TENNESSEE RELATIONSHIP VIOLENCE CRIMES:** The crimes below are crimes in the State of Tennessee that are the closest equivalents to Clery Act Relationship Violence Crimes:

- a. **ASSAULT:** The crime of assault in Tennessee is defined in Tennessee Code Annotated § 39-13-101.
- b. **DOMESTIC ASSAULT:** The crime of Domestic Assault in Tennessee is defined in Tennessee Code Annotated § 39-13-111.
- c. **STALKING (TENNESSEE):** The crime of Stalking (Tennessee) is defined in Tennessee Code Annotated § 39-17-315.
- d. **VIOLATING AN ORDER OF PROTECTION RELATING TO DOMESTIC ABUSE OR STALKING:** In Tennessee, a domestic abuse victim or stalking victim who has been subjected to, threatened with, or placed in fear of, domestic abuse or stalking may seek relief by filing a sworn petition alleging domestic abuse or stalking by the Respondent. Such a petition must be filed in the county where the Respondent resides or the county in which the domestic abuse, stalking, or sexual assault occurred. If the Respondent is not a resident of Tennessee, the petition may be filed in the county where the Complainant resides. Tennessee law provides criminal penalties for violations of certain orders of protection. More information on Tennessee’s law on orders of protection can be found in Tennessee Code Annotated § 36-3-601 *et seq.*

V. **REPORTER:** A person who communicates a concern to a Responsible Employee regarding the occurrence of Sexual Misconduct or Relationship Violence. A Reporter need not be a Complainant.

- W. RESPONDENT:** A person or registered student organization that is reported to have committed Sexual Misconduct and/or Relationship Violence. This term does not imply pre-judgment concerning whether the person or registered student organization committed Sexual Misconduct and/or Relationship Violence.
- X. RESPONSIBLE EMPLOYEE:** A University employee identified in **Section III.A** (non-law enforcement), **Section III.B.1** (UTPD), and/or **Appendix B** as an option for reporting Sexual Misconduct or Relationship Violence to the University. Graduate assistants are not Responsible Employees unless they are a graduate teaching assistant and they receive a report in their teaching capacity. Notwithstanding anything in this policy to the contrary, Responsible Employees do not include persons who are prohibited in the situation from reporting an incident by a law or mandatory ethical standard imposed by their profession (e.g., a Qualified Mental Health Professional who learns of the information in the course of a privileged provider-patient relationship).
- Y. RETALIATION:** An act or attempted act to retaliate, intimidate, threaten, coerce, seek retribution, or otherwise discriminate against any person:
1. because the person opposed conduct prohibited by this policy;
 2. because the person in Good Faith reported Sexual Misconduct or Relationship Violence to the University;
 3. because the person in participated (or is reasonably expected to participate) in any manner in an investigation, proceeding, hearing, or Interim Measure under this policy;
or
 4. because the person exercised rights or responsibilities under any provision of the Clery Act.

For purposes of this definition, an act or attempted act retaliates, intimidates, threatens, coerces, seeks retribution, or otherwise discriminates if it would deter a Reasonable Person from: opposing conduct prohibited by this policy; reporting Sexual Misconduct or Relationship Violence to the University; participating in any manner in an investigation, proceeding, hearing, or Interim Measure under this policy; and/or exercising rights or responsibilities under any provision of the Clery Act.

- Z. RISK REDUCTION:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for Complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence. More information about Risk Reduction can be found at: <http://utpolice.utk.edu>.
- AA. SEX DISCRIMINATION:** Conduct directed at a specific person or a group of identifiable persons that subjects the person or group to treatment that adversely affects their employment,

education, or ability to participate in or benefit equally in any University program or activity, on account of sex or gender. Sex Discrimination may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. A complaint of Sexual Misconduct or Relationship Violence will be treated as a complaint of Sex Discrimination in violation of Title IX if it was based on the sex of the Complainant.

BB. SEXUAL ASSAULT: Engaging in Non-Consensual Sexual Contact or Non-Consensual Sexual Intercourse.

CC. SEXUAL ASSAULT RESPONSE TEAM (S.A.R.T.): The group of University employees identified in **Section I.E.**

DD. SEXUAL CONTACT: The deliberate touching of another person's intimate parts (including genitalia, groin, inner thigh, breast or buttocks, or clothing covering any of those areas), or using Coercion to cause a person to touch his/her own or another person's intimate parts.

EE. SEXUAL EXPLOITATION: An act or attempted act by a person for sexual gratification, financial gain, or other advancement through the abuse or exploitation of another person's sexuality. Examples of Sexual Exploitation include, without limitation: observation of persons who are undressed or engaging in Sexual Contact or Sexual Intercourse, without the Consent of all persons being observed; audio- or videotaping of Sexual Contact or Sexual Intercourse without the Consent of all persons being taped; prostituting another person; allowing others to observe Consensual Sexual Contact or Consensual Sexual Intercourse without the Consent of all persons involved in the Consensual Sexual Contact or Consensual Sexual Intercourse; and knowingly exposing another person to a sexually transmitted infection without informing the other person that one has a sexually transmitted infection.

FF. SEXUAL INTERCOURSE: The penetration, no matter how slight, of the vagina or anus with any body part or object; or oral penetration by a sex organ of another person.

GG. SEXUAL HARASSMENT:

- With respect to an employee's conduct directed toward another employee, Sexual Harassment means: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment." *(The source of this definition is:*

University of Tennessee System Human Resources Policy 0280 ("Sexual Harassment")
(http://policy.tennessee.edu/hr_policy/hr0280/)

- With respect to an employee's conduct directed toward a student or another non-employee, Sexual Harassment means: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's participation in an educational program; (2) submission to or rejection of such conduct by an individual is used as the basis for evaluation or advancement in an educational program; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creates an intimidating, hostile or offensive educational environment." *(This definition is based on: University of Tennessee System Human Resources Policy 0280 ("Sexual Harassment")*
(http://policy.tennessee.edu/hr_policy/hr0280/)

- With respect to the conduct of a student or other non-employee, Sexual Harassment is defined as unwelcome conduct that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University. In no event shall the term "Sexual Harassment" be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech). Sexual Harassment may include, for example, unwelcome sexual advances, requests for sexual favors, and acts of Sexual Assault. *(This definition is based on Standard of Conduct Number 6 for students, a copy of which can be found in Hilltopics.)*

Sexual Harassment is a form of Sex Discrimination. To determine whether conduct constitutes Sexual Harassment, consideration shall be given to the totality of the circumstances, including the context in which the conduct and/or words occurred.

HH. SEXUAL MISCONDUCT: A term that encompasses Sexual Harassment, Sexual Assault, Sexual Exploitation, and all other words and/or conduct that would constitute a Sexual Violence Crime.

II. SEXUAL VIOLENCE CRIME(S): A term that encompasses both Clery Act Sexual Violence Crimes and Tennessee Sexual Violence Crimes, which are defined below:

1. CLERY ACT SEXUAL VIOLENCE CRIMES: The Clery Act requires the University to report certain statistics for the following crimes of sexual violence that occur on Clery Geography in the University's Annual Security Report:

a. FONDLING: The touching of a private body part of another person for the purpose of sexual gratification, without the Consent of the victim.

- b. **INCEST:** Nonforcible Sexual Intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Tennessee law.
 - c. **RAPE (CLERY ACT):** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.
 - d. **SEXUAL ASSAULT (CLERY ACT):** An act that meets the definition of Rape (Clery Act), Fondling, Incest, or Statutory Rape (Clery Act).
 - e. **STATUTORY RAPE (CLERY ACT):** Nonforcible Sexual Intercourse with a person who is under the statutory age of Consent.
2. **TENNESSEE SEXUAL VIOLENCE CRIMES:** The crimes below are crimes in the State of Tennessee that are the closest equivalents to Clery Act Sexual Violence Crimes:
- a. **AGGRAVATED RAPE:** The crime of Aggravated Rape is defined in Tennessee Code Annotated § 39-13-502.
 - b. **RAPE (TENNESSEE):** The crime of Rape (Tennessee) is defined in Tennessee Code Annotated § 39-13-503.
 - c. **AGGRAVATED SEXUAL BATTERY:** The crime of Aggravated Sexual Battery is defined in Tennessee Code Annotated § 39-13-504.
 - d. **SEXUAL BATTERY:** The crime of Sexual Battery is defined in Tennessee Code Annotated § 39-13-505.
 - e. **STATUTORY RAPE (TENNESSEE):** The crime of Statutory Rape is defined in Tennessee Code Annotated § 39-13-506.
 - f. **SEXUAL CONTACT WITH A MINOR BY AN AUTHORITY FIGURE:** The crime of Sexual Contact with a Minor by an Authority Figure is defined in Tennessee Code Annotated § 39-13-509.
 - g. **RAPE OF A CHILD:** The crime of Rape of a Child is defined in Tennessee Code Annotated § 39-13-522.
 - h. **SEXUAL BATTERY BY AN AUTHORITY FIGURE:** The crime of Sexual Battery by an Authority Figure is defined in Tennessee Code Annotated § 39-13-527.

- i. **AGGRAVATED RAPE OF A CHILD:** The crime of Aggravated Rape of a Child is defined in Tennessee Code Annotated § 39-13-531.
 - j. **STATUTORY RAPE BY AN AUTHORITY FIGURE:** The crime of Statutory Rape by an Authority Figure is defined in Tennessee Code Annotated § 39-13-532.
 - k. **VIOLATING AN ORDER OF PROTECTION RELATING TO SEXUAL ASSAULT:** In Tennessee, a person who has been subjected to, threatened with, or placed in fear of Aggravated Rape, Rape, Statutory Rape, Rape of a Child, Aggravated Sexual Battery, Sexual Battery, or Sexual Battery by an Authority Figure may seek relief by filing a sworn petition alleging domestic abuse or stalking by the Respondent. Such a petition must be filed in the county where the respondent resides or the county in which the domestic abuse, stalking, or sexual assault occurred. If the Respondent is not a resident of Tennessee, the petition may be filed in the county where the Complainant resides. Tennessee law provides criminal penalties for violations of certain orders of protection. More information on Tennessee’s law on orders of protection can be found in Tennessee Code Annotated § 36-3-601 *et seq.*
- JJ. STALKING:** A term that refers to Stalking (Clery Act) and Stalking (Tennessee), both of which are defined above in this Appendix A.
- KK. TITLE IX:** Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*
- LL. TITLE IX COORDINATOR:** The person identified as the Title IX Coordinator in **Section I.D.** or a designee of the Title IX Coordinator employed in the Office of Equity & Diversity.
- MM. TUAPA HEARING:** A hearing conducted by a University administrative judge or hearing officer in accordance with the University’s procedures for conducting a contested case hearing pursuant to the Tennessee Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-301 *et seq.*
- NN. UNIVERSITY:** The University of Tennessee, Knoxville and/or the University of Tennessee Institute of Agriculture.
- OO. UTPD:** The campus police department at the University of Tennessee, Knoxville.

**APPENDIX B: SUMMARY OF OPTIONS FOR A
COMPLAINANT TO REPORT SEXUAL
MISCONDUCT OR RELATIONSHIP
VIOLENCE TO THE UNIVERSITY**

REPORTING OPTION FOR THE COMPLAINANT?

	Title IX Coordinator or the Office of Equity & Diversity	UTPD	Sexual Assault Response Team or Deputy Title IX Coordinators	Office of the Dean of Students or Office of Student Conduct	University Employment Supervisor	Hall Director, Assistant Hall Director, or Resident Assistant	Faculty Member	Executive Director or Director of Human Resources Employee Relations	Athletic Director; Executive Senior Associate Athletic Director; Senior Associate Athletic Directors; Associate Athletic Directors; Coaches, Associate Coaches, and Assistant Coaches; Compliance staff; Sports Medicine staff (but not Team Physicians, Director of Mental Training, and Team ENHANCE/EXCEL Coordinator); Strength and Conditioning staff; or Directors of Operations	Chancellor, Vice Chancellors, Associate Vice Chancellors, or Assistant Vice Chancellors	Deans, Associate Deans, Assistant Deans, Executive Directors, Directors, Associate Directors, Assistant Directors, or Department Heads	Faculty/Staff Advisor to a Registered Student Organization	Academic Advisor	Graduate Teaching Assistant	Clery Act "Campus Security Authorities" (CSA)	
COMPLAINANT	Complainant is a student	Yes	Yes	Yes	Yes	No, unless the report is to: (1) the supervisor of the Complainant (if the Complainant is a student-employee); or (2) the supervisor of the Respondent (if the Respondent is an employee, including a student employee)	Yes	Yes	No, unless the Respondent is an employee, including a student employee	No, unless: (1) the Complainant is a University student-athlete; (2) the Respondent is a University student-athlete; or (3) the Respondent is an employee in the Dept. of Intercollegiate Athletics, including a student employee	Yes	Yes	Yes	Yes	No, unless the Complainant is a student of the graduate teaching assistant	Yes
	Complainant is an employee	Yes	Yes	No, unless the Respondent is a student, in which case report to a Deputy Title IX Coordinator	No, unless the Respondent is a student	Yes, but only if the report is to the supervisor of either the Complainant or the Respondent	No, unless the report is to the supervisor of either the Complainant or the Respondent	No, unless the report is to a faculty member who is the supervisor of either the Complainant or the Respondent	Yes	No, unless the report is to the supervisor of either the Complainant or the Respondent	No, unless the report is to the supervisor of either the Complainant or the Respondent	No	No, unless the report is to an academic advisor who is the supervisor of the Complainant or the Respondent	No	No, unless the report is to a CSA who is the supervisor of the Complainant or the Respondent	
	Complainant is neither a student nor an employee	Yes	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No

APPENDIX C: CONFIDENTIALITY EXCEPTIONS UNDER TENNESSEE LAW

- Child abuse or child sexual abuse (Tennessee Code Annotated §§ 37-1-401 et seq.; 37-1-601 et seq.; 37-1-614).** Tennessee law mandates reporting by any person, including a psychiatrist, psychologist, physician, or social worker, who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether the child has sustained any apparent injury as a result of the abuse. State law requires a report of child abuse or child sexual abuse to be made immediately to one of the following authorities outside the University: (1) 911, in the case of an emergency; (2) the Tennessee Department of Children’s Services; (3) the sheriff of the county where the child resides; (4) the chief law enforcement official of the city where the child resides; or (5) a judge having juvenile jurisdiction over the child. The Tennessee mandatory reporting laws apply to all University employees, contractors, and volunteers, even if the child abuse or child sexual abuse does not occur in connection with a University educational program or activity. For purposes of the Tennessee mandatory reporting law, University students who are under the age of eighteen (18) are not excluded from the definition of a child.
- Persons called upon to tender aid to certain victims (Tennessee Code Annotated § 38-1-101).** Tennessee law requires all physicians, surgeons, nurses, pharmacists, or other persons to immediately report an incident in which they were called upon to tender aid to a victim suffering from any wound or other injury inflicted by means of a knife, pistol, gun, or other deadly weapon, or by other means of violence, or suffering from the effects of poison, or suffocation, or where a wound or injury is reasonably believed to have resulted from exposure to a methamphetamine laboratory or a methamphetamine related fire, explosion, or chemical release, or appears to be suffering from or to have been the victim of female genital mutilation in violation of Tennessee Code Annotated § 39-13-110. The report is required to be made to certain law enforcement officials. Generally, such report must state the name, residence, and employer of the victim, if known, the victim’s whereabouts at the time the report is made, the place the injury occurred, and the character and extent of the victim’s injuries. However, the reporting obligations do not apply if: (1) the victim is at least 18 years of age; (2) the victim objects to the release of any identifying information to law enforcement officials; (3) the victim is a victim of a sexual assault offense or domestic abuse as defined in Tennessee Code Annotated § 36-3-601; and (4) the victim’s injuries are considered by the treating healthcare professional to be life threatening, or the victim is being treated for injuries inflicted by strangulation, a knife, pistol, gun, or other deadly weapon.
- Subpoenas or court orders - physicians.** A physician can be required to testify concerning confidential information by a subpoena or court order.
- Court orders - Qualified Mental Health Professionals (Tennessee Code Ann. § 33-3-114).** A court can order a Qualified Mental Health Professional to disclose confidential information if, after a hearing, the court determines that disclosure is necessary for the conduct of proceedings before it.

5. **Duty to warn third parties (Tennessee Code Annotated §§ 33-3-206; 33-3-210).** A Qualified Mental Health Professional (e.g., a licensed psychiatrist or psychologist) is required by state law to take reasonable care to predict, warn of, or take precautions to protect an identified victim from a patient/client's violent behavior if: (1) a patient/client has communicated to a Qualified Mental Health Professional an actual threat of bodily harm against a clearly identified victim; and (2) the Qualified Mental Health Professional, using the reasonable skill, knowledge, and care ordinarily possessed and exercised by the professional's specialty under similar circumstances, has determined that the patient/client has the apparent ability to commit such an act and is likely to carry out the threat unless prevented from doing so. If the threat communicated by a patient/client to a Qualified Mental Health Professional is an actual threat of serious bodily harm or death against a reasonably identifiable victim or victims, then the Qualified Mental Health Professional is required to report the patient/client to local law enforcement.
6. **Sexually transmitted diseases (Tennessee Code Annotated §§ 68-10-102; 68-10-115).**
- A person who has a reasonable belief that a person has knowingly exposed another to HIV may inform the potential victim without incurring any liability. Please note that Tennessee law is not clear whether this obligation applies to a physician or a Qualified Mental Health Professional.
 - If any attending physician or other person knows or has good reason to suspect that a person having a STD is behaving so as to expose other persons to infection, or is about to so behave, the attending physician or other person shall notify the municipal or county health officer of the name and address of the diseased person and the essential facts in the case. Please note that Tennessee law is not clear whether this obligation applies to a Qualified Mental Health Professional.
7. **Tennessee Adult Protection Act (protection of the elderly and other vulnerable persons) (Tennessee Code Annotated § 71-6-101 et seq.).** Generally, Tennessee law requires any person who has reasonable cause to suspect that a person age 60 or older, or a person with certain physical and mental disabilities, has been subject abuse, neglect, or exploitation to report the situation to the Tennessee Department of Human Services, which will notify the appropriate law enforcement agency.

APPENDIX D: COMPLAINT PROCEDURES

NATURE OF THE REPORT	STATUS OF THE RESPONDENT	UNIVERSITY COMPLAINT PROCEDURE
Non-Consensual Sexual Contact (Sexual Assault), Non-Consensual Sexual Intercourse (Sexual Assault), or a Sexual Violence Crime	Student	Section VI.B and Section VI.D of this policy
Dating Violence, Domestic Violence, Stalking, or a Relationship Violence Crime	Student	Section VI.B and Section VI.D of this policy
Sex Discrimination (e.g., Sexual Harassment) that does not involve Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, a Sexual Violence Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking	Student	Section VI.B and Section VI.D of this policy
Non-Consensual Sexual Contact (Sexual Assault), Non-Consensual Sexual Intercourse (Sexual Assault), or a Sexual Violence Crime	Employee or Other Non-Student	Section VI.B and Section VI.C of this policy
Dating Violence, Domestic Violence, Stalking, or a Relationship Violence Crime	Employee or Other Non-Student	Section VI.B and Section VI.C of this policy
Sex Discrimination (e.g., Sexual Harassment) that does not involve Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, a Sexual Violence Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking	Employee or Other Non-Student	Discrimination Complaint Procedure (http://oed.utk.edu/complaints/)

APPENDIX E: CONSENT UNDER TENNESSEE CRIMINAL LAW

In Tennessee, with respect to most criminal offenses relating to sexual activity, sexual activity is criminal if: (1) the activity was accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the activity that the victim did not consent; (2) force or coercion is used to accomplish the activity; (3) the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless; or (4) the sexual activity is accomplished by fraud.

“Consent” is not explicitly defined in Tennessee statutory law, for purposes of criminal offenses relating to sexual activity.

“Coercion” means a threat of kidnapping, extortion, force, or violence to be performed immediately or in the future. (Tennessee Code Annotated § 39-13-501(1))

“Mentally defective” means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of the person's conduct. (Tennessee Code Annotated § 39-13-501(3))

“Mentally incapacitated” means that a person is rendered temporarily incapable of appraising or controlling the person's conduct due to the influence of a narcotic, anesthetic or other substance administered to that person without the person's consent, or due to any other act committed upon that person without the person's consent. (Tennessee Code Annotated § 39-13-501(4))

“Physically helpless” means that a person is unconscious, asleep or for any other reason physically or verbally unable to communicate unwillingness to do an act. (Tennessee Code Annotated § 39-13-501(5))

With respect to criminal offenses relating to sexual activity with a person under the age of eighteen (18) years of age, consent is irrelevant because Tennessee law deems a minor as incapable of consenting to sexual activity. However, Tennessee law provides a close-in-age exception to that general rule that allows minors who are at least the age of thirteen (13) and less than the age of eighteen (18) to give Consent to sexual acts with another person who is less than four (4) years older than the minor.