TAKING PRECAUTIONS 2016

Annual Security & Fire Safety Report for the Knoxville Campus
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MESSAGE FROM ASSOCIATE VICE CHANCELLOR FOR PUBLIC SAFETY AND 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 electronics 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 Associate Vice Chancellor for Public Safety, 1101 Cumberland Ave, Knoxville, TN 37996, 865-974-6631.

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: upolice@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:  http://utpolice.utk.edu/
Facebook:  https://www.facebook.com/UTKPD/
Twitter:   https://twitter.com/utpolice
For Clery Act related safety information visit http://clery.utk.edu/

Officers and Training
UTPD employs 54 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:

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

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 (CPS), who serve as additional protection during special events (for example, sporting events, construction areas, concerts, etc.);

- a Central Alarm/Communications Division, 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; and

- non-commissioned administrative staff managing areas in records, payroll, accounting, accreditation and Clery compliance.
Accreditation
In August 2009, UTPD earned Advanced Law Enforcement Accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). In July 2012 and again in 2015, 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 2015, 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. In February of 2016, UTPD received accreditation through Tennessee Law Enforcement Accreditation (TLEA).

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.

CPS and CSOs are not commissioned by the State of Tennessee, do not carry service weapons (with the exception of those CSOs who are Capital Escorts), 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;
- 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.

UT will investigate all other crimes set out in the Tennessee Code. However, any crime resulting
in serious bodily injury or requiring hospitalization will be reported to KPD, and, upon request
from UT, KPD will provide technical assistance (i.e., crime lab, breathalyzer, etc.). Pursuant to
Tenn. Code Ann. §49-7-129(c), UT shall lead any investigation of any aggravated rape, rape,
aggravated sexual battery, sexual battery, and statutory rape, as defined in Tenn. Code Ann. §§39-
13-501 through 507. In the event UT requests additional services from the KPD, KPD will provide
upon proper notification, all necessary services in assistance of UT’s investigation.

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 UTAAlerts 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, investigative 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 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

UTPD

To report criminal incidents, suspicious activity, or other incidents that are not emergencies:

- Call 4-3114 (from a campus phone) or 865-974-3114 (from an off campus phone or cell phone) (UTPD operates on a 24-hour basis and a police dispatcher is always available to take information);
- Report in person at 1101 Cumberland Avenue, Knoxville, TN; or
- If you are a Campus Security Authority, you may report Clery reportable incidents at http://clery.utk.edu/campus-security-authority/.

For general questions or other inquiries, you may send UTPD an e-mail at utpolice@utk.edu. This account is often checked, but not continuously monitored.
Reports of Clery Act crimes filed through a Campus Security Authority (CSA), as defined by the Clery Act, provided to UTPD will be included in the university’s annual crime statistics published in the Annual Security Report. All statistics enclosed in the Annual Security Report are anonymous. CSA reports have the option to include the victim’s name or initials for tracking purposes and to ensure the victim is offered the proper services. However, if you wish to remain anonymous, your personal information does not have to be disclosed. CSA reports of sexual misconduct, relationship violence, and stalking (as those terms are defined in the university’s policy on sexual misconduct, relationship violence, stalking, and retaliation, a copy of which can be found in Appendix F) to UTPD will also be made available to the university’s Title IX Coordinator. Reporting a Clery Act crime allows UTPD to keep an accurate record of specific criminal incidents and the ability to alert the campus community of potential danger.

Mobile App with Rave Guardian
The UT Alert emergency messaging system provides the campus community with features to help enhance safety and improve two-way communication with the UT Police Department.
All faculty, staff, and students should download the UT app to receive the Guardian app, which will appear on the main screen. Community members who have already downloaded the app and are current on updates should be able to see the Guardian app on the first screen.
Users will be prompted to set up their Guardian account and create a safety profile. Faculty, staff, and students must use their UT email address to access the UT-specific interactive features.
Features in the Guardian app include:

Send UTPD a Tip: Users may send an anonymous tip to UTPD from the red “Emergency” button on the Guardian app’s first screen and then the green “Send a Tip” button on the next screen. A text message screen and keyboard will appear to allow the user to type an anonymous message and send photos. UTPD will respond promptly to the message through the app. It is not necessary to identify yourself in order to share a tip or message.

Call for Immediate Help: Faculty, staff, and students can request immediate assistance by tapping the red “Emergency” button on the bottom of the Guardian app’s first screen. The top “Call” button places an emergency call to UTPD, which will send help anywhere on campus. The bottom red “911” button will call the closest 911 center.
Users must enable location when creating their safety profile so the full emergency call features are available. Users are also strongly encouraged to add any information about special needs and medical conditions to their profile to make it available to police and medical responders in the event of a serious emergency.

New Feature Helps Vols Look Out for Each Other: Users can set a safety timer to create a connection when traveling between destinations or to unfamiliar settings. By choosing from a network of “guardians,” a close friend or nearby family member can be notified when the user does not check in within a set amount of time. UTPD may also be selected as a guardian for when you are on campus.
Add a Mobile Number for UT Alert Text Messages: To receive information that UTPD sends directly to faculty, staff and students by text message during a serious emergency, users should add a mobile number to their UT Alert account. Users will need a NetID and password.

UT Alert messages are sent only during serious emergencies when situations require people to act immediately or to be aware of an imminent threat to their safety. The system is also utilized to alert the campus community about severe weather, campus operating delays and closures or problems with facilities and grounds affecting a large number of people. Rave Guardian is available for download from the Apple or Android App Store. Once users have downloaded the app, notifications must be enabled to receive reply messages.

Alternative reporting
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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean of Students</td>
<td>865-974-3179</td>
<td>413 Student Services Building</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>865-974-2498</td>
<td>1840 Melrose Avenue</td>
</tr>
<tr>
<td>Asst. Vice Chancellor for Student Life</td>
<td>865-974-7449</td>
<td>515 Andy Holt Tower</td>
</tr>
<tr>
<td>Executive Director, University Housing</td>
<td>865-974-2571</td>
<td>405 Student Services Building</td>
</tr>
<tr>
<td>Director, Office of Student Conduct and Community Standards</td>
<td>865-974-3171</td>
<td>409 Student Services Building</td>
</tr>
<tr>
<td>Director, Center for Health Education and Wellness</td>
<td>865-974-5725</td>
<td>201E Student Health Center</td>
</tr>
<tr>
<td>Sr. Associate Vice Chancellor for Finance and Administration</td>
<td>865-974-3061</td>
<td>405B Andy Holt Tower</td>
</tr>
<tr>
<td>Director, Human Resources</td>
<td>865-974-2889</td>
<td>105 Student Services Building</td>
</tr>
<tr>
<td>Sr. Associate Athletics Director</td>
<td>865-974-9190</td>
<td>1551 Lake Loudoun Blvd</td>
</tr>
<tr>
<td>Director, Ag. Extension</td>
<td>865-974-7245</td>
<td>212D Morgan Hall</td>
</tr>
<tr>
<td>Director, Center for International Education</td>
<td>865-974-2173</td>
<td>1620 Melrose Avenue</td>
</tr>
</tbody>
</table>
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’s (outside the City of Knoxville but within Knox County)
400 Main Street, Suite L165
Knoxville, TN 37902
865-215-2444

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.

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 policy on sexual misconduct, relationship violence, stalking, and retaliation, 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, relationship violence, or stalking 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), relationship violence (e.g., domestic violence, dating violence) or stalking to the University.

For victims of sexual assault, there are steps to preserve evidence and maintain anonymity. A victim of a sexual assault may go to a local hospital or the Sexual Assault Center of East Tennessee and request a forensic sexual assault examination. If the victim chooses not to report the incident to law enforcement at the time of the medical examination, the medical provider will provide the examination materials to local law enforcement with a unique identifying number that will also be provided to the victim. The law enforcement agency with jurisdiction will store the examination materials for up to three (3) years. If in that time the victim decides to make a police report, they may report to the law enforcement agency with jurisdiction and refer to the unique identifying number so that the examination materials may be matched up with the victim’s law
enforcement report for evidentiary purposes. Once a police report has been filed, the incident can no longer be anonymous.

**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, Relationship Violence, and Stalking**

Additional information concerning options for reporting sexual misconduct (e.g., sexual assault), relationship violence (e.g., domestic violence, dating violence) and stalking can be found in the university’s policy on sexual misconduct, relationship violence, and stalking, a copy of which can be found in Appendix F. The 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 policy on sexual misconduct, relationship violence, stalking and retaliation, found in Appendix F, prohibits retaliation relating to the opposition to, reporting of, or participation in a University investigation, hearing, proceeding, or other measure relating to sexual misconduct, relationship violence, or stalking. 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 the university’s Clery website http://clery.utk.edu/safety-notices/ and UTPD’s social media accounts (e.g., Facebook, www.facebook.com/UTKPD, and Twitter, https://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 a UT NetID and password at: https://utworks.tennessee.edu/srvfinadm/EmergPrepare/UTK%20Emergency%20Management%20Plan%20EMP/Campus%20Emergency%20Management%20Plan%202016.pdf

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 2015 is available at http://safety.utk.edu/emergency-management/emp/.

The chart includes 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. Efforts are heavily emphasized at the beginning of the fall semester for safety day and also during national emergency preparedness month. 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 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, Student Life and
University Housing 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 2015 is available upon request from Environmental Health and Safety.

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 UT Alert message 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 and in the emergency quick reference app available through the Tennessee app.

The following is basic shelter guidance:

- If you are inside when directed to seek shelter, find the best available shelter in that building. 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 or call 911 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 is likely to 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.

UT Alert
UT Alert 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. Students, faculty and staff are automatically loaded in the system for email notification but must provide a mobile number in the user interface to receive text messages from UT Alert. Students, staff, and faculty can register to receive UT Alerts at http://www.utk.edu/utalert/. Individuals are responsible for updating their contact information periodically to ensure their continued participation in the UT Alert system. Participation in the UT Alert system is not mandatory for text messaging but providing a mobile phone number is strongly encouraged by the university. Individuals are responsible for the cost of any text messaging fees from their mobile service provider incurred as a result of active or test messages received during their participation in the UT Alert system. Signing up for the UT Alert system is not a guarantee of one’s personal safety. Individuals may opt-out of the UT Alert text messaging portion of the system at any time. UT Alert email messaging is automatic and cannot be opted out of.

The UT Alert 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 text alerts and to download the mobile app. 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**

UT Alert 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 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 UT Alert text message subscribers, every member of the campus community with a “utk.edu” e-mail address, can automatically receive any UT Alert message via their utk.edu email. 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 UT Alert. A UT Alert may also be sent by the UTPD command staff and the Director of Emergency Management.

The content of UT Alert 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 UT Alert also have the ability to amend the content of the message in the event that none of the prescripted messages are sufficient or more specific details are appropriate. UT Alert text messages are generally short and very direct due to character limitations. The initial UT Alert message is primarily designed for quick notification of a dangerous situation. Each UT Alert will have a subsequent final message with a resolution of the incident. 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](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:
<table>
<thead>
<tr>
<th>Notification Method</th>
<th>Uses</th>
<th>Types of Warnings</th>
<th>Content Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td>UT Alert Text (SMS) Message, Email, App, &amp; Computer Screen</td>
<td>Campus-wide emergency requiring immediate action</td>
<td>Text messages</td>
<td>UTPD &amp; Office of Emergency Management (OEM)</td>
</tr>
<tr>
<td>Code Blue Units &amp; Neyland external speakers</td>
<td>Campus-wide emergency requiring immediate action</td>
<td>PA system</td>
<td>UTPD &amp; OEM</td>
</tr>
<tr>
<td>656-SAFE (7233)</td>
<td>Partial or full campus wide action</td>
<td>Pre-recorded message; phone bank</td>
<td>Communications &amp; Marketing</td>
</tr>
<tr>
<td>UTPD vehicle PA system</td>
<td>Emergency Information</td>
<td>Voice</td>
<td>UTPD</td>
</tr>
<tr>
<td>UT Email</td>
<td>Emergency Information</td>
<td>Email</td>
<td>Communications &amp; Marketing</td>
</tr>
<tr>
<td>Power Fail Emergency Phones</td>
<td>Zone specific emergency requiring immediate action</td>
<td>Phone</td>
<td>UTPD, OEM, Telephone Services</td>
</tr>
<tr>
<td>UT Emergency Website (Homepage)</td>
<td>Provide additional information</td>
<td>Web-based</td>
<td>Communications &amp; Marketing</td>
</tr>
<tr>
<td>Digital Signage</td>
<td>Campus-wide Emergency</td>
<td>RSS feed</td>
<td>OEM &amp; Department</td>
</tr>
<tr>
<td>Campus Cable Television</td>
<td>Campus-wide emergency requiring immediate action</td>
<td>EAS message</td>
<td>UTPD &amp; ITES</td>
</tr>
<tr>
<td>Social Media</td>
<td>Issue emergency statements</td>
<td>Twitter &amp; Facebook</td>
<td>Communications &amp; Marketing</td>
</tr>
<tr>
<td>Local Media</td>
<td>Issue emergency statements</td>
<td>Radio, TV, web &amp; print</td>
<td>Communications &amp; Marketing</td>
</tr>
</tbody>
</table>
The following provides a more detailed summary of the university’s various emergency notification methods:

- **UT Alert Text (SMS) Message, Email, App, & Computer Screen** – This method can send thousands of text and e-mail messages to staff, faculty, and students. The same message will activate an alert message in the Rave Guardian App if enabled by the user and appear on active computer monitors that have the Alertus software downloaded.

- **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 (7233)** – 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 information regarding 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 without activating the UTAalert system via the university’s e-mail exchange to all Knoxville-area students, staff, and faculty with a netid.

- **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 UTAalerts or specific emergency messages through the university’s emergency notification system.

- **UT Emergency Website** – The University’s homepage ([http://utk.edu](http://utk.edu)) is a secondary notification system where more detailed information concerning an incident or an emergency may be found. The UT Alert text or e-mail notice may advise faculty, staff, and students to go to the university’s homepage to obtain additional information and updates.

- **Digital Signage** – UT Alert has the ability to send an RSS message to digital signage software to display the alert message on internal campus building signage.

- **Campus Cable Television** – UT alert can send an emergency message to campus cable television through the Common Alerting Protocol (CAP) that will appear the same as an Emergency Alert System (EAS) message on broadcast television.

- **Portable L.E.D. Display Boards** – Parking and Transit Services maintain several vehicle-towed L.E.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 sorority and fraternity 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 their belief to UTPD, the Assistant Vice Chancellor of Student Life/Executive Director of Housing (or their designee), and the Associate Vice Chancellor for Student Life and Dean of Students (or their 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 they believe 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 their 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, 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. Sorority and fraternity housing residents will receive an electronic emergency notification form to disclose their confidential emergency contact information. Students living in on-campus housing (except for sorority and fraternity housing) may add or change confidential emergency contact information visiting the “My UT Housing” portal and clicking on “My Emergency Contacts.” Students living in sorority and fraternity housing may add or change confidential emergency contact information by contacting the Office of Sorority and Fraternity Life.

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:

<table>
<thead>
<tr>
<th>For a Student Who Is:</th>
<th>UTPD Will Contact:**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 18 years old and not emancipated</td>
<td>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***</td>
</tr>
</tbody>
</table>
Under 18 years old and emancipated

Student’s emergency contact and the Knox Police Department

18 years old or older

Student’s emergency contact and the Knox 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 policy on sexual misconduct, relationship violence, stalking, and retaliation. The policy on sexual misconduct, relationship violence, stalking, and retaliation, also provides information on confidential resources that are alternatives to reporting an incident to the university. A copy of the policy is contained in Appendix F. A copy of the policy can also be found at [http://sexualassault.utk.edu](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://share.tn.gov/sos/rules/1720/1720-01/1720-01.htm](http://share.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 hundreds of cameras throughout the campus including all residence halls. The Surveillance Oversight Committee (SOC) is responsible for overseeing the implementation and revisions of operational camera procedures including approval of camera placement. UTPD, in conjunction with the Surveillance Oversight Committee (SOC), is responsible for implementation of this procedure. UTPD has the authority to select, coordinate, operate, manage, and monitor all campus video surveillance equipment pursuant to this procedure. The camera request form is available on the UT Police Department's webpage. All residence halls have camera coverage. Camera coverage in other buildings, garages, or areas are based upon a security assessment.
**Panic Alarms**
There are numerous 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. Requests for panic alarms must be submitted for approval through UTPD and Facility Services (request form on UTPD webpage).

**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.

**Residence Halls**
The university offers six different styles of residence halls to suit the needs of our students. The styles consists the following: apartment-style residence halls, community-style residence halls, Pod style residence halls, semi-suites, suites and super suite style residence halls. Within these facilities, there are a variety of room types such as double occupancy, singles, triples and quads.

The Department of University Housing manages all residence halls at the University of Tennessee, Knoxville. 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 eleven hall directors, twelve assistant hall directors, and 162 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 to limit entrance to the hall past the 24-hour staffed lobby only. 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. The card readers control access from the public areas to the residential areas reserved for residents of each facility. 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.

Residence hall room doors have either deadbolt locks or are card access. 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.

Select campus residences remain open over university breaks. The halls that remain open may vary from year to year. All other halls are closed. Staff members conduct regular tours and inspections of these halls. For more information on University Housing, visit [http://housing.utk.edu/](http://housing.utk.edu/).

**Sorority and Fraternity Housing**

The university sorority and fraternity student organization community is composed of 41 national fraternal organizations. Of those, 28 university sorority and fraternity 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, and contracting process guidelines are distributed in early March to the president of each chapter.

All areas except individuals’ rooms and chapter rooms are considered public areas. Each chapter maintains its own security policies for all non-public areas. All maintenance personnel are admitted to the houses by the president of the chapter or his/her 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 in fraternity houses and twice a semester in sorority houses. 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 foot, bicycle, motorcycles and vehicle patrols of 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/Resources-Nav/Building-rep/building-representatives.pdf) 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 to and from locations on UT’s Main Campus, Ag Campus, and Fort Sanders Neighborhood to Grand Avenue (excluding the Cumberland Strip). 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 2:30 a.m. Sunday through Thursday, and from 6 p.m. to 3:30 a.m. Friday and Saturday. The UT Mobile app integrates the T Transit System to
include a GPS tracking map, route stop information, and news updates on route and service changes. 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 designed to inform the community about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others.

**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, students and staff in residence halls, members and residents of Greek organizations, and any individual or group requesting a program. 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:** This program addresses the dangers associated with excessive drinking and brings awareness to hazards of driving while impaired. “Fatal Vision” goggles are used to demonstrate vision and coordination impairment. This can also be used in conjunction with the Wii gaming system to simulate driving while impaired.
- **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:** To assist in theft prevention and recovery, this program registers the serial number and item description of your property with UT Police. A theft-deterrent sticker, and or engraving your item with a unique, definable characteristic can also be applied. You may begin the Operation ID registration process online at http://utpolice.utk.edu/operation-identification/.
- **Sexual Assault Awareness:** Discussions of awareness, prevention, avoidance, and effective communication regarding non-stranger rape. Information regarding available counseling is also provided.
Substance Abuse: This program discusses the dangers of drug abuse, as well as the abuse of prescription medication. The course also highlights the misconceptions students may have concerning drug use.

Spring Break Information: Safety program geared towards travel and personal safety. Situational awareness and the understanding alcohol and drugs while traveling are also discussed.

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 2015, UTPD’s CRU instructed 278 programs making contact with 20,172 individuals. The CRU conducts programs throughout the year upon request (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 UTAalert 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**: UTPD takes the initiative to bridge the gap between the university community and campus police. UTPD officers are assigned to University Housing, sorority and fraternity organizations, the Office of Multicultural Student Life, the Division of Student Life, the Fort Sanders neighborhood, and other various groups. Through these partnerships, organizations routinely report concerns to their liaison officer which are relayed to the proper person or unit. UTPD also 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, impact student decision making, and positively impact the university community.

The Center manages 974-HELP, the Distressed Student Protocol, Case Management, Sexual Assault Response Team (S.A.R.T.), and the Threat Assessment Task Force. Based on data collected from the triennial CORE, our Annual Health and Wellness survey, and national research, the Center develops campaigns and programming to address personal safety, sexual assault, substance abuse, and health and wellness initiatives.

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 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 2015:

- The Think About It Module is an interactive, online module that was developed to educate incoming students at the university about alcohol, sexual misconduct, campus policies, state law and choice making. All incoming students were required to complete the module prior to matriculation in 2015. Approximately 3,361 students signed on to the module.

- E-Check UP to GO Alcohol / E-CheckUP to Go Marijuana are self-assessment tools available for use by students to examine their own alcohol/marijuana use. The program provides immediate personalized feedback about drinking patterns, risk patterns, aspirations and goals, and campus and community resources.

- The Alcohol Education Program (AEP) is a mandated education class, and was offered by the Center to students who were been cited with an alcohol violation. In 2015, 339 students completed the Alcohol Education Program.

- BASICS: Brief Alcohol Screening and Intervention for College Students (BASICS) consists of two one hour one-on-one sessions with a Wellness Coordinator. The focus of these sessions are to learn more about the student, their drinking pattern, and working collaboratively toward preventing such incidents from occurring again. During these sessions, the student completes an online assessment. Students are typically sanctioned
to complete these sessions as a part of an alcohol violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of alcohol.

- The Drug Education Program (DEP) is a mandated education class, and was offered by the Center to students who were been cited with a drug violation. In 2015, 106 students completed the Drug Education 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 2015, 1107 students participated in the Health & Wellness Survey.

- CASICS: CAnnabis Screening and Intervention for College Students (CASICS) consists of two one hour one-on-one sessions with a Wellness Coordinator. The focus of these sessions is to learn more about the student, their marijuana use pattern, and working collaboratively toward preventing such incidents from occurring again. During these sessions, the student completes an online assessment. Students are typically sanctioned to complete these sessions as a part of an drug violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of marijuana.

- 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 2015 presentations were conducted for over 7,000 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 4,500 families received the electronic link via promotions to the Start the Conversation booklet.

- Start to Conversation: How to Discuss Consent with Your Student was developed to encourage and provide resources to parents to have a conversation about the consent, policy, expectations and the impact of alcohol prior to fall matriculation. Approximately 4,500 families received the electronic link via promotions to the Start the Conversation booklet.

- 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 Center’s website (wellness.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! sessions were attended by all incoming new and transfer students. In 2015, the sessions were 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, 96.7% of incoming First-Year students attended new student orientation and 80% of transfer students attended transfer student orientation sessions during 2015.

Red Zone is a term commonly used to describe a period of time in the fall semester when students are statistically more at risk for sexual assault. To address this critical time, The Center for Health Education & Wellness hosted five “Red Zone Pop-up Installations.” These installations taught students, faculty, and staff critical information about sexual assault on college campuses. Participants were encouraged to pledge to Speak UP! for their fellow VOLS by signing the 150 yard Red Zone carpet. Students, faculty, and staff who signed the Red Zone received a consent t-shirt which they agreed to wear every Tuesday for the month of September. During the duration of the month, over 1,000 informational cards and 1,200 consent shirts were distributed, and approximately 1,400 students, faculty, and staff signed the red zone canvas.

The National Substance Abuse Prevention Month Kick-Off Event was an event sponsored by the Center for Health Education & Wellness to raise awareness regarding National Substance Abuse Prevention Month. The purpose of the Kick-Off event was to bring awareness to National Substance Abuse Prevention Month and inform students, staff, and faculty of other events throughout the month of October 2015. Four hundred and forty-two (442) students participated in the event.

The Substance Abuse Recovery Fair was a four hour long event hosted by the Center for Health Education and Wellness in the fall semester of 2015. Approximately 100 students attended the event, which was sponsored by eleven local mental health and substance abuse community resources. Participants received information about resources in the community for individuals needing support for substance abuse issues.

World AIDS Day was held on November 19, 2015. The event was a partnership between the Center for Health Education and Wellness, the Knox County Health Department, the PRIDE Center, and student organizations Sexual Health Advisory Group (SHAG), the NAACP, and VolOUT. The event promoted the significance of World AIDS Day, awareness, and the importance of getting tested for HIV/AIDS. The Knox County Health Department provided free HIV testing while the CHEW (assisted by the VOLS 2 VOLS peer health educators), SHAG, and NAACP participated in tabling to provide information and safer sex supplies. Approximately 150 students, faculty, and staff participated in the event.

Volunteers Speak UP! RSVP (Relationship & Sexual Violence Prevention) program includes information on consent, how to provide support to someone who has been sexually assaulted, how to be an active bystander, and stalking. The RSVP program concludes with resources and how to promote a VOLS HELP VOLS culture at UT and beyond. is a program focused on preventing sexual assault, dating violence, domestic violence and stalking. The program educates the University of Tennessee community around prevention, bystander intervention, and campus and community resources.
Volunteers Speak UP! includes the online pledge, bystander training and fostering a culture of care for the entire campus. Approximately, 60 programs with a total of 750 student contacts in 2015.

- Volunteers Speak UP! Alcohol Edition serves to address and reduce risks related to concerning drinking behavior, over-consumption of alcohol, and other alcohol-related injuries, deaths, or other incidents. The Alcohol Edition program includes information on how to recognize alcohol overdose/poisoning, care-taking skills when someone has alcohol poisoning or has overdosed, how to be an active bystander, and ways to Speak UP! Approximately, 23 programs were held in 2015 with a total of 323 student contacts in 2015.

- VOLS 2 VOLS Peer Health 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 though education and participatory activities. Topics presented in the 2015 year included Volunteers Speak UP Relationship and Sexual Violence Edition and Alcohol Edition, Stress, Safer Sex & Healthy Relationships. VOLS 2 VOLS Peer Educators - Healthy Relationships & Sexual Health presentations provide education on the dynamics of healthy relationships, evaluating communication and increasing awareness of at risk behaviors in relationships. Both editions of the Volunteers Speak UP presentations discuss being an active bystander and how to help create a safer campus community. VOLS 2 VOLS Peer Health Educators grew to 23 educators and had 3,083 contacts with students on being an active bystander, alcohol risk-reduction, healthy relationships (consent/violence prevention) and sexual health (decision making, consent, and risk reduction).

**University Housing – Division of Student Life**

University Housing incorporates a community development model for programming to engage their residents in safe and healthy lifestyles. Growth and development is sustained through one-on-one conversations, as well as floor and hall-wide community builders. Housing hosts many programs offered by UTPD and the Center, in addition to creating programs geared toward their resident’s safety and security. A selection of the crime prevention and security awareness programs for the on-campus housing community conducted by University Housing – Division of Student Life in 2015 is contained in Appendix D.

**Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

The University implements comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking 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.
Primary Prevention Programs are programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur 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: (1) the University’s Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation, including: the University’s prohibition against dating violence, domestic violence, sexual assault, and stalking; the definitions of dating violence, domestic violence, sexual assault, and stalking in the state of Tennessee; the definition of consent with respect to crimes relating to sexual activity in the state of Tennessee; and the information that is included in Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2); (2) bystander intervention, which are safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, and stalking; and (3) risk reduction, which are 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.

Primary Awareness Programs are comprehensive, intentional, and integrated community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to: prevent dating violence, domestic violence, sexual assault, and stalking; promote safety; and reduce the perpetration of dating violence, domestic violence, sexual assault, and stalking. Questions about the University’s Primary Awareness Programs should be directed to the University’s Title IX Coordinator, the Deputy Title IX Coordinator for Students, or the Clery Compliance Coordinator.

Ongoing Prevention and Awareness Campaigns are 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 Prohibited Conduct using a range of strategies with audiences throughout the University and including information about: (1) the University’s Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation, including: the University’s prohibition against dating violence, domestic violence, sexual assault, and stalking; the definitions of dating violence, domestic violence, sexual assault, and stalking in the state of Tennessee; the definition of consent with respect to crimes relating to sexual activity in the state of Tennessee; and the information that is included in Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2); (2) bystander intervention, which are safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of dating
violence, domestic violence, sexual assault, and stalking; and (3) risk reduction, which are 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.

Examples of Primary Prevention and Awareness Programs for incoming students and new employees, and Ongoing Primary Prevention and Awareness Campaigns for students and employees include:

- The *Think About It Module* is an interactive, online module that was developed to educate incoming students at the university about alcohol, sexual misconduct, campus policies, state law and choice making.

- *New & Transfer Student Orientation: Be Smart. Be Safe. Be a Vol!* sessions were attended by all incoming new and transfer students. In 2015, the sessions were facilitated by UTPD and the Center. Content discussed during the presentation covered the following areas: personal safety, sexual health, alcohol & drugs, and sexual assault.

- The University of Tennessee Police Departments attends every new employee orientation where they present the University’s Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation.

- *Volunteers Speak UP! RSVP (Relationship & Sexual Violence Prevention)* program includes information on consent, how to provide support to someone who has been sexually assaulted, and how to be an active bystander. The RSVP program concludes with resources and how to promote a Vols Help Vols culture at UT and beyond.

- The *Consent* program explores the campus policy and definition of consent, as well as factors that impact the ability to give consent. Through interactive activities, students learn how to recognize when consent is present, when it is not, and what to do when consent may be unclear.

- The *Know Your Policy* program provides information on the campus Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation. Students and employees can get the facts on rights related to the policy, key definitions, and resources.

- For employees, the University provides an online training tool with EverFi called *Haven for Faculty and Staff*, addressing key topics on sexual assault, stalking, intimate partner violence, and sexual harassment. The online module is comprised of videos and interactive activities in an easy to use format providing content for prevention, awareness and action. UT’s policies and resources related to these topics, along with
key legislation, are referenced. This module can be found at https://cas.tennessee.edu/everfi/utk/?c_id=21 and accessed by entering your University assigned username and password.

- Additionally, Know Your Policy posters, resource cards, You Are Not Alone posters and resource cards, Red Zone campaign and resource cards, Topic Tuesday, Sexual Assault Awareness Month Events, Hike the Hill in Heels, consent t-shirts, Volunteers Speak UP! T-shirts and Daily Beacon advertisements promote sexualassault.utk.edu, wellness.utk.edu and prevention programs being carried out by the Center for Health Education and Wellness.

To find more information or to request a program visit http://wellness.utk.edu/. Questions about the University’s Primary Prevention Programs, Awareness Programs, and Ongoing Prevention and Awareness Campaigns should be directed to the University’s Title IX Coordinator, the Deputy Title IX Coordinator for Prevention and Support, or the Clery Compliance Coordinator.

University students and employees may also review external resources regarding dating violence, domestic violence, sexual assault, and stalking by visiting the following websites:

- End Violence Against Women International (EVAWI) developed the OnLine Training Institute (OLTI) to provide the opportunity to provide knowledge on cutting edge developments in the criminal justice and community response to sexual assault for anyone who is interested. This training specifically focuses on those crimes committed by someone known to the victim (non-stranger). The OLTI is free. There is no cost to register, enroll, or complete any of the modules. http://olti.evawintl.org/Default.aspx?ReturnUrl=%2f

- The Stalking Resource Center provides training to professionals seeking to understanding and enhance their skills in working with victims and offenders of stalking. These trainings are victim-centered, research informed, and practice based. https://www.victimsofcrime.org/our-programs/stalking-resource-center/training

- National Online Resource Center on Violence Against Women offers VAWnet, a comprehensive and accessible online collection of information and resources on domestic violence, sexual violence and related issues. The VAWnet library provides training tools and materials to support efforts in raising awareness, increasing capacity, and enhance efforts to prevent violence against women and intervene more effectively when it occurs. http://www.vawnet.org/training-tools/?type=Online%20Toolkits

### 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
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 who is 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, administer, 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. UTPD strictly enforces those laws and policies.
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/](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).

However, this law was amended and effective July 1, 2016 to allow limited handgun carry on campus. The bill allows those who are eligible employees who wish to carry a handgun on campus to do so after notifying the University of Tennessee Police Department in writing. The bill also authorizes the University of Tennessee Police Department to establish a policy and procedure for how the notification process is facilitated. Those eligible to carry on campus are limited to full-time faculty or staff members who are current Tennessee handgun permit holders (see TCA § 39-17-1351).

1. Under the provisions of the changes to TCA § 39-17-1309 (e), anyone wishing to carry a concealed handgun shall notify the University of Tennessee Police Department. Notification forms are available at the University of Tennessee Police Department at 1101 Cumberland Avenue. The eligible employee shall meet with a Police Officer at UTPD and provide a valid University of Tennessee identification card, driver’s license, and valid Tennessee Handgun Carry permit. Identifying information including- Name, Office address, phone number, job title, Employee ID number, and date of birth.
2. The eligible employee will be required to acknowledge a series of disclaimers including acknowledgement that they will not be carrying a handgun in any official university capacity, are not entitled to workman’s compensation claims resulting from the use of misuse of a handgun, that they are not currently enrolled as a student, that they agree to carry the handgun in a concealed manner, and that they will notify the UT Police of any change in employment or student status. The information above will be contained and acknowledged on an official form and require the signature of the eligible employee. All information gathered will be maintained solely by the University of Tennessee Police Department and may only be shared with other law enforcement agencies on a need to know basis.

3. UT Police has developed a voluntary training course for approved campus concealed carriers. This course will focus on firearms safety, reiteration of statutory requirements, limitations, prohibited locations and personal liabilities. The course will also focus on the approved carriers considerations for response to an active shooter or other such dangerous situation.

4. It is important to note that any person carrying a firearm on the University of Tennessee Knoxville campus who has failed to follow this procedure, or does so in violation of any other provision of this statute will be subject to arrest.

**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. University policy SA0875 addresses firearms on campus and can be found at [http://policy.tennessee.edu/safety_policy/sa0875/#section02](http://policy.tennessee.edu/safety_policy/sa0875/#section02). It states, “The University permits employees to carry or possess firearms on University property only as authorized by law. Unless authorized by Section 3 of this policy, an employee shall not possess or carry a firearm on University property or while acting within the course and scope of their University employment.”

**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: [https://www.tn.gov/tbi/section/tennessee-sex-offender-registry](https://www.tn.gov/tbi/section/tennessee-sex-offender-registry). 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 reoffending. 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 policy on sexual misconduct, relationship violence, stalking, and retaliation, 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 Clery Compliance Coordinator. 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.

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 the university’s Clery Act website, http://clery.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.

For more information on the university's Clery geography, you may visit http://clery.utk.edu/clery-map/ for a detailed map and geography descriptions. The University of Tennessee Medical Center, which is operated by University Health System, Inc., a separate legal entity from the University of Tennessee, is not considered campus property because it is separated from the Knoxville campus by the Tennessee River. There is no tunnel or pedestrian bridge connecting the campus and medical center.

DEFINITIONS

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 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 the reporting party’s statement and with 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. For the purpose of this definition, dating violence includes, but it 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.
**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 or intimate partner; (4) 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) 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 occurred.

**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:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those 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, enzedrime).

**Hate Crime:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

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

- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender; e.g., male or female;

- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity; e.g., bias against transgender or gender non-conforming individuals.

- **Religion:** A preformed negative opinion or attitude toward a person or 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 actual or perceived 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 people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry;

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth;

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. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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.

Manslaughter by Negligence: 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: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

   Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

   Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

   Statutory Rape: 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.
Definitions of Terms for Local Jurisdiction

For the community's education and awareness, the terms stalking, sexual assault, domestic violence and dating violence are defined by the University's local jurisdiction. The local jurisdiction uses the Tennessee Code Annotated (TCA) to define criminal offenses. These definitions may differ from those within the Clery Act and are not used for the purposes of reporting Clery Act statistics.

TCA Code § 39-17-315 defines **Stalking** as a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

TCA does not define **Sexual Assault** specifically but categorizes a number of crimes under **Sexual Offenses** including:

*Rape* is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:
(1) Force or coercion is used to accomplish the act; (2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent; (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual penetration is accomplished by fraud.

*Sexual battery* is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:
(1) Force or coercion is used to accomplish the act; (2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent; (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual contact is accomplished by fraud.

*Statutory rape* is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:
(1) The victim is at least thirteen but less than fifteen years of age and the defendant is at least four years but less than ten years older than the victim; or (2) The victim is at least fifteen but less than eighteen years of age and the defendant is more than five but less than ten years older than the victim.

Several other offenses are included under TCA Sexual Offenses. For a list of offenses and their definitions, see TCA codes 39-13-501 through 39-13-511.

TCA does not define **Domestic Violence** specifically as there is no criminal offense code for Domestic Violence. However, TCA 39-13-111 defines **Domestic Assault** and a domestic abuse victim as the following:

Any person who falls within the following categories:
(1) Adults or minors who are current or former spouses; (2) Adults or minors who live together or who have lived together; (3) Adults or minors who are dating or who have dated or who
have or had a sexual relationship, but does not include fraternization between two individuals in a business or social context; (4) Adults or minors related by blood or adoption; (5) Adults or minors who are related or were formerly related by marriage; or (6) Adult or minor children of a person in a relationship that is described in subdivisions (1)-(5).

TCA does not define **Dating Violence**. Anyone in a dating relationship would fall within TCA 39-13-111 for Domestic Assault as seen in section three of the definition.
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, room 414, 1425 Tee Martin Drive, (East Stadium Hall) 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
- Sorority and Fraternity Life  865-974-2236

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 2015.

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, bongs 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). Personal-owned 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: 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-guage 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
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 on 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 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 for 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) and include the following:

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<th>Safety Policy Name</th>
<th>Safety Policy Number</th>
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**Plans for Future Improvement in Fire Safety**

**Sorority Village**

Buildings in Sorority Village were first occupied within the past four years. No improvements are planned 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 demolished during the spring/summer of 2014. A new 700 bed residence hall is under construction and will replace Gibbs Hall. This new structure will be ready for occupancy by January 2017.

- Shelburne Towers, was razed during 2014 to make way for a future residence. Construction began on two new residence halls on this site during 2015. These buildings are scheduled for occupancy in the fall of 2016.

- Apartment Residence was vacated at the end of spring semester 2015 with demolition occurring before December 2015.

- 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 several existing buildings. 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.

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</table>

*Due to federal mandates in reporting, institutions are required to publish sex offenses under the FBI's Uniform Crime Reporting structure.

**Unfounded crimes are incidences that have been determined to be false or baseless through a formal investigation by sworn or commissioned law enforcement.

***Statistics for this crime were not kept prior to 2013.
## Hate Crimes: January 1, 2015 – December 31, 2015

<table>
<thead>
<tr>
<th>Crime</th>
<th>Race</th>
<th>Gender</th>
<th>Religion</th>
<th>Gender Identity*</th>
<th>Sexual Orientation</th>
<th>Ethnicity</th>
<th>Disability</th>
<th>National Origin*</th>
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<tr>
<td>Murder an Non-Negligent Manslaughter</td>
<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
<td>OC</td>
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<td>NC</td>
<td>RF</td>
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<td>RF</td>
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<td>NC</td>
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<td>NC</td>
<td>RF</td>
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<tr>
<td>Other Crimes Involving Bodily Injury</td>
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<td>NC</td>
<td>RF</td>
<td>PP</td>
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<td>NC</td>
<td>RF</td>
<td>PP</td>
</tr>
</tbody>
</table>

OC=On Campus Property  PP=Public Property  
NC=Non-Campus 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.
## CRIME STATISTICS: JANUARY 1, 2014 – DECEMBER 31, 2014

<table>
<thead>
<tr>
<th>All On-Campus Property</th>
<th>Non-Campus Property</th>
<th>Public Property</th>
<th>On-Campus Residential Only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reported to UTPD</td>
<td>Reported to Other Agencies</td>
<td>Reported to Non-Police</td>
</tr>
</tbody>
</table>
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 1 | 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 | **  
| Robbery | 3 | 0 | 0 | 3 | 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 | 2 | 0 | 0 | 2 | 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 | 16 | 0 | 0 | 16 | 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 | 9 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Burglary | 12 | 0 | 0 | 12 | 0 | 0 | 2 | 0 | 0 | 1 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Rape* | 3 | 0 | 0 | 6 | 9 | 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 | **  
| Fondling* | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Incest* | 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 | **  
| Statutory Rape* | 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 | **  
| Liquor Law Arrests | 107 | 1 | 0 | 108 | 0 | 0 | 0 | 0 | 0 | 35 | 0 | 0 | 0 | 35 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Liquor Law Violations Referred for Disciplinary Referral | 59 | 1 | 441 | 501 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 15 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Drug Law Arrests | 100 | 0 | 0 | 100 | 0 | 1 | 0 | 1 | 17 | 0 | 0 | 0 | 17 | 118 | 49 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Drug Law Violations Referred for Disciplinary Referral | 136 | 0 | 18 | 154 | 0 | 0 | 0 | 0 | 6 | 0 | 0 | 0 | 6 | 160 | 131 | 0 | 18 | 149 | 0 | 149 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Illegal Weapons Possession Arrests | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Illegal Weapons Possession Violations Referred for Disciplinary Referral | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Domestic Violence*** | 4 | 2 | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | 2 | 0 | 1 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  
| Dating Violence*** | 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 | **  
| Stalking*** | 12 | 0 | 4 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 4 | 0 | 1 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | **  

*Due to new federal mandates in reporting, institutions are required to publish sex offenses under the FBI's Uniform Crime Reporting structure.

**Unfounded crimes are incidences that have been determined to be false or baseless through a formal investigation by sworn or commissioned law enforcement.

***Statistics for this crime were not kept prior to 2013.
<table>
<thead>
<tr>
<th>Crime</th>
<th>Race</th>
<th>Gender</th>
<th>Religion</th>
<th>Gender Identity*</th>
<th>Sexual Orientation</th>
<th>Ethnicity</th>
<th>Disability</th>
<th>National Origin*</th>
</tr>
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<tbody>
<tr>
<td>Murder an Non-Negligent Manslaughter</td>
<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
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<td>RF</td>
<td>PP</td>
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<td>NC</td>
<td>RF</td>
<td>PP</td>
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<td>RF</td>
<td>PP</td>
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<td>NC</td>
<td>RF</td>
<td>PP</td>
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<td>NC</td>
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</tr>
<tr>
<td>Robbery</td>
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<td>PP</td>
<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
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<tr>
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<td>NC</td>
<td>RF</td>
<td>PP</td>
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<tr>
<td>Larceny</td>
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<td>NC</td>
<td>RF</td>
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<td>RF</td>
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<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
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<tr>
<td>Simple Assault</td>
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<td>RF</td>
<td>PP</td>
<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
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<tr>
<td>Intimidation</td>
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<td>NC</td>
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<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
</tr>
<tr>
<td>Other Crimes Involving Bodily Injury</td>
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<td>NC</td>
<td>RF</td>
<td>PP</td>
<td>OC</td>
<td>NC</td>
<td>RF</td>
<td>PP</td>
</tr>
</tbody>
</table>

OC=On Campus Property  PP=Public Property  
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**Crime Statistics: January 1, 2013 – December 31, 2013**

- **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.**

<table>
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<tr>
<th>Offense</th>
<th>All On-Campus Property</th>
<th>Non-Campus Property</th>
<th>Public Property</th>
<th>Grand Total</th>
<th>On-Campus Residential Only</th>
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</tr>
<tr>
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</tr>
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<td>Motor Vehicle Theft</td>
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<td>Burglary</td>
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<td>Sex Offenses – Non-Forcible (Incest or Statutory Rape)</td>
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<tr>
<td>Liquor Law Arrests</td>
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<td>358</td>
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<tr>
<td>Illegal Weapons Possession Violations Referred for Disciplinary Referral</td>
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<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Dating Violence**</td>
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<td>Domestic Violence**</td>
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<td>Stalking**</td>
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<td>4</td>
<td>0</td>
</tr>
</tbody>
</table>

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<th>Religion</th>
<th>Gender Identity*</th>
<th>Sexual Orientation</th>
<th>Ethnicity</th>
<th>Disability</th>
<th>National Origin*</th>
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<td>Murder an Non-Negligent Manslaughter</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>Aggravated Assault</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<tr>
<td>Burglary</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>Motor Vehicle Theft</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>Arson</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>Vandalism/Destruction of Property</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>Simple Assault</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<td>Intimidation</td>
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<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
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<tr>
<td>Other Crimes Involving Bodily Injury</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
<td>OC 0 NC 0 RF 0 PP 0</td>
</tr>
</tbody>
</table>

OC=On Campus Property  PP=Public Property
NC=Non-Campus 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.
ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX B: FIRES IN ON-CAMPUS STUDENT HOUSING FACILITIES
<table>
<thead>
<tr>
<th>Housing Facility</th>
<th>Total Fires in the Housing Facility</th>
<th>Cause of Fire</th>
<th>Number of Injuries that Required Treatment at a Medical Facility</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Caused by Fire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment Residence Hall, 2117 Andy Holt Avenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Fred D. Brown, Jr. Hall, 1817 Andy Holt Avenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Carrick Hall, 1021 Francis St. (North Carrick) &amp; 1023 Francis St. (South Carrick)</td>
<td>1 North</td>
<td>0</td>
<td>0</td>
<td>Unintentional/Electrical fire</td>
<td>N/A</td>
</tr>
<tr>
<td>Clement Hall, 1629 W. Cumberland Avenue</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Gibbs Hall, 1311 Lake Loudoun Blvd.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Hess Hall, 1720 Melrose Place</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>Intentional/Poster on door set on fire</td>
<td>N/A</td>
</tr>
<tr>
<td>Humes Hall, 1911 Andy Holt Avenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Building Name</td>
<td>Year</td>
<td>Month</td>
<td>Incident Type</td>
<td>Cause of Incident</td>
<td>Financial Impact</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>------</td>
<td>-------</td>
<td>---------------</td>
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<td>------------------</td>
</tr>
<tr>
<td>Laurel Hall, 1615 Laurel Avenue</td>
<td>1</td>
<td>1</td>
<td>Unintentional</td>
<td>Oven mitt caught on fire</td>
<td>N/A</td>
</tr>
<tr>
<td>Massey Hall, 825 Volunteer Boulevard</td>
<td>0</td>
<td>1</td>
<td>Unintentional</td>
<td>Grease cooking</td>
<td>N/A</td>
</tr>
<tr>
<td>Morrill Hall, 1038 20th Street</td>
<td>0</td>
<td>0</td>
<td>Unintentional</td>
<td>Cardboard in dumpster</td>
<td>N/A</td>
</tr>
<tr>
<td>Reese Hall, 1910 Caledonia Street</td>
<td>0</td>
<td>1</td>
<td>Unintentional</td>
<td>Grease cooking</td>
<td>N/A</td>
</tr>
<tr>
<td>Volunteer Hall, 1525 White Avenue</td>
<td>0</td>
<td>1</td>
<td>Unintentional</td>
<td>Cardboard in dumpster</td>
<td>N/A</td>
</tr>
<tr>
<td>Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.</td>
<td>0</td>
<td>1</td>
<td>Unintentional</td>
<td>Cardboard in dumpster</td>
<td>N/A</td>
</tr>
<tr>
<td>Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.</td>
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<td>Unintentional</td>
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<tr>
<td>Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.</td>
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<td>1</td>
<td>Unintentional</td>
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<tr>
<td>Kappa Alpha Fraternity, 840 20th Street</td>
<td>0</td>
<td>1</td>
<td>Unintentional</td>
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</tr>
<tr>
<td>Fraternity Name</td>
<td>Address</td>
<td>Phone</td>
<td>Fax</td>
<td>Email 1</td>
<td>Email 2</td>
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<tr>
<td>---------------------------------------</td>
<td>------------------</td>
<td>-------</td>
<td>-----</td>
<td>---------</td>
<td>---------</td>
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<tr>
<td>Kappa Sigma Fraternity, 1730 Melrose Pl.</td>
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<td>N/A N/A N/A N/A N/A</td>
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<tr>
<td>Lambda Chi Alpha, 1848 Fraternity Park Dr.</td>
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<tr>
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<td>Fraternity/Sorority</td>
<td>Address</td>
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<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
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<tr>
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<td>--------------------------------</td>
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<td>Alpha Chi Omega Sorority, 2919 Village Circle</td>
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<td>Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.</td>
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<tr>
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<td>Delta Gamma Sorority, 2906 Village Circle</td>
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<tr>
<td>Sorority</td>
<td>Telephone</td>
<td>Line</td>
<td>Call</td>
<td>Mailing Address</td>
<td>Zip</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------</td>
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<tr>
<td>Delta Zeta Sorority, 3018 Sorority Village Circle</td>
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<td>Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.</td>
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<td>Pi Beta Phi Sorority, 3005 Sorority Village Circle</td>
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<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.</td>
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<tr>
<td>Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.</td>
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<td>N/A</td>
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<tr>
<td>Volunteer Condos, 910 22nd Street</td>
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<td>0</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
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</tbody>
</table>

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ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX C: FIRE SAFETY SYSTEMS IN ON-CAMPUS STUDENT HOUSING FACILITIES
<table>
<thead>
<tr>
<th>HOUSING FACILITY</th>
<th>FULL SPRINKLER SYSTEM</th>
<th>SMOKE DETECTION</th>
<th>FIRE EXTINGUISHER DEVICES</th>
<th>EVACUATION PLANS AND PLACARDS</th>
<th>NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2015</th>
<th>FIRE ALARM SYSTEMS</th>
<th>OTHER FIRE CONTROL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment Residence Hall, 2117 Andy Holt Avenue</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>2 - Building closed end of spring semester</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Fred D. Brown, Jr. Hall, 1817 Andy Holt Avenue</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Carrick Hall, 1021 Francis St. (North Carrick) &amp; 1023 Francis St. (South Carrick)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Clement Hall, 1629 W. Cumberland Avenue</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Hess Hall, 1720 Melrose Place</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Humes Hall, 1911 Andy Holt Avenue</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Laurel Hall, 1615 Laurel Avenue</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Massey Hall, 825 Volunteer Boulevard</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Morrill Hall, 1038 20th Street</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
</tbody>
</table>

1 The term “full sprinkler system” is defined as having sprinklers in both the common areas and individual rooms.
<table>
<thead>
<tr>
<th>HOUSING FACILITY</th>
<th>FULL SPRINKLER SYSTEM</th>
<th>SMOKE DETECTION</th>
<th>FIRE EXTINGUISHER DEVICES</th>
<th>EVACUATION PLANS AND PLACARDS</th>
<th>NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2015</th>
<th>FIRE ALARM SYSTEMS</th>
<th>OTHER FIRE CONTROL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reese Hall, 1910 Caledonia Street</td>
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<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>4 ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Volunteer Hall, 1525 White Ave</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>4 ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways</td>
</tr>
<tr>
<td>Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>10 ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>Fire rated stairs, smoke-tight hallways</td>
</tr>
<tr>
<td>Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.</td>
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<td>10 ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>Fire rated stairs, smoke-tight hallways</td>
</tr>
<tr>
<td>Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.</td>
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<td>10 ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
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</tr>
<tr>
<td>Kappa Alpha Fraternity, 840 20th Street</td>
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<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>11 ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>Fire rated stairs, smoke-tight hallways</td>
</tr>
<tr>
<td>Kappa Sigma Fraternity, 1730 Melrose Pl.</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
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<td>8 – closed during summer ✓ ✓</td>
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<tr>
<td>Lambda Chi Alpha Fraternity, 1848 Fraternity Park Dr.</td>
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<td>✓ ✓ ✓ ✓</td>
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<td>8 – closed during summer ✓ ✓</td>
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</tr>
<tr>
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<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
<td>4 – closed part of year ✓ ✓</td>
<td>✓ ✓ ✓ ✓</td>
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<tr>
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<tr>
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<td>✓ ✓ ✓ ✓</td>
<td>Fire rated stairs, smoke-tight hallways</td>
</tr>
<tr>
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<td>✓ ✓ ✓ ✓</td>
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<tr>
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<td>✓ ✓ ✓ ✓</td>
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<td>✓ ✓ ✓ ✓</td>
<td>0 – house vacant during year ✓ ✓</td>
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<tr>
<td>Sigma Alpha Epsilon Fraternity, 1808 Fraternity Park Drive</td>
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<tr>
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<td>FIRE extinguisher DEVICES</td>
<td>EVACUATION PLANS AND PLACARDS</td>
<td>NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2015</td>
<td>FIRE ALARM SYSTEMS</td>
<td>OTHER FIRE CONTROL</td>
</tr>
<tr>
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<td>✓</td>
<td></td>
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</tr>
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<tr>
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<tr>
<td>Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.</td>
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<td>Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.</td>
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<td>✓</td>
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<td>2 – opened fall semester</td>
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<tr>
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<tr>
<td>Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.</td>
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<tr>
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<tr>
<td>Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.</td>
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<td>✓</td>
<td>4</td>
<td>✓</td>
<td>Fire rated stairs, smoke-tight hallways</td>
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<tr>
<td>Pi Beta Phi Sorority, 3006 Sorority Village Circle</td>
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<td>Fire rated stairs, smoke-tight hallways</td>
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<td>Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.</td>
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<td>4</td>
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<td>Fire rated stairs, smoke-tight hallways</td>
</tr>
<tr>
<td>Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.</td>
<td>✓</td>
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<td>4</td>
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<td>Fire rated stairs, smoke-tight hallways</td>
</tr>
<tr>
<td>Volunteer Condos, 910 22nd Street</td>
<td>✓</td>
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<td>✓</td>
<td>✓</td>
<td>0</td>
<td>✓</td>
<td>Exterior Stairway for egress</td>
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</tbody>
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APPENDIX D: CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS CONDUCTED BY UNIVERSITY HOUSING – DIVISION OF STUDENT LIFE IN 2015
<table>
<thead>
<tr>
<th>Date of Program</th>
<th>Residence</th>
<th>Program Title</th>
<th>Objective</th>
<th>Participation Scope</th>
<th>Program Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-02-26</td>
<td>Apartment Residence Hall</td>
<td>Thursday Night Pregame</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>1. Floor</td>
<td>This program is intended to be a combination of educational and social objectives. Many residents often go out on Thursday nights, so I’m holding this program at a time during which they would still be in the building getting ready to go out. Instead of drinking, residents would be able to hang out and play Mario Kart while learning about how to drink responsibly and other alcohol knowledge.</td>
</tr>
<tr>
<td>2015-10-30</td>
<td>Morrill Hall</td>
<td>Alcohol Awareness</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>1. Floor</td>
<td>The RA handed out candy and a flyer with the CUPS alcohol poisoning information and what to do in case someone has alcohol poisoning.</td>
</tr>
<tr>
<td>2015-10-26</td>
<td>Clement Hall</td>
<td>Drunk Just Dance</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>1. Floor</td>
<td>UTPD will come with the drunk goggles and the residents can play Just Dance or Mario Cart. This educational program will be aimed at understanding how alcohol affects your judgment while dancing and driving. Information on healthy drinking within your limits and personal safety will be provided.</td>
</tr>
<tr>
<td>2015-10-29</td>
<td>Clement Hall</td>
<td>Harry Potter Mocktails</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>1. Floor</td>
<td>Residents will be invited to try Harry Potter themed mocktails while playing Harry Potter and alcohol trivia. It will be a great way for residents to learn about alcohol safety in a comfortable environment.</td>
</tr>
<tr>
<td>2015-09-02</td>
<td>Clement Hall</td>
<td>Identify Operation ID!</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>2. Hall</td>
<td>It’s a common thing: electronics and valuables can get stolen each and every day, especially on a college campus like UT. Some residents, however, may not know that UTPD offers a program that can help better locate those valuables through the program Operation Identification. For one hour, residents will be able to get their valuables registered into the system and get the protection that could very well save the things that are costly to replace.</td>
</tr>
<tr>
<td>Date</td>
<td>Location</td>
<td>Event</td>
<td>Location</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>------------</td>
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<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>2015-10-21</td>
<td>Clement Hall</td>
<td>Sex in the Dark</td>
<td>6. Hall</td>
<td>The residents of Clement will join a member from the Center in the game room to discuss a [sometimes uncomfortable] topic: sex. However, this is in no way meant to make anybody uncomfortable; it's designed to make participants as comfortable as possible. We will use the game room because the lights are able to be turned off. There will be a jar set up at the front desk to collect questions about sex, relationships, sexuality, etc. These will be sent to the CHEW a few days before the program so they can prepare. At the program, residents will be able to grab a glow stick and write down any more questions they may have before the lights go out. Also before the lights go out, our CHEW representative will speak a little and do a few demonstrations. The guidelines will be explained (to create a safe space; anybody who threatens this safe space will be asked to leave) and begin pulling questions. The questions can be answered by residents, but our CHEW representative is present to answer anything medical or policy related. Participants will have the chance to learn answers to questions they may normally not be willing to ask.</td>
<td></td>
</tr>
<tr>
<td>2015-10-08</td>
<td>Clement Hall</td>
<td>Thirsty Thursdays</td>
<td>1. Floor</td>
<td>Positioned in front of the elevator with milk and cookies, Housing staff will give the residents cookies and milk &quot;shots&quot; if they answer a question about alcohol use and/or abuse!</td>
<td></td>
</tr>
<tr>
<td>2015-02-12</td>
<td>Fred D. Brown Jr. Hall</td>
<td>50 Shades of Sex</td>
<td>1. Floor</td>
<td>RA's took residents to see the movie 50 Shades of Grey and provided education on the signs of an abusive relationship. The point of this program is to spark conversations and create a pathway for residents to discuss the signs of healthy/unhealthy relationships. To continue the program, and encourage safe sex, &quot;Valentine's Day Goodie Boxes&quot; were placed in the hallway study nook. The boxes were filled with Hershey's kisses, a condom, and a note saying &quot;love yourself first&quot;.</td>
<td></td>
</tr>
<tr>
<td>2015-03-10</td>
<td>Fred D. Brown Jr. Hall</td>
<td>Bagel Bites and Handcuffs</td>
<td>2. Hall</td>
<td>The use of illegal and legal prescription drugs on university campuses is common in the hopes of obtaining better grades or to be able to study more effectively. UTPD will inform residents of the dangers of using illegal and legal prescription drugs. Residents will be educated on the resources available to them to assist with grades and studying. The dangers of alcohol will be discussed to show how consuming large amounts could damage the brain and affect individuals academically.</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Location</td>
<td>Event Name</td>
<td>Location Details</td>
<td>Description</td>
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<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>2015-10-30</td>
<td>Fred D. Brown Jr. Hall</td>
<td>It Happened Here</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>This documentary highlights several women’s first hand accounts of rapes that occurred on college campuses. A better understanding of the topic and its severity will benefit the resident and not make insensitive jokes on the subject of rape. The documentary may be a tough to sit all the way through so pizza and drinks will be provided. The way it is presented, even ten minutes will provide an intense look into the seriousness of the action and the repercussions that it has on the lives of the alleged and the complainant both.</td>
<td></td>
</tr>
<tr>
<td>2015-09-23</td>
<td>Fred D. Brown Jr. Hall</td>
<td>Manis and Mocktails</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>Manis and Mocktails is both a social and an educational program regarding safety. The participants are brought to the program with the expectation of doing manicures and enjoying “mocktails” made by our staff. For the educational portion, we will be slipping tic-tacs into several unsuspecting participants’ drinks to simulate date rape drugs and how easily they are administered when your attention is elsewhere. The RAs will keep track of who has received one of the tic-tacs and have a reveal towards the end of the program of who would have been effected by the date rape drug. We will also pass out tickets to each person that enters the program. Every fifth ticket will be marked in some way and will later be revealed that each marked ticket represents the 1 in five women that are sexually assaulted while at college. To further lead the discussion, we are having a CHEW Peer Mentor talk about the different kinds of drugs that are used, symptom signs, and prevention methods.</td>
<td></td>
</tr>
<tr>
<td>2015-09-02</td>
<td>Fred D. Brown Jr. Hall</td>
<td>Safe choices in social situations and alcohol awareness.</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>UTPD will be joining the floor to discuss safe choices in social environments and alcohol environments. As first year students, this is the first time that they are away from their parents and they want to meet new people. This program will address the dangers associated with large college gatherings with people you do not know, or have just met. Its also a great way for our residents to learn some safety tips for these social settings. This program will promote safe and healthy habits for the resident's new life style.</td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Event Title</th>
<th>Topic</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-03-12</td>
<td>Fred D. Brown Jr. Hall</td>
<td>Tasty Safety Tips</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>RAs will have a stand set up in Pres Court next Thursday where will be asking trivia questions regarding alcohol, sex, and other safety concerns students will encounter during spring break. If the students answer correctly, they get a tasty piece of candy. Even though it is a lighthearted way to at the very least make them aware of the many serious dangers, we hope it will at least get freshman going on Spring Break on their own for the first time thinking about how they can stay safe, and avoid possible dangers.</td>
</tr>
<tr>
<td>2015-10-12</td>
<td>Fred D. Brown Jr. Hall</td>
<td>Tea Consent</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>This program will be focused on the topic of consent. Understanding the meaning of consent and when it is given can help my residents make the best and safest decisions while interacting with other college students. I will be showing a video that I found online that relates the topic of consent with someone wanting a cup of tea. It is by far the best explanation that is simple to understand that I have ever heard. I believe that it will help my residents understand the point of consent. At the program I will have sweet tea for them to drink while they watch the video.</td>
</tr>
<tr>
<td>2015-10-22</td>
<td>Fred D. Brown Jr. Hall</td>
<td>Trick or Sweet</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>Trick and Sweet is a program to gain safety tips while going out for Halloween. Housing staff will provide donuts, and attached to the donut will be safety tips.</td>
</tr>
<tr>
<td>2015-10-08</td>
<td>Hess Hall</td>
<td>Club Hess</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>Club Hess is designed to show residents that it is possible to have fun without the use of alcohol and to promote alcohol awareness. Good music, laughter, drinks, and excitement come together to cause for an unforgettable experience in Hess Lobby.</td>
</tr>
<tr>
<td>2015-02-10</td>
<td>Hess Hall</td>
<td>Girls Fight Back</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>The goal of this program is to help educate residents and help them feel safe when they walk around campus. This program will give strategies, techniques, options to help them feel safe and reduce the risk of exposure to violence and introduce them to the physical aspects of self-defense.</td>
</tr>
<tr>
<td>Date</td>
<td>Location</td>
<td>Event</td>
<td>1. Floor</td>
<td>2. Hall</td>
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<tr>
<td>2015-11-04</td>
<td>Hess Hall</td>
<td>LIT (Learning Inebriated Tips) with UTPD</td>
<td>6. Safe and Healthy Lifestyles</td>
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<tr>
<td>2015-11-24</td>
<td>Hess Hall</td>
<td>Panda Sex</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>2. Hall</td>
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<td>2015-01-20</td>
<td>Hess Hall</td>
<td>Safety In Numbers</td>
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<td>2015-01-08</td>
<td>Hess Hall</td>
<td>Sex in the Dark</td>
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<td>2. Hall</td>
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<tr>
<td>2015-09-17</td>
<td>Humes Hall</td>
<td>Girls Night Out</td>
<td>2. Hall</td>
<td>This program will focus on alcohol education as well as some UT traditions and facts. In the lobby, there will be a table with virgin Jell-O &quot;shots&quot; for residents to have. They will also be getting a piece of paper with a fact that is alcohol related. With having the program late at night, hopefully we can get facts out before people potentially go out and decide to drink. In the elevators, an RA will have candy and trivia questions about UT/alcohol and whoever answers can get a piece of candy.</td>
</tr>
<tr>
<td>2015-10-26</td>
<td>Humes Hall</td>
<td>Healthy Relationships Presentation</td>
<td>1. Floor</td>
<td>A Counseling Center graduate assistant be speaking about healthy relationships. The presentation is through Vols Help Vols. The GA will talk about what to have in a relationship, red flags, and do some interactive activities.</td>
</tr>
<tr>
<td>2015-10-30</td>
<td>Humes Hall</td>
<td>I'm only here for the &quot;Boo&quot;ze Party</td>
<td>1. Floor</td>
<td>The party will be Halloween themed with a focus on alcohol education. I will have virgin versions of &quot;hunch punch&quot; and jello shots. I will have candy for those who answer questions correctly about alcohol and its effects. There will also be a portion of the program where some of the girls find skittles in the bottom of their cups. Explanation of the dangers of rufies and taking drinks you did not open yourself. Residents may choose a Halloween movie so they can socialize and build community afterwards.</td>
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<tr>
<td>2015-10-28</td>
<td>Humes Hall</td>
<td>Sex in Envelopes</td>
<td>2. Hall</td>
<td>Residents will be given different scenarios on different events that may happen when it comes to sexual encounters. Candy will be given out to those who participate.</td>
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<tr>
<td>2015-10-11</td>
<td>Massey Hall</td>
<td>Booze-A-Palooza</td>
<td>2. Hall</td>
<td>Booze-A-Palooza is a hall-wide program put on in cooperation with a variety of campus resources to provide an alcohol awareness opportunity that will inform and educate the risks of alcohol to residents on an individual level while also intending to create a community of active bystanders to protect and care for others.</td>
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<tr>
<td>2015-03-05</td>
<td>Massey Hall</td>
<td>Cinco de Marzo</td>
<td>2. Hall</td>
<td>Cinco de Marzo is a mock college party simulation. There will be food, mocktails, music, billiards and water pong. RAs will float around and drop gummy bears in drinks as if there were roofies and IDs will be checked for age. The program is to encourage drinking responsibly and legally and fact sheets will be provided.</td>
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<td>2015-03-25</td>
<td>Massey Hall</td>
<td>MADD</td>
<td>1. Floor</td>
<td>Service sorority Gamma Sigma Sigma put on an event for the organization MADD. There was a guest speaker whose life was personally effected by a drunk driver. They explained their story and it was a very emotional experience. Facts were shared such as &quot;a driver drives drunk on average 76 times before they are caught.&quot; The residents enjoyed this and learned a lot about being safe in their decisions and how one small mistake can make a large impact.</td>
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<tr>
<td>2015-11-22</td>
<td>Massey Hall</td>
<td>Party Tricks</td>
<td>1. Floor</td>
<td>This program is designed to provide residents with practical knowledge about how to drink responsibly. A lot of residents enter college and immediately involve themselves in a culture that they were never educated on. Instead of shaming residents for drinking, they will be provided information that could save their lives. The goal of this program is to educate residents and inform them of basic facts about alcohol consumption (like how long it takes for the body to process one drink and the difference between a beer and a shot), what different terminology means (like &quot;proof&quot; and its relationship to alcohol percentage), how to recognize alcohol poisoning, how the potential judicial consequences for drinking in general, while driving, or in the residence hall, as well as consequences of drinking underage. The goal is to present information based on fact, from a neutral and unbiased standpoint instead of shaming or encouraging them. This will be accomplished in an engaging and interactive environment that will be fun and interesting to residents. There will be a trivia game (like Jeopardy), along with food and opportunities to win prizes.</td>
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<tr>
<td>2015-01-31</td>
<td>Massey Hall</td>
<td>Taco Night</td>
<td>2. Hall</td>
<td>This program will make residents aware of many dangers that they could encounter while in college. While serving tacos and listening to Hispanic music, it will reveal that there are hidden numbers on the bottom of everyone’s cup and the numbers all represent a scenario that relates to alcohol and drug use in college. This will help residents understand the importance of being careful of who they hang around and how to be safe when going to college social events.</td>
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| 2015-10-08 | Massey Hall | U-Turnt? Responsible Alcohol Education   | 6. Safe and Healthy Lifestyles                | 1     | The theme for the month of October is "Super Smash Bros". To go along with this, Hall Staff is coining the phrase "Don't Get Super Smashed, Bro" to start the conversation of responsible alcohol consumption, instead of ignoring the problem and telling students not to drink at all. For this program, UTPD will bring 3 aspects of this program together: (1) Drunk Goggles Mario Kart to talk about the dangers of drinking and driving, (2) Sum-It-Up Cup to talk about proper serving sizes of alcoholic beverages so students are not over-served at
<p>| 2015-02-25 | Massey Hall | We Love You                              | 6. Safe and Healthy Lifestyles                | 1     | The Center for Health Education and Wellness will come by to give an overview of many of their services that they have for students including a help hotline, counseling, and many more. I don’t think my residents know of this office, so it will be beneficial for them to know about the center in case they need to go there any time during their college career. |
| 2015-01-20 | Morrill Hall| Party with Da Popo--Alcohol Awareness UTPD's Perspective | 6. Safe and Healthy Lifestyles                | 1     | This program is UTPD’s alcohol awareness program. It will include activities such as drunk goggles, root beer pong, and drunk Mario Kart. Hall staff will provide the root beer along with other snacks and beverages. This program will give the residents an opportunity to meet some members of UTPD so that they can feel less intimidated as well as make residents aware of the dangers and boundaries of alcohol consumption. |
| 2015-01-31 | Morrill Hall| Sex Week: Extremities                    | 6. Safe and Healthy Lifestyles                | 1     | I’ll be taking my residents to Extremities, a play that is part of SEAT’s Sex Week. Extremities is about sexual assault and is supposed to be extremely intimate and wonderful. After the play, they will also have a &quot;Talk Back&quot; with the actors to discuss how difficult it is to play this type of role. There will also be counselors present to discuss the role of survivors. |
| 2015-10-28 | Morrill Hall| UTPD PARTY!                               | 6. Safe and Healthy Lifestyles                | 1     | UTPD is coming with drunk goggles and Mario Kart to talk to residents about alcohol awareness and safe and healthy lifestyles. |
| 2015-03-30 | North Carrick Hall | GenRx                                  | 6. Safe and Healthy Lifestyles                | 2     | A speaker from the UT Health Science Center is coming to present a program called GenRx (generation prescription) to residents. It will cover the use and abuse of prescription drugs, particularly Adderall, as that is abused at an amazing rate by students, especially we approach finals. There will be a question and answer session after the presentation. In the spirit of health, fresh fruit will be served. |</p>
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<th>Date</th>
<th>Location</th>
<th>Event Description</th>
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<th>Event Description</th>
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<tr>
<td>2015-03-02</td>
<td>North Carrick Hall</td>
<td>Mocktails and Drunk Mario 6. Safe and Healthy Lifestyles 3. Inter-hall</td>
<td>Hall UTPD</td>
<td>UTPD will present a program which will be directed at the dangers of alcohol in a fun and engaging way through the outlets of Mario Kart with drunk goggles. These goggles impair the vision of the &quot;driver&quot; to simulate differing levels of BAC. This part of the program we hope to entice the guys to come out and attend the program, for the ladies of South Carrick we hope the Sum It Cup will help bring them out, as well as having mocktails in the form of a non-alcoholic punch. An alcohol awareness program before spring break and during certain pledge ship for Greek life. A fun and engaging program allowing the residents to interact with one another and truly take a positive away.</td>
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<td>2015-08-27</td>
<td>North Carrick Hall</td>
<td>Water for thought 6. Safe and Healthy Lifestyles 1. Floor</td>
<td>Hall UTPD</td>
<td>This is an alcohol awareness program. Set up a table with solo cups on it. Residents will take turns shooting a ping pong ball at the solo cups. The cups will be labeled with different numbers on them. With a large sheet of paper on the wall, the numbers on the cup will be matched to one on the wall. They will read off the alcohol fact under the sheet of paper. The different papers will have different facts about alcohol from how much the human body can process to different history facts about it.</td>
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<td>2015-11-11</td>
<td>Reese Hall</td>
<td>Drunk Mario Cart 6. Safe and Healthy Lifestyles 2. Hall</td>
<td>Hall UTPD</td>
<td>Residents will be encouraged to come participate in drunk simulating activities led by an officer from UTPD. Activities will include: Field Sobriety Tests, Ping Pong, and Mario Cart, all while using a variety of intensity levels of drunk simulating goggles.</td>
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<td>2015-03-12</td>
<td>Reese Hall</td>
<td>Trivia You Can Taste: Spring Break edition 6. Safe and Healthy Lifestyles 3. Inter-hall</td>
<td>Hall UTPD</td>
<td>RAs will have a stand set up in Pres Court where we will be asking trivia questions regarding alcohol, sex, and other safety concerns students will encounter during spring break. Even though it is a light - hearted way to present serious dangers, it will at least get freshman going on Spring Break alone for the first time thinking about how they can stay safe, and avoid possible dangers.</td>
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<td>2015-02-04</td>
<td>Reese Hall</td>
<td>UTPD Lecture 6. Safe and Healthy Lifestyles 1. Floor</td>
<td>Hall UTPD</td>
<td>A UTPD officer will be coming to talk about vandalism and various other offenses. Also he will be answering any questions residents may have.</td>
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<td>2015-11-18</td>
<td>South Carrick Hall</td>
<td>Cookies to Escorts! 6. Safe and Healthy Lifestyles 2. Hall</td>
<td>Hall UTPD</td>
<td>The Health and Safety Committee will be holding a program entitled &quot;Cookies to Escorts!&quot; Anytime a resident escorts their guest between 6-7pm, the girl and her guest will both receive cookies. The purpose of this program is to encourage escorting guests and highlight the importance of escorting guests for safety reasons.</td>
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<td>2015-10-26</td>
<td>South Carrick Hall</td>
<td>Keychains!</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>The Health and Safety committee held their October program at the front desk entitled &quot;Keychains!&quot; We bought keychain blocks, printed paper, and modge podge to allow residents to make a keychain and label it with important phone numbers, including the front desk, the T-link, UTPD, and 974-HELP. The goal was to provide residents with a cute and useful accessory to give them important numbers in case their phone was dead.</td>
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<td>2015-07-01</td>
<td>Volunteer Hall</td>
<td>4th of July Safety</td>
<td>6. Safe and Healthy Lifestyles</td>
<td>This program was used to address fireworks safety prior to the Fourth of July. RAs baked cookies and went door-to-door interacting with the residents while passing out different handouts regarding general fireworks safety and injury statistics.</td>
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<td>Department</td>
<td>Program Type</td>
<td>Frequency</td>
<td>Staff, Students or Both</td>
<td>Description</td>
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<td>Center for Student Engagement</td>
<td>Volunteer Speak Up Training for Organization Leaders – Sexual Assault Prevention</td>
<td>Annually</td>
<td>Both</td>
<td>The training will educate and engage the UT community around prevention, bystander intervention, and campus resources. The Volunteers Speak UP! Campaign is focused on sexual assault, dating violence, domestic violence, and stalking; but, the skills learned and the practice of speaking up is a life skill that translates across areas.</td>
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<td>Hazing Prevention</td>
<td>Workshop for Organization Leaders</td>
<td>Annually</td>
<td>Both (largely marketed to students)</td>
<td>The workshop focused on identifying hazing and ways to prevent hazing from occurring in a student organization. The workshop was a part of Hazing Prevention Week.</td>
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<td>Take Back The Night (TBTN)-Safety, Sexual Assault Prevention</td>
<td>Yearly</td>
<td>Both</td>
<td>TBTN is an annual event to provide resources, awareness, and support to survivors of domestic abuse or sexual violence. There is a resource fair, Silent March, and Speak Out with a featured speaker. This year’s speaker was Kemba Smith-Pradia.</td>
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<td>Center for Leadership &amp; Service</td>
<td>Speakologist/Active Bystander Training</td>
<td>Once, during their training class</td>
<td>Students</td>
<td>All 85 Ignite Team Leaders and Student Directors have completed Speakologist Training during their training course (ELPS 350). To expand our amount of trained student leaders in the future, Alternative Break Leaders will also receive this training in Fall 2016 and Spring 2017.</td>
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<td>Orientation &amp; Transition</td>
<td>Be Smart, Be Safe, Be A Vol (Center for Health Education &amp; Wellness and UTPD)</td>
<td>21 times in 2015</td>
<td>For all new students (new first-years and transfer students)</td>
<td>Program during new student orientation for all new students that covers how to be an active bystander, sexual assault prevention, alcohol and drug prevention/education, the student Code of Conduct and making smart social choices as a Volunteer</td>
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<td>Safety and Support Panel (Disability Services, UTPD, Center for Health Education and Wellness, Counseling Center, Health Center)</td>
<td>13 times in 2015</td>
<td>Families of all new first-year students</td>
<td>Panel program during new student orientation of campus administrators in the Health, Wellness, and Safety fields that answer questions about safety and student support services to the families of new students</td>
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<td>Program Name</td>
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<td>Participants</td>
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<td>Drunk Driving Pledge</td>
<td>One time program</td>
<td>All students</td>
<td>This was a passive program on Pedestrian Walkway where students received information about drunk driving and received free pizza if they signed the pledge to not drink and drive.</td>
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<td>New Member Orientation - Interfraternity Council Program</td>
<td>Once per semester</td>
<td>All new members of IFC fraternities</td>
<td>One of the program presenters was Rebecca Juarez from the Center for Health Education &amp; Wellness, who spoke on alcohol and drug education and sexual assault prevention.</td>
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<td>Mock Party</td>
<td>One time program</td>
<td>All students</td>
<td>OSFL provided a drunk driving simulator that educated students about driving impaired and the dangers associated with drunk driving.</td>
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<td>Emergency Response Training</td>
<td>One time program</td>
<td>All fraternity and sorority house directors, chapter presidents, advisors, and risk managers</td>
<td>Brad Walker from Crisis Management spoke to the attendees about the importance of acting responsibly during crisis situations, particularly in the event of an active shooter.</td>
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<td>Self-Defense Class</td>
<td>One time program</td>
<td>Open to all UTK Students</td>
<td>A collaborative program between Alpha Kappa Alpha, Delta Phi Omega, and UTP to teach women self-defense moves in lieu of harmful situations.</td>
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<td>Rape Prevention Class &quot;No Means No&quot;</td>
<td>One time program</td>
<td>Open to all UTK Students</td>
<td>An educational program sponsored by Kappa Alpha Psi.</td>
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<tr>
<td>Don't Look Away</td>
<td>One time program</td>
<td>Open to all UTK Students</td>
<td>An educational program sponsored by Zeta Phi Beta, Delta Phi Omega, Women of Promis, and Mary Kate Misak to discuss domestic violence awareness.</td>
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<td>National Hazing Prevention Week - Student Training</td>
<td>Annual program</td>
<td>For sorority and fraternity chapter leaders</td>
<td>Program covered the definition of hazing, case studies, positive teambuilding ideas, and a discussion on hazing behaviors.</td>
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<td>National Hazing Prevention Week - Advisor Training</td>
<td>Annual program</td>
<td>For staff and sorority and fraternity advisors</td>
<td>An online forum was created for volunteer chapter and graduate advisors containing information and articles regarding hazing and provided a chat feature to allow advisors to discuss issues surrounding hazing with each other.</td>
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<td>New Member Orientation - Panhellenic Council Program</td>
<td>Once per semester</td>
<td>All new members of Panhellenic sororities</td>
<td>Rebecca Juarez from the Center for Health Education &amp; Wellness spoke on alcohol and drug education and sexual assault prevention.</td>
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<td>Presentation/Activity</td>
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<td>Greek Conduct and Officer</td>
<td>Annual</td>
<td>Three members of each sorority and fraternity</td>
<td>Discussed the student conduct process, broke into groups and talked about safely planning sorority and fraternity events, and trained students to be Speakologists.</td>
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<td>Training Program</td>
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<td>Greek Leadership Summit</td>
<td>Annual</td>
<td>All new chapter presidents and council executive board members</td>
<td>Ashley Blamey from the Center for Health Education &amp; Wellness presented on resources and trainings provided through their office in regards to sexual assault prevention and alcohol and drug abuse prevention.</td>
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<td>Lunch with UTKPD</td>
<td>One time</td>
<td>IFC and Panhellenic Presidents, risk managers, and house managers</td>
<td>Students met with Chief Troy Lane from the university police department about safety concerns and issues in Sorority Village and Fraternity Park.</td>
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<td>Risk Management Simulation</td>
<td>One time</td>
<td>University staff, administration, student conduct, university police, and media relations</td>
<td>Worked through risk management and safety case studies to discuss how everyone would work together should there be a major risk management or safety issue within the sorority and fraternity community.</td>
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<td>Training</td>
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APPENDIX E: 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

University of Tennessee Clery Compliance
clery.utk.edu
Email: clery@utk.edu

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

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

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

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

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

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

Distressed Staff Protocol
865-946-CARE (2273)
hr.utk.edu/care/

Sexual Misconduct and Relationship Violence
Sexualassault.utk.edu

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

UT Human Resources
105 Student Services Building
865-974-8847
Email: hr@utk.edu

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

Disability Services
ods.utk.edu

Student Handbook
hilltopics.utk.edu

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

Family Educational Rights and Privacy Act
ed.gov/ferpa

Policies
utk.edu/policycentral/

Campus Safety
safety.utk.edu

Campus Blue Light Phone Map
utk.edu/maps

Campus Bus Schedule
ridethet.utk.edu
APPENDIX F: POLICY ON SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION
Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation

Effective August 17, 2016
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SECTION 1
INTRODUCTION

1.1 PURPOSE AND OVERVIEW

The University of Tennessee is committed to creating and maintaining a learning, living, and working environment free from Sexual Misconduct, Relationship Violence, Stalking, and Retaliation. Those prohibited types of conduct will not be tolerated and will be grounds for disciplinary action up to, and including, permanent dismissal from the University and termination of employment.

Sexual Misconduct, Relationship Violence, Stalking, and Retaliation are collectively referred to in this policy as Prohibited Conduct. This policy: (1) describes Prohibited Conduct; (2) explains options for reporting Prohibited Conduct; (3) sets forth the procedures the University will follow for promptly, thoroughly, and equitably investigating and resolving reports of Prohibited Conduct in order to eliminate Prohibited Conduct, prevent its recurrence, and address its effects on Complainants and/or the University community; (4) identifies resources for students and employees, including Complainants; (5) outlines the University’s prevention and awareness programs relating to Prohibited Conduct; and (6) implements the requirements of Title IX, Title VII, and the Clery Act with respect to Prohibited Conduct.

1.2 SCOPE AND APPLICABILITY; DEFINITIONS

1.2.1 Individuals Covered by This Policy

This policy applies to the conduct of and protects:

- Students of the University of Tennessee, Knoxville and students of the University of Tennessee Institute of Agriculture;
- Employees and affiliates of the University of Tennessee, Knoxville; employees and affiliates of the University of Tennessee Institute of Agriculture; employees and affiliates of the University of Tennessee Institute for Public Service; and employees and affiliates of the University of Tennessee System Administration; and
- University contractors and third parties participating in a University program or activity.¹

This policy applies regardless of the Complainant’s or the Respondent’s sex, sexual orientation, or gender identity. Prohibited Conduct 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, sexual orientations and/or gender identities.

¹ The University’s ability to take appropriate disciplinary, remedial, and/or protective measures with respect to a third party will depend on the nature of the relationship between the third party and the University.
1.2.2 Jurisdiction

The University’s jurisdiction concerning misconduct by students committed away from University-controlled property is outlined in *Hilltopics* (hilltopics.utk.edu). With respect to employees and other non-students, this policy applies to conduct which: (i) occurs on University-controlled property; (ii) occurs in the context of a University employment or education program or activity; and/or (iii) occurs outside the context of a University employment or education program or activity, but has continuing adverse effects on University-controlled property or in any University employment or education program or activity.

1.2.3 Effective Date

The effective date of this policy is August 17, 2016. This policy applies to all Prohibited Conduct reported to have occurred on or after the effective date of this policy. If the Prohibited Conduct reportedly occurred prior to the effective date of this policy, then: (1) the report will be evaluated using definitions of misconduct contained in applicable university policies in effect at the time of the reported Prohibited Conduct; and (2) other aspects of the University’s response to the report (e.g., investigation and resolution procedures) will be based on this policy.

1.2.4 Definitions

For the purposes of this policy, the “Complainant” is the person who may have been subjected to Prohibited Conduct regardless of whether that person makes a report or seeks action under this policy. The “Respondent” is the person or registered student organization who has been accused of committing Prohibited Conduct. These terms do not imply pre-judgment concerning whether Prohibited Conduct occurred.

Other key terms used in this policy (such as Sex Discrimination, Sexual Misconduct, and Relationship Violence) are defined in either Section 2 or Appendix A and are capitalized throughout this policy.

1.3 Title IX; Title IX Coordinator; Deputy Title IX Coordinators

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* (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.

Reports or complaints of Sex Discrimination or Prohibited Conduct, 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  
Associate Vice Chancellor and Director, Office of Equity and Diversity  
Title IX Coordinator  
1840 Melrose Avenue  
Knoxville, TN 37996  
865-974-2498 (phone)  
865-974-0943 (fax)  
jrichter@utk.edu  
opd.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 Prohibited Conduct, and ensuring that records of such reports are maintained;
- Preparing an annual report\(^2\) that informs the University community about: reports of Prohibited Conduct made by student-Complainants concerning student-Respondents; interim care and support services provided to Complainants; and a summary of the University’s efforts to prevent Sexual Assault, including training provided to freshman students, transfer students, student-athletes, and employees;
- Ensuring prompt, thorough, and equitable investigations and resolutions of reports of Sex Discrimination, including Prohibited Conduct, in order to eliminate Sex Discrimination, prevent its recurrence, and address its effects on Complainants and/or the University community;
- Identifying and addressing patterns or systemic problems concerning Prohibited Conduct;
- Ensuring and coordinating appropriate training, prevention, and awareness efforts concerning Prohibited Conduct;
- Overseeing and supporting the Senior Deputy Title IX Coordinator, the Deputy Title IX Coordinators (in their Title IX-related roles), and Title IX investigators;
- Coordinating the Sexual Assault Response Team;
- Providing information to students, employees, and third parties concerning this policy, including, without limitation, providing information to employees about how to respond appropriately to a report of Prohibited Conduct;
- Ensuring that appropriate Interim Measures are provided to students and employees;
- Making appropriate reports (that do not personally identify Complainants) to UTPD for purposes of including incidents in the University’s annual Clery Act crime statistics, if applicable; and

\(^2\) The report will not contain information that personally identifies any Complainant or Respondent.
Being available to meet or otherwise communicate with students, employees, and others, including, without limitation, Complainants, Respondents, and Reporters, about issues relating to this policy.

In fulfilling those responsibilities, the Title IX Coordinator is assisted by five Deputy Title IX Coordinators, who are trained and accessible to members of the University community for consultation and assistance:

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE(S)</th>
<th>CONTACT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erin M. Stoner</td>
<td>Senior Deputy Title IX Coordinator</td>
<td>Office of Equity and Diversity</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1840 Melrose Avenue</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Knoxville, TN 37996</td>
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<tr>
<td></td>
<td></td>
<td>865-974-2498 (phone)</td>
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<tr>
<td></td>
<td></td>
<td>865-974-0943 (fax)</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:estoner@utk.edu">estoner@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>oed.utk.edu</td>
</tr>
<tr>
<td>Ashley Blamey</td>
<td>Director, Center for Health Education and Wellness</td>
<td>1800 Volunteer Blvd., Suite 201</td>
</tr>
<tr>
<td></td>
<td>Deputy Title IX Coordinator for Prevention and Support</td>
<td>Knoxville, TN 37996</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(865) 974-5725 or (865) 974-HELP</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:ashleyblamey@utk.edu">ashleyblamey@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>wellness.utk.edu</td>
</tr>
<tr>
<td>Betsy Smith</td>
<td>Director, Office of Student Conduct and Community Standards</td>
<td>409 Student Services Building</td>
</tr>
<tr>
<td></td>
<td>Deputy Title IX Coordinator for Student Conduct</td>
<td>Knoxville, TN 37996-2045</td>
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<tr>
<td></td>
<td></td>
<td>(865) 974-3171</td>
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<td></td>
<td></td>
<td><a href="mailto:bbsmith@utk.edu">bbsmith@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>studentconduct.utk.edu</td>
</tr>
<tr>
<td>Mike Ward</td>
<td>Senior Associate Athletics Director for Administration and Sports Programs</td>
<td>Brenda Lawson Athletic Center</td>
</tr>
<tr>
<td></td>
<td>Deputy Title IX Coordinator for Intercollegiate Athletics</td>
<td>1551 Lake Loudon Boulevard</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(865) 974-9190</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:mward35@utk.edu">mward35@utk.edu</a></td>
</tr>
<tr>
<td>Jillian Paciello</td>
<td>Clery Compliance Coordinator</td>
<td>University of Tennessee Police Department</td>
</tr>
<tr>
<td></td>
<td>Deputy Title IX Coordinator for Law Enforcement</td>
<td>1101 Cumberland Avenue</td>
</tr>
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<td></td>
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<td>Knoxville, Tennessee 37996</td>
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<td>865.974.0544</td>
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<td>865.974.1081</td>
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<td></td>
<td></td>
<td><a href="mailto:jpaciell@utk.edu">jpaciell@utk.edu</a></td>
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<td></td>
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<td>clery.utk.edu/</td>
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<td></td>
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<td>utpolice.utk.edu</td>
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</table>

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
1.4 **SEXUAL ASSAULT RESPONSE TEAM**

The Sexual Assault Response Team (S.A.R.T.) is a multidisciplinary team of University employees who work collaboratively to address situations involving Prohibited Conduct in which a student is a Complainant and/or a Respondent by:

- Serving as a primary option for reporting Prohibited Conduct for which a student is a Complainant and/or a Respondent;
- Utilizing a trauma informed approach to create a support network for Complainants and focusing on minimizing the trauma experienced by Complainants in a sensitive and proficient manner;
- Assisting the Complainant in accessing the support resources identified in Section 4, including Interim Measures, and informing 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;
- Coordinating the provision of Interim Measures to students;
- Providing reports to UTPD for Clery Act reporting in a manner that does not personally identify Complainants;
- Promoting the consistent application of this policy to all students and enabling the University to respond promptly, thoroughly, and equitably to eliminate Prohibited Conduct, prevent its recurrence, and eliminate its effects; and
- Answering questions about the University’s policies, procedures, or programs concerning Prohibited Conduct.

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 sexualassault.utk.edu. Members of the S.A.R.T. have received training to work with Complainants and Respondents.

1.5 **QUESTIONS ABOUT THIS POLICY; ADDITIONAL INFORMATION ABOUT PROHIBITED CONDUCT**

Questions about this policy should be directed to the Title IX Coordinator or a Deputy Title IX Coordinator. Additional information about the University’s procedures and programs relating to Prohibited Conduct can be found online at: sexualassault.utk.edu.
SECTION 2
PROHIBITED CONDUCT

This policy prohibits the following conduct defined in Section 2.1 or Appendix A:

- Sexual Misconduct
  - Sexual Assault
  - Sexual Harassment
  - Sexual Exploitation
  - Sex Offense Crime
- Relationship Violence
  - Dating Violence
  - Domestic Violence
  - Relationship Violence Crime
- Stalking
- Retaliation

2.1 DEFINITIONS OF PROHIBITED CONDUCT

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Misconduct</td>
<td>A term that encompasses Sexual Harassment, Sexual Assault, Sexual Exploitation, and all other words and/or conduct that would constitute a Sex Offense Crime.</td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>Engaging in Sexual Contact or Sexual Intercourse with another person without the Consent of that person.</td>
</tr>
<tr>
<td>Sexual Contact</td>
<td>The intentional touching of another person (including another person’s clothing) in a sexual manner with any part of one’s body or with any object. Sexual Contact also includes intentionally causing another person to touch themselves (including their clothing) in a sexual manner. Whether a touching was done in a sexual manner is determined from the perspective of a sober, objectively reasonable person in the same situation and with the same sex, gender identity, and sexual orientation as the person who was touched.</td>
</tr>
<tr>
<td>Sexual Intercourse</td>
<td>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.</td>
</tr>
</tbody>
</table>
| Sexual Harassment     | Sexual Harassment is a form of Sex Discrimination. To determine whether conduct constitutes Sexual Harassment, consideration must be given to the totality of the circumstances, including without limitation: the context in which the conduct and/or words occurred; and the frequency, nature, and severity of the conduct and/or words. Depending on the severity of the conduct, a single incident may be considered sexual [or other discriminatory] harassment. With respect to an employee’s conduct, Sexual Harassment means conduct prohibited by University of Tennessee System Human Resources Policy 0280 (“Sexual
**TERM** | **DEFINITION**
---|---
Harassment and Other Discriminatory Harassment | (policy.tennessee.edu/hrpolicy/hr0280/)
With respect to the conduct of a student or other non-employee, Sexual Harassment is defined as unwelcome conduct of a sexual nature 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, which can be found in Hilltopics, hilltopics.utk.edu.*)

Sexual Exploitation | An act or attempted act by a person for the purpose of sexual arousal or gratification, financial gain, or other personal benefit through the abuse or exploitation of another person’s sexuality. Examples of Sexual Exploitation include, without limitation: observation of a person who is undressed or engaging in Sexual Contact or Sexual Intercourse, without the Consent of all persons being observed (in a place where a person has a reasonable expectation of privacy); creation or distribution of images, photography, an audiotape, or videotape of Sexual Contact, Sexual Intercourse, or a person’s intimate parts (i.e., genitalia, groin, breasts, buttocks) without the Consent of all persons being recorded or photographed; prostituting another person; allowing others to observe, either in person or electronically, Sexual Contact or Sexual Intercourse without the Consent of all persons involved in the Sexual Contact or Sexual Intercourse (in a place where a person has a reasonable expectation of privacy); and knowingly exposing another person to a sexually transmitted infection without informing the other person that one has a sexually transmitted infection.

Sex Offense Crime | This term is defined in Appendix A.

Relationship Violence\(^3\) | A term that encompasses Dating Violence, Domestic Violence, 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.

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 the reporting party’s statement and with 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

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\(^3\) In accordance with the Clery Act, the University’s definition of Relationship Violence and Stalking are derived from Tennessee criminal law and the Clery Act. However, for purposes of determining whether this policy has been violated, the University will evaluate a report of Prohibited Conduct based on a Preponderance of the Evidence standard. Thus, the University may conclude that the Respondent committed a violation of this policy even if the same conclusion would not be drawn if the report were evaluated based on the criminal “beyond a reasonable doubt” standard.
<table>
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<tr>
<th>TERM</th>
<th>DEFINITION</th>
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<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>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.</td>
</tr>
<tr>
<td>Stalking</td>
<td>Stalking includes both the crime of Stalking in Tennessee and the crime of Stalking defined by the Clery Act:</td>
</tr>
<tr>
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<td>Clery Act Crime: Engaging in a Course of Conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person’s safety or the safety of others; or (2) suffer Substantial Emotional Distress. For the purposes of this definition:</td>
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<td>- “Course of Conduct” means two or more acts, including, but not limited to, acts in which the stalker 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;</td>
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<td>- For the purposes of this definition only, “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim; and</td>
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<td>- “Substantial Emotional Distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</td>
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<tr>
<td></td>
<td>Engaging in either conduct that falls under the definition of the Tennessee Crime or the Clery Act Crime violates this policy. Stalking may be a form of Sex Discrimination prohibited by federal and state antidiscrimination laws, such as Title VII and Title IX.</td>
</tr>
<tr>
<td>Relationship Violence</td>
<td>This term is defined in Appendix A.</td>
</tr>
<tr>
<td>Crime</td>
<td></td>
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<tr>
<td>Retaliation</td>
<td>An act or attempted act taken because of a person’s participation in a protected activity that would discourage a Reasonable Person from engaging in protected activity. Protected activity includes a person’s Good Faith: (1) opposition to Prohibited Conduct; (2) report of Prohibited Conduct to the University or to a state</td>
</tr>
<tr>
<td>TERM</td>
<td>DEFINITION</td>
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<td>or federal agency; (3) participation (or reasonable expectation of participation) in any manner in an investigation, proceeding, hearing, or Interim Measure under this policy; or (4) exercise of rights or responsibilities under any provision of the Clery Act. 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 Prohibited Conduct is reported under this policy (Section 3). 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 penalty or Interim Measures imposed in response to the underlying allegation of misconduct. The University generally will investigate and resolve reports of Retaliation in the same manner in which it handles reports of other Prohibited Conduct under this policy (Section 5).</td>
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</tbody>
</table>

## 2.2 RELATED DEFINITIONS: CONSENT; COERCION; INCAPACITATION; GOOD FAITH; REASONABLE PERSON

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITION</th>
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</thead>
<tbody>
<tr>
<td>Consent (or Consensual)</td>
<td>Consent is an affirmative and voluntary agreement by a person to engage in a specific sexual act.⁴</td>
</tr>
</tbody>
</table>

**Consent Must Be Obtained**

Consent must be obtained, and the responsibility for obtaining Consent rests with the individual who voluntarily and physically initiates a specific sexual act, even if the other person initiated the sexual encounter. 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.

**Consent Must Be Affirmative**

Consent must be affirmative, which means that Consent is communicated only through words and/or non-verbal actions that convey a clear agreement to engage in a specific sexual act. Whether person has communicated an agreement to engage in a specific sexual act generally is evaluated from the perspective of what a Reasonable Person who perceived the individual’s words and/or non-verbal actions would have understood; however, in the context of a long-term relationship between persons that has involved sexual activity and a pattern of communicating Consent, whether Consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the specific

⁴ The definition of consent for the purposes of criminal law in the State of Tennessee is explained in Appendix F. 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.
**Term** | **Definition**
--- | ---
sexual act conclude?). A verbal “no” (or words equivalent to “no”) or the nonverbal communication of “no,” even if it sounds or appears insincere or indecisive, always means that Consent has not been communicated, or if previously communicated has been withdrawn. The absence of a verbal “no” or the absence of a nonverbal communication of “no” does not necessarily mean that Consent has been communicated. Because interpreting non-verbal actions may lead to misunderstanding and a violation of this policy, persons subject to this policy are strongly encouraged to err on the side of caution and not rely solely on the non-verbal actions of another person in concluding that the other person has communicated Consent. The University urges persons subject to this policy to communicate with one another before engaging in a sexual act to ensure that they both wish to engage in the same sexual act.

Consent cannot be obtained by or inferred from:
- Silence that is not accompanied by non-verbal actions conveying a clear 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 other location.

**Consent Must be Voluntary**
Consent is not voluntary if it is obtained by Coercion. Nor is Consent voluntary if it is obtained from a person who is Incapacitated if one knows (or a Reasonable Person would know) that the other person is 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.)

**Consent Must be Continual**
Consent must be continual, which means that Consent must exist from the beginning to the end of each sexual encounter and for each specific sexual act that occurs during a sexual encounter. A person has a right to change his/her mind; thus, Consent to engage in a specific sexual act may be withdrawn by a person at any time. A withdrawal of Consent is communicated through clear words and/or clear non-verbal actions that indicate that a person no longer agrees to engage in a specific
<table>
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<tr>
<th>Term</th>
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<tr>
<td><strong>Term</strong></td>
<td><strong>Definition</strong></td>
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<tr>
<td>sexual act.</td>
<td>Once a person’s withdrawal of Consent has been communicated, the other person must cease the specific sexual act and must obtain Consent before reinitiating the specific sexual act or any other sexual act. Consent is automatically withdrawn when a person becomes Incapacitated. 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. The University urges persons subject to this policy to communicate with one another throughout a sexual encounter to ensure that any progression of sexual activity is done with Consent.</td>
</tr>
</tbody>
</table>
| Coercion                      | Words and/or conduct that, viewed from the perspective of a Reasonable Person, substantially impair(s) 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:  
  - Physical force; or  
  - 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 or impairment of a job benefit; threat of the loss or impairment of an academic benefit; kidnapping of the person or a third person; or disclosure of sensitive personal information (e.g., disclosure of a person’s sexual orientation, gender identity, or gender expression). |
| Incapacitated (or Incapacitation) | A temporary or permanent physical or mental 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; intermittent consciousness; 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). Alcohol and drugs are common causes of Incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication. The impact of alcohol and drugs varies from person to person; however, warning signs 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. |
TERM | DEFINITION
---|---
A person who is under the age of eighteen (18) (i.e., a minor) is incapable of giving Consent; however, a person who is at least the age of thirteen (13) and less than the age of eighteen (18) is capable of giving Consent to sexual acts with another person who is less than four (4) years older than the minor.
Good Faith | Having a belief in the truth of information that a Reasonable Person in the same situation 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.
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.

2.3. **DISCIPLINE FOR PROHIBITED CONDUCT**

Prohibited Conduct committed by students violates the University’s Standards of Conduct for students, which can be found in Hilltopics ([hilltopics.utk.edu](http://hilltopics.utk.edu)). The disciplinary penalties that may be imposed on students who violate the Standards of Conduct also can be found in Hilltopics.

Prohibited Conduct committed by employees violates standards of conduct that have been established in existing University policies, including without limitation, the University’s Nondiscrimination Statement ([oed.utk.edu/statement/](http://oed.utk.edu/statement/)), University of Tennessee Human Resources Policy 0280 (Sexual Harassment and Other Discriminatory Harassment) ([policy.tennessee.edu/hr_policy/hr0280/](http://policy.tennessee.edu/hr_policy/hr0280/)), and University of Tennessee System Human Resources Policy 0580 (Code of Conduct) ([policy.tennessee.edu/hr_policy/hr0580/](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, Stalking, and Retaliation. 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) ([policy.tennessee.edu/hr_policy/hr0525/](http://policy.tennessee.edu/hr_policy/hr0525/)), University of Tennessee System Human Resources Policy 0640 (Grievances) ([policy.tennessee.edu/hr_policy/hr0640/](http://policy.tennessee.edu/hr_policy/hr0640/)), and the University of Tennessee, Knoxville Faculty Handbook ([provost.utk.edu/faculty-handbook/](http://provost.utk.edu/faculty-handbook/)).
SECTION 3
REPORTING PROHIBITED CONDUCT

The University encourages Complainants of Prohibited Conduct, and others who are aware of Prohibited Conduct, to promptly report the incident to the University and/or to law enforcement.\(^5\)

This policy describes two options for reporting Prohibited Conduct:

1. Report Prohibited Conduct to a University “Mandatory Reporter” (described in Section 3.1); and/or
2. Report Prohibited Conduct to UTPD or local law enforcement (described in Section 3.2).

Those options are not mutually exclusive; in other words, a Complainant may pursue one or both of those options. This policy describes both options in detail so that members of the University community can make informed choices about whether and how to report Prohibited Conduct.

3.1 REPORTING PROHIBITED CONDUCT TO A UNIVERSITY MANDATORY REPORTER

Complainants\(^6\) are not required to report Prohibited Conduct 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 Prohibited Conduct to the University, there is no requirement that the Complainant pursue criminal prosecution or University discipline against a Respondent. The University recognizes that a Complainant’s decision on how to proceed after a report is filed is a process that may unfold over time; thus, at the time a report is made to the University, a Complainant does not have to decide whether to request any particular course of action.

This policy requires certain University employees, called Mandatory Reporters, to report information they receive concerning Prohibited Conduct to the University in accordance with Section 6. Not all University employees are Mandatory Reporters.\(^7\) Some University employees are encouraged but are not obligated to disclose Prohibited Conduct to the University. Other University employees, called Confidential Employees (Section 4.1.1), are legally or ethically prohibited from disclosing Prohibited Conduct to the University.

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\(^5\) Mandatory Reporters are required to report information they receive about Prohibited Conduct. The University strongly encourages employees and students who are not Mandatory Reporters to report information about Prohibited Conduct to one of the reporting options described in Section 3.1 or Section 3.2.

\(^6\) The reporting options in this section also are available to a Reporter who is not a Complainant.

\(^7\) However, all employees are required to report suspected child abuse or child sexual abuse (Section 7.1).
The only way for a Complainant (or any other person) to provide notice to the University of an incident of Prohibited Conduct is to report the incident to a Mandatory Reporter. A Complainant may opt to report an incident of Prohibited Conduct to a Mandatory Reporter but decline to disclose the identity of the Respondent; in that case, the University will offer Interim Measures to the Complainant, but the University’s ability to investigate the incident and pursue disciplinary action against the Respondent or take other remedial action will be limited. If an incident is not reported to a Mandatory Reporter, 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 Prohibited Conduct, prevent its recurrence, and address its effects on the Complainant or the University community. Because Prohibited Conduct often involves behaviors or interactions that are not witnessed by third parties, reports of Prohibited Conduct cannot always be corroborated by additional evidence. However, the University encourages Complainants to not allow the lack of such evidence to dissuade them from reporting Prohibited Conduct to a Mandatory Reporter.

Because Mandatory Reporters have an obligation to report information they receive about Prohibited Conduct (and take other responsive actions), one of the purposes of this Section 3.1 is to inform students, employees and other persons about which University employees are Mandatory Reporters 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 Mandatory Reporter 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 employees) and the employee’s authority to address violations of this policy. Appendix B and Appendix C identify the University’s Mandatory Reporters. Questions concerning whether a particular employee is a Mandatory Reporter should be directed to the Title IX Coordinator.

Mandatory Reporters are not confidential University resources like the Confidential Employees identified in Section 4.1.1. Nevertheless, information communicated to a Mandatory Reporter 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 Prohibited Conduct, except as required by law (Section 3.3) and subject to the University granting a Complainant’s Request for Limited Action (Section 3.1.5). Information about the report may need to be shared with the Respondent and witnesses in order to ensure a thorough investigation of the incident. However, information will not be shared with the Respondent or witnesses if the University grants a Complainant’s Request for Limited Action (Section 3.1.5). In accordance with FERPA, Mandatory Reporters who are not employees of UTPD will not share personally identifiable information with a law enforcement agency other than UTPD without a Complainant’s written consent or unless required or permitted by law.

An employee-Complainant’s report of Prohibited Conduct that alleges Sex Discrimination committed by an employee-Respondent generally must be filed within 300 days of the alleged discriminatory action. In certain circumstances, however, at the discretion of the Title IX Coordinator, 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 Prohibited Conduct committed by a Respondent who is not an employee, although a delay in reporting may impact the University’s ability to: obtain evidence (e.g., evidence erodes; memories fade);
conduct a prompt, thorough, and equitable investigation; and/or otherwise respond and take appropriate action (e.g., the Respondent may no longer be affiliated with the University).

The following are **not** considered notice to the University about Prohibited Conduct for purposes of triggering a University obligation to investigate or otherwise respond to a particular incident (e.g., to provide Interim Measures to a Complainant):

- Prohibited Conduct disclosed to a **Confidential Employee** *(Section 4.1)*;
- Prohibited Conduct disclosed by students or employees **during public awareness events such as “Take Back the Night,” candlelight vigils, protests, “survivor speak outs” or other forums.** Such events may, however, inform the need for campus-wide education and prevention efforts, and the University may provide information about Title IX rights at those events.
- Prohibited Conduct disclosed by a University student **during such student’s participation as a subject in an Institutional Review Board-approved human subjects research protocol.**
- Prohibited Conduct disclosed by a University student **in writing in a class paper or other academic assignment.**

### 3.1.1 Mandatory Reporters When the Complainant is a Student

This Section 3.1.1 describes the non-law enforcement options for a Complainant who is a University student to report Prohibited Conduct to the University.

A Complainant who is a student is encouraged to report Prohibited Conduct to one of the following University employees, who are Mandatory Reporters:

- **Title IX Coordinator or the Office of Equity & Diversity** *(Section 1.3)*
- **A Deputy Title IX Coordinator** *(Section 1.3)*
- **Sexual Assault Response Team** *(Section 1.4)*

A Complainant who is a student may also report Prohibited Conduct to one of the University’s other non-law enforcement Mandatory Reporters, who are identified in **Appendix B**.

### 3.1.2 Mandatory Reporters When the Complainant is an Employee

This Section 3.1.2 describes the non-law enforcement options for a Complainant who is a University employee to report Prohibited Conduct to the University.

A Complainant who is a University employee is encouraged to report Prohibited Conduct to one of the following University employees, who are Mandatory Reporters:

- **Title IX Coordinator or the Office of Equity & Diversity** *(Section 1.3)*
- The Associate Vice Chancellor for Human Resources (Mary Lucal) or the Executive Director of Employee Relations (Mike Herbstritt) – 865-974-8847
- The immediate supervisor of the Complainant
- The immediate supervisor of the Respondent (if the Respondent is a University employee)

A Complainant who is a University employee may also report Prohibited Conduct to one of the University’s other non-law enforcement Mandatory Reporters, who are identified in Appendix C.

Questions about how to contact any of the individuals identified above may be directed to the Title IX Coordinator.

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

The Title IX Coordinator (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.

3.1.4 What to Expect after Reporting Prohibited Conduct to a Mandatory Reporter

After receiving a report of Prohibited Conduct (either directly from a Reporter or indirectly from a Mandatory Reporter), 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 offer to meet with, or otherwise communicate with, the Complainant; in cases of Sexual Assault, Relationship Violence, or Stalking, 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 Mandatory Reporter), which will include notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures; evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant’s Request for Limited Action (Section 3.1.5), initiate the investigation and resolution procedures outlined in Section 5 of this policy if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct and falls within the scope and applicability of this policy (Section 1.2). 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.

3.1.5 Complainant’s Right to Make a Request for Limited Action

A Complainant has the right to make the following requests to the University when a Complainant discloses an incident of Prohibited Conduct to a Mandatory Reporter:

- Request that the Complainant’s name not be disclosed to the Respondent; and/or
- Request that the University not investigate the incident further or pursue disciplinary action against the Respondent.
Such a request is referred to in this policy as a “Request for Limited Action.” The Title IX Coordinator or the Senior Deputy Title IX Coordinator will evaluate a Request for Limited Action. If the Complainant makes a Request for Limited Action, the University will seriously weigh the 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 Request for Limited Action, then the University’s ability to respond fully to the incident (e.g., meaningfully investigate the incident and pursue disciplinary action against the Respondent or take other remedial action) may be limited.

There are limited circumstances in which the University may not be able to grant a Request for Limited Action 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 other acts of Prohibited Conduct, 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.

When evaluating a Request for Limited Action, the University will consider a range of factors, including, without limitation, the following factors:

- The risk that the Respondent will commit additional acts of Prohibited Conduct, such as:
  - Whether there have been other Prohibited Conduct reports concerning the same Respondent;
  - Whether the Respondent has a history of Prohibited Conduct;
  - Whether the Respondent threatened further Prohibited Conduct or other misconduct against the Complainant or others; and
  - Whether the Prohibited Conduct was committed by multiple perpetrators;
- The nature and scope of the Prohibited Conduct, including whether the Prohibited Conduct was perpetrated with a weapon;
- The ages and roles of the Complainant and the Respondent;
- Whether the University can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the Prohibited Conduct such as security cameras or physical evidence);
- 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; and
- The University’s commitment to providing a safe, non-discriminatory environment, including the risk posted to any individual or to the campus community by not proceeding with an investigation.

The presence of one or more of those factors could lead the University to deny the Request for Limited Action. If the University determines that it can grant a Request for Limited Action, then the University will take reasonable steps to respond to the report consistent with the Request for Limited Action and will take prompt actions that the University determines are necessary to protect and assist the Complainant while not disclosing the Complainant’s identity to the Respondent (e.g., providing the Complainant with Interim Measures).

If the University determines that it cannot grant the Request for Limited Action, 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 may 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 4, 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).

Because the University is under a continuing obligation to address the issues of Prohibited Conduct campus-wide, reports of Prohibited Conduct (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 Prohibited Conduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting additional climate assessments/victimization surveys; and/or revisiting its policies and practices.

3.1.6 Complainant’s Participation in an Investigation or Disciplinary Proceeding

The University will not require a Complainant to participate in any investigation, or a hearing before the Student Disciplinary Board. A Complainant may be required to participate in a UAPA Hearing if the Complainant receives a subpoena.

3.1.7 Amnesty for Students Who Report Prohibited Conduct 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 University disciplinary penalties for student’s own violation of the Standards of Conduct. Because of the importance to the University of responding to incidents of Prohibited Conduct, a student who reports Prohibited Conduct to the University or provides information in a University investigation into alleged Prohibited Conduct will not be subject to disciplinary action by the University for personal consumption of alcohol or other drugs, or minor offenses, at or near the time of the reported incident, but may be responsible for other, more serious conduct that harmed or placed the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies with the student regarding alcohol or drugs.

3.2 Reporting to Law Enforcement

Prohibited Conduct may constitute both a violation of this policy and criminal law. Therefore, the University encourages persons to report incidents of Prohibited Conduct to law enforcement. Prompt reporting of an incident to law enforcement is especially critical for incidents of Sexual Assault and Relationship Violence.

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8 This Section 3.1.6 does not apply to reports to UTPD. The amnesty provision in this Section 3.1.6 applies only to discipline for violations of the University’s Code of Conduct.
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 Mandatory Reporter.

3.2.1 Contact Information for Campus and Local Law Enforcement

The following options are available 24 hours, seven days a week, for reporting an incident of Prohibited Conduct to law enforcement:

<table>
<thead>
<tr>
<th>INCIDENT LOCATION</th>
<th>CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regardless of where the incident occurred</td>
<td>Call 911 in an emergency</td>
</tr>
<tr>
<td></td>
<td>or</td>
</tr>
<tr>
<td></td>
<td>UTPD</td>
</tr>
<tr>
<td></td>
<td>1101 Cumberland Avenue, Knoxville, TN</td>
</tr>
<tr>
<td></td>
<td>865-974-3111</td>
</tr>
<tr>
<td></td>
<td>utpolice.utk.edu/</td>
</tr>
<tr>
<td>In the City of Knoxville</td>
<td>Knoxville Police Department (KPD)</td>
</tr>
<tr>
<td></td>
<td>800 Howard Baker, Jr. Avenue, Knoxville, TN</td>
</tr>
<tr>
<td></td>
<td>865-215-4010</td>
</tr>
<tr>
<td></td>
<td>knoxvilletn.gov/government/city_departments_offices/police_department/</td>
</tr>
<tr>
<td></td>
<td>or</td>
</tr>
<tr>
<td></td>
<td>UTPD</td>
</tr>
<tr>
<td>In Knox County but outside of the City of Knoxville</td>
<td>Knox County Sheriff</td>
</tr>
<tr>
<td></td>
<td>400 Main Street, Suite L165, Knoxville, TN 37902</td>
</tr>
<tr>
<td></td>
<td>865-215-2243</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.knoxsheriff.org">www.knoxsheriff.org</a></td>
</tr>
<tr>
<td></td>
<td>or</td>
</tr>
<tr>
<td></td>
<td>UTPD</td>
</tr>
<tr>
<td>Outside of Knox County</td>
<td>Contact the law enforcement agency that has jurisdiction over the location where the incident occurred</td>
</tr>
<tr>
<td></td>
<td>or</td>
</tr>
<tr>
<td></td>
<td>Contact UTPD for assistance in contacting another jurisdiction’s law enforcement agency</td>
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</tbody>
</table>
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 Mandatory Reporters for reports received in a law enforcement capacity. Accordingly, if a person reports an incident to UTPD, and the incident has not been previously reported to a Mandatory Reporter 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 3.1.4). 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 Mandatory Reporter if the Complainant wants the University to take any action under this policy.

3.2.2 What to Expect after Reporting Prohibited Conduct 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. 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. The law enforcement interview may take as long as several hours, depending on the circumstances of the case. Due to the traumatic effect of Sexual Assaults on survivors, multiple interviews may be required to get all of the pertinent details of the assault. When UTPD conducts the law enforcement interview, the UTPD law enforcement officer typically will ask the Complainant whether they want UTPD to call on on-call victim advocate from the Sexual Assault Center of East Tennessee to be present during the Complainant’s interview(s).

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 Prohibited Conduct.

3.2.3 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, may choose both, or may choose neither. Neither law enforcement’s determination whether to prosecute a Respondent nor the outcome of any criminal prosecution is determinative of whether Prohibited Conduct 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 penalties 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.

3.2.4 Anonymous Reporting to Law Enforcement

Persons 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.

3.3 The University’s Disclosure Obligations Under Federal and Tennessee Law Relating to Reports of Prohibited Conduct

3.3.1 Clery Act

Certain University employees, called Campus Security Authorities, have a duty to report certain incidents of Prohibited Conduct 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 or Respondents. In addition to the Annual Security Report and in compliance with the Clery Act, UTPD maintains a daily crime log that includes entries for all crimes and alleged crimes that occurred within the University’s Clery Geography or the patrol jurisdiction of UTPD. The crime log does not include personally identifying information about the Complainant or the Respondent.

Complainants of Prohibited Conduct 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.
3.3.2  **FERPA**
In accordance with FERPA, personally identifiable information about a Complainant, Respondent, or Reporter who is a student that has been communicated to a Mandatory Reporter regarding Prohibited Conduct will be shared within the University only with the Title IX Coordinator and those University employees who “need to know” in order to assist with the University’s response to the Prohibited Conduct. 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 3.3.3 relating to the Tennessee Public Records Act) If, during a University’s investigation or resolution of Prohibited Conduct, 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.

3.3.3  **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.

3.3.4  **Robert (Robbie) Nottingham Campus Crime Scene Investigation Act**
The Robert (Robbie) Nottingham Campus Crime Scene Investigation Act (Nottingham Act), Tennessee Code Annotated § 49-7-129, requires UTPD to notify the Knoxville Police Department upon UTPD’s receipt of a report from a victim alleging that any degree of rape has occurred on University property. The Nottingham Act requires UTPD and the Knoxville Police Department to participate in a joint investigation of the rape, with UTPD leading the investigation.

The Nottingham Act also requires sexual assault programs and services on campus to report annually to UTPD the number of requests for assistance received from persons who were raped on or in the vicinity of campus during the preceding calendar year. Personally identifiable information is not provided to UTPD in connection with that report.

3.3.5  **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.
### 3.4 False Reporting

An accusation of Prohibited Conduct 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 (as defined in Section 2.2), even if the results of an investigation of the incident do not include a finding of a policy violation by a Preponderance of the Evidence. 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.
SECTION 4
CARE AND SUPPORT

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

4.1 CONFIDENTIAL RESOURCES

The persons 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 D.

Information communicated to a person identified as a confidential resource in this Section 4.1 does not constitute notice or a report to the University of an incident of Prohibited Conduct. In other words, a disclosure of Prohibited Conduct to a person identified in this Section 4.1 (including a person supervised by them (e.g., assistants, and front-desk staff)) will not trigger a University response to an incident because the people identified in this Section 4.1 are not Mandatory Reporters and do not report any information about an incident to the Title IX Coordinator, a Deputy Title IX Coordinator, the S.A.R.T., a Mandatory Reporter, or UTPD without the Complainant’s permission. As a result, the University will be unable to investigate the incident or pursue disciplinary action against the Respondent. If Prohibited Conduct is disclosed only to a University Confidential Employee, the University may be limited in its ability to provide Interim Measures to the Complainant depending on how much information the Complainant is willing to share with the University.

The persons identified in Section 4.1.1 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 4.1.1 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 4.1 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.

9 The annual publication of this policy to students and employees serves as the University’s written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for Complainants, both within the University and in the community.
4.1.1 **University “Confidential Employees”**

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 one of the following persons, who are called “Confidential Employees” for purposes of this policy:

- A licensed psychologist, psychiatrist, or nurse practitioner in the Student Counseling Center (865-974-2196, from 8:00 a.m. – 5:00 p.m. on Mondays, Tuesdays, Wednesdays, and Fridays, and from 9:00 a.m. – 5:00 p.m. on Thursdays, except on University holidays, breaks, or closures) (resource option for students only);

- A licensed physician, registered nurse, or nurse practitioner in the Student Health Center (865-974-3648, from 8:00 a.m. – 4:30 p.m., Mondays, Tuesdays, Thursdays, and Fridays, and from 9:00 a.m. – 4:30 p.m. on Wednesdays, 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);

- An employee who holds a valid license in a profession for which Tennessee law recognizes a confidential relationship between a professional and a professional’s client or patient, if the employee is acting within the course and scope of his/her University employment and Tennessee law would recognize the existence of a confidential relationship between the employee and the student in the particular situation;

- 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);
  - A Team Psychiatrist or Team Psychologist (Team Psychiatrists and Team Psychologists are University contractors, not employees); and
  - A staff member in Sports Medicine and employees working under their supervision (e.g., an athletic trainer\(^\text{10}\)).

A person identified in this section is a Confidential Employee only if the student or employee is communicating with that person as a patient or client.

Confidential Employees include the persons identified above, University employees working under their supervision, and University employees providing administrative, operational, and/or related support for such persons.

Confidential Employees may periodically report non-personally identifiable information about Prohibited Conduct to the Title IX Coordinator to keep the Title IX Coordinator informed about the general extent and nature of Prohibited Conduct on and off campus.

\(^{10}\) In Tennessee, athletic trainers perform their duties upon the advice, consent, and oral or written prescriptions of a licensed physician. Accordingly, they are considered Confidential Employees.
4.1.2 Confidential Resources Outside the University

Complainants of Prohibited Conduct 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)
  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.
The University of Tennessee Medical Center is operated by University Health System, Inc., 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 Prohibited Conduct.

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)
  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 D) or the Complainant requests the disclosure and signs a consent or waiver form.

4.2 NON-CONFIDENTIAL UNIVERSITY RESOURCES

The University employees/units identified below are trained to support Complainants. While not bound by confidentiality (i.e., they are Mandatory Reporters who are required to report knowledge of incidents of Prohibited Conduct 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 Prohibited Conduct. 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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE(S) OR OTHER INFORMATION</th>
<th>CONTACT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jenny Richter</td>
<td>Associate Vice Chancellor and Director, Office of Equity and Diversity</td>
<td>Office of Equity and Diversity 1840 Melrose Avenue</td>
</tr>
<tr>
<td></td>
<td>Title IX Coordinator</td>
<td>Knoxville, TN 37996</td>
</tr>
<tr>
<td></td>
<td></td>
<td>865-974-2498 (phone)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>865-974-0943 (fax)</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:jrichter@utk.edu">jrichter@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>oed.utk.edu</td>
</tr>
<tr>
<td>Erin M. Stoner</td>
<td>Senior Deputy Title IX Coordinator</td>
<td>Office of Equity and Diversity 1840 Melrose Avenue</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Knoxville, TN 37996</td>
</tr>
<tr>
<td></td>
<td></td>
<td>865-974-2498 (phone)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>865-974-0943 (fax)</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:estoner@utk.edu">estoner@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>oed.utk.edu</td>
</tr>
<tr>
<td>Ashley Blamey</td>
<td>Director, Center for Health Education and Wellness</td>
<td>1800 Volunteer Blvd., Suite 201</td>
</tr>
<tr>
<td></td>
<td>Deputy Title IX Coordinator for Prevention and Support</td>
<td>Knoxville, TN 37996</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(865) 974-5725 or (865) 974-HELP</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:ashleyblamey@utk.edu">ashleyblamey@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>wellness.utk.edu</td>
</tr>
<tr>
<td>Betsy Smith</td>
<td>Director, Office of Student Conduct and Community Standards</td>
<td>409 Student Services Building</td>
</tr>
<tr>
<td></td>
<td>Deputy Title IX Coordinator for Student Conduct</td>
<td>Knoxville, TN 37996</td>
</tr>
<tr>
<td></td>
<td></td>
<td>409 Student Services Building</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(865) 974-3171</td>
</tr>
<tr>
<td></td>
<td></td>
<td><a href="mailto:bbsmith@utk.edu">bbsmith@utk.edu</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>studentconduct.utk.edu</td>
</tr>
<tr>
<td>Name</td>
<td>Title(s) or Other Information</td>
<td>Contact Information</td>
</tr>
<tr>
<td>--------------------------</td>
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<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Mike Ward</td>
<td>Senior Associate Athletics Director for Administration and Sports Programs Deputy Title IX Coordinator for Intercollegiate Athletics</td>
<td>Brenda Lawson Athletic Center 1551 Lake Loudon Boulevard (865) 974-9190 <a href="mailto:mward35@utk.edu">mward35@utk.edu</a></td>
</tr>
<tr>
<td>Jillian Paciello</td>
<td>Clery Compliance Coordinator Deputy Title IX Coordinator for Law Enforcement</td>
<td>University of Tennessee Police Department 1101 Cumberland Avenue Knoxville, Tennessee 37996 865.974.0544 <a href="mailto:865.974.1081jpaciell@utk.edu">865.974.1081jpaciell@utk.edu</a> clery.utk.edu/ utpolice.utk.edu</td>
</tr>
<tr>
<td>Sexual Assault Response Team</td>
<td>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.</td>
<td>865-974-HELP (4357)</td>
</tr>
<tr>
<td>University of Tennessee Police Department</td>
<td></td>
<td>865-974-3111 (24 hours/day, seven days/week) 1101 Cumberland Avenue Knoxville, Tennessee 37996</td>
</tr>
<tr>
<td>Office of the Dean of Students</td>
<td></td>
<td>413 Student Services Building 865-974-3179 dos.utk.edu</td>
</tr>
</tbody>
</table>

### 4.3 Medical Care

A Complainant may seek medical care at any time following Prohibited Conduct. The resources described in this Section 4.3 are confidential resources, as described in Section 4.1.

Medical care may be obtained from the following:

<table>
<thead>
<tr>
<th>Place</th>
<th>When</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>UT Student Health Center (option for students only)</td>
<td>From 8:00 a.m. – 4:30 p.m., Mondays, Tuesdays, Thursdays, and Fridays, and from 9:00 a.m. – 4:30 p.m. on Wednesdays, except on University holidays, breaks, or closures</td>
<td>865-974-2196 1800 Volunteer Blvd studenthealth.utk.edu/</td>
</tr>
<tr>
<td>Sexual Assault Center of East Tennessee</td>
<td>24 hours, seven days a week</td>
<td>865-522-7273 (24 hour crisis line) 6215 Kingston Pike, Suite A, Knoxville <a href="http://www.mcnabbcenter.org/sacet">www.mcnabbcenter.org/sacet</a></td>
</tr>
</tbody>
</table>
In cases of Sexual Assault, 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, when possible, should avoid changing their clothing, bathing, showering, using a douche, using the bathroom, brushing their teeth, drinking liquids, washing their hands or face, or combing their hair. If Complainants change their clothes, then the best way to preserve evidence relating to clothing is to put the clothing 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.

If the Complainant chooses not to report the incident to law enforcement at the time of the medical examination, the medical provider will provide the examination materials to local law enforcement with a unique identifying number that will also be provided to the Complainant. The law enforcement agency with jurisdiction will store the examination materials for up to three (3) years. If in that time the Complainant decides to make a police report, the Complainant may report to the law enforcement agency with jurisdiction and refer to the unique identifying number so that the Complainant’s examination materials may be matched with the Complainant’s law enforcement report for evidentiary purposes.
4.4 **INTERIM MEASURES**

After a Mandatory Reporter receives a report of Prohibited Conduct, the University will implement Interim Measures designed to eliminate the reported Prohibited Conduct and protect the persons involved in the matter (e.g., Complainant, Reporter, Respondent, and potential witnesses).

4.4.1 **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 made a Request for Limited Action and the University has granted the Request for Limited Action (Section 3.1.5). (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 Prohibited Conduct occurred);
- Prior to or during an investigation of Prohibited Conduct; and
- Prior to a final determination that Prohibited Conduct occurred.

4.4.2 **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, which prohibits the person (e.g., the Respondent) from having verbal, physical, or written contact with another person (e.g., the Complainant) for a definite or indefinite period of time (no-contact directives may be mutual, e.g., 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 Prohibited Conduct (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 Prohibited Conduct;
- 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 this Section 4 (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 students).

4.4.3 **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, 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 person who will benefit from the Interim Measures (e.g., the Complainant); whether the Complainant has made a Request for Limited Action (Section 3.1.5); 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.

4.4.4 **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 and violations will be addressed by the appropriate office.
4.5 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)
  [fjcknoxville.com/](http://fjcknoxville.com/)

The Title IX Coordinator, a Deputy Title IX Coordinator, 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 Knoxville Police Department provides a list of community resources for victims of Domestic Violence here: [www.cityofknoxville.org/kpd/dvu_gethelp.asp](http://www.cityofknoxville.org/kpd/dvu_gethelp.asp).

4.6 VICTIM ADVOCACY SERVICES AND PRIVATE LEGAL ASSISTANCE

The University does not provide advocacy services or private legal assistance to Complainants or Respondents. The Knoxville Bar Association provides assistance with finding an attorney in the greater Knoxville area: [www.knoxbar.org/request-a-referral-Iris](http://www.knoxbar.org/request-a-referral-Iris). The American Bar Association also provides information on finding legal services by state: [apps.americanbar.org/legalservices/findlegalhelp/home.cfm](http://apps.americanbar.org/legalservices/findlegalhelp/home.cfm).

4.7 VISA AND IMMIGRATION ASSISTANCE

Under the law, international students and employees who are Complainants receive the same rights under Title IX and the Clery Act as other Complainants, regardless of their immigration and visa status. For victims of Sexual Assault, Relationship Violence, and Stalking, there may be other visa options, including U and T Visas.
The University’s International Student and Scholar Services can provide useful information regarding immigration status, although the office does not provide legal advice:

International Student and Scholar Services
1620 Melrose Avenue
Knoxville, TN 37996-3531
Phone: 865-974-3177
Fax: 865-974-2985

International students and employees with questions about their immigration and visa status should seek the assistance of an immigration attorney. Immigration lawyers are licensed attorneys who specialize in the field of immigration law. They function as the client’s advocate, and can represent them before immigration agencies, both in immigration court as well as in filing applications for immigration benefits. The attorney can give general advice and can discuss immigration options. Like all attorneys, immigration attorneys are bound by professional ethical and legal requirements to keep client discussions confidential.

U.S. Citizenship and Immigration Services (USCIS) (www.uscis.gov/about-us/find-uscis-office), a bureau of the Department of Homeland Security (DHS), offers two sites to help individuals find free or low-cost legal representation:

USCIS Find Help in your Community Webpage: www.uscis.gov/citizenship/learners/find-help-your-community
USCIS Find Legal Services Webpage: www.uscis.gov/avoid-scams/find-legal-services

The Board of Immigration Appeals (www.justice.gov/eoir/board-of-immigration-appeals) provides a listing of attorneys by state who provide immigration services either for free or for little cost: www.justice.gov/eoir/list-pro-bono-legal-service-providers-map.

The American Immigration Lawyers Association (www.aila.org) offers an online immigration lawyer referral service (www.ailalawyer.org) that can help a student or employee find an immigration lawyer.

The Knoxville Bar Association provides assistance with finding an attorney in the greater Knoxville area: www.knoxbar.org/request-a-referral-iris. The American Bar Association also provides information on finding legal services by state: apps.americanbar.org/legalservices/findlegalhelp/home.cfm.

4.8 STUDENT FINANCIAL AID

Complainants or Respondents who need assistance with financial aid issues may contact the Title IX Coordinator, a Deputy Title IX Coordinator, or One Stop Student Express Services (onestop.utk.edu/financial-aid/).
SECTION 5
UNIVERSITY PROCEDURES FOR INVESTIGATING AND RESOLVING REPORTS OF PROHIBITED CONDUCT

5.1 SUMMARY OF STUDENT AND EMPLOYEE PROCEDURES

The University has specific procedures for investigating and resolving reports of Prohibited Conduct based on the relationship of the Respondent to the University and the type of Prohibited Conduct that was reported.

- The procedures used to investigate and resolve Prohibited Conduct involving a Respondent who is a student are described in Section 5.2 and Section 5.4.
- The procedures used to investigate and resolve Prohibited Conduct 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 Sexual Assault, a Sex Offense Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking generally will be resolved in accordance with the procedures described in Section 5.2 and Section 5.3.
  - A report of Sex Discrimination (e.g., Sexual Harassment) that does not involve Sexual Assault, a Sex Offense Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking generally will be resolved by the Office of Equity & Diversity in accordance with the University’s Discrimination Complaint Procedure (oord.utk.edu/complaints/).

Appendix E contains a chart that summarizes which complaint procedures will be used to resolve reports of Prohibited Conduct.

5.2 STANDARDS APPLICABLE TO ALL PROCEDURES

The standards in this Section 5.2 apply to all procedures under this policy (i.e., Section 5.3 and Section 5.4) for investigating and resolving reports of Prohibited Conduct, regardless of whether the Complainant or Respondent is a University student, University employee, or a person who is neither a student nor an employee.

5.2.1 Determining the Appropriate Procedure

The appropriate University procedure for investigating and resolving reports of Prohibited Conduct 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. The Title IX Coordinator will resolve issues regarding the appropriate investigatory and resolution procedure.

5.2.2 Selecting an Investigator

For each report of Prohibited Conduct 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 Prohibited Conduct. 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, or a team of investigators that pairs an external investigator(s) with a University employee. Investigations of reports of Prohibited Conduct are usually performed by the Office of Equity and Diversity. A separate law enforcement investigation may be conducted by UTPD.

5.2.3 Preponderance of the Evidence Standard

All investigations and proceedings, including disciplinary hearings, relating to Prohibited Conduct must be conducted using a Preponderance of the Evidence standard.

5.2.4 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 UAPA Hearing, in which a Complainant and a Respondent are entitled to have an attorney advocate on their behalf).

5.2.5 Training

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

5.2.6 Rights of the Complainant and the Respondent

In addition to rights for Complainants and Respondents described in other parts of this Section 5 and other sections of this policy, Complainants and Respondents have the following rights in cases involving Prohibited Conduct:

- 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 other party 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 other party 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 UAPA Hearing 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 other party 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 other party during a disciplinary hearing or at any other time during the University’s investigation or resolution;

• To submit a written impact statement (Complainant) or a written mitigation statement (Respondent) 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 other party to challenge or appeal the decision of a University investigation or disciplinary hearing panel, board, or other decision maker.
5.2.7  **Notice to Complainants and Respondents**

Unless prohibited by federal law, with respect to any University disciplinary hearing that arises from an allegation of Prohibited Conduct, 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 must 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 5.2.7, “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 penalties imposed by the University and include the rationale for the results.

Notice to the Complainant and the Respondent concerning other matters (e.g., appeals) must be provided in writing simultaneously to the Complainant and Respondent.

5.2.8  **Time Frames**

The University will strive to meet the time frames described in this Section 5. 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, without limitation: 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; a request by a district attorney to delay interviewing a witness; a witness’ compliance with the instruction of a district attorney not to participate in a University 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.

5.2.9  **Prior Conduct, Including Sexual History**

In general, neither the Complainant’s nor the Respondent’s prior sexual history is relevant to the issue of whether Prohibited Conduct occurred and will not be considered as evidence during an investigation or
hearing. However, when the Respondent contends that the Complainant gave Consent for a particular sexual act, the prior sexual history between the Complainant and the Respondent may be relevant to assess the manner and nature of communications between the parties. As noted in Section 2.2, however, the mere existence of a current or previous dating, romantic, intimate, or sexual relationship with the other person does not allow a Respondent to imply or infer Consent. The Complainant’s and the Respondent’s prior sexual history may also be relevant in other limited circumstances, such as to show intent, motive, absence of mistake, or to explain an injury or physical finding.

5.2.10 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 must be prompt, fair, and impartial. Those activities must 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 must not have a conflict of interest or bias for or against the Complainant or the Respondent.

5.2.11 Alternative Resolution

At any point during the investigation and resolution process, a report may be resolved through an alternative other than the procedures outlined in Section 5.3 or Section 5.4. When an alternative resolution is proposed, the Title IX Coordinator will determine whether exploration of an alternative resolution is appropriate (including a determination whether the Complainant has been pressured by others to pursue alternative resolution). The University will not use mediation to resolve reports of Sexual Assault. If exploration of an alternative resolution is appropriate, the Title IX Coordinator will serve as an impartial facilitator (or designate another trained employee to do so) so that the Complainant and the Respondent do not have direct contact (unless both parties consent to direct contact). The University will not compel a Complainant or a Respondent to participate in an alternative resolution process. At any time during an alternative resolution process, either the Complainant or the Respondent may request that the process cease and the investigation and resolution process continue pursuant to Section 5.3 or Section 5.4. The Title IX Coordinator will not approve an alternative resolution unless the Complainant and the Respondent agree to the alternative resolution. The Title IX Coordinator will ensure that any proposed alternative resolution is consistent with the University’s Title IX obligations. If no alternative resolution is reached, then the University will continue with the investigation and resolution process.

5.3 Procedure for Investigating and Resolving a Report Involving a Respondent Who is a University Employee or Other Non-Student

This Section 5.3 describes procedures for investigating and resolving a report of Sexual Assault, Sex Offense Crimes, Relationship Violence, Stalking, or Retaliation involving a Respondent who is an employee or other non-student.
5.3.1 Meeting (Communication) with the Complainant

After receiving a report of Prohibited Conduct (either directly from a Reporter or indirectly from a Mandatory Reporter), the Title IX Coordinator will initiate immediate and appropriate steps by the University to: have an appropriate University employee offer to meet with, or otherwise communicate with, the Complainant; in cases of Sexual Assault, Relationship Violence, or Stalking, 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 Mandatory Reporter), which will include notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures; evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant’s Request for Limited Action (Section 3.1.5), initiate the investigation and resolution procedures outlined this Section 5 if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct and falls within the scope and applicability of this policy (Section 1.2). The Title IX Coordinator also can assist a Complainant in reporting the incident to law enforcement.

5.3.2 Investigation and Resolution

Unless the University grants a Complainant’s Request for Limited Action (Section 3.1.5) and decides not to further investigate a report of Prohibited Conduct, the Title IX Coordinator will designate one or more persons to investigate the report, which likely will be an employee in the Office of Equity and Diversity. 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 equal opportunity for the Complainant and the Respondent to be heard, to submit information, and 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 written findings and recommendations (including a statement outlining the basis for them) and transmit the findings and recommendations to the appropriate University administrator. The report will contain a conclusion, based on a Preponderance of the Evidence standard, concerning whether the Respondent violated this policy. 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 5.3.2 within 60 calendar days of the receipt of a report of Prohibited Conduct.
5.3.3 **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 must 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 must 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 must be provided in writing simultaneously to the Complainant and Respondent.

5.3.4 **Disciplinary or Other Corrective Actions**

Disciplinary actions with respect to an employee found to have committed Prohibited Conduct can include, without limitation: termination, demotion, suspension without pay, and/or oral or written corrective action. When the person found to have committed Prohibited Conduct 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).

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5.4 **PROCEDURE FOR INVESTIGATING AND RESOLVING A REPORT INVOLVING A RESPONDENT WHO IS A UNIVERSITY STUDENT**

This Section 5.4 describes procedures for investigating and resolving reports of Prohibited Conduct involving a Respondent who is a student.

5.4.1 **Meeting (Communication) with the Complainant**

After receiving a report of Prohibited Conduct (either directly from a Reporter or indirectly from a Mandatory Reporter), 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 offer to meet with, or otherwise communicate with, the Complainant; in cases of Sexual Assault, Relationship Violence, or Stalking, 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 Mandatory Reporter), which will include notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures; evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant’s Request for Limited Action (Section
3.1.5), initiate the investigation and resolution procedures outlined in this section if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct and falls within the scope and applicability of this policy (Section 1.2). 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.

5.4.2 Investigation

Unless the University grants a Complainant’s Request for Limited Action (Section 3.1.5) and decides not to further investigate a report of Prohibited Conduct, 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 equal opportunity for the Complainant and the Respondent to be heard, to submit information, and 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 likely will be conducted by the Office of Equity and Diversity.

The investigator will prepare a written report at the conclusion of the investigation and submit the report to the Director of the Office of Student Conduct and Community Standards for further action, as necessary. The report will contain a conclusion, based on a Preponderance of the Evidence standard, concerning whether the Respondent violated this policy. The report will not contain recommendations concerning a disciplinary penalty even if the investigator concludes that the Respondent violated the policy; recommended disciplinary penalties are made by the Director of the Office of Student Conduct and Community Standards. The Director will provide simultaneous written notice of the investigative finding and disciplinary penalty/remedy (if any) to the Complainant and the Respondent. The University strives to complete the procedures in this Section 5.4.2 within 60 calendar days of the receipt of a report of Prohibited Conduct.

5.4.3 Resolution

If the University determines after an investigation that a student has engaged in Prohibited Conduct, 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 resolving the matter in accordance with Section 5.2, this Section 5.4, and the University’s student disciplinary regulations and procedures described in Hilltopics (hilltopics.utk.edu).

5.4.4 Appeals

5.4.4.1 Appeal by the Complainant of a Decision of the Office of Student Conduct to Not Charge a Respondent with Violating the Standards of Conduct

A Complainant may appeal a decision of the Office of Student Conduct to not charge a Respondent with violating the University’s Standards of Conduct to the Vice Chancellor for Student Life by filing a written
request for appeal within ten (10) calendar days after receipt of the decision of the Office of Student Conduct. The Vice Chancellor for Student Life may affirm the decision of the Office of Student Conduct, reverse the decision 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. The decision of the Vice Chancellor for Student Life is final.

5.4.4.2 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 does not agree with the disciplinary penalty proposed by the Office of Student Conduct for the Respondent’s violation of the Standard of Conduct, the Complainant may appeal to the Vice Chancellor for Student Life by filing a written request for appeal within ten (10) calendar days after notification of the proposed disciplinary penalty by the Office of Student Conduct. 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. The decision of the Vice Chancellor for Student Life is final.

5.4.4.3 Appeal of a Decision of the Student Disciplinary Board or the Student Tribunal

(a) Appellate Boards. A decision of the Student Disciplinary Board (SDB) may be appealed to the Student Tribunal (ST). A decision of the ST may be appealed to the Student Life Council (SLC). The decision of the Student Life Council is final and may not be appealed. For purposes of this section, the term “Appellate Board” means the ST or the SLC.

(b) Appealable Decisions. The University, the Complainant and/or the Respondent may appeal a decision of the SDB or the ST that is contained in the notice of the SDB’s or ST’s decision, but the grounds for appeal are limited to those described below in subsection (d).

(c) Notice of Appeal. An appeal of a decision of the SDB or ST is procedurally valid only if all of the following requirements are met:

1. An appeal must be submitted in writing by fully completing a form approved by Student Conduct called a “Notice of Appeal.”

2. For an appeal of a decision of the SDB to the ST, the Notice of Appeal must be received by Student Conduct within five (5) business days of the date that Student Conduct transmitted the notice of the SDB’s decision. For an appeal of a decision of the ST to the SLC, the Notice of Appeal must be received by Student Conduct within five (5) business days of the date that the Director of Student Conduct transmitted the notice of the ST’s decision.
3. The Notice of Appeal must not include information that is not included in the record of the hearing before the SDB or, if applicable, the appeal to the ST.

(d) **Grounds for Appeal.** The Notice of Appeal must explain the grounds for the appeal, which must be limited to one or more of the following grounds:

1. **Clearly Unreasonable Penalty.** The penalty(s) imposed by the SDB or ST is clearly unreasonable (i.e., has no sound basis or justification in reason).

2. **Substantial Procedural Error.** A procedural error occurred prior to or during the SDB hearing, and the procedural error reasonably could have had a substantial impact on the SDB in reaching its decision. Neither the failure of the Respondent or the Complainant to secure the attendance of an advisor or witness nor the failure of an advisor or witness to attend or otherwise participate in any phase of the student conduct process constitutes a procedural error. The failure of the Respondent or the Complainant to attend the SDB hearing does not constitute a procedural error.

3. **New Information.** New information has been discovered, the information reasonably could have had a substantial impact on the SDB in reaching its decision, and the person submitting the Notice of Appeal did not know and reasonably could not have known about the information at the time of the SDB Hearing.

4. **Conflict of Interest.** A member of the SDB or ST had a conflict of interest or bias for or against the Complainant or the Respondent.

(e) **Effective Date of Penalty.** The penalty(s) imposed by the SDB must not be effective during the period in which a Notice of Appeal may be submitted, or, if a procedurally valid Notice of Appeal has been submitted, until a Notice of Final Decision is issued by the SDB or ST, whichever is later.

(f) **Notice of Final Decision.**

1. An Appellate Board must reach one (1) of the following decisions:

   (i) Affirm both the SDB’s finding that the Respondent violated the Standards of Conduct and the penalty(s) imposed by the SDB;

   (ii) In a case involving a clearly unreasonable penalty, affirm the SDB’s finding that the Respondent violated the Standards of Conduct and modify the penalty(s) imposed by the SDB by imposing a greater or lesser penalty(s);

   (iii) In cases of a substantial procedural error, remand the case for a new hearing to be conducted by the same SDB. The Appellate Board should recommend to the Chairperson how to correct the procedural error. The Director of Student
Conduct may appoint a substitute member for any member of the SDB who is unavailable to participate in the new hearing; or

(iv) In cases of new information that fits the criteria described above in subsection (d)(3), remand the case to the same SDB for the limited purpose of hearing the new information and reconsidering its decision based on the new information. The Director of Student Conduct may appoint a substitute member for any member of the SDB who is unavailable to participate in hearing the new information or the reconsideration of the decision.

(v) In cases in which a member of the SDB or ST had a conflict of interest or bias for or against the Complainant or the Respondent, remand the case for a new hearing to be conducted by a new SDB or ST (whichever Appellate Board had the member who had a conflict of interest or bias).

2. The Appellate Board must communicate its decision through a written notice called a Notice of Final Decision. The Notice of Final Decision should be issued within five (5) business days of the hearing of the appeal by the Appellate Board. The Notice of Final Decision must be sent to the Director of Student Conduct, who will send the Notice of Final Decision to the Respondent, the Chairperson of the SDB, and, if permitted or required by law, the Complainant.

3. The decision of the SLC is final and is not subject to appeal.

5.4.4.4 Appeal by the University, the Complainant, or the Respondent of an Initial Order in a UAPA Hearing

An appeal of an initial order of in a UAPA Hearing must be filed with the Chancellor/Agency Head within fifteen (15) calendar days after entry of the initial order. In cases involving Prohibited Conduct, the Chancellor/Agency Head will strive to issue a final order or an order remanding the matter for further proceedings within ten (10) calendar days after the filing of an appeal.

5.4.4.5 Decisions on Any Type of Appeal

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

5.4.5 Disciplinary Penalties and Other Remedial and Protective Measures

Following a final determination under University procedures that a student committed Prohibited Conduct (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 penalties: permanent dismissal, suspension, deferred suspension, disciplinary probation, disciplinary reprimand, restitution, education, loss of privilege, and/or warning. The University also 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.

In order to be proactive in preventing Prohibited Conduct, following a report of Prohibited Conduct that has a substantial nexus to the activities of a registered student organization (or its members) or another University-affiliated student group, the Title IX Coordinator may coordinate with the Division of Student Life to provide the leaders of the registered student organization or University-affiliated student group and/or active members in good standing of a registered student organization or University-affiliated student group with prevention and awareness programming concerning Prohibited Conduct (e.g., programming about Bystander Intervention; programming about Consent) at the University’s expense. Such efforts should not be interpreted as a University finding that the student organization or group engaged in wrongful conduct.
SECTION 6
REQUIREMENTS AND GUIDELINES FOR MANDATORY REPORTERS

6.1 REQUIRED ACTIONS

A Mandatory Reporter who receives information concerning an incident of Prohibited Conduct must:

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 report). The Mandatory Reporter 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 made a Request for Limited Action.

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11 In addition to the responsibilities of a Mandatory Reporter described in this Section 6, 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.

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

13 A Mandatory Reporter 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 Mandatory Reporter in the unit to report an incident of Prohibited Conduct to his/her supervisor or other designee within the unit, who, in lieu of the Mandatory Reporter who received notice of the incident, must promptly report the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, or a member of the S.A.R.T.
Deputy Title IX Coordinators, members of the S.A.R.T., and UTPD must inform the Title IX Coordinator of all reports of Prohibited Conduct. In cases involving Sexual Assault, Relationship Violence, or Stalking, the Title IX Coordinator must ensure that a copy of this policy or another 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 Mandatory Reporters are not required to report or take any other action identified in this section with respect to Prohibited Conduct to which they personally have been subjected.

6.2 **RECOMMENDED ACTIONS**

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

1. The Mandatory Reporter’s obligation to report the names of a Respondent and a Complainant involved in the alleged Prohibited Conduct, as well as other relevant facts regarding the alleged incident, to the University;

2. A Complainant’s ability to share the information confidentially with certain on- and off-campus resources (Section 4.1);

3. A Complainant’s option under this policy to make a Request for Limited Action (Section 3.1.5), if the person indicates that he/she wants to disclose information to the Mandatory Reporter but wishes to maintain confidentiality or does not want the University to investigate the incident or pursue disciplinary action against the Respondent;

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 Mandatory Reporter who receives information from a Complainant concerning an incident of Prohibited Conduct 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 Mandatory Reporter 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.

6.3 PROHIBITED ACTIONS

A Mandatory Reporter who receives notice of an incident of Prohibited Conduct must not:

1. Guarantee a Complainant that the Mandatory Reporter 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 personally identifiable 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 Prohibited Conduct 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 6.1 or Section 6.2.

6.4 UTPD

UTPD must 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 Prohibited Conduct occurs concurrently with a law enforcement investigation of the same incident, UTPD must 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.
SECTION 7
OTHER UNIVERSITY POLICIES/PROCEDURES; DUE PROCESS; ACADEMIC FREEDOM AND FIRST AMENDMENT RIGHTS

7.1 CHILD ABUSE AND CHILD SEXUAL ABUSE

University of Tennessee System Safety Policy 0575 (“Programs for Minors”) (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 Prohibited Conduct in the event of a conflict.

7.2 STUDENT POLICIES AND PROCEDURES

The Standards of Conduct for students can be found in Hilltopics (hilltopics.utk.edu), the University’s student handbook. Standard of Conduct Number 7 for students prohibits students from engaging in Sexual Misconduct, Relationship Violence, or Stalking. Standard of Conduct Number 31 for students prohibits students from engaging in Retaliation. In the event of a conflict between this policy and Hilltopics, this policy must control. If this policy does not supply a substantive or procedural rule relating to an issue, then Hilltopics must supply the rule.

7.3 EMPLOYEE POLICIES AND PROCEDURES

In the event of a conflict between this policy and another University employee policy or procedure, this policy must 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 Prohibited Conduct 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 Human Resources Policy 0280 (Sexual Harassment and Other Discriminatory Harassment)
- 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)
7.4 **Uniform Administrative Procedures Act**

Chapter 1720-1-5 of the Rules of the University of Tennessee ([share.tn.gov/sos/rules/1720/1720-01/1720-01-05.pdf](http://share.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 Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-301 *et seq*. In a case involving alleged Sexual Misconduct, Relationship Violence, Stalking, or Retaliation, the administrative judge or hearing officer must modify those procedures when required to comply with federal law, including without limitation, Title IX and the Clery Act.

7.5 **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 amorous or sexual relationships between faculty and students can be found in Section 2.2.6 of the UTK Faculty Handbook ([provost.utk.edu/faculty/manuals/faculty-handbook/](http://provost.utk.edu/faculty/manuals/faculty-handbook/)). Even if an amorous or sexual relationship between members of the University community begins as consensual, it can evolve into situations that lead to allegations of Prohibited Conduct. 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”)](http://provost.utk.edu/faculty/manuals/faculty-handbook/), 0280 (“Sexual Harassment and Other Discriminatory Harassment”), and 0580 (“Code of Conduct”).

7.6 **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.

7.7 **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.
SECTION 8
PREVENTION AND AWARENESS PROGRAMS

The University implements comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to prevent Prohibited Conduct 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.

8.1 PRIMARY PREVENTION PROGRAMS

The University implements programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to prevent incidents of Prohibited Conduct 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 Prohibited Conduct; the definitions of Tennessee Sex Offense 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. The University’s primary prevention program for incoming students is a mandatory online module called, “Think About It.”

8.2 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 Prohibited Conduct, promote safety, and reduce the perpetration of Prohibited Conduct.

Questions about the University’s Primary Awareness Programs should be directed to the Title IX Coordinator or the Deputy Title IX Coordinator for Students.
8.3 **ONGOING PREVENTION AND AWARENESS CAMPAIGNS**

The University implements 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 Prohibited Conduct using a range of strategies with audiences throughout the University and including information about:

- This policy, including: the University’s prohibition against Prohibited Conduct; the definitions of Tennessee Sex Offense 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. A description of ongoing prevention and awareness campaigns for students can be found at [wellness.utk.edu](http://wellness.utk.edu) or [sexualassault.utk.edu](http://sexualassault.utk.edu).
In addition to the terms defined in Section 2, the following definitions apply for the purposes of this policy:

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bystander Intervention</td>
<td>Safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of Prohibited Conduct. 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: <a href="http://wellness.utk.edu">wellness.utk.edu</a> or <a href="http://sexualassault.utk.edu">sexualassault.utk.edu</a>.</td>
</tr>
<tr>
<td>Campus Security Authorities</td>
<td>Individuals from whom the University collects certain crime statistics for purposes of the Clery Act, as defined in 34 C.F.R. § 668.46. A list of the job titles of the University’s Campus Security Authorities can be found at: <a href="http://clery.utk.edu/">clery.utk.edu/</a>.</td>
</tr>
<tr>
<td>Clery Geography</td>
<td>Clery Geography means property for which the University is required to report crime statistics pursuant to the Clery Act, as described in 34 C.F.R. § 668.46(c)(4).</td>
</tr>
<tr>
<td>Complainant</td>
<td>A person who may have been subjected to Prohibited Conduct regardless of whether that person makes a report or seeks action under this policy. This term does not imply pre-judgment concerning whether the person was subjected to Prohibited Conduct.</td>
</tr>
<tr>
<td>Deputy Title IX Coordinator(s)</td>
<td>The person(s) identified as the Senior Deputy Title IX Coordinator or a Deputy Title IX Coordinator in Section 1.3.</td>
</tr>
<tr>
<td>Employee and/or Affiliate</td>
<td>Defined by <a href="http://policy.tennessee.edu/hr_policy/hr0105/">University of Tennessee Human Resources Policy 0105</a> (Employment Status)</td>
</tr>
<tr>
<td>Interim Measures</td>
<td>Reasonable and appropriate measures, as determined by the University, which are designed to eliminate reported Prohibited Conduct and protect the persons involved in the matter (e.g., Complainant, Reporter, potential witnesses).</td>
</tr>
<tr>
<td>Mandatory Reporter</td>
<td>A University employee identified in Section 3.1 (non-law enforcement), Section 3.2.1 (UTPD only), and/or Appendices B-C as an option for reporting Prohibited Conduct to the University. Notwithstanding anything in this policy to the contrary, Mandatory Reporters 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).</td>
</tr>
<tr>
<td>Office of Student Conduct</td>
<td>The University’s Office of Student Conduct and Community Standards.</td>
</tr>
<tr>
<td>Preponderance of the Evidence</td>
<td>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. <em>(The source of this definition is Tennessee Pattern Jury Instruction 2.40.)</em></td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prohibited Conduct</td>
<td>Sexual Misconduct, Relationship Violence, Stalking, and/or Retaliation.</td>
</tr>
<tr>
<td>Qualified Mental Health Professional</td>
<td>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.)</td>
</tr>
<tr>
<td>Registered Student Organization</td>
<td>A student organization registered with the University in accordance with University rules.</td>
</tr>
<tr>
<td>Relationship Violence Crime(s)</td>
<td>A term that encompasses both Clery Act Relationship Violence Crimes and Tennessee Relationship Violence Crimes, which are defined below:</td>
</tr>
<tr>
<td></td>
<td>1. <strong>Clery Act Relationship Violence Crimes:</strong> 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:</td>
</tr>
<tr>
<td></td>
<td>a. <strong>Dating Violence:</strong> This term is defined in Section 2.1.</td>
</tr>
<tr>
<td></td>
<td>b. <strong>Domestic Violence:</strong> This term is defined in Section 2.1.</td>
</tr>
<tr>
<td></td>
<td>c. <strong>Stalking (Clery Act Crime):</strong> This term is defined in Section 2.1.</td>
</tr>
<tr>
<td></td>
<td>2. <strong>Tennessee Relationship Violence Crimes:</strong> The crimes below are crimes in the State of Tennessee that are the closest equivalents to Clery Act Relationship Violence Crimes:</td>
</tr>
<tr>
<td></td>
<td>b. <strong>Domestic Assault:</strong> The crime of Domestic Assault in Tennessee is defined in Tennessee Code Annotated § 39-13-111.</td>
</tr>
<tr>
<td></td>
<td>c. <strong>Stalking (Tennessee Crime):</strong> The crime of in Tennessee is defined in Tennessee Code Annotated § 39-17-315.</td>
</tr>
</tbody>
</table>
|                                           | 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
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic abuse, Stalking, or Sexual Assault</td>
<td>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.</td>
</tr>
<tr>
<td>Reporter</td>
<td>A person who communicates a concern to a Mandatory Reporter regarding the occurrence of Prohibited Conduct. A Reporter need not be a Complainant.</td>
</tr>
<tr>
<td>Respondent</td>
<td>A person or registered student organization who has been accused of committing Prohibited Conduct. This term does not imply pre-judgment concerning whether the person or registered student organization committed Prohibited Conduct.</td>
</tr>
<tr>
<td>Risk Reduction</td>
<td>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: utpolice.utk.edu.</td>
</tr>
<tr>
<td>Sex Discrimination</td>
<td>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. 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 Prohibited Conduct will be treated as a complaint of Sex Discrimination in violation of Title IX if it was based on the sex of the Complainant.</td>
</tr>
<tr>
<td>Sex Offense(s)</td>
<td>Any sexual act directed against another person, without the Consent of the victim, including instances where the victim is incapable of giving Consent.</td>
</tr>
<tr>
<td>Sexual Assault Response Team (S.A.R.T.)</td>
<td>The group of University employees identified in Section 1.4.</td>
</tr>
<tr>
<td>Sex Offense Crime(s)</td>
<td>A term that encompasses both Clery Act Sex Offenses and Tennessee Sex Offenses, which are defined below:</td>
</tr>
<tr>
<td></td>
<td>1. <strong>Clery Act Sex Offenses:</strong> The Clery Act requires the University to report certain statistics for the following Sex Offenses that occur on Clery Geography in the University’s Annual Security Report:</td>
</tr>
<tr>
<td></td>
<td>a. <strong>Fondling:</strong> The touching of a private body part of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental incapacity.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
</tr>
<tr>
<td><strong>Incest:</strong></td>
<td>Sexual Intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Tennessee law.</td>
</tr>
<tr>
<td><strong>Rape (Clery Act):</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Sexual Assault (Clery Act):</strong></td>
<td>An act that meets the definition of Rape (Clery Act), Fondling, Incest, or Statutory Rape (Clery Act).</td>
</tr>
<tr>
<td><strong>Statutory Rape (Clery Act):</strong></td>
<td>Sexual Intercourse with a person who is under the statutory age of Consent.</td>
</tr>
</tbody>
</table>

2. **Tennessee Sex Offenses:** The crimes below are crimes in the State of Tennessee that are the closest equivalents to Clery Act Sex Offenses:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aggravated Rape:</strong></td>
<td>The crime of Aggravated Rape is defined in Tennessee Code Annotated § 39-13-502.</td>
</tr>
<tr>
<td><strong>Rape (Tennessee):</strong></td>
<td>The crime of Rape (Tennessee) is defined in Tennessee Code Annotated § 39-13-503.</td>
</tr>
<tr>
<td><strong>Aggravated Sexual Battery:</strong></td>
<td>The crime of Aggravated Sexual Battery is defined in Tennessee Code Annotated § 39-13-504.</td>
</tr>
<tr>
<td><strong>Sexual Battery:</strong></td>
<td>The crime of Sexual Battery is defined in Tennessee Code Annotated § 39-13-505.</td>
</tr>
<tr>
<td><strong>Statutory Rape (Tennessee):</strong></td>
<td>The crime of Statutory Rape is defined in Tennessee Code Annotated § 39-13-506.</td>
</tr>
<tr>
<td><strong>Sexual Contact with a Minor by an Authority Figure:</strong></td>
<td>The crime of Sexual Contact with a Minor by an Authority Figure is defined in Tennessee Code Annotated § 39-13-509.</td>
</tr>
<tr>
<td><strong>Rape of a Child:</strong></td>
<td>The crime of Rape of a Child is defined in Tennessee Code Annotated § 39-13-522.</td>
</tr>
<tr>
<td><strong>Sexual Battery by an Authority Figure:</strong></td>
<td>The crime of Sexual Battery by an Authority Figure is defined in Tennessee Code Annotated § 39-13-527.</td>
</tr>
<tr>
<td><strong>Aggravated Rape of a Child:</strong></td>
<td>The crime of Aggravated Rape of a Child is defined in Tennessee Code Annotated § 39-13-531.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>j. Statutory Rape by an Authority Figure</td>
<td>The crime of Statutory Rape by an Authority Figure is defined in Tennessee Code Annotated § 39-13-532.</td>
</tr>
<tr>
<td>k. Violating an Order of Protection Relating to Sexual Assault</td>
<td>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.</td>
</tr>
</tbody>
</table>

### Student

1. A person enrolled or registered for study at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, as well as non-degree and non-credit programs and courses;

2. A student organization;

3. A person who has completed the immediately preceding academic term and is eligible for re-enrollment;

4. A person who is not officially enrolled but who has a continuing relationship with the University (e.g., on educational leave or other approved leave status);

5. A person who attended the University during a previous academic term and who engaged in misconduct during the time of enrollment; and/or

6. A person who has been admitted to the University and later matriculates at the University, with respect to misconduct:

   a. That occurs as part of the application process; or

   b. That occurs post-admission and pre-matriculation and falls within the jurisdiction of the Code (e.g., occurs on University-controlled property).

### Title IX

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., which states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Coordinator</td>
<td>The person identified as the Title IX Coordinator in Section 1.3 or a designee of the Title IX Coordinator.</td>
</tr>
<tr>
<td>UAPA Hearing</td>
<td>A hearing conducted by a University administrative judge or hearing officer in accordance with the University’s procedures for conducting a contested case hearing (Chapter 1720-1-5 of the Rules of the University of Tennessee <a href="share.tn.gov/sos/rules/1720/1720-01/1720-01-05.pdf">share.tn.gov/sos/rules/1720/1720-01/1720-01-05.pdf</a> pursuant to the Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-301 et seq.</td>
</tr>
<tr>
<td>University or University of Tennessee</td>
<td>The University of Tennessee, Knoxville; the University of Tennessee Institute of Agriculture; the University of Tennessee Institute for Public Service; and/or the University of Tennessee System Administration</td>
</tr>
<tr>
<td>UTPD</td>
<td>The campus police department at the University of Tennessee, Knoxville.</td>
</tr>
</tbody>
</table>
### APPENDIX B: MANDATORY REPORTERS WHEN THE COMPLAINANT IS A UNIVERSITY STUDENT

<table>
<thead>
<tr>
<th>EMPLOYEE</th>
<th>IS THE EMPLOYEE A MANDATORY REPORTER WHEN THE COMPLAINANT IS A UNIVERSITY STUDENT?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Coordinator/Office of Equity &amp; Diversity</td>
<td>Yes</td>
</tr>
<tr>
<td>Deputy Title IX Coordinators</td>
<td>Yes</td>
</tr>
<tr>
<td>Faculty members</td>
<td>Yes</td>
</tr>
<tr>
<td>Exempt, non-student staff members</td>
<td>Yes (except for Confidential Employees identified in Section 4.1.1 – Confidential Employees are not Mandatory Reporters if they receive the information from a Complainant who is a patient or a client)</td>
</tr>
<tr>
<td>Academic advisors, but not including student tutors</td>
<td>Yes</td>
</tr>
<tr>
<td>Faculty and staff advisors to registered student organizations</td>
<td>Yes</td>
</tr>
<tr>
<td>Resident Assistants and Graduate Assistants (e.g., Graduate Teaching Assistants, Academic Advisors, Graduate Assistants in Athletics)</td>
<td>Yes, if the report is received in the assistant’s University employment capacity (except for a graduate assistant who receives the information while working for a Confidential Employee identified in Section 4.1.1)</td>
</tr>
<tr>
<td>A University employee whom the University has designated as a “Campus Security Authority” for purposes of Clery Act compliance (clery.utk.edu/)</td>
<td>Yes, if the report concerns a Clery Act crime that occurred on Clery Act Geography (the report must be sent to UTPD)</td>
</tr>
<tr>
<td>Employees who are not identified in this Appendix B</td>
<td>No</td>
</tr>
</tbody>
</table>

---

14 If an employee has multiple roles, the employee is a Mandatory Reporter if the answer is “Yes” on this chart with respect to any of the employee’s roles in a particular situation. Also, as described in Section 3.2.1, employees of UTPD are Mandatory Reporters for reports received in a law enforcement capacity.
APPENDIX C: MANDATORY REPORTERS WHEN THE COMPLAINANT IS A UNIVERSITY EMPLOYEE

<table>
<thead>
<tr>
<th>EMPLOYEE</th>
<th>IS THE EMPLOYEE A MANDATORY REPORTER WHEN THE COMPLAINANT IS A UNIVERSITY EMPLOYEE?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Coordinator/Office of Equity &amp; Diversity and Deputy Title IX Coordinators</td>
<td>Yes</td>
</tr>
<tr>
<td>The Executive Director or the Director of Human Resources Employee Relations</td>
<td>Yes</td>
</tr>
<tr>
<td>Employees who are supervisors</td>
<td>Yes, if the report is made to: (1) the immediate supervisor of either the Complainant or the Respondent; or (2) other employee who has the authority to redress the Prohibited Conduct. However, Confidential Employees identified in Section 4.1.1 are not Mandatory Reporters if they receive the information from a person who is a patient or a client.</td>
</tr>
<tr>
<td>A University employee whom the University has designated as a “Campus Security Authority” for purposes of Clery Act compliance (clery.utk.edu)</td>
<td>Yes, if the report concerns a Clery Act crime that occurred on Clery Act Geography (the report must be sent to UTPD)</td>
</tr>
<tr>
<td>Employees who are not identified in this Appendix C</td>
<td>No</td>
</tr>
</tbody>
</table>

15 If an employee has multiple roles, the employee is a Mandatory Reporter if the answer is “Yes” on this chart with respect to any of the employee’s roles in a particular situation. Also, as described in Section 3.2.1, employees of UTPD are Mandatory Reporters for reports received in a law enforcement capacity.
APPENDIX D: CONFIDENTIALITY EXCEPTIONS UNDER TENNESSEE LAW

A. **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.

B. **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 not considered by the treating healthcare professional to be life threatening, or the victim is not being treated for injuries inflicted by strangulation, a knife, pistol, gun, or other deadly weapon.

C. **Subpoenas or court orders – physicians.** A physician can be required to testify concerning confidential information by a subpoena or court order.

D. **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.
E. **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.

F. **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 must 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.

G. **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 E: COMPLAINT PROCEDURES

<table>
<thead>
<tr>
<th>Nature of the Report</th>
<th>Status of the Respondent</th>
<th>University Complaint Procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Assault or a Sex Offense Crime</td>
<td>Student</td>
<td>Section 5.2 and Section 5.4 of this policy</td>
</tr>
<tr>
<td>Dating Violence, Domestic Violence, Stalking, or a Relationship Violence Crime</td>
<td>Student</td>
<td>Section 5.2 and Section 5.4 of this policy</td>
</tr>
<tr>
<td>Sex Discrimination (e.g., Sexual Harassment, Sexual Exploitation) that does not involve Sexual Assault, a Sex Offense Crime, a Relationship Violence Crime, Dating Violence, Domestic Violence, or Stalking</td>
<td>Student</td>
<td>Section 5.2 and Section 5.4 of this policy</td>
</tr>
<tr>
<td>Retaliation</td>
<td>Student</td>
<td>Section 5.2 and Section 5.4 of this policy</td>
</tr>
<tr>
<td>Sexual Assault or a Sex Offense Crime</td>
<td>Employee or Other Non-Student</td>
<td>Section 5.2 and Section 5.3 of this policy</td>
</tr>
<tr>
<td>Dating Violence, Domestic Violence, Stalking, or a Relationship Violence Crime</td>
<td>Employee or Other Non-Student</td>
<td>Section 5.2 and Section 5.3 of this policy</td>
</tr>
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<td>Employee or Other Non-Student</td>
<td>Discrimination Complaint Procedure (<a href="oed.utk.edu/complaints/">oed.utk.edu/complaints/</a>)</td>
</tr>
<tr>
<td>Retaliation</td>
<td>Employee or Other Non-Student</td>
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</tr>
</tbody>
</table>
APPENDIX F: 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.