

ANNUAL SECURITY AND FIRE SAFETY REPORT

2022

THE UNIVERSITY OF
TENNESSEE
KNOXVILLE



UTIA INSTITUTE OF
AGRICULTURE
THE UNIVERSITY OF TENNESSEE

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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 (UTPD), 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 comparatively low crime rates amongst major universities, no campus is immune to crime. Our department strives to minimize crime and the opportunity for it to occur, but 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 or unsecured. Theft is the most common crime reported, and unattended items are an easy target.
- Always lock your residence and car. Don't leave valuables, including electronics visible.
- Avoid walking alone at night.
- Download, familiarize yourself with, and use our campus LiveSafe app.



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 values of professionalism, respect, integrity, dedication, and excellence. This is demonstrated by UTPD's adherence to state and national standards evidenced by our Tennessee Law Enforcement Accreditation (TLEA), International Association of Campus Law Enforcement Administrators (IACLEA) Accreditation and Commission on Accreditation of Law Enforcement Agencies (CALEA) Accreditation (Gold Standard).

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.



Officers and Training

UTPD is authorized for 75 state certified police officer positions. Police Officers receive a minimum of 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 40 hours of in-service training each year. Additional training may include such topics as:

<i>Cultural Diversity</i>	<i>Firearms</i>	<i>Legal Updates</i>
<i>Racial Profiling</i>	<i>Fire Safety</i>	<i>Rape Crisis</i>
<i>Crime Prevention</i>	<i>Investigations</i>	<i>Basic First Aid</i>
<i>Crime Scene Protection</i>	<i>Officer Wellness Training</i>	<i>Aerosol Control Options</i>
<i>Evidence Handling</i>	<i>Crisis Intervention Training</i>	<i>Less Lethal Weapons</i>
<i>Mental Health</i>	<i>Drug Recognition Expert</i>	<i>Cardiopulmonary Resuscitation (CPR)</i>
<i>Child Abuse</i>	<i>Ethics</i>	<i>Forensic Anthropology</i>
<i>Public Assembly Interaction</i>	<i>De-Escalation</i>	<i>Duty to Intervene</i>



UTPD operations also are supported by:

- non-sworn officers, called Community Service Officers (CSOs), who serve as additional patrol units; perform vehicle unlocks and vehicle boosts for students, faculty and staff; and assist with traffic control, building unlocks, and other duties as assigned;
- a supplemental staff of non-sworn officers, called Campus Protection Specialists (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, evidence, payroll, accounting, and accreditation.

CONTACT INFORMATION



UT Police Department
1101 Cumberland Avenue
Knoxville, TN 37996



Phone
865-974-3111

For emergencies call 911



Email
utpolice@utk.edu



Website
safety.utk.edu/police

SOCIAL MEDIA



@UTPolice



@UTKPD



@UTPolice

OTHER SITES

For Clery Act related safety information visit clery.utk.edu

For Public Safety information visit safety.utk.edu

UTPD maintains a website and three social media accounts, which provide safety and security information to the university community.

Accreditation

In August 2009, UTPD earned Advanced Law Enforcement Accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). In July 2012, 2015, and 2018 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.

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). UTPD was successfully re-accredited with both IACLEA and TLEA in 2018.

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.

The University of Tennessee Police Department shall be responsible for the delivery of police services and the enforcement of all applicable laws and ordinances within the geographical boundaries of the University of Tennessee Community and any property that is owned, leased, or controlled by the University of Tennessee.



Officers of the University of Tennessee Police Department are authorized to perform their duties at all facilities or property owned, leased or operated by the University of Tennessee Board of Trustees, including any public roads or rights-of-way which are contiguous to, within the perimeter of or connect between such facilities, property, or interests of the University of Tennessee.

UTPD officers may enforce any parking or traffic regulation, or any misdemeanor or felony offense that occurs in their presence, so as long as they are on property owned or controlled by the University of Tennessee Board of Trustees or traveling along any route between UT property. UT officers may also enforce ordinances of the City of Knoxville within its corporate limits. 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), and other local law enforcement agencies. Typically, UTPD will meet with local law enforcement agencies for planning large events on campus such as UT home football games. Due to the size and nature of UT home football games and other events on campus, the UTPD Special Events department will utilize staff from Knox County Sheriff's Office (KCSO), Blount County Sheriff's Office (BCSO), Anderson County Sheriff's Office (ACSO), Loudon County Sheriff's Office

(LCSO), and Tennessee Highway patrol (THP) as additional support staff for purposes related to security and traffic. During these events, there is generally a member from each agency present in the Command Post when applicable.

Additionally, UTPD has a representative on the Joint Terrorism Task Force who meets throughout the year to share criminal intelligence. Staff from UTPD investigations will frequent the Knoxville Police Department's (KPD) COMPSTAT (Computer Statistics) meetings. The UTPD K-9 units will attend regular trainings with other agencies such as KPD, KCSO, and BCSO.

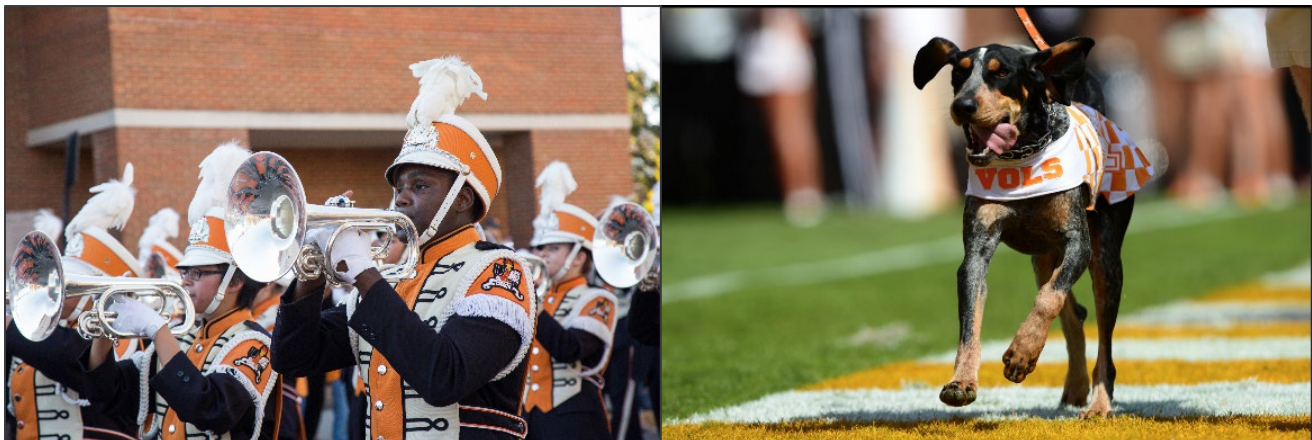
A written memorandum of understanding between UTPD and KPD regarding the exercise of jurisdiction has been adopted and recently updated in March of 2019. UTPD and KPD officers communicate regularly at the scene of incidents that occur in and around the campus area. UTPD investigators work closely with 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:

- Unattended death, 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;

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 their annual publications.

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 noncampus locations of student organizations officially recognized by the institution, including student organizations with noncampus 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 noncampus 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 Knox County Sheriff's Office policy requiring such notification. Students in those cases may be subject to arrest and university discipline. In the event of the arrest of any individual known to be a UT student, KPD will notify UTPD of said arrest in a manner directed by the Chief of UTPD. KPD may be delayed or forego said notification when, in the sole determination of KPD, notification might hinder, interfere with or otherwise jeopardize an ongoing investigation or prosecution.

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. The intent of this statement is to balance empowering victims to make the decision about whether and when to report a crime, and encouraging members of the campus community to report crimes of which they are aware.

Promptly reporting criminal incidents, suspicious activity, and other emergencies and incidents to UTPD or other designated university officials assists the university in issuing **UT Alerts** (emergency notifications) or **Safety Notices** (timely warnings), 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. Prompt reporting of a criminal incident provides police the best opportunity to apprehend a suspect and ensures critical evidence is collected. 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 then transferred to UTPD and/or the appropriate emergency service(s) 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).

UTPD's response to these reports often depends on the type of emergency reported. The initial steps taken at the site of any emergency will be those necessary to safeguard lives and property, secure the scene, and control any crowd which may be present. UTPD works to provide orderly and efficient coordination with all other agencies, departments, or organizations considered necessary and appropriate to the successful handling of such incidents.

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, and also **UTK Maps** (<https://maps.utk.edu>). Calls placed from blue light emergency telephone 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 may transfer the incident to UTPD or dispatch appropriate emergency services directly. 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 communications 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 communications center designated phone. A UTPD communications 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. If the person states that the button was pushed by accident and there is no reason to indicate there is a problem, no one is notified. A UTPD communications officer will contact the UT Facilities Service one call number to have maintenance in route to the elevator if someone is stuck inside. The one call Facilities Services person will attempt to get the person out of the elevator. If unable to get the person off the elevator, facilities services will contact the contracted elevator company. If the wait time for the contracted elevator company has an ETA of 45 minutes or longer, the Knoxville Fire Department (KFD) will be notified to get the person out. KFD will also be notified if the person stuck calls back to advise that they are in any type of distress, or if they are in distress when they notify UTPD that they are stuck. If KFD is sent to an elevator call, a UTPD officer will be dispatched with them.

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); or
- Report in person at **1101 Cumberland Avenue, Knoxville, TN**.

For general questions or other inquiries, you may send UTPD an e-mail at utpolice@utk.edu. This account is frequently checked, but not continuously monitored.

UTPD's response to these reports often depends on the type of emergency reported.

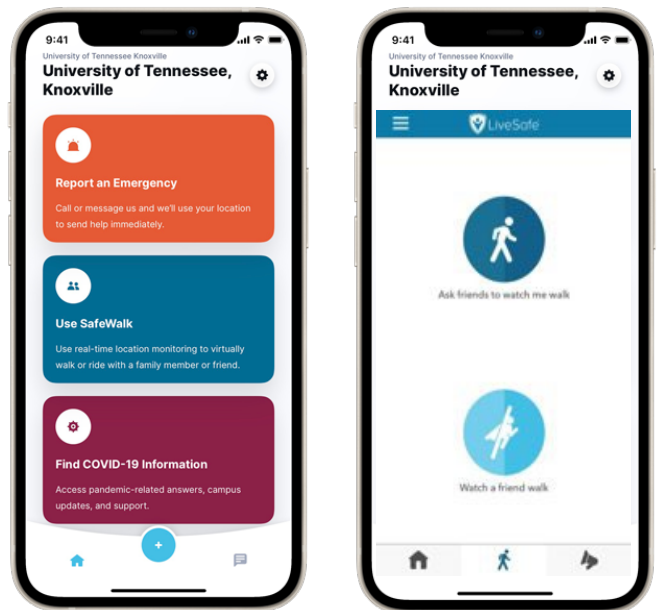
Reports of Clery Act crimes filed through a Campus Security Authority (CSA), as defined by the Clery Act, provided to the Clery Coordinator or designee will be included in the university's annual crime statistics published in the Annual Security and Fire Safety Report. All statistics enclosed in the Annual Security and Fire Safety 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 harassment (including sexual assault, domestic violence, dating Violence, and stalking), sexual exploitation, and retaliation (as those terms are defined in the university's policy, a copy of which can be found in **Appendix F**) to the Clery Coordinator or designee will also be made available to the university's Title IX Coordinator. Reporting a Clery Act crime allows the Clery coordinator or designee to keep an accurate record of specific criminal incidents, and the ability to notify the campus community of potential danger. If you are a Campus Security Authority, you may report Clery reportable incidents at <http://clery.utk.edu/campus-security-authority/>.

Non-emergency elevator calls during working hours require contact with the university's **Facilities Services (946-7777 or <http://fs.utk.edu>)** department. After hours, non-emergency calls require contact with on-call elevator technicians from an elevator company.



LiveSafe - Campus Safety Mobile App

Help is at your fingertips! Turn your phone into a personal safety device with the campus safety app. The LiveSafe Mobile App is a free download available to students, employees, and visitors of the Knoxville campus. LiveSafe offers a variety of tools and safety features such as the ability to send tips and incidents to UTPD and other departments on campus. Other features include the SafeWalk application to ensure friends arrive at their destination safely, as well as easy to access campus and local resources. Download and install the LiveSafe app from either [Google Play](#) or the [Apple App Store](#). For more information go to <https://prepare.utk.edu/app/>.



Reporting to Other Officials

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 for the purposes of making timely warning reports and the annual statistical disclosure:

<p>Dean of Students Student Union, Suite 383 865-974-3179</p>	<p>Title IX Coordinator 1817 Melrose Avenue 865-974-9600</p>	<p>Asst. Vice Chancellor for Student Life 413 Student Services Building 865-974-7449</p>
<p>Executive Director, University Housing 2107 Andy Holt Avenue 865-974-2571</p>	<p>Director, Student Conduct and Community Standards 405 Student Services Building 865-974-3171</p>	<p>Director, Center for Health Education and Wellness 201E Student Health Center 865-974-5725</p>
<p>Director, Center for Global Engagement 1620 Melrose Avenue 865-974-3177</p>	<p>Director, Human Resources 105 Student Services Building 865-974-9950</p>	<p>Sr. Associate Athletics Director 1551 Lake Loudoun Blvd 865-974-6322</p>
<p>Director, Ag. Extension 212D Morgan Hall 865-974-7245</p>	<p>Executive Director, Office of Equity & Diversity 1840 Melrose Avenue 865-974-2498</p>	

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

For within the City of Knoxville:

800 Howard Baker, Jr. Avenue
Knoxville, TN 37915
865-215-7000

Knox County Sheriff's Office

For 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 Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking, 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 prohibited conduct (Sexual Harassment (including sexual assault, domestic and dating violence, and stalking), sexual exploitation, and retaliation) to the University but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken. The policy also provides information on confidential resources that serve as alternatives to reporting an incident of prohibited conduct to the University.

For victims of sexual assault, there are steps to preserve evidence and maintain anonymity. Per TCA § 39-13-519, 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 marked with a unique identifying number to the local law enforcement with jurisdiction over the place of offense. The same unique identifying number assigned to the kit will also be provided to the victim. The law enforcement agency with jurisdiction will store the examination materials for at least ten (10) 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, an 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 for Clery statistics). 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, or for the purposes of issuing a timely warning.

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, or for the purposes of issuing a timely warning.

Reporting Sexual Assault, Dating and Domestic Violence, and Stalking

Additional information concerning options for reporting sexual assault, dating violence, domestic violence, and stalking can be found in the university’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic 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 Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking, found in **Appendix F**, prohibits retaliation.

Retaliation means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

University of Tennessee Human Resources Policy HR0580 Code of Conduct which can be found at <https://policy.tennessee.edu/policy/hr0580-code-of-conduct/> protects employees from retaliatory discharge if in good faith they report or attempt to report illegal activities, or if they refuse to participate in illegal activities. Employees are also protected from other forms of retaliation for reporting or seeking guidance regarding potential or actual criminal conduct.

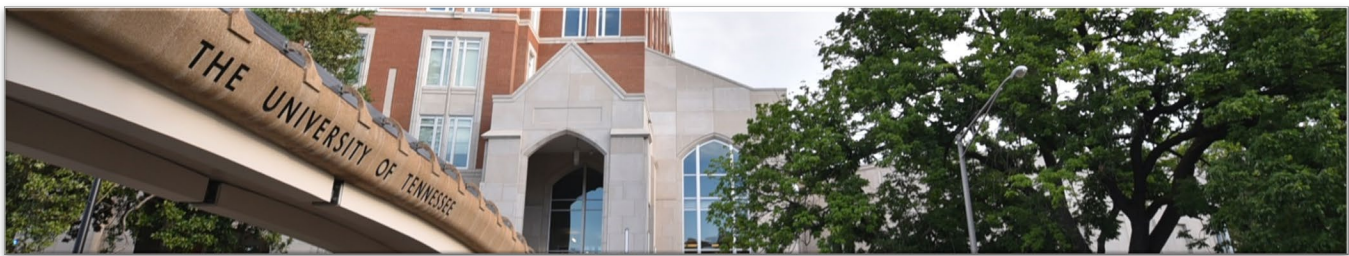


Timely Warning (Safety Notice)

A timely warning, in the form of a **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 to UTPD or Clery Coordinator directly or reported to UTPD or Clery Coordinator 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 considered by the institution to represent 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)(18); and (3) will aid in the prevention of similar crimes.

A Safety Notice will contain pertinent information about the incident to enable persons to protect themselves or their property and aid in the prevention of similar crimes. Such information generally could 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 and other instructions for the campus community. Safety Notices will not include information that, in the judgment of the Chief of UTPD or their designee, would compromise law enforcement efforts.

The decision whether to issue a Safety Notice is made by the Chief of UTPD, the Clery Coordinator, or their 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. Typically, the Clery Coordinator or their designee will follow a timely warning matrix checklist, and may consult with other departments to help determine if a threat to campus safety exists. The apprehension of the alleged perpetrator typically removes the risk to university students and employees.

The university typically does not issue a Safety Notice for an incident for which a report was filed 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 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, Clery Coordinator, or their designee may, in their 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 are typically written by the Clery Coordinator or their designee and sent to the Public Safety Public Information Officer or their designee for review. Upon final approval, the timely warning is distributed to all UTK netid accounts (e.g., students, faculty, and staff) through a campus email marketing platform known as Emma by the Clery Coordinator or their designee. Safety Notices may also be distributed through the university's Clery website <http://clery.utk.edu/safety-notices/> and UTPD's social media accounts (e.g., Facebook, <http://www.facebook.com/UTKPD>, and Twitter, <https://twitter.com/utpolice>).

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** which includes emergency notification. No Safety Notice based on the same circumstance will be issued. However, follow-up information will be disseminated to the campus community as needed. The University will provide follow-up information in the form of a UT Alert (Emergency Notification). Follow-up information may include status of incident, all clear, situation awareness, university response, and additional safety tips and information.

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 Operations Plan (EOP) is updated annually and available on Sharepoint for viewing for anyone with at UT NetID and password at <https://prepare.utk.edu/emergency-management/> under *Campus Emergency Operations Plan*.

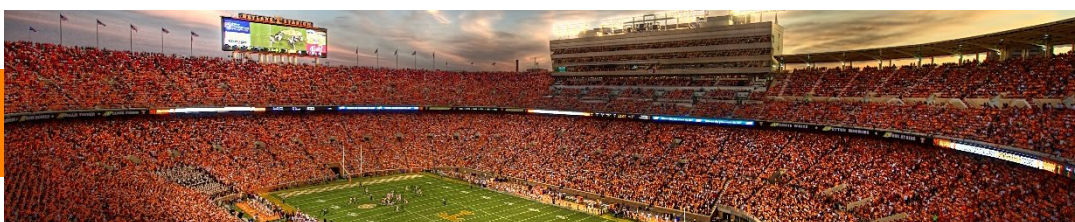
The EOP provides information on how the University will prepare and organize to respond to emergencies. The EOP provides detailed guidance on roles and responsibilities for emergency response personnel and guidance for colleges' and departments' continuity and emergency action planning. The EOP is administered by the university's **Office of Emergency Management** following the principles of the National Incident Management System.

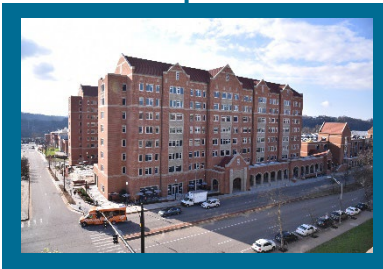
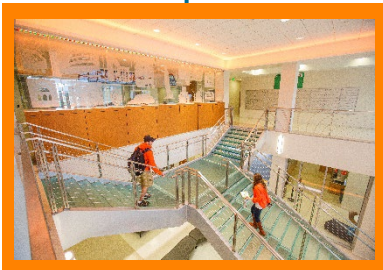
The EOP establishes a three-year exercise cycle to test and evaluate the EOP and to improve the skills of the university personnel assigned emergency management responsibilities. The training includes an annual exercise that is designed to progress from training and workshops to a tabletop exercise and 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 recent exercise activity is available at <https://prepare.utk.edu/emergency-management/> under *Recent Emergency Response Exercises*.

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 EOP available on Sharepoint, campus specific information and procedures are also published at <https://prepare.utk.edu/> and in an emergency preparedness training module available on Canvas at <https://utk.instructure.com/enroll/PFBWC9>. The Public Safety Department and Office of Communication and Marketing regularly conduct awareness efforts to encourage campus community members to review safety related information. University buildings are equipped with emergency posters that indicate best shelter locations, assembly areas, and exits.

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, and Student Life. University Housing's documentation 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 at <https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/records-retention/>. Key performance measures are established, evaluated, and feedback is provided to the building occupants. A record of conducted drills 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 <https://prepare.utk.edu/ep/>. 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 <https://prepare.utk.edu/ep/> and in the emergency quick reference app available through the campus safety 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, seek shelter on an above ground floor and 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. Learn about the **Run, Hide, Fight response options**. Barricading in a room is a form of sheltering and the proper response to an active shooter alert 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. Emergencies can also be reported by messaging UTPD through the campus safety app: LiveSafe.

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 including the use of electronic and cellular communication.



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 Senior Vice Chancellor for Finance and Administration, and the Associate VC for Public Safety and Chief of Police 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 and Facilities Services departments. 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 text messages at <https://safety.utk.edu/ut-alert/>. 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 campaign to encourage the campus community to register for text alerts and to download the campus safety 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.

UT Alert

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 or building fire alarm annunciators based on geographic area should the emergency or dangerous situation be specific to one 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 area while a severe weather event would potentially impact the entire campus. The UTPD Shift Supervisor or Public Safety designee 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 or Public safety designee, 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 Office 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 pre-scripted 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 of information with a resolution of the incident for the community. The On-Call Command Staff, Chief of Police, and/or Public Safety designee will work with appropriate university officials to ensure follow-up information is sent out. 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 social media accounts, 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.



We are conducting a tornado awareness drill. Do you know where to seek shelter if there was a tornado headed for campus? Check your email for more information.

UT Alert! Gunshots have been reported near 1931 Cumberland Ave. Avoid this area or seek shelter if you are near.

Emergency Notification Methods

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

Notification Method	Uses	Types of Warnings	Content Administrator
UT Alert Text (SMS) Message, Email, App, & Computer Screen	Campus-wide emergency requiring immediate action	Text messages	UTPD & Office of Emergency Management (OEM)
Code Blue Units & Neyland external speakers, Fire alarms	Campus-wide emergency requiring immediate action	PA system	UTPD & OEM
656-SAFE (7233)	Partial or full campus wide action	Pre-recorded message; phone bank	Communications & Marketing
UTPD vehicle PA system	Emergency Information	Voice	UTPD
UT Email	Emergency Information	Email	Communications & Marketing
Voice to Emergency Phones	Specific Messaging to Campus Responders	Phone	UTPD, OEM, Telephone Services
UT Emergency Website (Homepage)	Provide additional information	Web-based	Communications & Marketing
Digital Signage	Campus-wide Emergency	RSS feed	OEM & Department
Campus Cable Television	Campus-wide emergency requiring immediate action	EAS message	UTPD & ITES
NOAA Weather Radio & Wireless Emergency Alerts	National, state, and local hazards	Voice and tone	National Weather Service & TEMA
Social Media	Issue emergency statements	Twitter & Facebook	Communications & Marketing
Local Media	Issue emergency statements	Radio, TV, web & print	Communications & Marketing
IPAWS WEA	Geofence campus alerts	Text messaging	UTPD & OEM

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 Campus Safety 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. Buildings equipped with fire alarm annunciators and 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 UTAlert system via the university's e-mail exchange to all Knoxville-area students, staff, and faculty with a netid.
- **Emergency Phones** – Key response leadership have been equipped with mobile phones with priority service. These phones can be used to relay UTAlerts or specific emergency messages through the university's emergency notification system.
- **UT Emergency Website** – The University's homepage located at <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.
- **IPAWS WEA** – Federal alerting system that allows campus to send specific alert types to all cell phones in a geographic area.

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 and Fire Safety 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 Executive Director of University Housing (or their designee), and the Associate Vice Chancellor for Student Life (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.

How to Report a Missing Student

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.

Each summer University Housing emails students with a written reminder of the opportunity to identify and provide confidential emergency contact information for the university's use when the university or a local law enforcement agency has officially determined that a student is missing.

Students living in on-campus housing 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.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UTPD will inform the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

Investigation of a Missing Student Report

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

For a Student who is:	UTPD will contact:
Under 18 years old and not emancipated	Student's parent or guardian <u>and</u> the student's emergency contact (if the student has requested the university to contact someone in addition to his/her parent or guardian) and the Knoxville Police Department*
Under 18 years old and emancipated	Student's emergency contact and the Knoxville Police Department*
18 years old or older	Student's emergency contact and the Knoxville Police Department****

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

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

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

Sexual Harassment, Sexual Assault, Dating and Domestic violence, and Stalking

Additional information concerning options for reporting sexual assault, domestic violence, dating violence, and stalking can be found in the university's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking. The Policy 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://titleix.utk.edu>.

Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking

August 12, 2022

titleix.utk.edu



Security and Access to Campus Facilities

The University of Tennessee, Knoxville 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 Director of Physical Security is responsible for overseeing the implementation and revisions of operational camera procedures including approval of camera placement. UTPD, in conjunction with UTPS and Physical Security, 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 physical security standards or requested 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 UTPS Physical Security and Facility Services (request form on [UTPD webpage](#)).

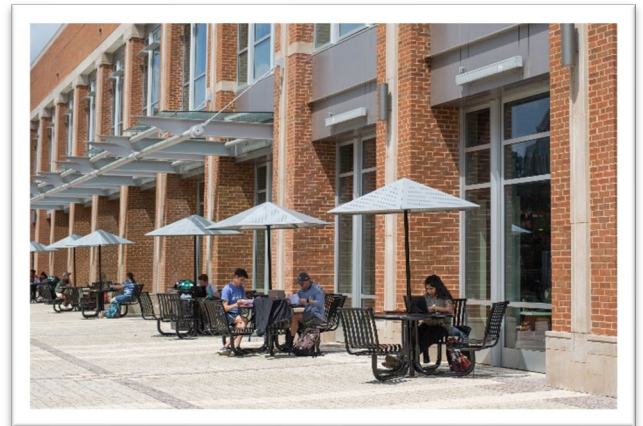
Security Assessment

Upon request, UTPS Electronic Security or 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 of 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 twelve hall directors, thirteen assistant hall directors, and 185 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 at all exterior access points and interior access points leading to residential portions within 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 (excluding Volunteer Condos) 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, or in the newer residence halls are non-operable. 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>.

Sorority and Fraternity Housing

The university sorority and fraternity student organization community is composed of 47 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 polices 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 a month. Fire evacuation drills are held twice a semester in sorority and fraternity 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** (<https://fs.utk.edu/wp-content/uploads/2022/07/July-7-2022-Building-Representative-List-Update.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 or UTPS Electronic Security 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 **46-7777** (from a campus phone) or using the **LiveSafe app**. 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> under *Current Residents>Request Maintenance*, as well as 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 request pickup through the UT mobile app's transit icon, by campus Blue Phone, or call **865-974-4080** between 6 p.m. and 7 a.m. to get a ride to and from locations on and around campus. The "T:Late Nite" is also available to students. T:Late Nite runs 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. For more information on routes, times, and locations visit <https://ridethet.utk.edu/wp-content/uploads/sites/51/2021/08/T-Shelter-Map-Poster-Fall-2021-FINAL.pdf>. The **UT Mobile app** integrates the T Transit System to include a GPS tracking map, route stop information, and service updates. Schedules vary when classes are out of session. For more information and schedules, visit <http://ridethet.utk.edu/>.



ROUTE NAME							
DAYS	WEEKDAYS	WEEKDAYS	WEEKDAYS	WEEKDAYS	SUN-THUR	WEEKDAYS	NIGHTLY
HOURS	8:30AM-2:30PM	7AM-4PM	7AM-4PM	7AM-6PM	6PM-2:30AM	7AM-6PM	6PM-7AM
FREQUENCY	6-8 MINUTES	8-10 MINUTES	8-10 MINUTES	10-12 MINUTES	10-12 MINUTES	<small>The T Access is a demand response service available to students with an Access ID card issued by UT Student Disability Services. Faculty or staff need to visit the Office of Equity and Diversity to get their Access ID card. The T Access operates on-demand, point-to-point service on UT's main campus, Ag Campus, or UT facilities in the Fort Sanders neighborhood, weekdays from 7 am until 6 pm. After 6 pm, persons with disabilities may use the T Link service.</small>	<small>The T Link operates nightly between 6 pm and 7 am. No disability ID is required. The T Link transports students at night to the T Late Nite or to their destination. After 6 pm, request pickup through the UT mobile app's transit icon, by campus Blue Phone, or call 865-974-4080. Wait times depend on call volume. The T Link service area includes UT's main campus, Ag Campus, and the Fort Sanders neighborhood to Grand Avenue (excluding the Cumberland Avenue strip).</small>
HOURS		4PM-6PM	4PM-7PM		FRI & SAT		
FREQUENCY		10-12 MINUTES	10-12 MINUTES		10-12 MINUTES		
HOURS			7PM-9PM	<div style="border: 2px solid blue; border-radius: 15px; padding: 5px; display: inline-block;"> *ONLY MONDAY EVENINGS OPERATES EVERY 10 MINUTES </div>			
FREQUENCY			30 MINUTES*				

PSSC Route departs from UT campus weekdays at 7AM, noon, and 4PM.

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 <https://safety.utk.edu/police/services/operation-identification/>.
- ▶ Sexual Assault Awareness: Discussions of awareness, prevention, avoidance, and effective communication regarding non-stranger rape. Information regarding available counseling is also provided.
- ▶ Social Media Safety: With an increased use of social media in our daily lives, it's important to understand the amount of information we put out there about ourselves and how to limit/protect that information.
- ▶ 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 **2021**, UTPD's CRU instructed **79 programs** making contact with **4,138 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:

- ▶ UT Alert & LiveSafe Promotion: Police set up kiosk/table displays to promote and encourage UT staff, students, and faculty to register their mobile number for the **UT Alert emergency notification system** and **promote usage for the LiveSafe App**.

- ▶ 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, the Office of Multicultural Student Life, the LGBTQ Community, Veterans, Religious groups, 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 (CHEW) is to empower all Volunteers to thrive by cultivating personal and community well-being.

Based on data collected from our Annual Health and Wellness survey, and national research, the CHEW develops campaigns and programming to address **sexual assault**, **substance abuse**, and **health and wellness initiatives**.

The CHEW 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 CHEW is to facilitate supports, and create opportunities for education. The CHEW was originally developed as a unique approach to campus alcohol and substance abuse prevention efforts. The CHEW was reconstituted to serve as an umbrella that encompasses the CHEW's original mission and broadened to include sexual assault, and health education. The CHEW conducts programs throughout the year upon request (**865-974-5725** or <http://wellness.utk.edu/>). Literature and brochures are distributed at most programs. All CHEW programs and events are free to UT students and employees.

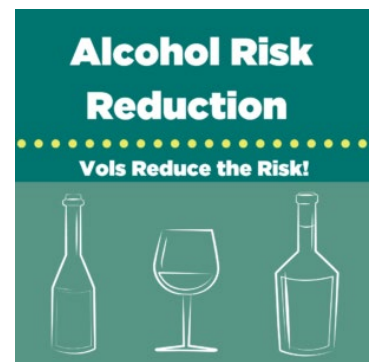


The logo features the text "VOLS HELP VOLS" in a bold, sans-serif font. "VOLS" is written in orange, "HELP" is in white, and "VOLS" is again in orange. The text is centered on a dark gray rectangular background.

The CHEW facilitated the following programs and courses in 2021:

- ▶ The VOL Module is an interactive, online module that was developed by the Center for Health Education & Wellness to educate incoming students at the university about alcohol, consent, sexual misconduct, healthy relationships, active bystander skills, and campus policies & state law. Students enrolled in First-Year Seminar (FYS) 101 could complete the module as part of the health and wellness content included in all fall semester FYS 101 courses. 2,725 students completed the module in 2021.
- ▶ eCHECKUP TO GO Alcohol / eCHECKUP TO GO Cannabis are self-assessment tools available for use by students to examine their own alcohol/cannabis use. The program provides immediate personalized feedback about: current use, risk patterns, aspirations and goals, and campus and community resources.

- ▶ The Alcohol Education Program (AEP) is a 2-hour online module for students to learn how to make more informed decisions about drinking. The goal is to consider what potential risks are for current behavior and how to modify behavior to reduce risk of negative consequences. Topics covered in this course include: alcohol expectancy theory, assessment of use, alcohol and the body, blood alcohol concentration, biphasic effects of alcohol, polysubstance use, and risk reduction strategies. Students are typically sanctioned to complete these sessions as a part of an alcohol violation; however, any student may request to complete this course voluntarily or meet with the Wellness Coordinator due to concerns or questions regarding their personal use of alcohol. In 2021, 20 students completes this program.



- ▶ **BASICS and CSI:**
Brief Alcohol Screening and Intervention for College Students (BASICS) is a brief intervention consisting of two one-hour meetings with students. It is an opportunity to have a more in-depth conversation about the incident that brings them to BASICS. The purpose of these meetings is to look at current pattern of use, possible risks, and possible ways to reduce these risks to prevent another incident. Participants complete the eCHECKUP TO GO – Alcohol 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.

CSI: Cannabis Screening and Intervention for College Students (CASICS) is a brief intervention consisting of two one-hour meetings with students. It is an opportunity to have a more in-depth conversation about the incident that brings them to CASICS. The purpose of these meetings is to look at current pattern of use, possible risks, and possible ways to reduce these risks to prevent another incident. Participants complete the CHECKUP TO GO – Cannabis online assessment. Students are typically sanctioned to complete these sessions as a part of a drug violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of substances.

In 2021, BASICS and CSI was conducted with 43 students.

- ▶ The Drug Education Program (DEP) is a 2-hour online course for students to learn about the impact of substance use, reflect on personal use, and consider risk reduction strategies. The goal is to consider what potential risks are for current behavior and how to modify behavior to reduce risk of negative consequences. Topics covered in this course include: assessment of use, cannabis, substances and the brain, tolerance and overdose, polysubstance use, and risk reduction strategies. Students are typically sanctioned to complete these sessions as a part of a drug violation; however, any student may request to complete this course voluntarily or meet with the Wellness Coordinator due to concerns or questions regarding their personal use of substances. In 2021, 12 students completed this module.

Just FYI, not "everyone" at UT drinks alcohol.

41% of UT students do not drink alcohol.

Source: 2017 Annual Health & Wellness Survey
n = 958

If you choose to drink, know the standard

12 oz beer 3-5% ABV*	5 oz wine 12-15% ABV*	1.5 oz shot 40% ABV*
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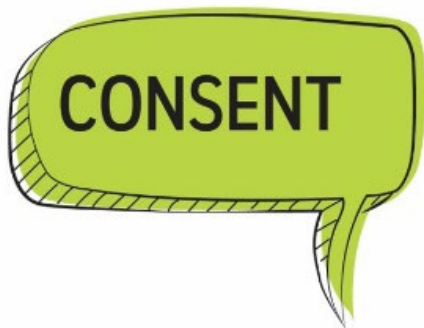
One Standard Drink
*Alcohol By Volume

- ▶ The Know the Standard program addresses facts about alcohol and alcohol use, risk-reduction strategies, and how to support someone who may be experiencing alcohol overdose, including the university's medical amnesty policy. In 2021, two programs were provided to a total of 34 students.

- ▶ Start the 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 6,600 households received the electronic link promoting the Start the Conversation guide in On Rocky Top magazine.



- ▶ Feeling Your Best at UT explores general health and wellness topics such as sleep, stress, and cold and flu prevention to help students learn how to manage and improve their health in these areas. The program also briefly addresses active bystander skills. 30 programs were provided to 64 participants in 2021.
- ▶ Media Campaigns were utilized to promote central office messages. Messaging campaigns were run in the student newspaper, The Daily Beacon, in On Rocky Top magazine, on campus digital display screens, on CHEW's website and social media accounts. Messages promoted consent, healthy relationships, nutrition, sexual assault prevention, stress, social norms, and risk reduction messaging for sexual health and substance misuse.



- ▶ Start the 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 6,600 households received the electronic link via promotions the Start the Conversation in On Rocky Top magazine in 2021.

▶ Th Online Presentation Module contains information from a variety of departments on campus including Student Conduct and Community Standards, the Office of Title IX, and the CHEW. Content discussed within the preorientation module includes the university's policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence and Stalking, consent, reporting prohibited conduct, healthy relationships, alcohol and drugs, bystander information, and a quiz to test learning retention. 7,108 students attended this orientation in 2021.

- ▶ The New Student Orientation contains information and presentations from a variety of departments. In 2021, CHEW presented "Be Safe, Be Smart, Be a Vol" which provided alcohol education and policies, consent education, Title IX policy review, and active bystander skills training. 4,853 students total received this presentation in 2021.

DATING DOES NOT MEAN YES.

Consent is an active agreement to participate.

- ▶ The Volunteers Speak UP! Vols Help Vols program is designed to help participants recognize when they are bystanders, and introduces ways that unintended harm is related to consent. The interactive discussion focuses on ways to identify consent in everyday life, intervene in low-risk situations and practice ways to Take ACTION as an Active Bystander. Students will learn ways to take responsible action to help people, support other students and create a culture of care on our campus. There were 6 programs conducted with a total of 127 student contacts in 2021. This program has since been renamed as “Vols ACT: Bystander Intervention for Sexual Misconduct Prevention.”



- ▶ Volunteers Speak UP! Alcohol Edition program includes information on how to recognize alcohol overdose, care-taking skills for when someone has overdosed on alcohol, how to be an active bystander and safely intervene in risky situations. The program include discussion on specific scenarios related to concerning

drinking behavior and drinking and driving. One program was requested in 2021 with 18 student participants. This program has since been renamed as “Vols ACT: Bystander Intervention for Alcohol Risk Reduction.”

- ▶ 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 through education and participatory activities. The VOLS 2 VOLS present and conduct outreach on a variety of topics including being an active bystander, alcohol risk-reduction, consent, healthy relationships, nutrition, sexual health, sleep, and stress. There were 34 VOLS 2 VOLS Peer Health Educators in the spring 2021 semester and 20 in the fall 2021 semester. In 2021, VOLS 2 VOLS Peer Health Educators facilitated the following programs: Feeling Your Best at UT, Healthy Relationships, It’s Not Taboo, Know the Standard, Volunteers Speak UP! Vols Help Vols, and Volunteers Speak UP! Alcohol Edition The VOLS 2 VOLS Peer Health Educators interacted with approximately 2,050 students through programs, events, and tabling.



- ▶ Stalking Awareness Week is honored in late January through social media and an event that educates students about stalking including how to recognize warning signs, and what to do if someone is experiencing stalking. “Sliding into Your DMs” was presented by the YWCA Knoxville virtually discussing stalking and had 7 participants.
- ▶ Sexual Assault Awareness Month (SAAM) is honored in April and features several events for the campus community including pop-up speaker presentations, social media engagement, tabling, and more. Many SAAM events are partnerships with the Office of Title IX. In 2020, SAAM included Data Dive with Title IX, an event that reviews the Title IX Annual Report and features a Q&A afterward with on-campus and off-campus partners. In 2021, there were 7 SAAM events total with 253 participants.
- ▶ The It’s Not Taboo (Sexual Health) program is an interactive program that addresses safer sex practices, STIs and HIV prevention, and pregnancy prevention. The program also provides education about consent including its definition and when consent cannot be given. Resources for sexual health and sexual assault are provided during the conclusion of the program. In 2021, four programs were provided to a total of 52 students.
- ▶ The Healthy Relationships program explores the nature of healthy and unhealthy relationships and their characteristics. This program focuses on empowering students to think critically about their values, beliefs and needs related to relationships, as well as how to communicate those values, beliefs and needs. While this program does discuss romantic relationships, the activities and principles included can be applied to a variety of relationships. Due to the COVID-19 pandemic, Healthy Relationships was not provided during the 2020-21 academic year.



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 for Health Education and Wellness, 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 2021 is contained in [Appendix D](#).



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

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from sexual assault, domestic violence, dating violence, and stalking (collectively, “Prohibited Conduct”). Prohibited Conduct will not be tolerated and will be grounds for disciplinary action up to and including expulsion from the University and termination of employment. Prohibited Conduct is defined in the university’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking a copy of which can be found at titleix.utk.edu and **Appendix F**.

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:

- The fact that the University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined by the Clery Act regulations, 34 C.F.R. § 668.46(a); the definitions of dating violence, domestic violence, stalking, and sexual assault under Tennessee criminal law; the definition of consent with respect to crimes relating to sexual activity in Tennessee; and the information that is included in the Policy in accordance with Clery Act regulations, 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(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 Prohibited Conduct. Bystander intervention includes, without limitation, 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; and
- 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.

The University implements Primary Awareness Programs which 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 violence, promote safety, and reduce perpetration.

The University implements Ongoing Prevention and Awareness Campaigns which 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:

- The fact that the University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined by the Clery Act regulations, 34 C.F.R. § 668.46(a); the definitions of dating violence, domestic violence, stalking, and sexual assault under Tennessee criminal law; the definition of consent with respect to crimes relating to sexual activity in Tennessee; and the information that is included in the Policy in accordance with Clery Act regulations, 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(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 Prohibited Conduct. Bystander intervention includes, without limitation, 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; and
- 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, as well as positive options for Bystander Intervention and information on Risk Reduction include:

- ▶ The *Vol Module* is an interactive, online module that was developed to educate incoming students at the university about alcohol, consent, sexual misconduct, healthy relationships, active bystander skills, and campus policies & state law.
- ▶ The Online Preorientation Module contains information from a variety of departments on campus including Student Conduct and Community Standards, the Office of Title IX, and the CHEW. Content discussed within the preorientation module includes the university's policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence and Stalking, consent, reporting prohibited conduct, healthy relationships, alcohol and drugs, bystander information, and a quiz to test learning retention.
- ▶ The New Student Orientation contains information and presentations from a variety of departments. In 2021, CHEW presented "Be Safe, Be Smart, Be a Vol" which provided alcohol education and policies, consent education, Title IX policy review, and active bystander skills training.
- ▶ The Office of Equity and Diversity and the Office of Title IX partnered to develop a training that is made available to all new employees at via the New Employee welcome website at <https://hr.utk.edu/welcome/>. The content of the presentation includes policies and procedures around Title IX, specifically sexual harassment, sexual misconduct, relationship violence, and stalking. The training incorporates not only policy explanation, but also the university response to prohibited conduct and the process by which employees should report behavior and file their own complaints. The training directs new employees to resources on campus and provides advice and examples of support for those who have experienced sexual assault, relationship violence, and/or stalking. The training also introduces

new employees to the VOLS A.C.T. active bystander campaign and reviews ways in which employees can be an ACTIVE Bystander at UT and beyond.

- ▶ *Volunteers Speak UP! Vols Help Vols* program includes information on consent, how to provide support to someone who has been sexually assaulted, and how to be an active bystander. The program concludes with resources and how to promote a Vols Help Vols culture at UT and beyond.
- ▶ The *Consent* program explores the definition of consent, as well as factors that impact the ability to give consent. Through inter-active activities, students learn how to recognize when consent is present, when it is not, and what to do when consent may be unclear.
- ▶ For employees and graduate student employees the University provides information related to Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation via an online training module. The training module was created by the Office of Title IX and customized to address reporting responsibilities, prevention, bystander intervention, campus specific trends, and assessment data. UT policy and procedure including key legislation are referenced. The training module can be found on the University's comprehensive learning management tool K@TE. This module can be found at <https://kate.tennessee.edu/> and accessed by entering your university assigned Net ID and password.
- ▶ In partnership with the Graduate School, the Office of Title IX provides training and information for incoming graduate students related to Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation. The training was created by the Office of Title IX. Title IX and customized to address services and supports provided by the Office of Title IX, campus and community resources, prevention, bystander intervention, campus specific trends, and assessment data. UT policy and procedure including key legislation are referenced.
- ▶ Additionally, You Are Not Alone resource cards, Sexual Assault Awareness Month events and Daily Beacon advertisements promote <http://titleix.utk.edu>, <https://wellness.utk.edu/>, and prevention programs being carried out by the Center for Health Education and Wellness. Social Media campaigns included Stalking Awareness Week, Sexual Assault Awareness Month, "Consent is..." campaign, and Domestic Violence Awareness Month.
- ▶ Programs such as eCHECKUP TO GO Alcohol / eCHECKUP TO GO Cannabis, The Alcohol Education Program, BASICS: Brief Alcohol Screening and Intervention for College Students (BASICS), The Drug Education Program, CSI: Cannabis Screening and Intervention, Campus Wide Presentations, the Vol Module for First Year Studies, Start the Conversation: How to Discuss Alcohol with Your Student & How to Discuss Consent with Your Student, Social Media Campaigns, Volunteers Speak UP! Alcohol Edition, Volunteers Speak UP! Vols Help Vols, Healthy Relationships, It's Not Taboo, Consent, and VOLS 2 VOLS Peer Health Education Program as described previously in this report are also examples of these educational programming initiatives.



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 Interpersonal Wellness and Sexual Health Coordinator (<https://wellness.utk.edu/meet-our-team/>), Title IX Coordinator, the Deputy Title IX Coordinator for Prevention and Support, or the Clery Compliance Coordinator (<https://titleix.utk.edu/about-the-office-of-title-ix/title-ix-team/>).

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. <https://evawintl.org/olti/>
- ▶ The Stalking Prevention, Awareness, and Resource Center (SPARC) ensures allied professionals have the specialized knowledge to identify and respond to the crime of stalking. SPARC provides ready-to-teach modules providing everything you need including PowerPoints and presenter guides. <https://www.stalkingawareness.org/>
- ▶ The Battered Women's Justice Project (BWJP) is the national resource center on civil and criminal justice responses to intimate partner violence. BWJP provides training that translates research findings into ideas for implementation, and facilitates the adoption of promising practices across the country. <https://bwjp.org/>
- ▶ 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>

A description of safe and positive options for bystander intervention:

Be an Active Bystander!

Vols ACT empowers you to help keep UT's campus safe for all Volunteers. Every volunteer has a role to play in taking care of the UT community. Vols ACT trains UT students, faculty, and staff to recognize potentially harmful situations and safely intervene. Learn about the important role you can play as an active bystander to intervene in potentially harmful behaviors before they occur.

You can **request a Vols ACT program** for your undergraduate class, residence hall, student organization, or chapter.

For training for graduate students, faculty, and staff, **you can register** for Vols ACT training through the Office of Title IX.

What is a bystander?

A **bystander** is a person who observes a behavior that is unacceptable and could be potentially harmful to another person's health or well-being.

Examples include alcohol abuse, hazing, violence, sexual assault, relationship abuse, and discrimination.

As a bystander, we may:

- ▶ Think it is none of our business
- ▶ Hope that someone else will deal with it
- ▶ Miss an opportunity to change the community we live in for the better

What is an active bystander?

An **active bystander** is a person who takes the steps that can make a difference.

As an active bystander, we may:

- ▶ Positively impact the individuals we are concerned about
- ▶ Become a role model for others to have confidence to speak up
- ▶ Create a community that values taking care of one another

How can I use Vols ACT to be an active bystander?

There are three key steps to being an active bystander.

1. Acknowledge the situation.

Trust the voice within yourself that senses when something is wrong. Pay attention to your surroundings. If you feel like a situation you witness is off, wrong, or harmful, listen to that feeling.

2. Consider your options.

Consider your options for intervening. Think about what you could do. What are factors that you need to consider? Some include:

- ▶ Time of day
- ▶ Location
- ▶ Safety
- ▶ Situational power

3. Take action.

After acknowledging that you should intervene and considering your options and safety concerns, it's time to take action! You can act using the 3 D's: Direct, Distract, Delegate.

What are the 3 D's and how can I use them?

The 3 D's are strategies that you can use to intervene in a situation.

Direct

Step in and address the situation directly.

Example: "What you are doing is wrong." "Hey, that's not cool. You shouldn't be doing that."

Distract

Provide a distraction that shifts the focus of the situation. This can include doing something to separate the victim from the situation or causing a physical distraction, like spilling a drink and asking for help cleaning it up.

Example: "Can you show me where the bathroom is?"

Delegate

Find others who can help you to intervene in the situation. There is power in numbers. This can include asking a friend to intervene with you or getting help from security or staff.

Example: “Hey, I’m Smokey, will you help me?”

Your safety is important

When deciding how to act, it is important to keep yourself safe. It may not be safe to directly intervene sometimes, so distracting or delegating may be the better option. In other situations, you might decide to use all 3 D’s.

Information on Risk Reduction:

- Risks Awareness, Risk Recognition, Risk Avoidance, and Risk Reduction is 90% of self-defense: Be present in your situation and aware of your surroundings
- General Awareness
 - ▶ Vehicle
 - Keep valuables in a secure place and out of sight
 - Don’t leave your vehicle running unattended
 - Lock your doors when exiting your vehicle, even if you will only be away for a short time
 - Don’t leave your key fob or spare key in your vehicle when unattended – this can enable anyone to access your vehicle by simply touching the door handle (a thief will look for this specifically)
 - Lock your vehicle immediately after entering your vehicle
 - ▶ Building
 - Check your locks
 - Ensure outdoor lighting is in working order
 - Look for and repair any broken doors or windows
 - Keep shrubs and bushes trimmed to avoid potential areas where someone could hide out of sight
 - Know the visitor policy for where you live
 - Have an emergency contact text list
 - ▶ When possible, stay off your phone and keep your eyes up while walking, and only use one headphone
 - ▶ No attacker wants to be seen, heard, or discovered
 - Make eye contact
 - Acknowledging their presence with clear verbal statements
- Using Self-Defense
 - ▶ Used when required for escape
 - ▶ Defense should be objectively reasonable, and proportionate to the situation
 - ▶ Apply yourself 100%
- Reporting Suspicious Activity
 - ▶ Get a detailed description and direction of travel
 - ▶ Avoid confrontation

- If you are a victim of a crime
 - ▶ Get to a safe location
 - ▶ Preserve any evidence
 - ▶ For emergencies call 911 – especially if you are injured

- Weapons
 - ▶ Potential weapons could be pepper spray, Taser, keys, sound devices, flashlight (However, ensure you follow UTK Policy and understand what you can and can't use or carry on campus)
 - ▶ Personal Weapons
 - ▶ Voice – This is your number one personal weapon! Use clear verbal statements (don't just yell). A loud, articulated "No!" can be very effective.
 - To learn how to use your other personal weapons (head, feet, elbow, feet, etc. check out UTPD's RAD class!)

- Reporting incidents
 - ▶ Avoid panic
 - ▶ Get to a safe location
 - ▶ Use 911
 - ▶ Articulate each use of force
 - ▶ All child abuse or neglect should be reported to DCS – this can be confidentially or anonymous

Alcohol and Illegal Drugs

This section of the report provides information on the university's policies regarding the possession, use, and sale of alcoholic beverages and enforcement of Tennessee's underage drinking laws. This section also provides information on the university's policies regarding the possession, use, and sale of illegal drugs and enforcement of federal and Tennessee drug laws and a description of the university's drug and alcohol abuse prevention programs.



Drug Free Campus and Workplace

A complete copy of the following Drug Free Campus and Workplace HR0720 policy can be found at <https://policy.tennessee.edu/>, or directly at <https://policy.tennessee.edu/policy/hr0720-drug-free-campus-and-workplace/>.

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 the University of Tennessee from federal grants or contracts must notify the University of any Criminal Drug Statute Conviction 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 violation within ten days of the university's receipt of notification.

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

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

A complete set of the drug screening procedures for employees in positions requiring the use of a commercial driver's license (CDL) is available for those employees and their supervisors from their campus or institute human resources office. The procedures discuss the types of screenings, when and how they are to be conducted, and the actions that will be taken by the university should the employee receive a confirmed positive alcohol or drug test.

Alcohol

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

It is unlawful in Tennessee for:

- ▶ any person 21 years of age to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer;
- ▶ any person to purchase an alcoholic beverage for or at the request of a person under 21 years of age;
- ▶ any person who is younger than 21 years of age to purchase or attempt to purchase any alcoholic beverage;
- ▶ any person under 21 years of age to knowingly make a false statement or exhibit false identification to the effect that the person is 21 years of age or older to any person engaged in the sale of alcoholic beverages for the purpose of purchasing or obtaining the same;

- ▶ any person to give or buy alcoholic beverages or beer for or on behalf of any minor or to cause alcohol to be given or bought for or on behalf of any minor for any purpose;
- ▶ a driver to consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle in this state
- ▶ any person to persuade, entice or send a minor to any place where alcoholic beverages or beer, are sold, to buy or otherwise procure alcoholic beverages or beer in any quantity, for the use of the minor, or for the use of any other person; and/or
- ▶ any owner, occupant or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow a person to consume alcoholic beverages, wine or beer on the property; provided, that the owner, occupant or other person knows that, at the time of the offense, the person consuming is an underage adult.

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

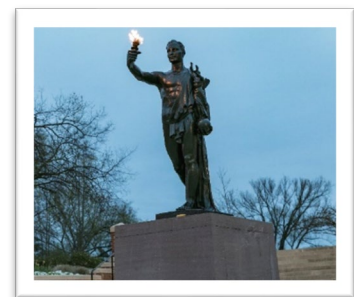
Illegal Drugs

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

- ▶ 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 unless expressly permitted by University policy.
- ▶ 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, if prohibited by federal, state, or local law; using, manufacturing, possessing, distributing, or selling 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 Code of Conduct at <http://studentconduct.utk.edu/>.

Code of Conduct for Employees

The University of Tennessee’s Code of Conduct for employees, a copy of policy HR0580 which can be found at <https://policy.tennessee.edu/policy/hr0580-code-of-conduct/>, 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 HR0525, a copy of which can be found at <https://policy.tennessee.edu/policy/hr0580-code-of-conduct/>. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances as well as reporting for duty under the influence of intoxicants, constitutes gross misconduct under university policy. In a case of gross misconduct, immediate disciplinary action up to and including termination may be taken. An employee may be placed on administrative leave while the University is investigating or addressing allegations of misconduct, or as otherwise permitted by **University policies**.

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** may be reached directly at **855-437-3486**, or www.Here4TN.com and manages the alcohol & drug abuse and rehabilitation program for benefits-eligible employees. The Employee Assistance Program also provides counseling and a variety of other referral services. For more information, visit <http://hr.utk.edu/employee-relations/employee-assistance/>.



Health Risks

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

Alcohol-misuse 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—Over 30 percent of fatal auto accidents involve alcohol. Suicide is known to be highly prevalent among those who suffer from alcohol disorders.

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 with Neonatal Abstinence Syndrome.

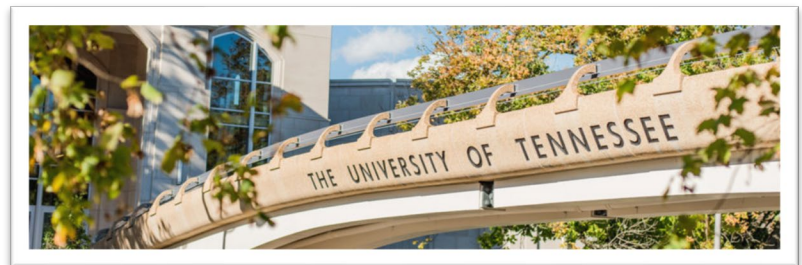
Drug Free Schools and Communities Act

The Drug-Free Schools and Communities requires institutions of higher education that receive federal funding to execute a drug and alcohol abuse prevention program for the campus community. The following link provides information about the various prevention and education programs, resources, policies, and laws:

<https://t.e2ma.net/click/k7ldvk/8t7rqfb/gwmrwec>

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

Generally, it is a criminal offense for a person to carry or possess a firearm or other weapon, whether openly or concealed, on any property owned, used, or operated by the University of Tennessee (Tennessee Code Annotated § 39-17-1309).

Tennessee law allows a full-time university employee who is the holder of a valid handgun carry permit to carry a concealed handgun on university property if the employee satisfies certain requirements, which are described in more detail in [University of Tennessee Safety Policy SA0875](https://policy.tennessee.edu/), found at <https://policy.tennessee.edu/>.

Those requirements include, without limitation:

1. The employee shall have the handgun carry permit in the employee's immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer.
2. Prior to carrying the handgun, the employee shall provide written notification to UTPD in accordance with UTPD's policy and procedure for notification. Notification forms are available at UTPD at 1101 Cumberland Avenue. The eligible employee shall meet with a UTPD police officer and provide a valid University of Tennessee identification card, driver's license, and valid Tennessee Handgun Carry permit. Other identifying

information that must be provided includes - name, office address, phone number, job title, Employee ID number, and date of birth. The eligible employee will be required to sign a form acknowledging the terms and conditions for carrying a handgun on university property, including without limitation acknowledging that they will not be carrying a handgun in any official university capacity, are not entitled to workers' 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 UTPD of any change in employment or student status. All information gathered will be kept confidential by UTPD and will not be shared with another person or entity other than a law enforcement agency for law enforcement purposes or except as otherwise permitted by law.

UTPD has developed a voluntary training course for eligible University employees who have elected to carry a handgun on university property. The course focuses on firearms safety, reiteration of statutory requirements, limitations, prohibited locations and personal liabilities. The course also focuses on considerations for response to an active shooter or other such dangerous situation.

Parking

Under Tennessee law, the holder of a valid handgun carry permit recognized in Tennessee may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the permit holder's motor vehicle, as defined in Tennessee Code Annotated § 55-1-103, while on or utilizing any public or private parking area if:

1. The permit holder's motor vehicle is parked in a location where it is permitted to be; and
2. the firearm or ammunition being transported or stored in the motor vehicle;
 - a) is kept from ordinary observation if the permit holder is in the motor vehicle; or
 - b) is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to such motor vehicle if the permit holder is not in the motor vehicle.



University Weapons Policy – Students

The university's Student Code of Conduct states that a student may be disciplined for "Possessing, carrying, using, storing, or manufacturing any weapon if prohibited by federal, state, or local law; or possessing, carrying, using, storing, or manufacturing any 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 or unless federal or state law affirmatively gives a student a right, irrespective of the Code, to possess or carry a weapon on University-controlled property or in connection with a University-affiliated activity." Weapons that are brought to campus by students for sporting purposes must be checked in and stored at UTPD.

University Weapons Policy – Employees

The University permits employees to carry or possess firearms on university property only as authorized by law. Unless authorized by **University of Tennessee Safety Policy SA0875 Firearms, section three, Authorized**

Possession and Carrying of Firearms, found at <https://policy.tennessee.edu/>, 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/general-information/tennessee-sex-offender-registry.html>. In accordance with Tennessee Code Annotated § 40-39-201, members of the public should not use information from the Tennessee Sex Offender Registry to inflict retribution or additional punishment on offenders. Though much of the information in the registry is of record, some of the information contained on the registry is obtained directly from offenders. Neither Tennessee Bureau of Investigation nor UTPD guarantees the accuracy or completeness of the information in the registry. The information contained in an offender's record does not imply that the offender will commit a specific type of crime in the future, nor does it imply that if a future crime is committed by an offender what the nature of that crime may be. Neither TBI nor UTPD makes any representation as to any offender's likelihood of re-offending. If you believe that information concerning a specific offender is incorrect, please contact TBI at 888-837-4170.

Disclosure to Victims of Crimes of Violence or Non-Forcible Sex Offenses

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

Policy on
Sexual Harassment,
Sexual Assault,
Dating and Domestic Violence,
and Stalking
August 12, 2022
titleix.utk.edu

THE UNIVERSITY OF
TENNESSEE

THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

UTIA INSTITUTE OF
AGRICULTURE

INSTITUTE FOR PUBLIC SERVICE

Annual Disclosure of Crime Statistics

UT Public Safety is responsible for preparing and distributing this Annual Security and Fire Safety Report to comply with the Clery Act. Within Public Safety, the responsibility for preparing the Annual Security and Fire Safety Report is assigned to the Clery Compliance Coordinator. The Annual Security and Fire Safety Report is published and distributed every year by October 1st. The Annual Security and Fire Safety 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.

The Clery Coordinator prepares the Annual Security and Fire Safety Report, including the annual disclosure of crime, arrest, and referral statistics, with input from various sources, including: UTPD; the university's Office of Title IX; the university's Division of Student Life; university Campus Security Authorities (CSAs); and local law enforcement agencies, including the City of Knoxville Police Department. The Clery Coordinator works to reconcile statistics from the Office of Title IX and the Office of Student Conduct to reduce the instance of missing or double counting incidents. For statistical purposes, crime statistics reported to any CSA 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. In order to collect reported crime information occurring at non-campus properties during student school-sponsored travel, a travel form is listed on the Clery website for travel leaders to complete and submit. This information is used to request reported crime information from local law enforcement agencies with jurisdiction over the areas considered to be non-campus property.

The Clery Coordinator submits the crime statistics published in the Annual Security and Fire Safety 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 and Fire Safety 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 and Fire Safety 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 <https://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 main campus and medical center. Additionally, only the portion of the Tennessee River that is in front of the "Vol Navy" Boat Docks and the Wayne G. Basler Boathouse is Clery reportable geography.

Definitions

Definition of Terms

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

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

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

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

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

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on 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 or intimate partner 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) or Human Resources (HR), for liquor law, drug law, and illegal weapon law violations. The numbers include incidents that are reported via UTPD incident reports and reports provided to OSCC or HR 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, enzedrine).

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.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a **sex offense** is 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.

For the purposes of this definition—

A. Course of conduct means two or more acts, including, but not limited to, acts 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, a person, or interferes with a person's property.

B. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

C. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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.

Definition of Terms for Local Jurisdiction



The University prohibits sexual assault (i.e., rape, fondling, incest, and statutory rape), dating violence, domestic violence and stalking. For the community's education and awareness, the terms stalking, sexual assault, domestic violence, dating violence and consent (with reference to sexual activity) 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.

By TCA, "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate, noncontinuous acts evidencing a continuity of purpose, including, but not limited to, acts in which the defendant directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to a person, or interferes with a person's property;
"Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;
"Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

“Unconsented contact” means any contact with another person that is initiated or continued without that person's consent, or in disregard of that person's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:

- (A) Following or appearing within the sight of that person;
 - (B) Approaching or confronting that person in a public place or on private property;
 - (C) Appearing at that person's workplace or residence;
 - (D) Entering onto or remaining on property owned, leased, or occupied by that person;
 - (E) Contacting that person by telephone;
 - (F) Sending to that person mail or any electronic communications, including, but not limited to, electronic mail, text messages, or any other type of electronic message sent using the Internet, web sites, or a social media platform; or
 - (G) Placing an object on, or delivering an object to, property owned, leased, or occupied by that person; and
- “Victim” means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

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

TCA 39-13-503 defines *Rape* as 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.

TCA 39-13-505 defines *Sexual battery* as 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.

TCA 39-13-506 defines *Statutory rape* as 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.

TCA 39-15-302 defines *incest* by a person who engages in sexual penetration as defined in § 39-13-501, with a person, knowing the person to be, without regard to legitimacy: (1) The person's natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child; or (2) The person's brother or sister of the whole or half-blood or by adoption.

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).

For purposes of this definition, TCA 39-13-101 defines “assault” as (a) A person commits assault who: (1) Intentionally, knowingly or recklessly causes bodily injury to another; (2) Intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) Intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative. Per TCA 36-3-601, “Abuse” means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor; (2) “Adult” means any person eighteen (18) years of age or older, or who is otherwise emancipated; 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.

In Tennessee, **Consent** 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.

The University also defines consent and the purposes for which that definition is used. It can be found within the University’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking, a copy of which is located in **Appendix F** of this report.

Annual Fire Safety Report

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

Fire Log and Reporting Non-Emergency Fires

The university's **Environmental Health and Safety** (<http://ehs.utk.edu>) 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 <https://ehs.utk.edu/index.php/fire-log/>.

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 2021.



Policies and Rules for Appliances, Smoking and Open Flames

Smoking

The University of Tennessee system's policy on smoking can be found at:

<https://bewell.utk.edu/policy/>

As used in this section, "smoke" or "smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette (including electronic cigarette or similar device) pipe or other lighted tobacco product in any manner or in any form. Smoking devices including, but not limited to, cigars, cigarettes, electronic cigarettes (e-cigs), vape pens, pipes, bong, and hookahs are not permitted in residence halls.



On August 1, 2018, UT Knoxville became a smoke free campus. Smoking is prohibited in and on all University property. This prohibition includes smoking in private vehicles when parked or operated on university property.



Open Flames

Items that require an open flame to operate or which produce heat are not permitted in residents' 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 Electronic 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 unit and one toaster are permitted in kitchens in apartment style halls.

An extension cord must be UL-approved, 16-gauge and not exceed a length of six feet with a polarized plug and a single outlet; it may not be placed under floor coverings or furnishing and it may not be secured by penetrating the insulation of the cord. Multiple outlets are prohibited; however one UL-approved 15-amp, multiple outlet strips with a circuit breaker may be used in each room. Extension cords may not be used with microfridges. Total

electrical usage cannot exceed that which can be provided by one surge protector strip per outlet and cannot overload, short or create line disturbances.

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

Students who are found to have violated the policies or rules described above will be subject to discipline in accordance with the procedures outlined in the Student Code of Conduct at <http://studentconduct.utk.edu/>.

False Reports and Interference with Fire Safety Systems

The university's Student Code of Conduct prohibits: Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment. Students who are found to have violated that Standard of Conduct will be subject to discipline in accordance with the procedures outlined in the Student Code of Conduct at <https://studentconduct.utk.edu/>.



Evacuation Procedures for Student Housing in Case of 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, and community- and suite-style residence halls (e.g., Hess Hall). Site-specific evacuation information is provided on the hallway entry door for apartment-style residence halls (e.g., Volunteer Hall).

Procedures Staff and Students Should Follow in Case of a Fire

The Knoxville Fire Department is an ISO Class 2 agency that responds to reported fires on campus. Within four miles of campus, there are five Knoxville Fire Stations. Fire Station number 9, located on Highland Avenue, is less than one mile from campus and is the primary fire station that responds to most fire and medical emergencies at the University.

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. Fire alarm pull stations are typically located near an interior stairway entrance or near an exterior door. Activating a fire alarm will send a signal to UT Police Department Central Alarm. Central Alarm will then notify Knox County 911 to dispatch the Knoxville Fire Department. An officer with UT Police Department will also respond 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 Knox County 911, 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 encouraged to use portable fire extinguishers on small fires if they have received training on their use and can do so without risk of being overcome by smoke or fire. If in doubt, “get out!”.
3. Upon hearing the alarm, leave the building using the nearest exit stairway.
4. Close all doors behind you 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 the time of each emergency.

Each individual with a disability is encouraged to download the LiveSafe App. Contact the Office of Emergency Management if assistance is needed to develop an individual plan of action. Students who reside in University Housing should also meet with their Hall Director and Resident Assistant Advisor to communicate their disability-related needs as well. Once each semester, Hall Directors are required by the Assistant Director of Housing Services, to identify residents with disabilities, gather necessary assistance information, and work with Emergency Management and Student Disability Services to provide proper evacuation procedures for their residents.

Typically, elevators are recalled to the ground level floor in the event of an emergency and remain inactive until emergency personnel determine the building is safe to reenter. Therefore, whenever possible, it is recommended that individuals with mobility impairments 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. Upon admission, students may contact SDS to request housing accommodations including a room assignment on the lowest floor and if available.

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

1. If the building alarm sounds, strobe lights are activated 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 to 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. Alternatively, individuals with disabilities may notify UTPD of their location and needs via the LiveSafe App.
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 seek 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 and Resident Advisor.

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.

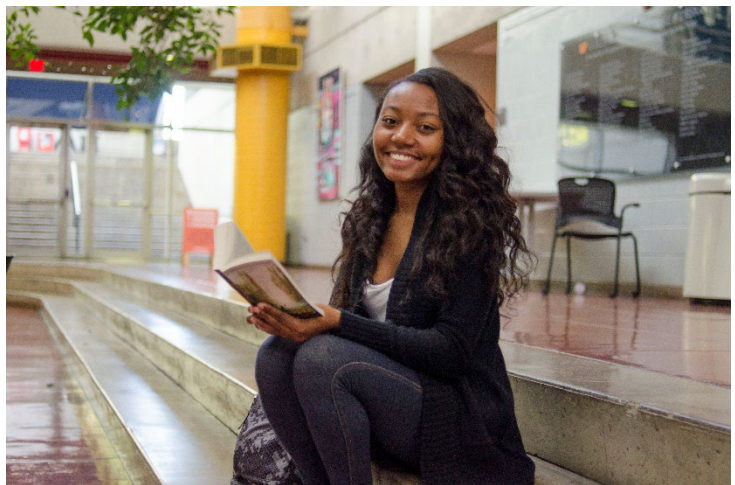
Fire Safety Education and Training Programs for Students and Staff

Fire safety training and education programs are required for all staff and students living in on campus residence halls (with the exclusion of those living in on campus sorority and fraternity housing). Students are provided with emergency evacuation and sheltering information typically during the first-floor meetings of the semester. This information is also posted on boards on each floor.

Training sessions are provided for students living in on-campus fraternity and sorority houses by the university's Environmental Health and Safety department when upon request by the fraternity or sorority or sanctioned by their chapter.

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. All residential hall fire safety training is provided by the Housing Safety Supervisor.

Fire drills are scheduled and performed by Student Housing for residence halls. The Office of Sorority & Fraternity Life and Environmental Health & Safety coordinate fire drill activities for sorority and fraternity houses.



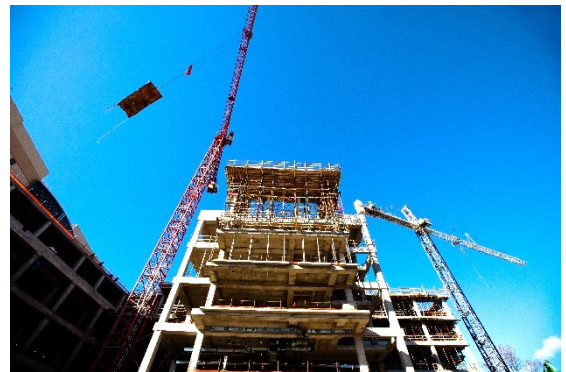
Procedures related to fire safety education and training can be found in the **UT Safety Manual** (found at <https://ehs.utk.edu>) and include the following:

Safety Policy Name	Safety Policy Number	Hyperlink
Fire Drills	FS-002	https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/fire-drill-procedure/
Fire Extinguishers	FS-001	https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/portable-fire-extinguishers-pfes/

Plans for Future Improvement in Fire Safety

Sorority Village

- Each sorority house will have a monthly fire and health and safety inspection conducted by Environmental Health and Safety and the Office of Sorority and Fraternity Life.
- Organizations found to be out of compliance with any fire safety policies will receive a documented policy violation notice. Continued non-compliance will result in a referral to Student Conduct and Community Standards.
- Enhanced fire and safety guidelines for each facility developed by Environmental Health and Safety will be introduced during the 2022-2023 academic year.
- House Directors, House Corporations, and undergraduate House Managers will receive training provided by Environmental Health and Safety during the 2022-2023 academic year.



Fraternity Housing

- Each fraternity house will have a monthly fire and health and safety inspection conducted by Environmental Health and Safety and the Office of Sorority and Fraternity Life.
- Organizations found to be out of compliance with any fire safety policies will receive a documented policy violation notice. Continued non-compliance will result in a referral to Student Conduct and Community Standards.
- Enhanced fire and safety guidelines for each facility developed by Environmental Health and Safety will be introduced during the 2022-2023 academic year.
- House Directors, House Corporations, and undergraduate House Managers will receive training provided by Environmental Health and Safety during the 2022-2023 academic year.
- Phi Sigma Kappa will be subleasing to Beta Upsilon Chi.
- Delta Tau Delta will be subleasing to Beta Theta Pi.
- Alpha Tau Omega will be subleasing to Phi Delta Theta.

Residence Halls

No improvements are planned at this time.

University of Tennessee, Knoxville

Non-Discrimination EEO/AA Statement

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

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

In accordance with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, The University of Tennessee affirmatively states that it does not discriminate on the basis of race, sex, or disability in its education programs and activities, and this policy extends to employment by the University.

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

E01-7252-001-15



APPENDIX A

CRIME STATISTICS

CRIME STATISTICS: JANUARY 1, 2021 – DECEMBER 31, 2021

	All On-Campus Property				Non-Campus Property				Public Property				GRAND TOTAL	On-Campus Residential Only			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	Section TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	2	0	0	2	0	1	0	1	3	0	0	0	0
Aggravated Assault	5	0	0	5	0	0	0	0	0	3	0	3	8	0	0	0	0
Motor Vehicle Theft	15	5	0	20	0	0	0	0	0	1	0	1	21	0	0	0	0
Arson	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
Burglary	13	0	0	13	1	1	0	2	0	0	0	0	15	7	0	0	7
Rape	9	0	11	20	0	0	0	0	0	0	0	0	20	8	0	11	19
Fondling	19	0	5	24	0	0	0	0	0	0	0	0	24	13	0	3	16
Incest	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
Liquor Law Arrests	34	0	0	34	0	0	0	0	17	0	0	17	51	20	0	0	20
Liquor Law Violations Referred for Disciplinary Referral	76	0	352	428	0	0	0	0	2	0	0	2	430	32	0	332	364
Drug Law Arrests	36	0	0	36	3	0	0	3	39	2	0	41	80	14	0	0	14
Drug Law Violations Referred for Disciplinary Referral	34	0	64	98	0	0	0	0	1	0	0	1	99	26	0	30	56
Illegal Weapons Possession Arrests	3	0	0	3	1	0	0	1	9	0	0	9	13	1	0	0	1
Illegal Weapons Possession Violations Referred for Disciplinary Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	15	0	6	21	0	0	0	0	1	0	0	1	22	8	0	4	12
Dating Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Stalking	17	0	19	36	0	0	0	0	0	0	0	0	36	9	0	8	17

• Incidents occurring in an on-campus residence hall are also counted in the on-campus category.

• Unfounded crimes are incidences that have been determined to be false or baseless through a formal investigation by sworn or commissioned law enforcement. The University of Tennessee Police Department unfounded two Clery Act crimes in 2021.

• Roommates are included for our jurisdiction's family protection laws and their relationship is included for domestic violence incidents.

• In 2021, there were three Hate Crimes reported. Two on-campus Vandalisms characterized by Religious bias, and one on-campus Aggravated Assault characterized by Racial bias.

CRIME STATISTICS: JANUARY 1, 2020 – DECEMBER 31, 2020

	All On-Campus Property				Non-Campus Property				Public Property				GRAND TOTAL	On-Campus Residential Only			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	Section TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	1	0	0	0	0	2	1	0	3	4	0	0	0	0
Aggravated Assault	2	1	0	3	0	1	0	1	0	0	0	0	4	0	0	0	0
Motor Vehicle Theft	11	4	0	15	0	1	0	1	1	0	0	1	17	0	0	0	0
Arson	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Burglary	22	0	0	22	0	0	0	0	0	0	0	0	22	6	0	0	6
Rape	2	0	24	26	0	0	1	1	0	0	0	0	27	2	0	12	14
Fondling	8	0	67	75	0	0	0	0	1	0	0	1	76	1	0	2	3
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1
Liquor Law Arrests	28	0	0	28	0	0	0	0	8	0	0	8	36	11	0	0	11
Liquor Law Violations Referred for Disciplinary Referral	55	1	421	477	1	0	0	1	0	0	0	0	478	45	0	411	456
Drug Law Arrests	18	0	0	18	0	0	0	0	17	2	0	19	37	6	0	0	6
Drug Law Violations Referred for Disciplinary Referral	29	0	58	87	0	0	0	0	0	0	0	0	87	21	0	58	79
Illegal Weapons Possession Arrests	4	0	0	4	0	0	0	0	2	0	0	2	6	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1
Domestic Violence	8	0	11	19	0	1	0	1	0	0	0	0	20	5	0	9	14
Dating Violence	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1
Stalking	9	1	11	21	0	0	0	0	0	0	0	0	21	8	0	6	14

• Incidents occurring in an on-campus residence hall are also counted in the on-campus category.

• Unfounded crimes are incidences that have been determined to be false or baseless through a formal investigation by sworn or commissioned law enforcement. The University of Tennessee Police Department did not unfound any Clery Act crimes in 2020.

• In 2020, the university received a report that included sexual misconduct spanning 14 months. The single report included continuous assaults by an offender known to the victim which included eight rapes, 62 fondlings, and one incident of stalking. This report reflects the increase in these numbers from 2019 to 2020.

• Roommates are included for our jurisdiction's family protection laws and their relationship is included for domestic violence incidents.

• There were no reported Hate Crimes for 2020.

CRIME STATISTICS: JANUARY 1, 2019 – DECEMBER 31, 2019

	All On-Campus Property				Non-Campus Property				Public Property				GRAND TOTAL	On-Campus Residential Only			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	Section TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	2	0	3	0	0	0	0	0	0	0	0	3	1	0	0	1
Aggravated Assault	8	1	0	9	0	0	0	0	0	5	0	5	14	0	0	0	0
Motor Vehicle Theft	22	2	0	24	0	0	0	0	0	4	0	4	28	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	31	0	0	31	0	0	1	1	0	0	0	0	32	8	0	0	8
Rape	5	1	7	13	0	0	0	0	0	0	1	1	14	4	1	7	12
Fondling	4	0	12	16	0	0	2	2	1	0	1	2	20	0	0	9	9
Incest	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
Liquor Law Arrests	27	0	0	27	0	0	0	0	27	2	0	29	56	14	0	0	14
Liquor Law Violations Referred for Disciplinary Referral	99	1	469	569	1	0	0	1	0	0	2	2	572	78	0	467	545
Drug Law Arrests	21	0	0	21	1	0	0	1	12	1	0	13	35	3	0	0	3
Drug Law Violations Referred for Disciplinary Referral	45	0	57	102	1	0	0	1	0	0	0	0	103	25	0	54	79
Illegal Weapons Possession Arrests	5	0	0	5	0	0	0	0	2	0	0	2	7	1	0	0	1
Illegal Weapons Possession Violations Referred for Disciplinary Referral	2	0	1	3	0	0	0	0	0	0	0	0	3	2	0	1	3
Domestic Violence	14	0	15	29	0	0	1	1	2	0	0	2	32	7	0	13	20
Dating Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Stalking	19	0	27	46	1	0	0	1	0	0	1	1	48	7	0	4	11

- Incidents occurring in an on-campus residence hall are also counted in the on-campus category.
- Unfounded crimes are incidences that have been determined to be false or baseless through a formal investigation by sworn or commissioned law enforcement. The University of Tennessee Police Department unfounded seven Clery Act crimes in 2019.
- Included in rape statistics are rape kits received by the Sexual Assault Center of East Tennessee being stored at UTPD. No complainant information is kept on these hold kits and it is possible the number is a duplicate to a number already reported.
- Roommates are included for our jurisdiction's family protection laws and their relationship is included for domestic violence incidents.
- There were no reported Hate Crimes for 2019.



APPENDIX B

FIRES IN ON-CAMPUS STUDENT HOUSING FACILITIES

2021

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Fred D. Brown Jr. Hall, 1817 Andy Holt Ave	0	N/A	N/A	N/A	N/A
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	0	N/A	N/A	N/A	N/A
Clement Hall, 1629 W. Cumberland Ave	0	N/A	N/A	N/A	N/A
Dogwood Hall, 2113 Andy Holt Ave	0	N/A	N/A	N/A	N/A
Hess Hall, 1720 Melrose Place	0	N/A	N/A	N/A	N/A
Laurel Hall, 1615 Laurel Ave.	0	N/A	N/A	N/A	N/A
Magnolia Hall, 2107 Andy Holt Ave.	0	N/A	N/A	N/A	N/A
Massey Hall, 825 Volunteer Blvd.	0	N/A	N/A	N/A	N/A
Geier Hall, 828 20th St.	0	N/A	N/A	N/A	N/A
Reese Hall, 1910 Caledonia St.	0	N/A	N/A	N/A	N/A
Stokely Hall, 1311 Lake Loudoun Blvd.	0	N/A	N/A	N/A	N/A
Volunteer Condos, 910 22nd St.	0	N/A	N/A	N/A	N/A
Volunteer Hall, 1525 White Ave.	1	Unintentional - Combustible item in contact with a heat source with sprinkler activation.	0	0	\$84,000
Robinson Hall, 862 20th St.	1	Unintentional - Microwave Fire - Mechanical Device Failure	0	0	\$400
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A

2021

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Kappa Alpha Fraternity, 840 20th St.	0	N/A	N/A	N/A	N/A
Kappa Sigma Fraternity, 1730 Melrose Pl.	0	N/A	N/A	N/A	N/A
Lambda Chi Alpha, 1848 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Kappa Psi, 1840 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Pi Kappa Phi, 1828 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Sigma Alpha Epsilon Fraternity, 1808 Fraternity park Dr.	0	N/A	N/A	N/A	N/A
Sigma Chi Fraternity, 1816 Fraternity Dr. (Chi Phi currently occupying)	0	N/A	N/A	N/A	N/A
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A

2021

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Delta Gamma Sorority, 2906 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Delta Zeta Sorority, 3018 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Pi Beta Phi Sorority, 3006 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
303 Flats, 303 W Blount Ave <small>(Temporary lease for student housing)</small>	0	N/A	N/A	N/A	N/A
Aspen Heights, 2223 Cumberland Ave <small>(Temporary lease for student housing)</small>	0	N/A	N/A	N/A	N/A
Embassy Suites, 507 S. Gay St <small>(Temporary lease for student housing)</small>	0	N/A	N/A	N/A	N/A
Hilton Knoxville, 501 W. Church St <small>(Temporary lease for student housing)</small>	0	N/A	N/A	N/A	N/A

2020

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Fred D. Brown Jr. Hall, 1817 Andy Holt Ave	0	N/A	N/A	N/A	N/A
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	0	N/A	N/A	N/A	N/A
Clement Hall, 1629 W. Cumberland Ave	0	N/A	N/A	N/A	N/A
Dogwood Hall, 2113 Andy Holt Ave	0	N/A	N/A	N/A	N/A
Hess Hall, 1720 Melrose Place	1	Unintentional - Use of space heater caught furniture and personal belongings on fire.	0	0	\$750
Laurel Hall, 1615 Laurel Ave.	2	Unintentional: Incident #1 - Trash can fire due to accidental drop of hair straightener into container. Incident #2 - Placement of combustibles onto a hot stove.	0	0	Combined Total of \$250
Magnolia Hall, 2107 Andy Holt Ave.	0	N/A	N/A	N/A	N/A
Massey Hall, 825 Volunteer Blvd.	0	N/A	N/A	N/A	N/A
Orange Hall, 828 20th St.	0	N/A	N/A	N/A	N/A
Reese Hall, 1910 Caledonia St.	0	N/A	N/A	N/A	N/A
Stokely Hall, 1311 Lake Loudoun Blvd.	1	Unintentional - Use of candles caught combustible items in close proximity on fire.	0	0	\$500
Volunteer Condos, 910 22nd St.	0	N/A	N/A	N/A	N/A
Volunteer Hall, 1525 White Ave.	0	N/A	N/A	N/A	N/A
White Hall, 862 20th St.	0	N/A	N/A	N/A	N/A
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A

2020

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Kappa Alpha Fraternity, 840 20th St.	0	N/A	N/A	N/A	N/A
Kappa Sigma Fraternity, 1730 Melrose Pl.	0	N/A	N/A	N/A	N/A
Lambda Chi Alpha, 1848 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Kappa Psi, 1840 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Pi Kappa Phi, 1828 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Sigma Alpha Epsilon Fraternity, 1808 Fraternity park Dr.	0	N/A	N/A	N/A	N/A
Sigma Chi Fraternity, 1816 Fraternity Dr. (Chi Phi currently occupying)	0	N/A	N/A	N/A	N/A
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	0	N/A	N/A	N/A	N/A

2020

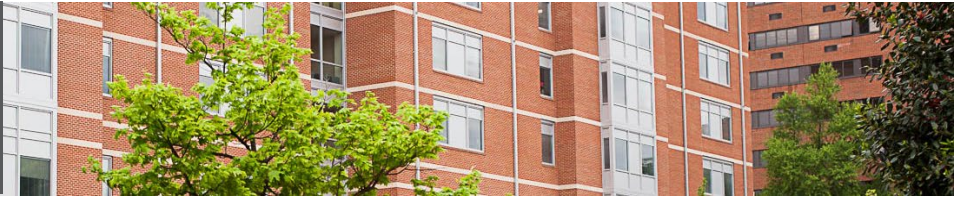
Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Delta Gamma Sorority, 2906 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Delta Zeta Sorority, 3018 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Pi Beta Phi Sorority, 3006 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
303 Flats, 303 W Blount Ave (Temporary Leased Housing for students)	0	N/A	N/A	N/A	N/A
Embassy Suites 507 S. Gay St (Temporary Leased Housing for students)	0	N/A	N/A	N/A	N/A
Hilton Knoxville 501 W. Church St (Temporary Leased Housing for students)	0	N/A	N/A	N/A	N/A

2019

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Apartment Residence Hall, 2117 Andy Holt Ave. (Demolished in 2017)	0	N/A	N/A	N/A	N/A
Fred D. Brown Jr. Hall, 1817 Andy Holt Ave	0	N/A	N/A	N/A	N/A
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	0	N/A	N/A	N/A	N/A
Clement Hall, 1629 W. Cumberland Ave	0	N/A	N/A	N/A	N/A
Dogwood Hall, 2113 Andy Holt Ave (Opened in 2019)	0	N/A	N/A	N/A	N/A
Hess Hall, 1720 Melrose Place	0	N/A	N/A	N/A	N/A
Humes Hall, 1911 Andy Holt Ave.	0	N/A	N/A	N/A	N/A
Laurel Hall, 1615 Laurel Ave.	0	N/A	N/A	N/A	N/A
Magnolia Hall, 2107 Andy Holt Ave. (Opened in 2019)	0	N/A	N/A	N/A	N/A
Massey Hall, 825 Volunteer Blvd.	1	Unintentional/Toaster oven caught on fire	0	0	\$700
Morrill Hall, 1038 20th St. (Closed Spring of 2019)	0	N/A	N/A	N/A	N/A
Orange Hall, 828 20th St.	0	N/A	N/A	N/A	N/A
Reese Hall, 1910 Caledonia St.	0	N/A	N/A	N/A	N/A
Stokely Hall, 1311 Lake Loudoun Blvd.	0	N/A	N/A	N/A	N/A
Volunteer Condos, 910 22nd St.	0	N/A	N/A	N/A	N/A
Volunteer Hall, 1525 White Ave.	0	N/A	N/A	N/A	N/A
White Hall, 862 20th St. (Closed for construction)	0	N/A	N/A	N/A	N/A

2019

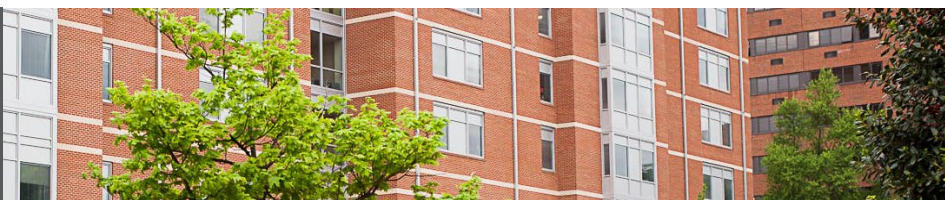
Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	1	Unintentional/A fire pit caused a section of a camp chair to catch on fire	0	0	\$0.00
Kappa Alpha Fraternity, 840 20th St.	0	N/A	N/A	N/A	N/A
Kappa Sigma Fraternity, 1730 Melrose Pl.	0	N/A	N/A	N/A	N/A
Lambda Chi Alpha, 1848 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Kappa Psi, 1840 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Pi Kappa Phi, 1828 Fraternity Park Dr.	1	Unintentional/Cabinet caught on fire	0	0	\$120,000
Sigma Alpha Epsilon Fraternity, 1808 Fraternity park Dr.	0	N/A	N/A	N/A	N/A
Sigma Chi Fraternity, 1816 Fraternity Dr. (Chi Phi currently occupying)	0	N/A	N/A	N/A	N/A
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	0	N/A	N/A	N/A	N/A
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	0	N/A	N/A	N/A	N/A

2019

Fires in On-campus Student Housing Facilities



Housing Facility	Total Fires in Housing Facility	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Delta Gamma Sorority, 2906 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Delta Zeta Sorority, 3018 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Pi Beta Phi Sorority, 3006 Sorority Village Circle	0	N/A	N/A	N/A	N/A
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	0	N/A	N/A	N/A	N/A
303 Flats, 303 W Blount Ave (Temporary Leased Housing for students)	0	N/A	N/A	N/A	N/A
The Knox, 1511 Clinch Ave. (Temporary Leased Housing for students)	0	N/A	N/A	N/A	N/A
Society 865, 2240 Grand Ave (Temporary Leased Housing for students)	0	N/A	N/A	N/A	N/A



APPENDIX C

FIRE SAFETY SYSTEMS IN ON-CAMPUS STUDENT HOUSING FACILITIES

2021

Fires Safety Systems in On-campus Student Housing Facilities



Housing Facility	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Evacuation (Fire) Drills Conducted in 2020	Fire Alarm Systems	Other Fire Control
Fred D. Brown Jr. Hall, 1817 Andy Holt Ave	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Clement Hall, 1629 W. Cumberland Ave	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Dogwood Hall, 2113 Andy Holt Ave	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Hess Hall, 1720 Melrose Place	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Laurel Hall, 1615 Laurel Ave.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Magnolia Hall, 2107 Andy Holt Ave.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Massey Hall, 825 Volunteer Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Geier Hall, 828 20th St.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Reese Hall, 1910 Caledonia St.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Stokely Hall, 1311 Lake Loudoun Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Volunteer Condos, 910 22nd St.		✓	✓	✓	0		Exterior Stairway for egress
Volunteer Hall, 1525 White Ave.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Robinson Hall, 862 20th St.	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Kappa Alpha Fraternity, 840 20th St.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways

2021

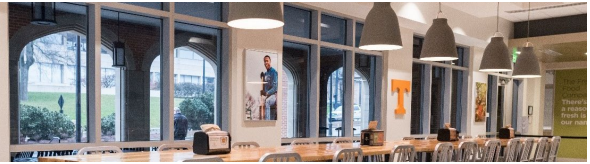
Fires Safety Systems in On-campus Student Housing Facilities



Housing Facility	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Evacuation (Fire) Drills Conducted in 2020	Fire Alarm Systems	Other Fire Control
Kappa Sigma Fraternity, 1730 Melrose Pl.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Lambda Chi Alpha, 1848 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Phi Kappa Psi, 1840 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Pi Kappa Phi, 1828 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Sigma Alpha Epsilon Fraternity, 1808 Fraternity park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Sigma Chi Fraternity, 1816 Fraternity Dr. (Chi Phi currently occupying)	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	✓	✓	✓		4	✓	Fire rated stairs, smoke tight hallways
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Delta Gamma Sorority, 2906 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Delta Zeta Sorority, 3018 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways

2021

Fires Safety Systems in On-campus Student Housing Facilities



Housing Facility	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Evacuation (Fire) Drills Conducted in 2020	Fire Alarm Systems	Other Fire Control
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Pi Beta Phi Sorority, 3006 Sorority Village Circle	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	✓	✓	✓	✓	4	✓	Fire rated stairs, smoke tight hallways
303 Flats, 303 W Blount Ave (Temporary lease for student housing)	✓	✓	✓	✓	0 (No drills conducted by the university)	✓	N/A
Aspen Heights, 2223 Cumberland Ave (Temporary lease for student housing)	✓	✓	✓	✓	0 (No drills conducted by the university)	✓	N/A
Embassy Suites 507 S. Gay St (Temporary lease for student housing)	✓	✓	✓	✓	0 (No drills conducted by the university)	✓	N/A
Hilton Knoxville 501 W. Church St (Temporary lease for student housing)	✓	✓	✓	✓	0 (No drills conducted by the university)	✓	N/A



APPENDIX D

CRIME PREVENTION & SECURITY
AWARENESS PROGRAMS CONDUCTED
BY UNIVERSITY HOUSING – DIVISION
OF STUDENT LIFE 2021

Program Category	Program Title	Date of Program	Attendance	Audience	Program Description
Alcohol Awareness/ Education	Drunk Goggles Mario Kart	March 1, 2021	10	Residential Students	An obstacle course with various activities based on healthy lifestyle choices and drinking education. Players will wear drunk goggles to complete the race. Winners will win prizes. Snacks provided.
Alcohol Awareness/ Education	Drink and Driving Mario Style	March 3, 2021	28	Residential Students	This program uses the Wii and the Drunk glasses to have them try and drive Mario cart style and show them what it really is like being drunk and why it is important to never drive drunk or under any influence.
Alcohol Awareness/ Education	Alcohol Awareness- It's a Piece of Cake!	March 4, 2021	16	Residential Students	In-person alcohol awareness program. There will be different containers/ glasses (with juice) set up with different hypothetical alcoholic beverages that all represent one standard drink. Participants will be asked questions about BAC levels depending on how many drinks they consume. This is a program to make residents aware of the effects that drinking can have if they should choose to do so. Residents reminded of the BAC levels at which they would be impaired, and strongly discourage them from drinking and driving.
Alcohol Awareness/ Education	Alcohol Awareness	March 4, 2021	5	Residential Students	For this program, we will invite residents to join us in the MPR for some socially distanced learning about alcohol awareness. A short PowerPoint presentation on the dangers of drinking and give tips on how to drink safely if that is an activity that residents desire to partake in will be provided.
Alcohol Awareness/ Education	Alcohol Awareness and Sober Cup Pong	March 5, 2021	17	Residential Students	This program will be a tournament style trivia/cup pong tournament (with no drinking of course). Residents can team up to play the game while having to answer trivia about safe alcohol practices for each round/made throw. Topics will include avoiding the use of shared sources, knowing standard drink sizes, recognizing signs of alcohol poisoning, and safe practices for groups. Residents can also learn about the amnesty policy and resources on campus for substance abuse. Prizes will be given for participation and for doing well in trivia/cup pong.
Alcohol Awareness/ Education	[Root] Beer Pong: Safe Drinking practices	March 10, 2021	8	Residential Students	This program aims to turn a typical college drinking party game into an educational one. Residents will throw a ping pong ball into (empty) solo cups; and each cup will have a different fact about binge drinking on them. Discussion with each/all the residents about each cup and what they mean until all the cups are removed. Root beer cans and other individual snacks for residents will be provided.
Alcohol Awareness/ Education	Healthy Lifestyles Trivia!	March 14, 2021	3	Residential Students	Activity held via Zoom with trivia questions concentrating on safe and healthy lifestyles.
Alcohol Awareness/ Education	Know the Standard	March 15, 2021	4	Residential Students	For this program, residents will learn about Alcohol consumption, the standard drink, and what to do if they find someone who has signs of alcohol overdose. Residents will start out the program by playing a Kahoot to test their knowledge on what they already know about Alcohol.

Alcohol Awareness/ Education	Think Before you Drink	April 16, 2021	0	Residential Students	A "Pass-by" program with different facts about drinking taped to the sides of soda cans. There will also be printed facts on substance use across the table top to start a conversation with those who would like to stay for a minute.
Alcohol Awareness/ Education	2 RAs Declassified Off-Campus Survival Guide	April 28, 2021	18	Residential Students	This game is going to be played as an extra-large game of cup pong (alcohol-free of course). Each cup will be filled with a mocktail and underneath there will be scenarios detailing different experiences that might happen when you are living on campus or simply exploring more adventurous options through Knoxville with a discussion of what residents would do in the scenario. Topics will be covered along the lines of alcohol awareness, sexual safety, financial stability, and roommate conflict management. After the game of cup pong and discussion, residents will receive goody bags filled with lots of fun treats as a little boost at the end of the semester.
Alcohol Awareness/ Education	Lifesavers for the Summer	April 28, 2021	21	Residential Students	A goodie bag with a list of tips and some treats that could help residents live a better summer. The tips vary in topics, discussing things like alcohol consumption, safe sex, working over the summer, vacationing over the summer, mental and physical health, etc.
Alcohol Awareness/ Education	Drunk Mario Kart	November 10, 2021	7	Residential Students	For this program, working with UTPD to promote awareness about drunk driving and the dangers of misuse of alcohol. UTPD representative will come and speak with the residents about the topic, and help answer any questions. As well, Mario Kart will be used to help illustrate the dangers of driving under the influence. The officer will also perform sobriety tests.
Alcohol Awareness/ Education	Drinks and Dining	November 12, 2021	9	Residential Students	This program will consist of a feast and drinks in the 6th floor study room. The program will provide information about healthy eating habits and how to drink alcohol safely as well, therefore abiding by the lifestyle characteristics of alcohol and nutrition.
Alcohol Awareness/ Education	Alcohol 101	November 15, 2021	17	Residential Students	The main topic is going to be about alcohol and what it can do to your body. There will be a presentation about how much of each alcohol type such as a shot or glass is because sometimes people do not understand true sizes. There will be an emphasis on the difference of being drunk/hungover versus alcohol poisoning because that is also something that people need to understand how dangerous it can be if you do not spot the difference.
Alcohol Awareness/ Education	Pick Your Poison	November 18, 2021	10	Residential Students	This program is meant to be a fun and interactive way for residents to learn about alcohol awareness and how much alcohol is in a standard drink. Different sodas/water will be provided that will represent either beer, wine, or spirits. An informational flyer about the TREC/CHEW explaining what they are and how they can help improve the personal wellness of residents will be provided.

Alcohol Awareness/ Education	"Bee careful about Booze"	November 30, 2021	9	Residential Students	The schedule includes discussing alcohol and the dangerous effects it can cause. The program will be about alcohol awareness and discuss alcohol poisoning and cover the amount of alcohol one must consumer to get alcohol poisoning.
Alcohol & Drug Awareness	C.U.P.S. Pong	February 25, 2021	5	Residential Students	The goal of this program is to provide a fun experience for residents while teaching them the importance of alcohol and drug awareness. This program will have each resident have their own pingpong ball and rubber glove to wear for protection during the program. The game consists of cup pong but under each cup is a question concerning drug and alcohol awareness. If a ball lands in the certain cup the cup owner will in turn read the question and I'll give the answer. For those who win games, they will get first pick at prizes.
Alcohol & Drug Awareness	Ways to De- Stress	March 5, 2021	4	Residential Students	This program presents on the different ways for students to be able to manage stress better as the semester continues. There will be a discussion on the ways students unhealthily try to manage stress such as drug and alcohol abuse and information on alternatives to those unhealthy outlets will be provided. Residents will also play a kahoot at the end to see if they can identify ways of stress management and healthy life choices.
Consent	Valentine's Day Right	February 12, 2021	6	Residential Students	This program passes out bags of candy and some condoms for residents. Resident will know what consent is, how to properly consent, and answer other questions around the topic.
Consent	"It's Not Taboo" brought to you by CHEW	March 3, 2021	4	Residential Students	The program would be interactive over zoom and a safe space for students to discuss and learn about safe sex. Residents would receive a zoom link 3 days prior, along with flyers on their doors.
Consent	Self Care in Relationships	April 24, 2021	24	Residential Students	Provide goodie bags which will be left at students' doorsteps which will include sex education and consent as well as tips on having a healthy relationship and an activity booklet that they can work through on their own time.
Consent	Be Careful with your Kisses	November 9, 2021	22	Residential Students	Give out goodie bags filled with condoms from CHEW, Hershey's kisses, and small handout that has a list of STD's and the definition of consent on it. Goodie bags will be handed out to facilitate conversations about having safe sex with my residents as they pass by and pick up a bag.
Consent/Sexual Harassment	Consulting Consent and Safe Sex	April 5, 2021	0	Residential Students	Using the information on Sexual Health and Consent, this program will provide a powerpoint/website presentation over what is safe sex, how to have it, what is consent, and where to go if someone you know or yourself is dealing with sexual harassment.
Dating Violence/Consent	Relationships, Sex, and Consent	February 14, 2021	9	Residential Students	This will be a passive, door-to-door program discussing the natures of both healthy relationships and unhealthy relationships as well as safe sex and consent. This program will be on Valentine's Day because it promotes safe sex, consent, and forming healthy relationships.

Dating Violence/ Domestic Violence	Midsommar Movie Night	February 19, 2021	2	Residential Students	This program will be focused around toxic relationships. The movie Midsommar will be shown, because it heavily focuses around the protagonist discovering that her relationship is extremely toxic and negative, but not necessarily in the stereotypical way of an overtly physically abusive setting.
Drug & Alcohol	Drug & Alcohol Info/Awareness	April 27, 2021	3	Residential Students	This program will be an informational presentation about drugs and alcohol. The presentation will cover what they are, the most common uses for them, common statistics, and how these substances interact with and harm the body and its development.
Healthy Relationships	Galentine's Day	February 10, 2021	6	Residential Students	This program will start with a little info session about safe sex and healthy relationships, since it's right before Valentine's day. Condoms will be available to handout. Information on resources such as the UT Student Health Center offers, especially in regards to mental health and STD testing.
Sexual Assault Awareness	Denim Day with Vols2Vols	April 28, 2021	1	Residential Students	For this program, residents and I will be participating in the Denim Day event hosted by Vols2Vols as a part of their Sexual Assault awareness month campaign. We will be going to this event to learn some sexual assault statistics, what we can do be upstanding citizens, and how to best prevent or help victims or potential victims.
Sexual Assault Awareness	Denim Day	April 28, 2021	5	Residential Students	Going to take residents to participate in Denim Day at the Student Union. From there, we'll debrief what our role is in sexual assault awareness month, the importance of consent, and more.

Office of Sorority and Fraternity Life 2021 Programs

- ▶ Health and Safety Summit (Fall and Spring Semesters)
 - Chapter Presidents and Council Executive Officers
 - Day long training provided opportunities for elected officers to address specific health and safety concerns within the fraternity and sorority community
 - January 30, 2021 – 144 student attendees
 - August 28, 2021 – 131 student attendees
- ▶ House Director Training (Fall and Spring Semesters)
 - Trainings included presentations from Center for Health Education and Wellness, Title IX, Counseling Center, and UTPD.
 - January 13, 2021 – Sorority House Director Training, 13 non-university staff members
 - January 26, 2021 – Fraternity House Director Training, 15 attendees, mix of graduate students and non-university staff members
 - July 30, 2021 – Sorority House Director Training, 12 non-university staff members
 - August 9, 2021 – Fraternity House Director Training - 15 attendees, mix of graduate students and non-university staff members
- ▶ New Member Orientation (Fall and Spring Semesters)
 - Presentations for IFC and Panhellenic new members included the Center for Health Education and Wellness, Title IX, and Student Conduct and Community Standards
 - August 22, 2021 – Panhellenic New Member Orientation – 1,164 student attendees
 - October 5, 2021 – IFC New member Orientation, 441 student attendees
- ▶ New Member Orientation Health and Safety Module (Fall and Spring Semesters)
 - All students interested in membership in IFC or Panhellenic
 - Online module included educational information and prevention strategies around alcohol, drugs, hazing, sexual misconduct, and mental health.
 - Dates are ongoing throughout semester
 - Spring 2021 – 319 students completed module
 - Fall 2021 – 2,410 students completed module
- ▶ Advisor Conference (Annual program)
 - For volunteer chapter advisors
 - Presentations included Title IX and Student Conduct and Community Standards
 - July 10, 2021 – 34 volunteer alumni advisors present

- ▶ Love Mom & Dad Hazing Prevention Speaker (Fall 2021)
 - For leaders in the fraternity and sorority community
 - Sessions for each council talked about the risks of hazing and provided prevention strategies
 - October 19, 2021 – 1,502 student attendees
- ▶ Hazing Prevention Week (Fall 2021)
 - September 21, 2021 – Hazing Prevention 101 – 31 student attendees
 - September 22, 2021 – Hazing Prevention Week Tabling – 100 student attendees
 - September 23, 2021 – Hazing EDU Facilitator Training – 13 grad students and volunteer advisors
 - September 24, 2021 – Hazing Prevention Week Paint the Rock – 40 student attendees



APPENDIX E

RESOURCES

<p>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 safety.utk.edu/police/</p> <p>University of Tennessee Clergy Compliance clery.utk.edu, Email: clery@utk.edu</p> <p>Dean of Students 413 Student Services Building 865-974-3197 dos.utk.edu</p> <p>The Student Health Center 1800 Volunteer Boulevard General Information: 865-974-3135 Appointment Line: 865-974-5080 studenthealth.utk.edu</p> <p>Center for Health Education & Wellness 1800 Volunteer Boulevard, Suite 201 865-974-5725 Email: wellness@utk.edu wellness.utk.edu</p> <p>Student Conduct & Community Standards 405 Student Services Building 865-974-3171 Email: studentconduct@utk.edu studentconduct.utk.edu</p> <p>University Housing 2107 Andy Holt Avenue 865-974-2571 Email: housing@utk.edu housing.utk.edu</p> <p>Distressed Student Protocol 865-974-HELP (4357) dos.utk.edu/distressed-student-protocol/</p> <p>Distressed Faculty & Staff Protocol 865-946-CARE (2273) hr.utk.edu/care/</p>	<p>Office of Title IX 1817 Melrose Avenue 865-974-9600 titleix@utk.edu titleix.utk.edu</p> <p>Employee Assistance Program Here4TN.com 1-855-Here4TN (1-855-437-3486)</p> <p>UT Human Resources 105 Student Services Building 865-974-6642 hr.utk.edu Email: hr@utk.edu</p> <p>Office of Equity & Diversity 1840 Melrose Avenue 865-974-2498 oed.utk.edu</p> <p>Student Disability Services 915 Volunteer Blvd 100 Dunford Hall 864-974-6087 https://sds.utk.edu/</p> <p>Student Handbook hilltopics.utk.edu</p> <p>Policy Central utk.edu/policycentral/</p> <p>Campus Public Safety safety.utk.edu</p> <p>Campus Blue Light Phone Map utk.edu/maps</p> <p>Campus Bus Schedule ridethet.utk.edu</p> <p>US Department of Education Campus Crime Data ope.ed.gov/campussafety/#/</p> <p>Family Educational Rights and Privacy Act ed.gov/ferpa</p>
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APPENDIX F

POLICY ON SEXUAL HARASSMENT, SEXUAL ASSAULT, DATING VIOLENCE, AND STALKING

Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking

August 12, 2022

titleix.utk.edu



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SECTION 1 INTRODUCTION

1.1 Overview

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct will not be tolerated and will be grounds for disciplinary action up to and including expulsion from the University and termination of employment.

The primary purposes of this Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence and Stalking (“Policy”) are to: (1) define, eliminate, prevent, and remedy the effects of Prohibited Conduct; (2) identify care, support, and reporting options for students and employees; (3) explain the obligations of employees to report Prohibited Conduct to the University; and (4) identify the grievance procedures the University will follow to thoroughly, equitably, and promptly investigate and resolve reports of Prohibited Conduct¹. Additional information about each campus’s procedures and training and prevention programs relating to Prohibited Conduct can be found online at titleix.utk.edu.

1.2 Scope and Applicability

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, as defined in the University’s Student Code of Conduct; and
- Employees and affiliates of the University²; and
- University contractors and third parties participating or attempting to participate in the University’s operations or education.

This Policy applies regardless of the Complainant’s or the Respondent’s sex, sexual orientation, gender identity, or gender expression. Prohibited Conduct can occur between individuals regardless of their relationship status and can occur between people of the same or of different sexes, sexual orientations, gender identities, or gender expressions.

- The “Complainant” means an individual who is alleged to be the victim of conduct that could constitute Prohibited Conduct, regardless of whether that person makes a report or seeks action under this Policy.
- The “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct.

¹ Changes to applicable law, and/or binding legal precedent may impact the applicability of certain provisions of this policy. The University will provide written notice during the grievance process to the parties if a legally-required change or revision impacts a party’s rights or process under the policy.

² “University” in this Policy means 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.

Those terms do not imply pre-judgment concerning whether Prohibited Conduct occurred. Other key terms used in this Policy are defined in other places in this Policy and are capitalized throughout this Policy.

1.2.2 Jurisdiction

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 education program or activity, including University employment; and/or (iii) occurs outside the context of a University education program or activity, but has continuing adverse effects or creates a sexually hostile environment on University-controlled property or in any University education program or activity, including University employment.

The University's jurisdiction concerning misconduct by students is governed by the University's Student Code of Conduct ("Code"). The Code applies to Prohibited Conduct which occurs on University-controlled property. The Code also applies to Prohibited Conduct that occurs off of University-controlled property in certain situations, including Prohibited Conduct which: (1) occurs in connection with a University-affiliated activity including, without limitation, an overseas study program or a clinical, field, internship, or in-service experience; (2) is prohibited by local, state, or federal law, and the conduct was committed within Knox, Anderson, Union, Grainger, Jefferson, Sevier, Blount, Loudon, Roane County, Coffee County (UTSI students), or Franklin County (UTSI students); (3) is fairly attributable to a student organization based on a consideration of the criteria in the Code; (4) is committed against another member of the University community; or (5) threatens, or indicates that the student poses a threat to, the health, safety, or welfare of others or the security of any person's property.

The University may address Prohibited Conduct that occurs off-campus regardless of whether the University has a duty under Title IX to address the conduct.

1.2.3 Effective Date

The effective date of this Policy is August 12, 2022. This Policy applies to all Prohibited Conduct reported to have occurred on or after August 12, 2022. If the Prohibited Conduct reportedly occurred prior August 12, 2022, then: (1) the report will be evaluated using definitions contained in applicable University policies in effect on the date the reported Prohibited Conduct occurred; and (2) other aspects of the University's response to the report (e.g., the grievance procedures) will be based on this Policy.

1.2.4 Other University System Policies

Except for University of Tennessee System Safety Policy 0575 (Programs for Minors) (policy.tennessee.edu/safety_policy/sa0575/) 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.

In addition, for employees, conduct that is not Prohibited Conduct under this Policy may also violate other federal or state antidiscrimination laws, including Title VII, and other University policies, including, without limitation: University of Tennessee System Human Resources Policies 0220 ("Equal Employment Opportunity Affirmative Action and Diversity") (policy.tennessee.edu/hr_policy/hr0220/), 0280 ("Sexual Harassment and Other Discriminatory Harassment") (policy.tennessee.edu/hr_policy/hr0280/), and 0580 ("Code of Conduct") (policy.tennessee.edu/hr_policy/hr0580/).

Consensual romantic or sexual relationships between members of the University community 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 (facultyhandbook.utk.edu). Even if an amorous or sexual relationship between members of the University community begins as consensual and welcome, it can evolve into situations that lead to allegations of Prohibited Conduct.

1.3 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 2 PROHIBITED CONDUCT

2.1 INTRODUCTION

This Policy prohibits the following conduct:³

- Sexual Harassment
 - Sexual Assault
 - Rape
 - Fondling
 - Incest
 - Statutory Rape
 - Dating Violence
 - Domestic Violence
 - Stalking
- Sexual Exploitation
- Retaliation

Section 2.2 contains definitions of Prohibited Conduct, and Section 2.3 contains definitions of other terms used in the definitions of Prohibited Conduct.

2.2 DEFINITIONS OF PROHIBITED CONDUCT

2.2.1 Sexual Harassment⁴

“Sexual Harassment” is conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;

³ The University’s Nondiscrimination Statement (oed.utk.edu/searches/statement/) prohibits Sex Discrimination in any University education program or activity, including employment and admissions. Sex Discrimination means 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 the basis 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. Complaints of Sex Discrimination should be reported to the Title IX Coordinator and will be handled in accordance with the procedures on the Office of Equity and Diversity’s website <https://oed.utk.edu/complaints/>.

⁴ With respect to conduct by employees, the University also prohibits sexual harassment in accordance with University of Tennessee System Human Resources Policy 0280 (“Sexual Harassment and Other Discriminatory Harassment”) (policy.tennessee.edu/hr_policy/hr0280). Conduct by employees that does not necessarily violate this Policy may be a violation of University of Tennessee System Human Resources Policy 0280. Complaint of sexual harassment prohibited by University of Tennessee System Human Resources Policy 0280 should be reported to the Title IX Coordinator and will be handled in accordance with the procedures on the Office of Equity & Diversity website <https://oed.utk.edu/complaints/>.

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity;
or

(3) Sexual Assault, Dating Violence, Domestic Violence, and/or Stalking.

For the definition of Sexual Harassment, “*reasonable person*” means a reasonable person under similar circumstances as and with similar identities to the complainant.

To determine whether words and/or conduct constitute Sexual Harassment, the University will consider 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 words and/or conduct.

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).

2.2.2 Sexual Assault

“**Sexual Assault**” is an umbrella term for any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes Rape, Fondling, Incest, and Statutory Rape.

2.2.3 Rape

“**Rape**” means 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.

2.2.4 Fondling

“**Fondling**” means 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.

2.2.5 Incest

“**Incest**” means sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.

2.2.6 Statutory Rape

“**Statutory Rape**” means sexual intercourse with a person who is under the statutory age of consent.

2.2.7 Dating Violence

“**Dating Violence**” means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship.

2.2.8 Domestic Violence

“Domestic Violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, 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 occurs, or 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 occurs.

In cases involving allegations of mutual acts or threats of acts of violence, the designated investigator(s) will, when appropriate, identify the primary aggressor in the situation based on the totality of the information gathered, including without limitation: the history of violence between the parties; the relative severity of the injuries inflicted on each person; information gathered from the persons involved in the situation and witnesses to the situation; and whether the acts or threats were done in self-defense. The primary aggressor will be considered the Respondent for purposes of evaluating Domestic Violence.

2.2.9 Stalking

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

“Course of conduct” means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person’s property. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the definition of Stalking, “*reasonable person*” means a reasonable person under similar circumstances and with similar identities to the complainant.

2.2.10 Sexual Exploitation

“Sexual Exploitation” means taking sexual advantage of another person, without that person’s active agreement. An active agreement is words and/or conduct that communicate a person’s willingness to participate in an act. A person cannot actively agree to an act if: (1) the person is Incapacitated, if either the person claiming to have obtained the other person’s active agreement knows that the other person is Incapacitated or a Reasonable Person would know that the other person is Incapacitated; or (2) the person is Forced to act or participate in an activity.

Examples of Sexual Exploitation include, without limitation:

- Surreptitiously observing, photographing, audiotaping, videotaping, or recording an image of a person who is engaging in sexual act(s), or a person’s breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy;

- Allowing or enabling a person to surreptitiously observe, photograph, audiotape, videotape, or record an image of another person who is engaging in sexual act(s), or another person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy;
- Showing, posting, or sharing video, audio, or an image that depicts a person who is engaging in sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy, if all persons who are depicted have not agreed to having the video/audio/image shown, posted, or shared;
- Prostituting another person or engaging in sex trafficking;
- Knowingly exposing another person to a sexually transmitted infection or disease without informing the other person that one has a sexually transmitted infection or disease;
- Forcing a person to participate in sexual act(s) with a person other than oneself;
- Forcing a person to expose the person's breasts, buttocks, groin, or genitals;
- Forcing a person to take an action against that person's will by threatening to show, post, or share video, audio, or an image that depicts the person's nudity or depicts the person engaging in sexual act(s);
- Forcing a person to take an action of a sexual nature against that person's will by threatening to disclose information that would harm a person's reputation;
- Forcing a person to take an action against that person's will by threatening to disclose information of a sexual or intimate nature that would harm a person's reputation; or
- Causing or requesting an incapacitated person to expose the person's breasts, buttocks, groin, or genitals or to participate in sexual act(s) with a person other than oneself.

2.2.11 Retaliation

“Retaliation” means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this Policy constitutes retaliation.

(1) The exercise of rights protected under the First Amendment does not constitute retaliation.

(2) Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation. 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. Determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

2.3 RELATED DEFINITIONS: CONSENT; FORCE; INCAPACITATION

2.3.1 Consent

“Consent” means an active agreement to participate in a sexual act. An active agreement is words and/or conduct that communicate a person’s willingness to participate in a sexual act.

Examples of sexual act(s) include, without limitation: vaginal intercourse; anal intercourse; oral sex; any other intrusion, however slight, of a person's finger or any object into any other person’s genitals or anus; the intentional touching of a person's intimate parts (genital area, groin, inner thigh, buttock or breast), the intentional touching of the clothing covering the immediate area of a person's intimate parts, or the intentional touching of any other person with a person’s own intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual gratification.

Consent can be revoked at any time.

Valid Consent cannot be given if:

- A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated;
- A person is Forced; or
- The sexual penetration of a person by the Respondent would constitute mitigated statutory rape, statutory rape, or aggravated statutory rape under state law, based on the ages of the Respondent and the other person.

Appendix B explains how the University determines whether Consent was obtained. Persons subject to this Policy are responsible for understanding and conforming their conduct to the standards described in this Section 2 and Appendix B.

2.3.2 Force

“Force (Forced)” means 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 take an action or participate in an activity.

Examples of Force include, without limitation:

- Physical force (e.g., hitting, punching, slapping, kicking, restraining, choking, kidnapping, using a weapon, blocking access to an exit);
- Words and/or conduct that would cause a reasonable person to fear:
 - Physical force or other harm to the person’s health, safety, or property, or a third person’s health, safety, or property;
 - Loss or impairment of an academic benefit, employment benefit, or money;
 - Disclosure of sensitive personal information or information that would harm a person’s reputation;
 - Disclosure of video, audio, or an image that depicts the person’s nudity or depicts the person engaging in a sexual act(s); or
 - Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.

2.3.3 Incapacitation

“Incapacitation” means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication.

A person violates this Policy when they engage in sexual activity with another person who is Incapacitated under circumstances in which a reasonable person would have known the other person to be Incapacitated. For evaluating Incapacitation, a “reasonable person” means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the Respondent.

Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; 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; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

SECTION 3
GRIEVANCE PROCEDURES USED TO ADDRESS PROHIBITED CONDUCT

The University has specific grievance procedures for addressing reports of Prohibited Conduct after the report to the Title IX Coordinator (Section 4.5.2.3). The procedures the University uses are based on the nature of the allegations and the relationship of the Respondent to the University.

3.1 GRIEVANCE PROCEDURES WHEN THE RESPONDENT IS A STUDENT

Appendix C describes the procedures the University uses to investigate and resolve allegations of Prohibited Conduct when the Respondent is a student.

3.2 GRIEVANCE PROCEDURES WHEN THE RESPONDENT IS AN EMPLOYEE

Appendix D and D.1 describe the procedures the University uses to investigate and resolve allegations of Prohibited Conduct when the Respondent is an employee.

3.3 GRIEVANCE PROCEDURES WHEN THE RESPONDENT IS BOTH A STUDENT AND AN EMPLOYEE

When the Respondent is both a student and an employee, the Title IX Coordinator will determine the appropriate procedures to use to address the report of Prohibited Conduct based on the facts and circumstances of the situation.

3.4 GRIEVANCE PROCEDURES WHEN THE RESPONDENT IS A THIRD PARTY

Appendix D describes the procedures the University uses to investigate and resolve allegations of Prohibited Conduct when the Respondent is a third party, such as a visitor or vendor. The University's ability to take 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. The Title IX Coordinator (or designee) has the authority to alter the manner of resolving a report of Prohibited Conduct alleged to be committed by a third party if the procedures in Appendix D are not appropriate.

SECTION 4
SUPPORTIVE MEASURES AND REPORTING OPTIONS

4.1 Overview

Complainants and Respondents have a wide range of options for care, support, and reporting options in response to Prohibited Conduct. For comprehensive information about those options, students and employees should refer to Appendix A. Third parties should contact the University's Title IX Coordinator.

4.2 Title IX Coordinator/Title IX Officials

The University is subject to the requirements of Title IX of the Education Amendments of 1972, 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.

The University's Title IX Coordinator is responsible for coordinating the University's efforts to comply with and carry out its responsibilities under Title IX.

The University's Title IX Coordinator is:

Ashley Blamey
1817 Melrose Avenue
Knoxville, TN 37996
(865) 974-9600
ashleyblamey@utk.edu
titleix.utk.edu

Reports or complaints of Prohibited Conduct or questions about the University's policies, procedures, resources, or programs concerning Prohibited Conduct, may be directed to the University's Title IX Coordinator or other Title IX Officials, who are trained and accessible to members of the University community for consultation and assistance.

The term "Title IX Official" in this Policy means the Title IX Coordinator, a Deputy Title IX Coordinator, or one of their designees.

The responsibilities of Title IX Officials are described in more detail at titleix.utk.edu. The Title IX Coordinator is available to meet with any student, employee, or third party to answer questions about this Policy. Inquiries or complaints concerning Title IX also may be referred to the United States Department of Education, Office for Civil Rights, 61 Forsyth Street, S.W., Suite 19T10, Atlanta, GA 30303-8927, (404) 974-9406 (phone), (404) 974-9471 (fax), OCR.Atlanta@ed.gov.

The University's list of Title IX Officials is located at: titleix.utk.edu/the-title-ix-team/

4.3 Distinction between Privacy and Confidentiality

Under this Policy, privacy should be distinguished from confidentiality.

- **Confidentiality:** If a Complainant desires to communicate with someone who, by law or by University policy, can keep information confidential, then the Complainant should contact one of the resources outlined in Section 4.4.
- **Privacy:** Information communicated to a Title IX Official (Section 4.2) or a Mandatory Reporter (Section 4.5.2.1) will be kept as private as possible, which means that the information will be shared only with the University employees whom a Title IX Official determines need to be involved in responding to the incident, except as required or permitted by law. When speaking with a Title IX Official, Complainants are free to limit the details they share while they decide whether to report an incident to the University.

4.4 Confidential Care and Support

The persons identified below can keep information communicated to them confidential and will not communicate such information to a Title IX Official, the University, the police, or any other third party, unless required or permitted by law⁵. Complainants may pursue these confidential care, support, and reporting options regardless of whether they choose to report the incident to the University or the police (Section 4.5).

4.4.1 Confidential Employees

A student or employee may speak with a Confidential Employee if they do not desire action by the University but desire to confide in a University employee confidentially. Confidential Employees are University employees who can keep information confidential because they hold a valid license in a profession for which Tennessee law recognizes a confidential relationship between a professional and a professional's client or patient or because the University has deemed the employee as someone who can keep information confidential. Appendix A identifies the University's Confidential Employees and explains the limited situations in which Confidential Employees are required or permitted by law to disclose confidential information.

4.4.2 Confidential Care and Support Outside of the University Community

Students and employees also have options to receive confidential care and support from someone who is not affiliated with the University. These confidential options also are described in Appendix A.

⁵ An employee of the UTPD participates in the University's Sexual Misconduct, Relationship Violence and Stalking Response Team. However, UTPD will not write a police report unless the Complainant decides to report the incident to the police.

4.5 Reporting Options

A Complainant has multiple options for reporting Prohibited Conduct. A Complainant may report Prohibited Conduct to the University, to the police, to both, or to neither.

4.5.1 Report to the Police

Prohibited Conduct may constitute both a violation of this Policy and criminal law. Therefore, the University encourages Complainants to report incidents of Prohibited Conduct to the police. Prompt reporting of an incident to the police is especially critical because the collection and preservation of evidence is essential for police investigations and criminal prosecutions. A Complainant has the right to decline to report the incident to the police. Even if a Complainant does not report the incident to the police, the Complainant may still request Supportive Measures (Section 4.6) by reporting the incident to a Title IX Official. Appendix A provides contact information for campus and local police and information about what to expect after reporting an incident to the police. Appendix A, Sections 1.1 and 2.1, also provide suggestions about the preservation of evidence relating to Prohibited Conduct.

4.5.2 Report to the University

A **Report** means notification to the Title IX Coordinator or designee of Prohibited Conduct, (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute Prohibited Conduct). A Report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written notification. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

A person who wants to report Prohibited Conduct to the University should contact a Title IX Official (Section 4.2). If a person reports Prohibited Conduct to a University employee who is not a Title IX Official, then the employee's responsibility to report that information to the University depends on whether the employee is a Mandatory Reporter.

4.5.2.1 Mandatory Reporters

A Mandatory Reporter is a University employee who is required to report information about known or suspected Prohibited Conduct to a Title IX Official, whether the employee received the information by means of a complaint, report, personal observation, or otherwise, including information learned from third parties. **A University employee is almost always a Mandatory Reporter when either the Complainant or Respondent is a student.** Employees who have questions about their reporting responsibilities, or students who have questions about an employee's reporting responsibilities, should contact the Title IX Coordinator.

A University employee is a Mandatory Reporter if *either* of the following apply:

- (1) The Prohibited Conduct **involves either a Complainant who is a student or a Respondent who is a student.**

OR

- (2) The employee is the **supervisor of either a Complainant who is an employee or a Respondent who is an employee**, or otherwise has the authority to redress the Prohibited Conduct (e.g., human resources administrators, OED employees, Title IX Officials, department heads, deans, vice chancellors, chancellors, vice presidents, campus police).

Exceptions – No Duty to Report:

- The employee is a Confidential Employee (Section 4.4.1) and receives the information while acting in a professional, confidential capacity;
- The employee receives the information during a public awareness event such as “Take Back the Night,” candlelight vigils, protests, “survivor speak outs” or other public forums including online forums such as social networking sites and blogs;
- The employee receives the information through a person’s participation as a subject in an Institutional Review Board-approved human subjects research protocol;
- The employee receives information through an in-class discussion, a class paper, or other academic assignment; or
- The employee is a student employee (e.g., graduate assistant) and did not receive notice of the incident in the student employee’s University employment capacity.

Mandatory Reporters are required to inform a Title IX Official about all information known to them about the Prohibited Conduct. Failure to adhere to one’s duty to report Prohibited Conduct to a Title IX Official may result in disciplinary action, up to and including termination of employment.

The Title IX Coordinator or designee will evaluate allegations that a Mandatory Reporter failed to report Prohibited Conduct to a Title IX Official. In evaluating those allegations, the Title IX Coordinator or designee may meet with the Complainant, the Mandatory Reporter, the Mandatory Reporter’s supervisor or campus unit, and other witnesses who can provide information. The Title IX Coordinator or designee will determine whether further investigation is warranted on a case-by-case basis, including but not limited to, the Mandatory Reporter’s role within the University; the nature and scope of the suspected Prohibited Conduct; and the risk to the University community if the report of Prohibited Conduct were substantiated. The Title IX Coordinator may recommend additional education and training and other remedial or corrective actions.

In some cases, the Title IX Coordinator or designee may refer the allegations that a Mandatory Reporter failed to report Prohibited Conduct to the Office of Equity & Diversity, which will conduct an investigation. OED will make findings of fact and will determine whether, by a preponderance of the evidence, a Mandatory Reporter failed to report Prohibited Conduct. The Title IX Coordinator and the appropriate University administrator will review the findings. The administrator will determine in writing whether to accept OED’s findings and conclusion and may include a description of remedial or corrective actions the University will implement. The Title IX Coordinator may also recommend remedial or corrective actions.

Appendix E explains other actions that a Mandatory Reporter must take, should take, and must not take in response to notice of Prohibited Conduct. 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.

University employees also may have reporting responsibilities under other University policies, such as:

- Child Abuse: Employees who receive information about suspected child abuse or child sexual abuse must comply with University of Tennessee System Safety Policy 0575 (Programs for Minors)

(policy.tennessee.edu/safety_policy/sa0575/). Safety Policy 0575 takes precedence over this Policy with respect to reporting suspected child abuse and child sexual abuse. Note that under Tennessee law, the obligation to report child abuse or child sexual abuse is not limited to situations involving University-related activities and programs.

- **Campus Security Authorities - Clery Act:** Mandatory Reporters who have been designated by UTPD as Campus Security Authorities for purposes of compliance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”) satisfy their reporting duties with respect to this Policy and the Clery Act if they report the incident to a Title IX Official. The Title IX Official is responsible for timely communicating the appropriate non-personally identifying information to UTPD. **Employees who have been designated as Campus Security Authorities may have an obligation to report misconduct to UTPD even when they do not have an obligation to report the misconduct under this Policy. Questions about the reporting obligations of Campus Security Authorities should be directed to Jillian Paciello, the University’s Clery Compliance Coordinator, at clery@utk.edu or (865) 974-0544.**

4.5.2.2 Benefits of Reporting Prohibited Conduct to the University

Reporting Prohibited Conduct enables the University to provide Supportive Measures and information regarding the University’s grievance process. If an incident is not reported to the University, then the University will not be able to discuss the availability of Supportive Measures or the grievance process with the Complainant. Complainants are not required to report Prohibited Conduct if they do not want the University to respond to the incident or assist with Supportive Measures (Section 4.6). A Complainant may opt to report an incident of Prohibited Conduct but decline to disclose the identity of the Respondent; in that case, a Title IX Official will offer Supportive 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.

4.5.2.3 Initial Response and Assessment by the Title IX Coordinator

Appendix A, Section 2.3.2 describes the steps the Title IX Coordinator will take after receiving a report of Prohibited Conduct.

4.5.2.4 Limited Action

When the University receives notice of a potential incident of Prohibited Conduct, the Title IX Coordinator will communicate with the Complainant about the following:

- How the Complainant can file a formal complaint;
- Supportive measures that the University can take in order to support the Complainant; and
- On and off campus resources that the Complainant can access for assistance.

If the Complainant declines to respond to outreach, or states that they do not wish to file a formal complaint or participate in an investigation, the University will generally take Limited Action. Limited Action includes providing supportive measures like academic support, safety escorts, no contact directives, and campus support services. For more information about supportive measures, please visit section 4.6.

There are limited circumstances in which the Title IX Coordinator may determine that the University must continue with an investigation without the Complainant’s participation or assent, because of the

University's commitment to providing a safe and non-discriminatory learning, living, and working environment free from Prohibited Conduct. These limited circumstances are referred to as University-Initiated Investigations. For example, if the University has credible information that the Respondent is alleged to have 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.

When evaluating whether the University must conduct a University-initiated investigation, the Title IX Coordinator will consider a range of factors, including, without limitation, the following factors:

- The risk that the Respondent will commit additional acts Prohibited Conduct, such as:
 - Whether there have been other reports of Prohibited Conduct or other relevant misconduct concerning the same Respondent,
 - Whether or not the incidents occurred while the Respondent was a University student or employee;
 - 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;
- 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; and
- Complainant safety.

If the Title IX Coordinator determines the University must conduct an investigation, then the Title IX Coordinator will inform the Complainant of the decision prior to starting/continuing the grievance process and will, to the extent possible and unless otherwise required by law, only share information with people responsible for handling the University's response. 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. The University will also assist the Complainant to access the support resources identified in Appendix A, and inform the Complainant of the right to report a crime to campus or local law enforcement (and provide the Complainant with assistance in reporting if the Complainant requests it). The University will not tolerate Retaliation against any person, including the Complainant.

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 and reports for which the University only takes Limited Action) 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.

4.5.2.5 Complainant's Participation in an Investigation or Disciplinary Proceeding

The University will not require a Complainant to participate in any investigation, or hearing before a University hearing officer or board. A Complainant may be required to participate in a hearing held by an administrative judge pursuant to the Uniform Administrative Procedures Act if the Complainant receives a subpoena from a party other than the University. If a Complainant chooses not to participate in an investigation or disciplinary hearing, the University's ability to discipline the Respondent may be affected.

4.5.2.6 Amnesty

The University recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident of Prohibited Conduct may be hesitant to report the incident to the University because of a fear of University disciplinary sanctions for the person's own violation of the University 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 Office of Student Conduct and Community Standards 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 ("Amnesty"). The University may, however, initiate an educational discussion or pursue other educational remedies with the student regarding alcohol or drugs. The Title IX Coordinator has the discretion to grant Amnesty to persons other than the person who reported Prohibited Conduct (e.g., Complainant, Respondent, witnesses). The Student Code of Conduct, Section 11, also contains a policy on Amnesty for individuals acting as Good Samaritans and students in need of emergency medical attention. This Section 4.5.2.6 does not apply to reports to the police; rather, it applies only to discipline for violations of the University's Code of Conduct.

4.5.2.7 False Reports

A person who makes a report of Prohibited Conduct to the University that is later found to have made materially false statement(s) in bad faith may be subject to University disciplinary action. This provision does not apply to reports made in good faith, even if an investigation of the incident does not find a Policy violation. Similarly, a person who intentionally provides materially false statement(s) in bad faith to the University during a University investigation or disciplinary proceeding action may be subject to disciplinary action.

4.6 SUPPORTIVE AND REMEDIAL MEASURES

After receiving a report of Prohibited Conduct, the Title IX Coordinator may implement supportive and remedial measures ("Supportive Measures") while the University assesses, investigates, and resolves the report. Supportive Measures may be implemented upon request or at the Title IX Coordinator's initiative.

The specific Supportive Measures implemented and the process for implementing those measures will usually be determined by the Title IX Coordinator or designee and will vary and be individualized, reasonable, and appropriate depending on the facts of each case and the student or employee status of the

Complainant and the Respondent.⁶ In fairly assessing the need for an individual to receive Supportive Measures, the Title IX Coordinator does not rely on fixed rules or operating assumptions in favor of one party over another.

Examples of Supportive Measures are listed in Appendix A, Supportive Measures are available to Complainants and Respondents.

Supportive Measures are available:

- Even if the Complainant does not want to report the incident to the police;
- Even if the Complainant does not make a formal report. (The University may be limited in the Supportive Measures it can implement while keeping the identity of the Complainant private, 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);
- To the Complainant, the Respondent, and witnesses, when determined to be appropriate by the Title IX Coordinator or designee; and
- Prior to, during, or after the investigation or resolution of a report of Prohibited Conduct.

Individuals are encouraged to report to the Title IX Coordinator concerns about the failure of another person to abide by the terms of a Supportive Measure; however, in the event of an immediate health or safety concern individuals should call 911. The University will take immediate and responsive action to enforce a previously implemented Supportive Measure and alleged violations will be investigated and addressed by the appropriate office. The Title IX Coordinator or designee will strive to communicate with the Complainant and the Respondent throughout the grievance process to ensure that the Supportive Measures in place are necessary and effective based on the evolving needs of the parties. The Title IX Coordinator has the discretion to issue, modify, or remove any Supportive Measure at any time.

With respect to non-student employees and third parties, the Title IX Coordinator may delegate the authority to determine and implement appropriate Supportive Measures.

⁶ The Clery Act requires the University to provide certain interim measures upon the request of a Complainant if such measures are reasonably available. 34 C.F.R. § 668.46(b)(11)(v).

APPENDIX A
GUIDE ON SUPPORTIVE MEASURES AND REPORTING OPTIONS

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct is defined in the University’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence and Stalking (the “Policy”)⁷.

The purpose of this appendix is to provide an overview of the available Supportive Measures; the right to file a formal complaint; and how to file a formal complaint. The resources available include confidential resources, and options for filing a formal complaint with the University or reporting Prohibited Conduct to the police. **Complainants do not have to file a formal complaint with the University or report to law enforcement to receive Supportive Measures.**

The University has developed the Complainant “You Are Not Alone” Guide and a separate Respondent Resource Guide that highlight the areas addressed in this appendix, but this appendix serves as the comprehensive resource.

Section 4 of the Policy identifies the University’s Title IX Coordinator and Deputy Title IX Coordinators, who are trained and accessible for consultation and assistance about the available Supportive Measures; the right to file a formal complaint; and how to file a formal complaint. The Title IX Coordinator, the Deputy Title IX Coordinators, and their designees are referred to collectively in the Policy and this guide as “Title IX Officials.”

SECTION 1. SUPPORTIVE MEASURES

This section describes a variety of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid assistance, and other services available, both within the University and in the community.

1.1 General Medical Care

In cases of Sexual Assault, it is important 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 of the evidentiary exam is collecting physical evidence as soon as possible; however, evidence can be collected up to 72 hours after the assault. Assaults do not have to be reported to law enforcement to receive Sexual Assault Nurse Examiner (SANE) services. Prior to seeking medical care following a Sexual Assault, a Complainant 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 the Complainant changes their clothes, then the best way to preserve evidence relating to clothing is to put the clothing in a paper (not plastic) bag. Other tips on the preservation of evidence are described in Appendix A, Section 2.1.

⁷ Capitalized terms have the same meaning in the Policy and Appendix A.

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 typically 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 sexually transmitted infections and pregnancy. A medical examination preserves evidence for forensic analysis in case 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 (SANE) who is specially trained to collect evidence in cases of Sexual Assault. If the Complainant chooses not to report the incident to the police at the time of the medical examination, then the medical provider will provide the examination materials to local police with a unique identifying number that will also be provided to the Complainant. The police department 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, then the Complainant may report to the police department with jurisdiction and refer to the unique identifying number so that the Complainant’s examination materials may be matched with the Complainant’s police report for evidentiary purposes.

The University strongly encourages Complainants who experience any form of interpersonal violence to seek medical care immediately even if they choose not to report the incident. Medical care providers can keep information communicated to them confidential and will not communicate such information to the University, the police, or any other third party, unless required or permitted by law. **Complainants are not required to report an incident to the University or the police to receive medical care.**

Medical care may be obtained from the following:

PLACE	WHEN	CONTACT INFORMATION
UT Student Health Center (for students only)	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	(865) 974-5080 1800 Volunteer Blvd Knoxville, TN 37996 studenthealth.utk.edu
Sexual Assault Center of East Tennessee	24 hours, seven days a week	(865) 522-7273 (24 hour crisis line) 2455 Sutherland Avenue, Building B, Knoxville, TN mcnabbcenter.org/sacet
UT Medical Center (or another local hospital)	24 hours, seven days a week	(865) 305-9000 1924 Alcoa Highway Knoxville, TN utmedicalcenter.org

[1.2 Confidential Support and Counseling for Complainants and Respondents](#)

Emotional and mental health support are critical resources in addressing Prohibited Conduct. The persons identified in this Section 1.2 can keep information communicated to them confidential, which means that they will not communicate such information to the University, the police, or any other third party, unless

required or permitted by law, court order, or subpoena. Complainants may pursue the confidential support and counseling options identified in this Section 1.2 regardless of whether they choose to report the incident to the University or the police.

1.2.1 University “Confidential Employees”

Confidential Employees are University employees who can keep information confidential because they hold a valid license in a profession for which Tennessee law recognizes a confidential relationship between a professional and a professional’s client or patient or because the University has deemed the employee as a confidential resource for students and employees.

A Confidential Employee can provide emotional support and help explore options for care and provide information on reporting options and Support Measures.

Information communicated to a Confidential Employee does not constitute notice or a report to the University of an incident of Prohibited Conduct. Except in the limited circumstances described in Section 1.2.1.2 of Appendix A, information communicated to a Confidential Employee will not be shared with a Title IX Official, and the University therefore will be unable to use such information to investigate alleged Prohibited Conduct or to pursue disciplinary action against the Respondent. Confidential Employees include the persons identified below, University employees working under their supervision (except for athletic trainers and Sports Medicine staff), and University employees providing administrative, operational, and/or related support for such persons.

1.2.1.1 Identification of Confidential Employees

Confidential Employee	Who May Access Their Services	How to CONTACT
Lisa Yamagata-Lynch, Ombudsperson	Students and Employees	(865) 974-6273 lisayl@utk.edu ombuds.utk.edu
A licensed psychologist, psychiatrist, or nurse practitioner in the Student Counseling Center	Students	(865) 974-2196, if calling during the hours of 8:00 a.m. – 5:00 p.m. on Mondays, Tuesdays, Wednesdays, and Fridays, or during the hours of 9:00 a.m. – 5:00 p.m. on Thursdays, except on University holidays, breaks, or closures A student who needs counseling support when the Student Counseling Center is not open may call (865) 974-HELP (4357). counselingcenter.utk.edu Student Health Center, Second floor 1800 Volunteer Blvd. Knoxville, TN 37996 Open 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
A licensed physician, registered nurse, or nurse practitioner in the Student Health Center	Students	(865) 974-5080 studenthealth.utk.edu Student Health Center 1800 Volunteer Blvd. Knoxville, TN 37996 Open 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
A licensed psychologist and graduate therapist working under licensed supervision in the Psychological Clinic	Students and Employees	(865) 974-2161 psychclinic.utk.edu 208 UT Conference Center Bldg 600 Henley Street Knoxville, TN 37996 Open from 8:00 a.m. – 5:00 p.m., Monday-Thursday, and 8:00 a.m. – 5:00 p.m. on Fridays, except on University holidays, breaks, or closures
A licensed social worker in the College of Veterinary Medicine Veterinary Social Work Clinic	CVM Students and CVM Employees	(865) 755-8839 vetsocialwork@utk.edu vetsocialwork.utk.edu Helpline hours: Monday – Friday 10 a.m. – 5 p.m.
University employed Interpreters	Students and Employees	Applicable in cases where interpreters are relaying information between a Complainant and a person who is a confidential resource.
A University 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	Students and Employees	Varies by employee
Kristen Martin, Team ENHANCE/EXCEL Coordinator	Intercollegiate student-athletes only	kmartin5@tennessee.edu (865) 974-9754

<p>Dr. Chris Klenck, Head Team Physician</p> <p>NOTE: Athletic trainers and other staff members in Sports Medicine are not Confidential Employees. They are Mandatory Reporters of Prohibited Conduct involving students.</p>	<p>Intercollegiate student-athletes only</p>	<p>cklenck@tennessee.edu (865) 974-1147</p>
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A University employee identified above is a Confidential Employee only if the individual is communicating with the employee as a patient or client of the employee, as opposed to communicating with the employee in another context (e.g., faculty members in law, psychology, social work, and nursing not acting in a licensed capacity).

[1.2.1.2 Confidentiality Exceptions](#)

In a limited number of circumstances, Confidential Employees are required or permitted by law to disclose confidential information:

- The patient or client signs a written consent permitting the information disclosure;
- Confidential Employees may be required to comply with subpoenas and court orders to testify in legal proceedings;
- Confidential Employees may periodically report non-personally identifiable information about Prohibited Conduct to the Title IX Coordinator or a Deputy Title IX Coordinator to keep that person informed about the general extent and nature of Prohibited Conduct on and off campus;
- Confidential Employees who are “Campus Security Authorities” for purposes of Clery Act compliance are required to report non-personally identifiable information to the University’s Clery Compliance Coordinator unless they received the information when acting as a pastoral or professional counselor as defined by the Clery Act regulations, 34 C.F.R. § 668.46(a);
- Confidential Employees are required by Tennessee law to report suspected child abuse or child sexual abuse (Tennessee Code Annotated §§ 37-1-401 et seq.; 37-1-601 et seq.);
- Confidential Employees are required to report certain injuries to law enforcement (Tennessee Code Annotated § 38-1-101);
- Confidential Employees are required to report threats of serious bodily harm or death against a reasonably identifiable victim or victims (Tennessee Code Annotated §§ 33-3-206; 33-3-210);
- Confidential Employees may be required to report information about a person knowingly exposing another person to sexually transmitted diseases. (Tennessee Code Annotated §§ 68-10-102; 68-10-115); and
- Confidential Employees are required by law to report information that a person age 60 or older, or a person with certain physical and mental disabilities, has been subject to abuse, neglect, or exploitation (Tennessee Code Annotated § 71-6-101 et seq.).

1.2.2 Confidential Support and Counseling Outside of the University

Individuals who desire to receive confidential support and counseling from someone not affiliated with the University may contact one of the following:

- **Knoxville-Area Resources for Complainants**

Sexual Assault Center of East Tennessee
(865) 522-7273 (24-7 crisis hotline)
2455 Sutherland Avenue, Building B, Knoxville, TN
mcnabbcenter.org/sacet

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

SACET 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 SACET's Sexual Assault Forensic Exam (SAFE) Center. All services provided by the SACET are free, including no-cost SANE exams, pregnancy prevention, and testing and preventative treatment for sexually transmitted infections.
 - Advocacy. The advocacy program of SACET provides victims of Sexual Assault with the support, information, and resources needed throughout the recovery process. Advocates work to ensure that victims' legal rights are protected, while also empowering victims 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 victims in crisis, victims of a recent Sexual Assault, and persons who were victims of a Sexual Assault or sexual abuse that happened months or years ago. The goal of SACET is to work collaboratively to address the many concerns and issues associated with sexual violence to promote healing. Therapists at the SACET specialize in treating female, male, and LGBTQ Complainants and offer services to individuals of all ages.
- **University of Tennessee Medical Center (or another local hospital)**
(865) 305-9000
1924 Alcoa Highway
utmedicalcenter.org

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.

- **Knoxville Family Justice Center**

(sexual assault and dating/domestic violence)

400 Harriet Tubman Street

Knoxville, TN 37915

(865) 521-6336 (24/7 crisis line)

fjcknoxville.org

The Knoxville Family Justice Center serves domestic violence and sexual assault victims. This comprehensive support center provides a single location for victims to access advocacy and other services, including safety planning, danger assessment, orders of protection, prosecutors, detectives, civil legal assistance, counseling, support groups, access to shelter, clergy, and social service professionals.

- **YWCA – Knoxville – Victim Advocacy Program**

(dating/domestic violence)

(865) 523-6126 (24-7 crisis hotline)

420 West Clinch Avenue or 124 S. Cruze Street

ywcaknox.com

YWCA advocates provide comprehensive support for victims of dating/domestic violence, including safety planning and crisis intervention, education on victim's rights and victim compensation, navigation of the justice system, accompaniment to court, referrals for and assistance accessing essential services, referrals to support group, and follow-up services.

- **Helen Ross McNabb – Family Crisis Center**

(dating/domestic violence)

(865) 637-8000 (24-7 crisis hotline)

mcnabbcenter.org/content/domestic-violence-services

The Kent C. Withers Family Crisis Center is a safe place of refuge for individuals experiencing dating/domestic violence. While at the shelter, victims receive on-site counseling, advocacy and case management. Additionally, the 24-hour crisis hotline provides a number for victims to call for any-time-of-day access to safety planning and information on emergency shelter, support groups and other domestic violence services from caring, knowledgeable staff.

National and state crisis lines available 24 hours/7 days a week for Complainants

- Tennessee Coalition to End Domestic & Sexual Violence

800-289-9018

800-356-6767 – 24 hour statewide domestic violence hotline

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)
rainn.org/get-help/national-sexual-assault-hotline
- **National Domestic Violence Hotline**
800-799-SAFE (7233)
thehotline.org
- **Love is Respect – National Dating Abuse Hotline**
866-331-9474
loveisrespect.org
- **Anti-Violence Project/24-Hour Bilingual Hotline: For LGBTQ+ and HIV+ survivors of violence**
212-714-1141

Other confidential, non-University resources for Complainants and Respondents

- A personal attorney
- A clergy member
- A physician or licensed 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 maintain confidentiality unless state law requires or permits the disclosure of information.

1.3 Legal Resources for Complainants and Respondents

1.3.1 Orders of Protection, Victim Advocacy Services and Private Legal Assistance

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

- Knoxville Family Justice Center
400 Harriet Tubman Street
Knoxville, TN 37915
(865) 521-6336 (24/7 crisis line)
fjcknoxville.org

- Knox County Fourth Circuit Court
City County Building
400 Main Street
Knoxville, TN 37902
(865) 215-2399

knoxcounty.org/fourthcircuitcourt/index.php

A Title IX Official or the police can assist with arranging an appointment with the Knoxville Family Justice Center to discuss options for pursuing an order of protection and other legal remedies. The Title IX Coordinator can explore the implementation of University Support Measures (Appendix A, Section 1.5) to assist with enforcing the terms of an order of protection.

Additional information on orders of protection can be found here:

- The Tennessee Coalition to End Domestic and Sexual Violence provides information about orders of protection on its website: tncoalition.org/legal-clinics
- The City of Knoxville provides a list of community resources for victims of dating/domestic violence here:
knoxvilletn.gov/government/city_departments_offices/police_department/criminal_investigations/special_crimes_unit/domestic_violence_help
- The Knox County Fourth Circuit Court provides information on domestic violence and orders of protection here: knoxcounty.org/fourthcircuitcourt/domestic_violence.php

The University does not provide advocacy services or private legal assistance to students or employees.

The Knoxville Bar Association provides assistance with finding an attorney in the greater Knoxville area:
knoxbar.org/index.cfm?pg=hiring-a-lawyer

The American Bar Association also provides information on finding legal services by state:
americanbar.org/groups/legal_services/flh-home/flh-free-legal-help/

The Tennessee Coalition to End Domestic and Sexual Violence (tncoalition.org) operates a Sexual Assault Legal Clinic, which offers direct legal services to sexual assault victims who may have legal questions and needs related to their victimization. The Sexual Assault Legal Clinic assists with: family law matters; orders of protection; victim's compensation; housing; employment; administrative hearings; referrals for civil cases; and other legal matters relating to sexual assault. The Sexual Assault Legal Clinic can be reached at (615) 386-9406 or 800-289-9018.

[1.3.2 Visa and Immigration](#)

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, Domestic Violence, Dating 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.

The Tennessee Coalition to End Domestic and Sexual Violence (tncoalition.org) operates an Immigrant Legal Clinic (tncoalition.org/legal-clinics), which provides legal advice and representation to immigrant and trafficked victims of domestic or sexual violence throughout Tennessee. The Immigrant Legal Clinic was created to address the unique problems faced by immigrant victims of domestic or sexual violence. There are no restrictions on what type of immigration case the clinic takes, nor are there strict income guidelines. However, all the clients must be victims of domestic or sexual violence and unable to afford an attorney on their own. Case acceptance is handled on a case-by-case basis and determined on the merits of the case and whether relief is available. To inquire about receiving the services of the Immigrant Legal Clinic, an individual may call (615) 386-9406 or 800-289-9018.

U.S. Citizenship and Immigration Services (USCIS) (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: uscis.gov/citizenship/learners/find-help-your-community

USCIS Find Legal Services Webpage: uscis.gov/avoid-scams/find-legal-services

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

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

[1.4 Student Financial Aid Resources for Complainants and Respondents](#)

Students who need assistance with financial aid issues may contact a Title IX Official or One Stop Student Express Services (onestop.utk.edu/financial-aid/).

[1.5 Supportive Measures Implemented by the University for Complainants and Respondents](#)

After receiving a report of Prohibited Conduct, the Title IX Coordinator may implement protective and remedial measures ("Supportive Measures") while the University assesses, investigates, and resolves the report. Supportive Measures may be implemented upon request or at the Title IX Coordinator's initiative.

Section 4.6 of the Policy explains the availability of Supportive Measures and how they are determined, implemented, and enforced.

The following are examples of Supportive Measures:

- Issuing a no-contact directive, which provides mutual restrictions between parties from having verbal, physical, written, and/or electronic contact and/or from being present on designated University-controlled property for a definite or indefinite period of time.
- Issuing an Emergency Removal (i.e. Interim Suspension) of the Respondent (student or employee) is issued based on an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct. The Respondent will have the ability to challenge the decision immediately (within 3 business days) following the removal;
- Informing the Complainant of the right to report the incident to the police for criminal investigation and prosecution and offering to assist the Complainant in reporting an incident to the police;
- 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 or formal complaint of Prohibited Conduct;
- Assisting an individual in obtaining medical, advocacy, and counseling services;
- Exploring changes in living, transportation, dining, and working arrangements;
- Arranging appointments for an individual for follow-up on-campus support services or off-campus support services, such as those identified in this Section 1 (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;
- Assisting an individual in communicating with faculty;
- Assisting an individual in requesting that directory information be removed from public sources by contacting the Office of the University Registrar;
- Accessing academic support for an individual, including tutoring;
- Assisting with requesting academic accommodations such as re-scheduling exams, obtaining extensions of time for assignments, re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty.

SECTION 2. REPORTING PROHIBITED CONDUCT

The University encourages students who have experienced, have knowledge of, or have witnessed Prohibited Conduct to promptly report the incident to the police or the University.⁸ Those reporting options are not mutually exclusive. A student may report Prohibited Conduct to the University, to the police, to both, or to neither. This Section 2 describes reporting options in detail so that students can make informed choices about whether and how to report Prohibited Conduct.

⁸ Student-employees who are Mandatory Reporters (Policy, Section 4.5.2.1) are required to report information they receive about Prohibited Conduct.

2.1 Preservation of Evidence

The University recognizes that a Complainant may need time to decide whether to report an incident of Prohibited Conduct to the police and/or the University. The purpose of this section is to provide Complainants with suggestions on preserving evidence while they decide whether to report an incident.

The University strongly encourages Complainants, as soon as possible after experiencing Prohibited Conduct, to take steps to preserve evidence of the Prohibited Conduct, such as:

- Have a forensic sexual assault nurse examination performed as soon as possible after the incident, but no later than 72 hours after the incident (Appendix A, Section 1.1);
- When possible, prior to having a forensic sexual assault nurse examination performed, avoid: changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair;
- Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter);
- Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and
- Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator.

2.2 Reporting to the Police

Prohibited Conduct may constitute both a violation of the Policy and criminal law. Therefore, the University encourages Complainants to report Prohibited Conduct to the police immediately. Prompt reporting of an incident to the police is especially critical for certain incidents of Sexual Assault because the collection and preservation of evidence relating to Sexual Assault often is essential for police investigations and criminal prosecutions. Complainants should report Prohibited Conduct to the police because the police have unique legal authority to investigate and respond to Prohibited Conduct, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking emergency protective orders.

A Complainant has the right to decline to report the incident to the police. Even if a Complainant does not report the incident to the police, the Complainant may still request Supportive Measures from the University by reporting the incident to a Title IX Official.

2.2.1 Contact Information for Police

A Complainant may report Prohibited Conduct to the police 24 hours a day, seven days a week:

INCIDENT LOCATION	CONTACT
Regardless of where the incident occurred	Call 911 in an emergency
On campus or the City of Knoxville	UTPD 1101 Cumberland Avenue, Knoxville, TN (865) 974-3111 utpolice.utk.edu Knoxville Police Department (KPD)

	800 Howard Baker, Jr. Avenue, Knoxville, TN (865) 215-4010 knoxvilletn.gov/government/city_departments_offices/police_department/
In Knox County but outside of the City of Knoxville	Knox County Sheriff 400 Main Street, Suite L165, Knoxville, TN 37902 (865) 215-2243 knoxsheriff.org or UTPD 1101 Cumberland Avenue, Knoxville, TN (865) 974-3111 utpolice.utk.edu
Outside of Knox County	Contact the police department that has jurisdiction over the location where the incident occurred or Contact UTPD for assistance in contacting another jurisdiction's police department

Upon the Complainant's request, a Title IX Official will assist a Complainant in contacting UTPD or another appropriate local police department.

Employees of UTPD are Mandatory Reporters for reports of Prohibited Conduct involving students. 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. The Title IX Coordinator will contact the Complainant regarding the University's response to the report. In contrast, if a Complainant reports the incident to another police department other than UTPD, then the Complainant also will need to report the incident to a Title IX Official (Appendix A, Section 2.3) if the Complainant wants the University to take any action under the Policy.

[2.2.2 What to Expect after Reporting Prohibited Conduct to the Police](#)

Even if a Complainant is unsure whether to pursue criminal prosecution or an order of protection, the University recommends that the Complainant report the incident to the police as soon as possible. In most cases, after addressing a Complainant's immediate safety needs and/or needs for medical care, a police officer will meet with the Complainant and take a statement about what occurred. In cases of Prohibited Conduct, in addition to taking a statement, the police officer may ask to examine the scene of the incident and collect bedding, clothing, or other items of evidentiary value. A police officer also will conduct a thorough interview to record as many details as possible and as precisely as possible, which may take as long as several hours, depending on the circumstances of the case. Due to the traumatic effects of Sexual Assaults, multiple interviews may be required to get all of the pertinent details of the assault. When UTPD conducts the police interview, the UTPD police officer typically will ask the Complainant whether they want UTPD to call an on-call victim advocate from the Sexual Assault Center of East Tennessee to be present during the Complainant's interview(s).

If the police determine that a crime occurred after concluding its investigation, then the police 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 the police 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.

[2.2.3 How University Policies/Procedures Relate to Criminal Law/Procedures](#)

The University will cooperate with law enforcement if a Complainant decides to pursue the criminal process, to the extent permitted by law. However, the University's Policy and procedures may differ in significant respects from criminal law. A Complainant may seek resolution through the University's grievance process outlined in the Policy, may pursue criminal action, may choose one but not the other, may choose both, or may choose neither. Procedures under the Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. Although the University may delay temporarily the fact-finding portion of its investigation while law enforcement is gathering evidence, the University will implement appropriate Supportive Measures during such a delay. Decisions made or penalties imposed by the University are not based on a result of criminal charges or civil claims 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, in some cases, be used by the University in a University disciplinary proceeding.

[2.2.4 Anonymous Reporting to the Police](#)

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 knoxsheriff.org/Safety-Man/#Safety-Tip, by calling (865) 215-2243, or by texting the word **Knox** to **Crimes 274637**. **Texting is not an alternative to calling 911; in an emergency, call 911.**

[2.3 Reporting to the University](#)

Reporting Prohibited Conduct enables the University to provide Supportive Measures and information regarding the University's grievance process. If an incident is not reported to the University, then the University will not be able to discuss the availability of Supportive Measures or the grievance process with the Complainant. Complainants are not required to report Prohibited Conduct if they do not want the University to respond to the incident or assist with Supportive Measures (Section 4.6). A Complainant may opt to report an incident of Prohibited Conduct but decline to disclose the identity of the Respondent; in that case, a Title IX Official will offer Supportive 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 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.

2.3.1 Who to Contact at the University

Students are encouraged to report Prohibited Conduct to a Title IX Official, who are trained to support Complainants: The University's Title IX Coordinator is:

Ashley Blamey
1817 Melrose Avenue
Knoxville, TN 37996
(865) 974-9600
ashleyblamey@utk.edu
titleix.utk.edu

The University's list of Title IX Officials can be found at: <https://titleix.utk.edu/about-the-office-of-title-ix/title-ix-team/>

As explained in Section 4.3 of the Policy, privacy under this Policy is different than confidentiality. If a Complainant desires to communicate with someone who, by law or by University policy, can keep information confidential, then the Complainant should contact one of the resources outlined in Appendix A, Section 1.2.

If a student discloses information about Prohibited Conduct to a University employee who is not a Title IX Official, then the University employee's duty to report the information to a Title IX Official will depend on whether the University employee is a Mandatory Reporter. All Mandatory Reporters are required to report information about Prohibited Conduct to a Title IX Official. Section 4.5.2.1 of the Policy identifies the University employees who are Mandatory Reporters.

2.3.2 Initial Response and Assessment by the Title IX Coordinator

After receiving a report of Prohibited Conduct, the Title IX Coordinator will take immediate and appropriate steps to:

- Promptly contact the Complainant, to offer to meet with, or otherwise communicate with, the Complainant;
- Discuss the availability of Supportive Measures;
- Consider the Complainant's wishes with respect to Supportive Measures;
- Inform the Complainant of the availability of Supportive Measures with or without filing of a formal complaint;
- Explain to the Complainant the process for filing a formal complaint;
- Implement Supportive Measures (Appendix A, Section 1.5) to eliminate and prevent the recurrence of Prohibited Conduct, deter Retaliation, and remedy the effects of Prohibited Conduct through reasonable support services, accommodations, and other assistance;
- In cases of Sexual Assault, Domestic Violence, Dating Violence, or Stalking, whether the Prohibited Conduct occurred on or off campus, provide a Complainant with a paper or electronic copy of this Policy and/or another written publication approved by the Title IX Coordinator that informs the Complainant of the Complainant's rights and options under this Policy (if that has not already been done by a Mandatory Reporter), which will include: (1) notification about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community; and

- (2) notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- If the Complainant chooses to file a formal complaint, the Title IX Coordinator must make an initial evaluation based on the nature of the conduct alleged and the reported location of the alleged conduct to determine whether the alleged conduct meets the definition of Sexual Harassment that occurs in a University education program or activity in the United States, in which case the formal complaint will be received as a Title IX Sexual Harassment Complaint. If the Title IX Coordinator determines that the alleged conduct is not Title IX Sexual Harassment that occurs in a University education program or activity in the United States but is otherwise Prohibited Conduct to which this Policy applies, the formal complaint will be received as a Non-Title IX Prohibited Conduct Complaint. Regardless of the designation of the formal complaint,⁹ the Title IX Coordinator will initiate the grievance procedures outlined in Appendix C or Appendix D of the Policy; and
 - If the Complainant requests, assist the Complainant in reporting the incident to the police.

The Title IX Coordinator may delegate the authority to take the some or all the steps described above to another Title IX Official.

[2.3.3 Limited Action](#)

If the Complainant declines to respond to outreach, or states that they do not wish to file a formal complaint or participate in an investigation, the University will generally take Limited Action. Limited Action includes providing supportive measures like academic support, safety escorts, no contact directives, and campus support services. If a Complainant chooses not to make a formal complaint, the University will take Limited Action. There are limited circumstances in which the Title IX Coordinator may determine that the University must continue with an investigation without the Complainant's participation or assent, because of the University's commitment to providing a safe and non-discriminatory learning, living, and working environment free from Prohibited Conduct. Section 4.5.2.4 of the Policy explains Limited Action and the limited circumstances where the University will initiate an investigation without the complainant's participation or assent.

[2.3.4 Amnesty for Students Who Report Prohibited Conduct to the University](#)

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 University disciplinary action by the Office of Student Conduct and Community Standards 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 ("Amnesty"). More information on the University's Amnesty policy can be found in Section 4.5.2.5 of the Policy.

⁹ If the formal complaint is received as a Sexual Harassment Complaint, and the conduct alleged in the formal complaint would not constitute Sexual Harassment as defined in this Policy, did not occur in the University's education program or activity, or did not occur against a person in the United States, the Title IX Coordinator is required by federal law to dismiss the formal complaint. However, that dismissal does not preclude the University from taking action under this Policy, including by treating the alleged conduct as Prohibited Conduct to which this Policy applies.

2.3.5 The University's Disclosure Obligations under Federal and Tennessee Law Relating to Reports of Prohibited Conduct

Clery Act

Certain University employees, called Campus Security Authorities, have a duty to report certain incidents including Sexual Assault, Domestic Violence, Dating Violence, and Stalking to the Clery Coordinator 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 and Fire Safety Report. Statistics published in the Annual Security and Fire Safety 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**. Reports by Campus Security Authorities are not official police reports and do not initiate criminal investigations.

In addition to the Annual Security and Fire Safety 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 (clery.utk.edu/clery-map) or the patrol jurisdiction of UTPD.

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 serious or continuing threat 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.

The University's Clery Compliance Coordinator is Jillian Paciello, (865) 974-0544, clery@utk.edu.

FERPA

In accordance with FERPA, personally identifiable information about a Complainant or Respondent who is a student that has been communicated to a Mandatory Reporter regarding Prohibited Conduct will be shared within the University only with Title IX Officials 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 or Respondent 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. If a Respondent who is a student makes a request to review documents concerning the University's investigation or resolution of Prohibited Conduct, the University will be required by FERPA to grant the Respondent's request to inspect and review records that relate specifically to the Respondent. The University may be required, under FERPA regulations, to disclose information regarding a Complainant, where the records cannot be segregated or redacted.

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 that do not contain personally identifiable student information also are generally considered public records under the Tennessee Public Records Act. However, Tennessee law provides that information that is reasonably likely to identify a student accused of committing an alleged sexual offense or alleged violent sexual offense as defined in Tennessee Code Annotated § 40-39-202 or any information that is reasonably likely to identify the victim of an alleged sexual offense or alleged violent sexual offense as defined in Tennessee Code Annotated § 40-39-202, must be treated as confidential and not be open for inspection by members of the public under the Tennessee Public Records Act.

However, upon request by a citizen of Tennessee, the Tennessee Public Records Act requires the University to disclose the final results of any disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of any crime of violence, as that term is defined in 18 U.S.C. § 16, or a non forcible sex offense, if the University determines as a result of that disciplinary proceeding that the student committed a violation of the University's rules or policies with respect to such crime or offense. "Final results" includes only the name of the student who committed the violation, the violation committed, and any sanction imposed by the University on the student. The names of other students, such as a Complainant, are not disclosed without the other students' consent.

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.

Disclosure to Complainants and Respondents During the Disciplinary Process

After the University has formally initiated the grievance procedure a Respondent has rights under federal and state law, including the right to be informed of sufficient details including the identifies of the parties involved, the conduct allegedly constituting Prohibited Conduct, and the date and location of the incident (if known), and the right to equal access to all information that will be used in the disciplinary process.

APPENDIX B CONSENT

The University of Tennessee Knoxville is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment including Sexual Assault, Domestic Violence, Dating Violence, and Stalking (collectively, “Sexual Harassment”), Sexual Exploitation, and Retaliation. Prohibited Conduct is defined in the University’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (the “Policy”).¹⁰

The purpose of this Appendix B is to inform students, employees, and third parties about how the University, in investigations and disciplinary hearings,¹¹ will determine whether sexual act(s) occurred without Consent.

“Consent” means an active agreement to participate in a sexual act. An active agreement is words and/or conduct that communicate a person’s willingness to participate in a sexual act.

Examples of sexual act(s) include, without limitation: vaginal intercourse; anal intercourse; oral sex; any other intrusion, however slight, of a person's finger or any object into any other person’s genitals or anus; the intentional touching of a person's intimate parts (genital area, groin, inner thigh, buttock or breast), the intentional touching of the clothing covering the immediate area of a person's intimate parts, or the intentional touching of any other person with a person’s own intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual gratification.

Consent can be revoked at any time.

- Valid Consent cannot be given if:
 - A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated;
 - A person is Forced; or
 - The sexual penetration of a person by the Respondent would constitute mitigated statutory rape, statutory rape, or aggravated statutory under state law, based on the ages of the Respondent and the other person

- During a sexual encounter, each person has responsibility for obtaining Consent from the other person. During a University investigation or disciplinary hearing, the University has the burden of proving that a sexual act(s) occurred without Consent (and it is not a Respondent’s burden to prove Consent).

- Whether a person has communicated Consent to participate in a sexual act(s) generally is evaluated from the perspective of what a Reasonable Person who perceived the individual’s words and/or non-verbal conduct would have understood; however, in the context of a relationship 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 Sexual Act conclude based on the pattern of communication?).

¹⁰ Capitalized terms have the same meaning in the Policy and Appendix B.

¹¹ Including contested case proceedings under the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 et seq. (“UAPA”).

- A verbal “no” (or words equivalent to “no”) or the nonverbal communication of “no,” even if it sounds or appears insincere or indecisive, 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.
- Consent must exist from the beginning to the end of each sexual encounter and for each sexual act that occurs during a sexual encounter. A person has a right to change their mind; thus, Consent to participate in sexual act(s) may be withdrawn at any time. A withdrawal of Consent is communicated through clear words and/or conduct that indicate that a person no longer agrees to participate in sexual act(s). Once a person’s withdrawal of Consent has been communicated, the other person must cease the sexual act for which Consent was withdrawn and must obtain Consent before reinitiating that sexual act. Consent is automatically withdrawn when a person becomes Incapacitated or is Forced to participate in sexual act(s).
- Consent to one sexual act (e.g., oral sex) does not constitute or imply Consent for another sexual act (e.g., vaginal intercourse), whether during a sexual encounter or based on a previous sexual encounter.
- The following do not communicate a person’s willingness to participate in a sexual act(s):
 - Silence, unless accompanied by non-verbal conduct conveying a willingness to participate in sexual act(s) ;
 - Consent communicated by the person on a previous occasion;
 - Consent communicated to a third person;
 - The person’s failure to resist physical force (however, for purposes of the Policy, the person’s resistance to physical force will be viewed as a clear demonstration that the person has not communicated Consent);
 - A current or previous dating, romantic, intimate, or sexual relationship with the other person;
 - Currently or previously cohabitating with the other person;
 - The person’s attire, reputation, giving or acceptance of gifts, sexual arousal, or extension or acceptance of an invitation to go to a private residence, room, or other location.
- One’s own use of alcohol, drugs, or other substances does not diminish one’s responsibility to obtain Consent from the other person. Another person’s use of alcohol, drugs, or other substances does not diminish one’s responsibility to obtain Consent from that person.

Recommendations on Consent

- The University urges individuals to communicate with one another before and throughout a sexual encounter to ensure Consent exists for every sexual act. Because interpreting non-verbal conduct may lead to misunderstanding and a violation of the Policy, persons subject to the Policy are strongly encouraged to err on the side of caution and not rely solely on the non-verbal conduct of another person in concluding that the other person has communicated Consent.

The University urges individuals to be cautious before engaging in sexual activity when either person has been consuming alcohol or using other drugs. Alcohol and other drugs impair a person’s ability to give Consent and impair a person’s ability to determine whether Consent has been given.

APPENDIX C
PROCEDURES FOR INVESTIGATING AND RESOLVING ALLEGATIONS OF PROHIBITED CONDUCT WHEN THE RESPONDENT IS A STUDENT

The University of Tennessee Knoxville is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct is defined in the University’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (the “Policy”).¹²

Disciplinary proceedings¹³ relating to Prohibited Conduct when the Respondent is a student will be handled by the University in accordance with the Student Code of Conduct (“Code”), as modified and/or clarified by this Appendix C and in compliance with Title IX regulations, 34 C.F.R. 106.45, and Clery Act regulations, 34 C.F.R. § 668.46. At the end of Appendix C, a graphical summary of this process is available for reference. A copy of the Code may be found at studentconduct.utk.edu.

HOW TO FILE A FORMAL COMPLAINT

Prohibited Conduct may be reported to any Title IX Official identified in Section 4 of the Policy. Upon receiving a report of Prohibited Conduct, the Title IX Coordinator (or designee) will promptly contact the Complainant to explain the process for filing a Formal Complaint. The Complainant may also directly contact the Title IX Coordinator or another Title IX Official to file a Formal Complaint.

A Formal Complaint is a document filed by the Complainant (or, in some circumstances, signed by the Title IX Coordinator) alleging Prohibited Conduct against a Respondent and requesting that the University investigate the allegations.

Two types of Formal Complaints may be filed. The Title IX Coordinator or another Title IX Official can explain to a Complainant the options for Formal Complaints.

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

- **Non-Title IX Prohibited Conduct Complaint:** Second, the Complainant may file a Non-Title IX Prohibited Conduct Complaint in a case in which the Prohibited Conduct did not occur in the University’s education program or activity, did not occur in the United States, or is not Sexual

¹² Capitalized terms have the same meaning in the Policy and Appendix C.

¹³ “Disciplinary proceeding” means all activities related to the University’s non-criminal resolution of a report to the University of Prohibited Conduct, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. “Disciplinary proceeding” does not include communications and meetings between Title IX Officials and a Complainant or a Respondent concerning supportive measures.

Harassment as defined in 34 C.F.R. 106.30(a), but would, if proven, violate the Code (i.e., allegations of misconduct in a study abroad program or off-campus misconduct committed against another member of the University community).

Within three (3) business days of receiving a Formal Complaint, the Title IX Coordinator will refer the Formal Complaint to an investigator, who will investigate the allegations.¹⁴

CONFLICT OF INTEREST OR BIAS OF UNIVERSITY OFFICIALS

Disciplinary proceedings relating to Prohibited Conduct will be conducted by persons who do not have a conflict of interest or bias for or against Complainants and Respondents generally or an individual Complainant or Respondent.

Disciplinary proceedings will be conducted in a prompt, fair, and impartial manner from the investigation to the final result. Throughout the grievance process, investigators and decision makers will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

STANDARD OF PROOF

The standard of proof used in disciplinary proceedings is the preponderance of the evidence standard, i.e., whether it is more likely than not that the Respondent violated the Code by engaging in Prohibited Conduct.

RIGHT TO AN ADVISOR

The Complainant and the Respondent have the right to be assisted by an advisor during all stages of a disciplinary proceeding, including all meetings, investigative interviews, and hearings. The advisor may be, but is not required to be, an attorney.

The role of the advisor in the Formal Hearing depends on the type of Formal Hearing (described below) used to resolve the Formal Complaint. The role of the advisor is described in the Code in Sections 5.3. In general, an advisor is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, participate as a witness, or participate directly in any other manner during any phase of the student conduct process, except in a Title IX Hearing. In a Title IX Hearing, the advisor, and not the party, must ask the other party and any witnesses all relevant questions and follow-up questions.

RIGHT TO A SUPPORT PERSON

The Complainant and the Respondent also have the right to be assisted by a support person during all stages of a disciplinary proceeding, including all meetings, investigative interviews, and hearings. A support person may be a friend, a family member, or any individual who is not otherwise a potential witness in the Prohibited Conduct investigation.

¹⁴ Investigations of reports of Prohibited Conduct are usually performed by SCCS. However, for good cause, the Title IX Coordinator may select an investigator(s) external to SCCS, 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 or bias. The investigator(s) may be a University employee, a team of University employees, an external investigator engaged to assist the University, or a team of external investigators engaged to assist the University.

The support person is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, participate as a witness, or participate directly in any other manner during any phase of the student conduct process.

INVESTIGATIONS OF PROHIBITED CONDUCT

In all investigations of Prohibited Conduct, the University must ensure that the burden of proof of gathering evidence rests on the University and not on the parties. The University will provide an equal opportunity for the parties to identify and present witnesses for interview, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence. The University will provide written notice of the date, time, location, participants, and purpose of all investigative interviews and other meetings, with sufficient time to prepare to participate.

At the end of the investigation, the University will prepare an investigative report setting forth a preliminary recommendation as to whether the Respondent shall be held responsible or not, and, if responsible, a non-binding proposed sanction. The investigative report will be provided to the parties and the disciplinary board or hearing officer in a Formal Hearing, but the preliminary recommendation and any non-binding proposed sanction will be removed from the report before it is provided to the disciplinary board or hearing officer.

Prior to preparing a written investigative report, the University will provide both parties with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint. The parties will have ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report. The investigation will generally be completed within sixty-five (65) business days.

The University will send the investigative report to each party and the party's advisor. Within ten (10) business days after being sent the reports, each party may make a written response to the investigative report, which will be provided to the other party. No hearing shall take place until the ten (10) days to respond has lapsed, even if a response from a party has been received earlier.

DISMISSAL OF COMPLAINTS

If a Complainant files a Title IX Prohibited Conduct Complaint, the University must investigate the allegations. Under federal law, the University must dismiss a Title IX complaint if the conduct alleged in the Title IX Complaint (i) would not be Sexual Harassment, even if proven; (ii) did not occur in the University's "education program or activity;" or (iii) did not occur within the United States. However, if the Title IX Prohibited Conduct Complaint is dismissed, the Complainant has the option of filing a Non-Title IX Prohibited Conduct Complaint requesting the University investigate allegations that may, if proven, violate the Code.

The University may dismiss, but is not required to dismiss, a Formal Complaint (both Title IX and Non-Title IX) if, at any time during the investigation and hearing: (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint; (2) the Respondent is no longer a student; or (3) specific circumstances prevent the University from gathering sufficient evidence to reach a determination as to the Respondent's responsibility.

COMPLAINANT’S RIGHT TO APPEAL A NO ACTION DETERMINATION IN A NON-TITLE IX PROHIBITED CONDUCT COMPLAINT

If the investigation of a Non-Title IX Prohibited Conduct Complaint concludes with SCCS making a determination that no action will be taken with respect to a report of Prohibited Conduct, then the Complainant may appeal that determination in accordance with Section 7.5.1 of the Code. Under the Code, a Complainant who is informed by SCCS of a no action determination may appeal the decision to SCCS, in writing, within five (5) business days of the date that SCCS transmitted notice of the no action determination to the Complainant. If the investigation of a Non-Title IX Prohibited Conduct Complaint concludes with SCCS making a final determination that no action will be taken with respect to a report of Non-Title IX Prohibited Conduct, then the Complainant may appeal that determination to the Director of Student Conduct, in writing, within seven (7) calendar days of the date that SCCS transmitted notice of the no action determination to the Complainant. Upon receipt of the appeal, SCCS will send a copy of the appeal to the Respondent. The Respondent may respond to the appeal by filing a written response within three (3) calendar days after receipt of the Complainant’s appeal. The Director of Student Conduct may affirm the decision of SCCS, reverse the decision and direct SCCS to charge the Respondent with violating the Standards of Conduct, or remand the matter for additional investigation or consideration. The Director of Student Conduct shall issue a decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the Complainant’s appeal or the Respondent’s response, Following the appeal, the respondent will receive notice. The decision of SCCS to affirm the no action determination is final and may not be appealed.

At the conclusion of an investigation of a Title IX Prohibited Conduct Complaint, however, SCCS may not make a determination that no action will be taken. Therefore, Section 7.5.1 of the Code does not apply to a Title IX Complaint.

FORMAL HEARINGS

NON-TITLE IX PROHIBITED CONDUCT

In Non-Title IX Prohibited Conduct cases that do not result in a determination that no action will be taken will proceed to a Formal Hearing. Sections VII through IX of the Code describe the types of Formal Hearings that will be used in cases of Prohibited Conduct.

A Non-Title IX Prohibited Conduct Complaint may be resolved by a hearing before the Student Life Hearing Officer, a hearing before the Student Conduct Board, or, in some cases, a hearing under state law, the Uniform Administrative Procedures Act.¹⁵ Sections VII and VIII of the Code describe the process for those hearings. The University generally concludes these hearings with a decision within thirty (30) business days of the end of the investigation.

Student Life Hearing Officer (SLHO) Hearing / Student Conduct Board (SCB) Hearing		
Step	Code Reference	Anticipated Timeline
Complainant and Respondent provide names of advisors and	Section 8.3.1	At least five (5) business days prior to the hearing

¹⁵ The timelines described below do not apply if a Respondent exercises the right to have a hearing conducted under state law, the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 et seq. (“UAPA”). If a Respondent exercises a right to a UAPA hearing, then an administrative judge will be appointed by the University’s Agency Head typically within five (5) business days of the Respondent’s request for a UAPA hearing. The timelines for a UAPA hearing are governed by the UAPA.

Student Life Hearing Officer (SLHO) Hearing / Student Conduct Board (SCB) Hearing		
Step	Code Reference	Anticipated Timeline
witnesses, evidence, and any statements to SCCS		
SCCS provides all copies of the information submitted by the parties to the other party and the SLHO or SCB	Section 8.3.2	At least three (3) business days prior to the hearing
Notice of Decision issued by SLHO or SCB	Section 8.5.4	Within three (3) business days of the conclusion of the hearing

TITLE IX PROHIBITED CONDUCT

A Title IX Prohibited Conduct Complaint must be resolved through the Title IX Hearing process, unless the parties agree to an Informal Resolution. Section IX of the Code describes the process for a Title IX Hearing. The University generally concludes these hearings with a decision within forty (40) business days of the end of the investigation.

For ease of reference, the following charts show the steps that generally apply in Formal Hearings. The parties are directed to the provisions of the Code for additional information.

Title IX Hearing		
Step	Code Reference	Anticipated Timeline
Notice of Title IX Hearing sent to Complainant and Respondent	Section 9.3	At least ten (10) business days prior to the hearing
Complainant and Respondent provide names of advisors to Title IX Hearing Officer, or inform Title IX Hearing Officer that they have no advisor and an advisor will be appointed	Section 9.4	At least five (5) business days prior to the hearing
Notice of Decision issued by Title IX Hearing Officer	Section 9.7	Within ten (10) business days of the conclusion of the hearing

APPEALS

The Complainant and the Respondent have equal rights to appeal the decision after a Formal Hearing. Code Section 8.6 describes the appeal process for appealing a decision by a Student Life Hearing Officer or Student Conduct Board. Code Section 9.8 describes the process for appealing a decision by the Title IX Hearing Officer.

For ease of reference, the following charts show the steps that generally apply in appeals. The parties are directed to the provisions of the Code for additional information.

Appeals from Student Life Hearing Officer or Student Conduct Board Decision (Non-Title IX Prohibited Conduct)		
Step	Code Reference	Anticipated Timeline
Notice of Appeal filed	Section 8.6.2	Within five (5) business days of the transmittal of the decision

SCCS determines whether the appeal is procedurally valid	Section 8.6.6	Within five (5) business days of receipt of the Notice of Appeal
SCCS appoints Appellate Board and transmits Notice of Appeal to Appellate Board	Section 8.6.8	As soon as practicable
Non-appealing party may submit written response to Appellate Board	Section 8.6.8	Within five (5) business days of transmittal of Notice of Appeal
Appellate Board issues Notice of Final Decision	Section 8.6.12	Within ten (10) business days

Appeals from Title IX Hearing Officer Decision		
Step	Code Reference	Anticipated Timeline
Notice of Appeal filed	Section 9.8.2	Within five (5) business days of the transmittal of the decision
SCCS notifies non-appealing party of appeal	Section 9.8.2	As soon as practicable
Both parties may submit written statement in support of or opposition to decision to the Vice Chancellor for Student Life	Section 9.8.5	Within five (5) business days of the date on which the non-appealing party received notice that the other party filed a Notice of Appeal
Notice of Decision issued by the Vice Chancellor for Student Life	Section 9.8.5	Within five (5) business days of receipt of written statements

ANTICIPATED TIMELINES

Although the University strives to adhere to the timelines described above, in each case, the University may extend the times frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the complexity of the disciplinary proceeding; 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, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening University holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances. In the event that the need arises to adjust, the timelines described above 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 timelines.

POSSIBLE SANCTIONS

Following a determination under the Code that a student is responsible for engaging in Prohibited Conduct, the Student Life Hearing Officer, Student Conduct Board, or Title IX Hearing Officer will issue a sanction. Section IX of the Code identifies the possible sanctions that may be imposed if, after the conclusion of the student conduct process, a Respondent is found responsible for engaging in Prohibited Conduct. Possible sanctions include: warning; disciplinary probation; deferred suspension; suspension; expulsion; withholding of degree; disciplinary probation for student organizations; social probation for student organizations; revocation or suspension of University registration for student organizations; educational activities;

restitution; supervised work/service; loss or restriction of privileges; University housing reassignment or removal; and/or mandatory education. Any sanction imposed by the SLHO, SCB, or Title IX Hearing Officer may be appealed as set forth in Sections VIII and IX of the Code. Once a sanction decision is final, SCCS will ensure the effective implementation of final sanctions. The Title IX Coordinator is responsible for effective implementation of any remedies.

RESOLUTION WITHOUT A FORMAL HEARING

The Code provides processes by which Formal Complaints may be resolved without a Formal Hearing. These processes differ depending on whether the Formal Complaint is a Title IX Prohibited Conduct Complaint or a Non-Title IX Prohibited Conduct Complaint.

Alternative Resolution of Non-Title IX Prohibited Conduct Complaints. Section 7.3 applies to Non-Title IX Prohibited Conduct Complaints. Section 7.3 of the Code provides that, at any time during the student conduct process, allegations against a Respondent may be resolved through an alternative resolution. An alternative resolution is a resolution that is reached through a process and/or by a sanction or restriction not described in the Code. Before proposing an alternative resolution in a case involving Prohibited Conduct, SCCS shall consult with the Title IX Coordinator and determine whether an alternative resolution would be appropriate based on the facts and circumstances of the case, and, if so, what type of alternative resolution process should be used.

Examples of alternative resolution processes that may be proposed by SCCS include but are not limited to mediation, facilitated dialogue, conflict coaching, and restorative justice. The process of trying to reach an alternative resolution is voluntary (i.e., neither the Respondent nor a Complainant is required to participate). At any time during an alternative resolution process, either the Complainant or the Respondent may request that the process cease and the investigation and Formal Hearing process continue.

An Alternative Resolution Agreement is a written agreement that confirms an agreement to resolve the allegations against the Respondent through an alternative resolution. To be valid, an Alternative Resolution Agreement shall in all cases be signed by SCCS and the Respondent, and shall include a waiver of the Respondent's right, if any, to have a Formal Hearing on the allegations. Prior to the execution of an Alternative Resolution Agreement, if a Complainant has not participated with SCCS in the discussion of an alternative resolution, then SCCS will provide the Complainant with an opportunity to provide a timely objection to the proposed alternative resolution. In appropriate cases, SCCS may request the Complainant to sign an Alternative Resolution Agreement and determine that the Alternative Resolution Agreement is not effective without the Complainant's signature. Neither the Respondent nor the Complainant may revoke or appeal an Alternative Resolution Agreement.

If an Alternative Resolution Agreement is not reached, then the investigation and Formal Hearing process will proceed, and the allegations against the Respondent will be resolved through one of the other resolution methods in the Code.

Informal Resolution of Title IX Prohibited Conduct Complaints. Section 7.4 applies to Title IX Prohibited Conduct Complaints. Section 7.4 of the Code provides that, at any time prior to reaching a determination regarding responsibility, SCCS may facilitate an informal resolution process with the Complainant and the Respondent. SCCS will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. SCCS will provide to the parties a written notice disclosing the allegations, as well as the requirements of the informal resolution process, including the circumstances

under which the parties cannot resume the investigation or Title IX Hearing process arising from the same allegations.

At any time prior to agreeing to an informal resolution, any party has the right to withdraw from the informal resolution process and resume the investigation and Title IX Hearing process.

UNIFORM ADMINISTRATIVE PROCEDURES ACT FOR NON-TITLE IX PROHIBITED CONDUCT COMPLAINTS

Chapter 1720-1-5 of the Rules of the University of Tennessee (<https://publications.tnsosfiles.com/rules/1720/1720-01/1720-01-05.20180524.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 a Non-Title IX Prohibited Conduct Complaint, the administrative judge or hearing officer must modify those procedures when required to comply with federal law, including without limitation, the Clery Act and FERPA. In Non-Title IX Prohibited Conduct cases, where the University recommends a sanction of deferred suspension, suspension, expulsion, withholding of degree, or revocation of degree or greater, a Respondent may elect a contested case hearing. In Title IX Prohibited Conduct cases, the decision of the Title IX Hearing Officer is only subject to the appeals process provided in Section IX of the Code and mandated by the Title IX regulations. For Formal Complaints in Title IX Prohibited Conduct cases, the Title IX regulations preempt the Uniform Administrative Procedures Act. 34 C.F.R. § 106.6(h).

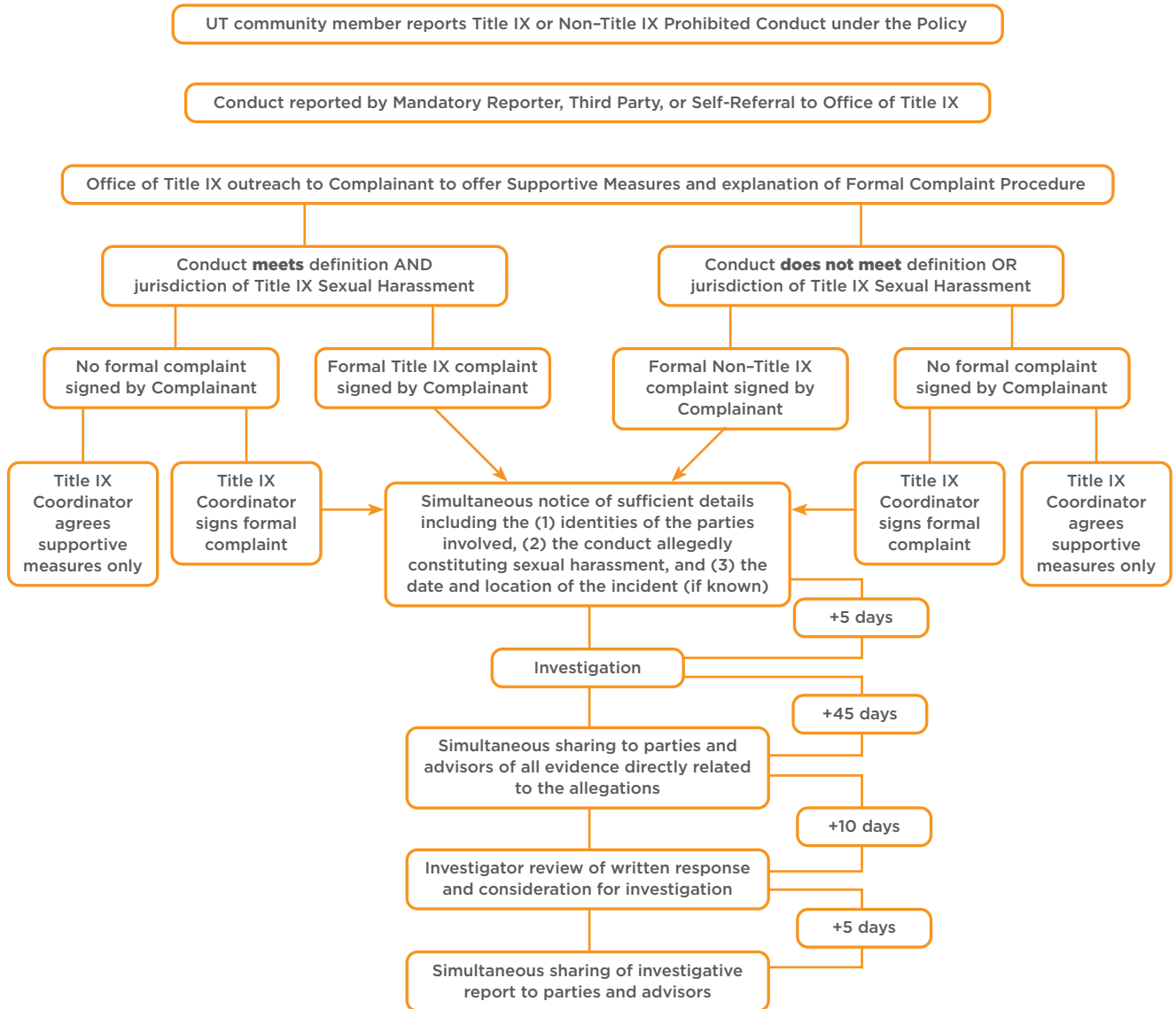
TRAINING FOR UNIVERSITY OFFICIALS

Disciplinary proceedings relating to Prohibited Conduct will be conducted by persons who receive annual training on the issues related to Prohibited Conduct. Title IX Officials, investigators, Title IX Hearing Officers, and any other person who makes decisions in a case involving Title IX Allegations, at a minimum, receive annual training on: (1) the definitions of Prohibited Conduct included in this Policy; (2) the scope of the University's "education program or activity; (3) how to conduct the grievance process outlined in the Policy and Code (including investigations, hearings, appeals, and informal resolution processes); and (4) how to serve impartially (including avoiding conflicts of interest, personal biases, and prejudgment of the facts of a matter. In addition, all investigators will receive training on issues of relevance and drafting an investigative report that fairly summarizes the evidence.

All Title IX Hearing Officers, and any other person who makes decisions in a case involving Title IX Allegations, will receive necessary training on technology to be used at a live hearing, as well as on issues of relevance of questions and evidence.

Training materials used to train Title IX Officials, investigators, Title IX Hearings Officers, and other decision makers will be publicly maintained at titleix.utk.edu.

Title IX & Non-Title IX Prohibited Conduct Complaints & Investigations (1 of 3)*



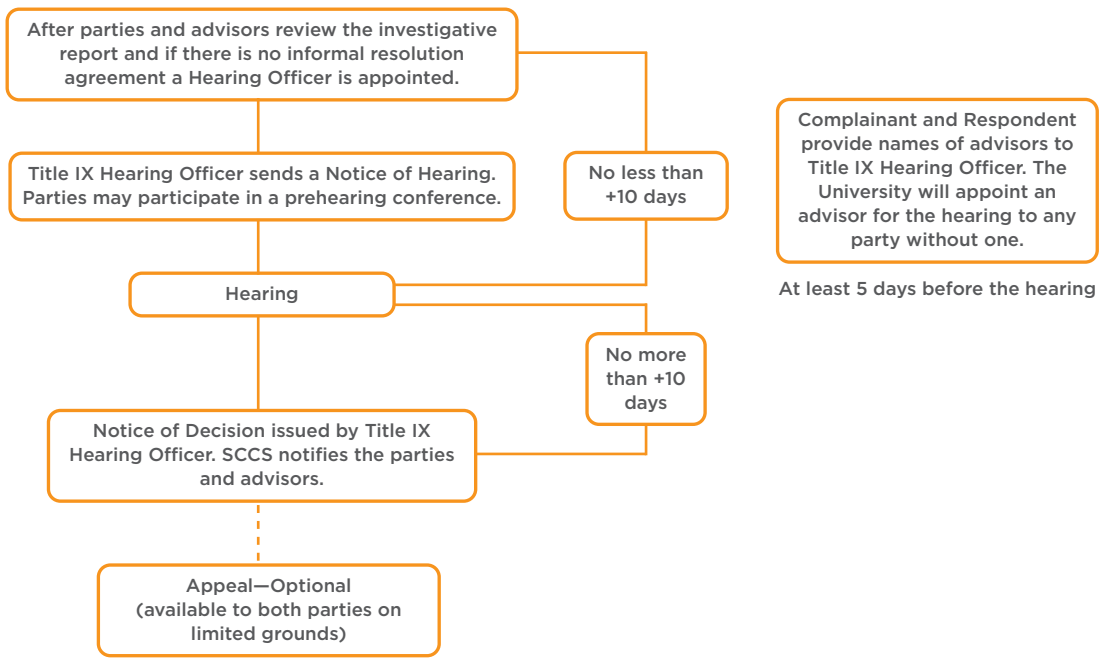
Informal Resolution (Title IX) can occur at any time following formal complaint and prior to a finding of responsibility. An Alternative (Non-Title IX) Resolution may occur following a formal complaint and prior to a finding of responsibility.

*The flow chart is a summary graphical representation. For full detail and information see the Policy and associated Code of Conduct.

Title IX Prohibited Conduct Hearing and Appeals (2 of 3)*

A Title IX Prohibited Conduct Complaint must be resolved through the Title IX Hearing process, unless the parties agree to an Informal Resolution. Section IX of the Code describes the process for a Title IX Hearing. The University generally concludes these hearings with a decision within forty (40) business days of the end of the investigation.

Informal Resolution can occur at any time following formal complaint and prior to a finding of responsibility.

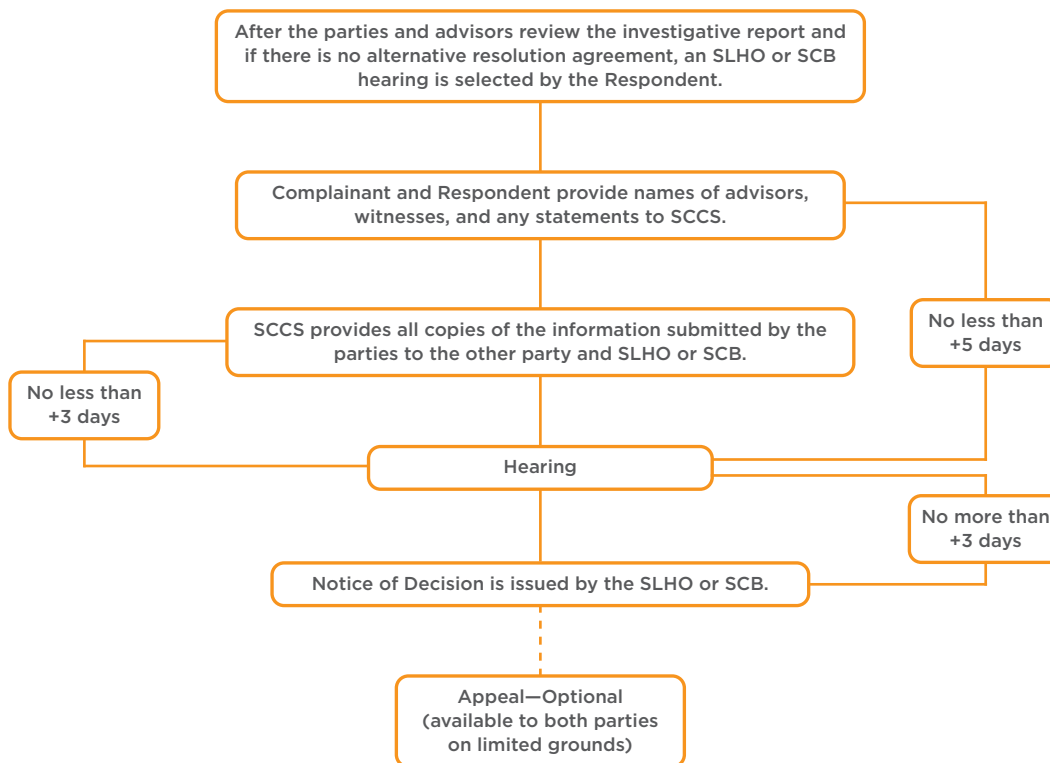


*The flow chart is a summary graphical representation. For full detail and information see the Policy and associated Code of Conduct.

Non-Title IX Prohibited Conduct Hearing and Appeals (3 of 3)*

A Non-Title IX Prohibited Conduct Complaint may be resolved by a hearing before the Student Life Hearing Officer, a hearing before the Student Conduct Board, or, in some cases, a hearing under state law, the Uniform Administrative Procedures Act. Sections VII and VIII of the Code describe the process for those hearings, unless the University agrees to an Alternative Resolution. The University generally concludes these hearings with a decision within thirty (30) business days of the end of the investigation.

The timelines described do not apply if a Respondent exercises the right to have a hearing conducted under state law, the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 et seq. ("UAPA"). If a Respondent exercises a right to a UAPA hearing, then an administrative judge will be appointed by the University's Agency Head typically within five (5) business days of the Respondent's request for a UAPA hearing. The timelines for a UAPA hearing are governed by the UAPA.



*The flow chart is a summary graphical representation. For full detail and information see the Policy and associated Code of Conduct.

An Alternative Resolution may occur at any time following formal complaint and prior to a finding of responsibility.

APPENDIX D
PROCEDURES FOR INVESTIGATING AND RESOLVING ALLEGATIONS OF PROHIBITED CONDUCT WHEN THE RESPONDENT IS AN EMPLOYEE OR THIRD PARTY

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct is defined in the University’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (the “Policy”).¹⁶

The process for investigating and resolving Prohibited Conduct when the Respondent is an employee or third party (such as a visitor to campus or a contractor) will be handled by the University’s Office of Equity and Diversity/Inclusion (OED or OEI) in accordance with University Human Resources Policies (applicable to all employees) and the Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure (BT0006) (applicable to faculty), as modified and/or clarified by this Appendix D and Appendix D-1, and in compliance with Title IX regulations, 34 C.F.R. 106.45, and Clery Act regulations, 34 C.F.R. § 668.46.¹⁷

HOW TO FILE A FORMAL COMPLAINT

Prohibited Conduct may be reported to any Title IX Official identified in Section 4 of the Policy. Upon receiving a report of Prohibited Conduct, the Title IX Coordinator (or designee) will promptly contact the Complainant to explain the process for filing a Formal Complaint.

A Formal Complaint is a document filed by the Complainant (or, in some circumstances, signed by the Title IX Coordinator) alleging Prohibited Conduct against a Respondent and requesting that the University investigate the allegations.

Two types of Formal Complaints may be filed. The Title IX Coordinator or other Title IX Official can explain to a Complainant the options for Formal Complaints.

First, a Complainant may file a **Title IX Prohibited Conduct Complaint** in a case involving allegations that a Respondent’s conduct constitutes Sexual Harassment in the University’s education program or activity in the United States as defined in 34 C.F.R. 106.30(a) (“Title IX Allegations”). For Title IX Allegations, the University’s “education program or activity” includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

Second, the Complainant may file a **Non-Title IX Prohibited Conduct Complaint** in a case in which the Prohibited Conduct did not occur in the University’s education program or activity, did not occur in the United States, or is not Sexual Harassment as defined in 34 C.F.R. 106.30(a), but would, if proven, violate the Policy (i.e., allegations of misconduct in a study abroad program or off-campus misconduct committed against another member of the University community).

As soon as practicable after the filing of a Formal Complaint, OED will provide a Notice of Receipt of Formal Complaint to the parties who are known. The Notice of Receipt of Formal Complaint shall include the

¹⁶ Capitalized terms have the same meaning in the Policy and Appendix D and D-1.

¹⁷ The procedures set forth in Appendix D and D-1 will discuss employee Respondents, and will be modified, as needed, for third parties.

following information: (1) notice of the process that applies to the allegations; (2) the identities of the parties involved in the incident; (3) the conduct allegedly constituting the violation; (4) the date and location of the incident, if known; (5) a statement that the Respondent is presumed not responsible for the alleged conduct; (6) a statement that a determination regarding responsibility is made at the conclusion of the process; (7) the parties' right to have an Advisor of their choice, who may be, but is not required to be, an attorney; (8) the parties' right to inspect and review evidence; and (9) notice that providing false information to a University official is a violation of the Code of Conduct, HR0580.

If a Complainant files a Title IX Prohibited Conduct Complaint, the University must investigate the allegations. Under federal law, the University must dismiss a Title IX Prohibited Conduct Complaint if the conduct alleged in the complaint (i) would not be Sexual Harassment, even if proven; (ii) did not occur in the University's "education program or activity;" or (iii) did not occur within the United States. However, if the Title IX Prohibited Conduct Complaint is dismissed, the Complainant has the option of filing a Non-Title IX Prohibited Conduct Complaint requesting the University investigate allegations that may, if proven, still violate the Policy.

The University may dismiss, but is not required to dismiss, a Formal Complaint (both Title IX and Non-Title IX) if, at any time during the investigation and hearing: (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint; (2) the Respondent is no longer employed; or (3) specific circumstances prevent the University from gathering sufficient evidence to reach a determination as to the Respondent's responsibility.

In addition to Formal Complaints under the Policy regarding Prohibited Conduct, anyone can file a complaint under the University's Human Resources Policy prohibiting sexual harassment (HR0280). HR0280 prohibits sexual harassment (and other discrimination) in employment. The requirements for investigating and resolving a matter under HR0280 differ from the requirements under this policy, and the University may be obligated to investigate an allegation of harassment under HR0280 regardless of whether a Formal Complaint is filed. Employees wishing to file a complaint under HR0280 must do so within 300 days of the alleged violation.

ADMINISTRATIVE LEAVE

In any case involving Prohibited Conduct, the University may place any employee on administrative leave during the pendency of the grievance process.

CONFLICT OF INTEREST OR BIAS OF UNIVERSITY OFFICIALS

Investigations, hearings, and appeals relating to Prohibited Conduct will be conducted by persons who do not have a conflict of interest or bias for or against Complainants and Respondents generally or an individual Complainant or Respondent.

Investigations, hearings, and appeals will be conducted in a prompt, fair, and impartial manner from the investigation to the final result. Throughout the grievance process, investigators and decision makers will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

STANDARD OF PROOF

The standard of proof used in deciding Prohibited Conduct complaints is the preponderance of the evidence standard, i.e., whether it is more likely than not that the Respondent engaged in Prohibited Conduct.

RIGHT TO AN ADVISOR

The Complainant and the Respondent have the right to be assisted by an Advisor during all stages of the Prohibited Conduct investigation and, if applicable, hearing process, including all meetings, investigative interviews, and hearings. The Advisor may be, but is not required to be, an attorney.

In general, an Advisor is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, participate as a witness, or participate directly in any other manner during any phase of the process, except in a Title IX Hearing. In a Title IX Hearing, the Advisor, and not the party, must ask the other party and any witnesses all relevant questions and follow-up questions

If a Complainant or Respondent does not have an Advisor at a Title IX Hearing, the University will provide one (selected by the University) without fee or charge to that party.

RIGHT TO A SUPPORT PERSON

The Complainant and the Respondent also have the right to be assisted by a support person during all stages of the Prohibited Conduct investigation, and if applicable hearing process, including all meetings, investigative interviews, and hearings. A support person may be a friend, a family member, or any individual who is not otherwise a potential witness in the Prohibited Conduct investigation. The support person is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, participate as a witness, or participate directly in any other manner during any phase of the investigation or grievance process.

INVESTIGATIONS

Within three (3) business days of receiving a Formal Complaint, the Title IX Coordinator will refer the Formal Complaint to an investigator, who will investigate the allegations.¹⁸

In all investigations of Prohibited Conduct, the University must ensure that the burden of proof and the burden of gathering evidence rests on the University and not on the parties. The University may interview and re-interview the Complainant, the Respondent, and/or any other person at any time during the investigation in order to obtain additional and/or clarifying information. The University will provide an equal opportunity for the parties to identify and present witnesses for interview, including fact witnesses and expert witnesses, and present other inculpatory and exculpatory evidence. The University will provide

¹⁸ Investigations of reports of Prohibited Conduct are usually performed by OED/OEI. However, for good cause, the Title IX Coordinator may select an investigator(s) external to OED/OEI, 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 or bias. The investigator(s) may be a University employee, a team of University employees, an external investigator engaged to assist the University, or a team of external investigators engaged to assist the University. Good cause may include circumstances in which OED/OEI has a conflict of interest (e.g. an OED/OEI employee or someone who has oversight over OED/OEI is a party or witness), the complexity of the case requires expertise or resources external to OED/OEI; and the workload of OED/OEI require an investigator external to OED/OEI to timely investigate a case.

written notice of the date, time, location, participants, and purpose of all investigative interviews and other meetings, with sufficient time to prepare to participate.

At the end of the investigation, the University will prepare an investigative report setting forth a preliminary recommendation as to whether the Respondent shall be held responsible or not. The investigative report will be provided to the parties and the appropriate University administrator in Non-Title IX Prohibited Conduct Cases, and provided to the parties and the Title IX Hearing Officer in Title IX Prohibited Conduct Cases. In Title IX Prohibited Conduct cases, the preliminary recommendation will be removed from the report before it is provided to the Title IX Hearing Officer.

Prior to preparing a written investigative report, the University will provide both parties with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint. The parties will have ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report. The investigation will generally be completed within sixty-five (65) business days.

The University will send the investigative report to each party and the party's Advisor. Within ten (10) business days after being sent the reports, each party may make a written response to the investigative report, which will be provided to the other party. A hearing, if required, shall not take place until the ten (10) days to respond has lapsed, even if a response from a party has been received earlier.

DISPOSITION OF NON-TITLE IX MATTERS

If the investigation of a Non-Title IX Prohibited Conduct Complaint concludes with the University making a determination that the evidence does not support the allegations, then the Complainant may request an administrative review of that decision by the Chancellor. Such a request must be made in writing to OED within fifteen (15) business days after the investigative report is issued to the parties.

If the investigation results in determination that the Respondent is responsible and/or a sanction, the Respondent's right to appeal the determination or any sanction imposed is governed by the University's Disciplinary Action policy (HR0525) (for staff) or the University's Faculty Handbook (for faculty) The Complainant may also request an administrative review of a sanction decision by the Chancellor.

DISPOSITION OF TITLE IX MATTERS

At the conclusion of all investigations of Title IX Prohibited Conduct Complaints, the case will proceed to a Title IX Hearing, unless the parties agree to an Informal Resolution. Complaints by a student against an employee cannot be resolved through an Informal Resolution. The University generally concludes a Title IX Hearing with a decision within forty (40) business days of the end of the investigation. Appendix D-1 describes the Title IX Hearing process.

The Complainant and the Respondent have equal rights to appeal the decision after a Title IX Hearing, or a decision by the University to dismiss a Formal Complaint. Appendix D-1 describes the process for appealing a decision by the Title IX Hearing Officer, and the same process shall apply to appeals of the University's decision to dismiss a Formal Complaint of Title IX Allegations.

ANTICIPATED TIMELINES

Although the University strives to adhere to the timelines described above and in Appendix D-1, in each case, the University may extend the times frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the complexity of the disciplinary proceeding; 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, Advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening University holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances. In the event that the need arises to adjust the timelines described above 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 timelines.

POSSIBLE SANCTIONS

Following a determination that an employee is responsible for engaging in Prohibited Conduct, the appropriate University administrator (in a Non-Title IX Prohibited Conduct Complaint) or the Title IX Hearing Officer (in a Title IX Prohibited Conduct Complaint) will issue a sanction. Possible sanctions range from a verbal warning to termination, and include: verbal or written warning, written reprimand or censure, a suspension with or without pay, probation, demotion, removal or alteration of job responsibilities (and a corresponding loss of pay), and termination. A sanction for faculty members could also include revocation of tenure and revocation of emeritus status.

Any sanction imposed may be appealed as set forth above and in Appendix D-1. Once a sanction decision is final, the University will ensure the effective implementation of the final sanctions. The Title IX Coordinator is responsible for effective implementation of any remedies.

INFORMAL RESOLUTIONS

In some cases, Formal Complaints may be resolved prior to the conclusion of the OED investigation. These resolution processes differ depending on whether the Formal Complaint is a Title IX Prohibited Conduct Complaint or a Non-Title IX Prohibited Conduct Complaint, and may not be available in all cases.

Alternative Resolution of Non-Title IX Prohibited Conduct Complaints. Any time during the investigation process, allegations against a Respondent may be resolved through an alternative resolution. An alternative resolution is a resolution that is reached through a process and/or by a sanction or restriction outside of the normal process.

An Alternative Resolution Agreement is a written agreement that confirms an agreement to resolve the allegations against the Respondent through an alternative resolution. To be valid, an Alternative Resolution Agreement shall in all cases be signed by OED/OEI and the Respondent. In appropriate cases, OED/OEI may request the Complainant to sign an Alternative Resolution Agreement and determine that the Alternative Resolution Agreement is not effective without the Complainant's signature. Neither the Respondent nor the Complainant may revoke or appeal an Alternative Resolution Agreement.

Informal Resolution of Title IX Prohibited Conduct Complaints. At any time prior to reaching a determination regarding responsibility, OED/OEI may facilitate an informal resolution process with the Complainant (who is not a student) and the Respondent. OED/OEI will not facilitate an information resolution process without both parties' agreement, and will obtain their voluntary, written consent.

OED/OEI will provide to the parties a written notice disclosing the allegations, as well as the requirements of the informal resolution process, including the circumstances under which the parties cannot resume the investigation or Title IX Hearing process arising from the same allegations. By law, when the Complainant is a student, the University is not permitted to resolve a Title IX Prohibited Conduct Complaint through an informal resolution.

At any time prior to agreeing to an informal resolution, any party has the right to withdraw from the informal resolution process and resume the investigation and Title IX Hearing process.

TRAINING FOR UNIVERSITY OFFICIALS

Proceedings relating to Prohibited Conduct will be conducted by persons who receive annual training on the issues related to Prohibited Conduct. Title IX Officials, investigators, Title IX Hearing Officers, and any other person who makes decisions in a case involving Title IX Allegations, at a minimum, receive annual training on: (1) the definitions of Prohibited Conduct included in this Policy; (2) the scope of the University's education program or activity; (3) how to conduct the grievance process outlined in the Policy and Appendix D-1 (including investigations, hearings, appeals, and informal resolution processes); and (4) how to serve impartially (including avoiding conflicts of interest, personal biases, and prejudgment of the facts of a matter). In addition, all investigators will receive training on issues of relevance and drafting an investigative report that fairly summarizes the evidence.

All Title IX Hearing Officers, and any other person who makes decisions in a case involving Title IX Allegations, will receive necessary training on technology to be used at a live hearing, as well as on issues of relevance of questions and evidence.

Training materials used to train Title IX Officials, investigators, Title IX Hearings Officers, and other decision makers will be publicly maintained at titleix.utk.edu.

APPENDIX D-1
OED/OEI TITLE IX HEARINGS AND APPEALS

- (1) **The Title IX Hearing.** Any case involving allegations that a Respondent's conduct constitutes Sexual Harassment in the University's education program or activity in the United States as defined in 34 C.F.R. 106.30(a) ("Title IX Allegations") will be resolved through a Title IX Hearing. The Title IX Hearing must be conducted in accordance with 34 C.F.R. 106.45.
- (2) **The Title IX Hearing Officer.** The Director of OED/OEI will appoint a qualified Title IX Hearing Officer to conduct the Title IX Hearing and will notify the parties and their Advisors, if any, of the appointment. The Title IX Hearing Officer may be a University employee, a team of University employees, an external person engaged to conduct the Title IX Hearing, or a team of external people engaged to conduct the Title IX Hearing. A party may object to the appointment of any Title IX Hearing Officer, in writing to OED/OEI. Any objection must be received within three (3) days of the notice of appointment, and it must state the party's grounds for objecting. The Director of OED/OEI will decide whether an objection is justified, and that decision is final. If a Title IX Hearing Officer is removed based on an objection, the Director of OED/OEI will appoint a new qualified Title IX Hearing Officer to conduct the Title IX Hearing
- (3) **Notice of Title IX Hearing.**
 - (a) **When a Notice of Title IX Hearing is Sent.** The Title IX Hearing Officer will send the Respondent and the Complainant a Notice of Title IX Hearing at least ten (10) business days in advance of the date of the hearing.
 - (b) **Information in the Notice of Title IX Hearing.** The Notice of Title IX Hearing will contain, or be accompanied by, the following information: (1) the date, time, and place of the Title IX Hearing; (2) notice of the right to have an Advisor of the party's choice, who may be, but is not required to be, an attorney, and that, if the party does not have an Advisor present at the hearing, the University will provide an Advisor of the University's choice, without fee or charge, to ask the other party and any witnesses all relevant questions and follow-up questions on behalf of that party; (3) notice that any cross-examination of any other party or witness must be conducted by the Advisor, and never by a party personally; and (4) notice that all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint will be available to the parties at the hearing. Other pre-hearing information may also be included in the Notice of Title IX Hearing. Any Title IX Hearing may be rescheduled by the Title IX Hearing Officer or upon request of any party and for good cause shown.
 - (c) **More than One Respondent.** In cases involving more than one (1) Respondent, Title IX Hearings concerning each Respondent's conduct may be conducted separately upon written request of a party submitted at least seven (7) business days in advance of the hearing. The University has the discretion to make the final determination of whether to grant such a request and will notify parties of the decision.
 - (d) **Consequences of Failing to Attend a Title IX Hearing.** If a party fails to attend a Title IX Hearing, the Title IX Hearing Officer may proceed with the Title IX Hearing without that party's participation.

(4) **General Rules Governing Title IX Hearings.**

- (a) The Title IX Hearing will take place no sooner than ten (10) business days after the parties' receipt of the written investigative report.
- (b) The Title IX Hearing Officer may conduct pre-hearing meetings or conferences with the parties and their Advisors, if any, to discuss any pre-hearing issues, including but not limited to, the date of the hearing, the location of the hearing, any technology to be used at the hearing, the general rules governing the hearing, including any rules of decorum, the identification of witnesses, and the availability of evidence at the hearing,
- (c) Each party must notify the Title IX Hearing Officer at least five (5) business days before the hearing of the identity of the party's Advisor, if any, or that the party does not have an Advisor so that the University can provide an Advisor.
- (d) At the request of either party, the University will provide for the hearing to occur with the parties located in separate rooms with technology enabling the Title IX Hearing Officer and parties to simultaneously see and hear the party or the witness answering questions.
- (e) Upon the request and for good cause shown, a Title IX Hearing Officer may permit the participation of witnesses who were not identified by the party to the investigator, or the inclusion of evidence not provided by the party to the investigator.

(5) **Procedural Rules for Title IX Hearings.**

- (a) **Authority of the Title IX Hearing Officer.** The Title IX Hearing Officer has the authority to maintain order and make all decisions necessary for the fair, orderly, and expeditious conduct of the Title IX Hearing. The Title IX Hearing Officer shall be the final decision maker concerning what, how, and in what order witnesses are questioned and evidence is examined.
- (b) **Exclusion of Information.**
 - 1. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
 - 2. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist,

or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so.

3. The University cannot require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- (c) **Preliminary Matters.** The Title IX Hearing Officer shall begin the hearing by explaining the substance of the allegations and the specific University policy or policies allegedly violated.
 - (d) **Attendance and Participation.** Attendance during a Title IX Hearing generally is limited to the Title IX Hearing Officer, a representative from the University, the Complainant and the Complainant's Advisor, the Respondent and the Respondent's Advisor, and witnesses. Witnesses may attend the Title IX Hearing only while they are presenting information to the Title IX Hearing Officer, unless the witness is the Complainant or the Respondent. The Title IX Hearing Officer and the University have the discretion to allow other persons to attend the Title IX Hearing, in accordance with state and federal law.
 - (e) **Opening Statements.** The Complainant and then the Respondent may make a brief statement of no longer than ten (10) minutes to the Title IX Hearing Officer, and they may provide a written copy of their statements to the Title IX Hearing Officer at the hearing. The Title IX Hearing Officer will provide a copy of any written statement received to the other party.
 - (f) **Questioning the Witnesses.** Following any opening statements, the Title IX Hearing Officer will question the Complainant, the Respondent, and any witnesses requested by the parties. The Title IX Hearing Officer will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the party's Advisor of choice and never by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before the Complainant, the Respondent, or any witness answers a cross-examination or other question, the Title IX Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party or witness does not submit to cross-examination at the hearing, the Title IX Hearing Officer must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Title IX Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

- (g) **Closing Statements.** At the close of the Title IX Hearing, the Title IX Hearing Officer may allow the Complainant and the Respondent equal opportunities to make statements summarizing the information presented to the Title IX Hearing Officer and/or advocating the decision that the Title IX Hearing Officer should reach.
- (6) **Recording of the Title IX Hearing.** The University will create an audio or audiovisual recording or transcript, of the hearing and make it available to the parties for inspection and review.
- (7) **Notice of Decision of Title IX Hearing Officer.** Within fifteen (15) business days of the hearing, the Title IX Hearing Officer must issue a written determination regarding responsibility (“Notice of Decision of Title IX Hearing Officer”). The written determination must include (i) identification of the allegations potentially constituting Sexual Harassment; (ii) a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; (iii) findings of fact supporting the determination; (iv) conclusions regarding the application of the Policy to the facts; (v) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the University’s education program or activity will be provided by the University to the Complainant; and (vi) the procedures and permissible bases for the Complainant and Respondent to appeal.

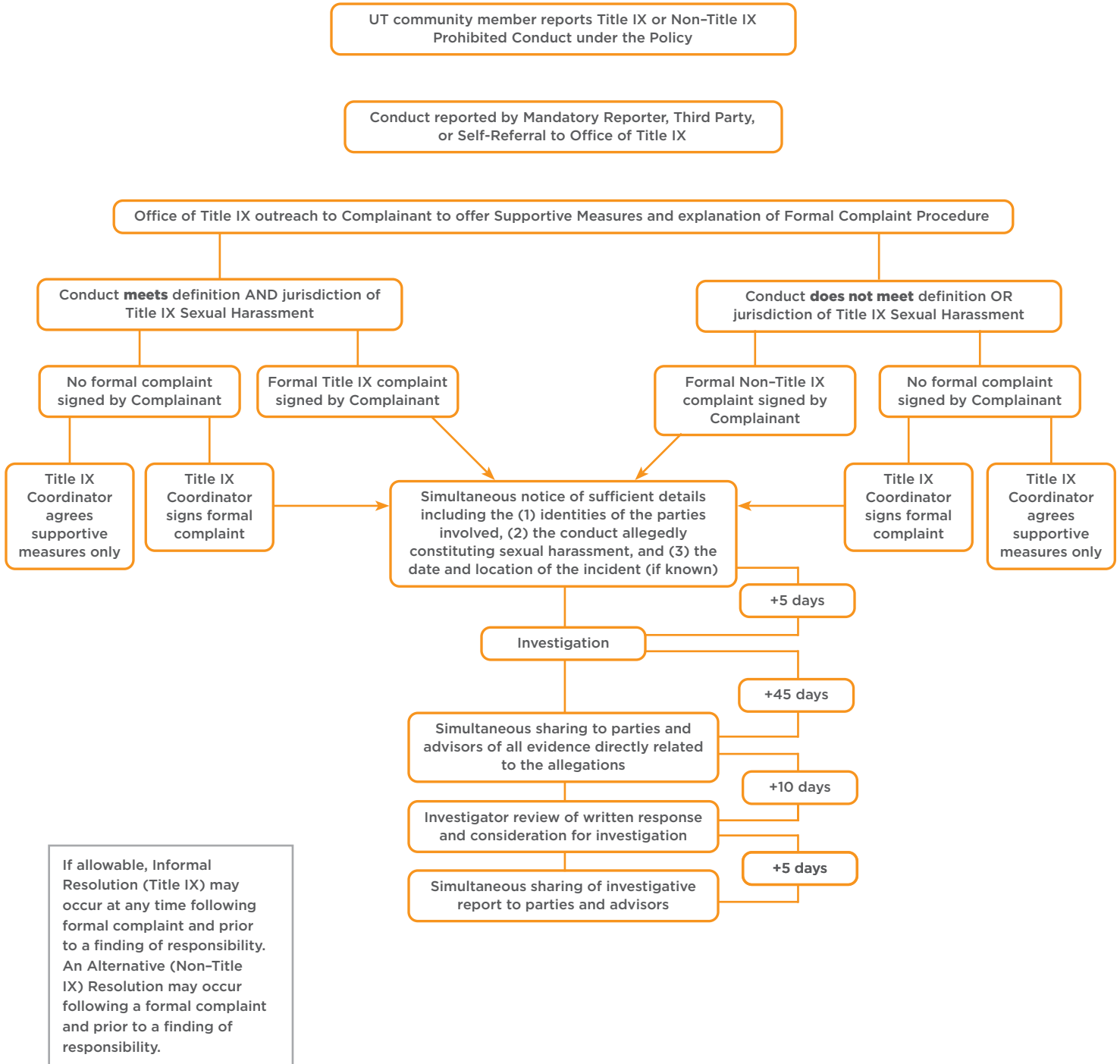
In deciding the appropriate sanctions for a Respondent’s misconduct, the Title IX Hearing Officer may consider information provided at the hearing by the Complainant, the Respondent, or any other witness with relevant information concerning the appropriate sanctions, if the Respondent is determined responsible.

The Title IX Hearing Officer shall transmit a copy of the Notice of Decision of Title IX Hearing Officer to the OED/OEI, and OED/OEI shall notify the Respondent, the Complainant, and their Advisors about the written determination and provide a copy of it simultaneously to the parties and their Advisors.

- (8) **Appealing Decisions of the Title IX Hearing Officer.**
 - (a) **Appealable Decisions.** The Complainant and the Respondent may appeal the decisions of the Title IX Hearing Officer that are contained in the Notice of Decision of Title IX Hearing Officer (as well as a decision by the University to dismiss a Formal Complaint), but the grounds for appeal are limited to those described in Section (8)(c).
 - (b) **Notice of Appeal.** An appeal is procedurally valid only if all of the following requirements are met: (1) an appeal shall be submitted to OED/OEI in writing by fully completing a form approved by the University called a “Notice of Appeal;” (2) the Notice of Appeal shall be received by OED/OEI within five (5) business days of the date that the University transmitted the Notice of Decision; and (3) the Notice of Appeal shall not include information that is not included in the record of the Title IX Hearing, except the Notice of Appeal may contain a summary of the new information described in Section (8)(c)(2). The University will notify the other party in writing when an appeal is received.

- (c) **Grounds for Appeal.** The Notice of Appeal shall explain the grounds for the appeal, which shall be limited to one (1) or more of the following grounds:
1. Procedural irregularity that affected the outcome of the matter;
 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
 3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter;
 4. Any disciplinary sanctions imposed on the Respondent should not be imposed, or different disciplinary sanctions from those specified in the determination regarding responsibility should be imposed, or disciplinary sanctions should be imposed if none were imposed; or
 5. The Title IX Hearing Officer made a clear error in dismissing a Formal Complaint or in determining that the Respondent is or is not responsible for the Title IX Allegations.
- (d) **Effective Date of Sanction.** The sanction(s) imposed by the Title IX Hearing Officer shall 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 (as determined by Section (8)(c)), until a Notice of Title IX Final Decision is issued by the Chief Human Resources Officer (for staff) and the Chief Academic Officer (for faculty), whichever is later.
- (e) **Appeal Process.** Each party may submit a written statement in support of or challenging the outcome of the Title IX Hearing. The written statement must be received by OED/OEI within five (5) business days of the date on which the Notice of Appeal was filed, or on which the non-appealing party received notice that the other party filed a Notice of Appeal. After all written statements are received by OED/OEI, staff appeals will be submitted to the Chief Human Resources Officer and faculty appeals will be submitted to the Chief Academic Officer. Within thirty (30) business days of the receipt of the last written statement, the Chief Human Resources Officer (for staff) and the Chief Academic Officer (for faculty) will issue a written decision (Notice of Title IX Final Decision) describing the result of the appeal and the rationale for the result, which will be provided simultaneously to both parties. The decision of the Chief Human Resources Officer (for Staff) and the Chief Academic Officer (for Faculty) is final and not further appealable.

Appendix D
Title IX & Non-Title IX
Prohibited Conduct Complaints & Investigations (1 of 2)*



*The flow chart is a summary graphical representation. For full detail, information, and dismissal considerations see the Policy.

Appendix D

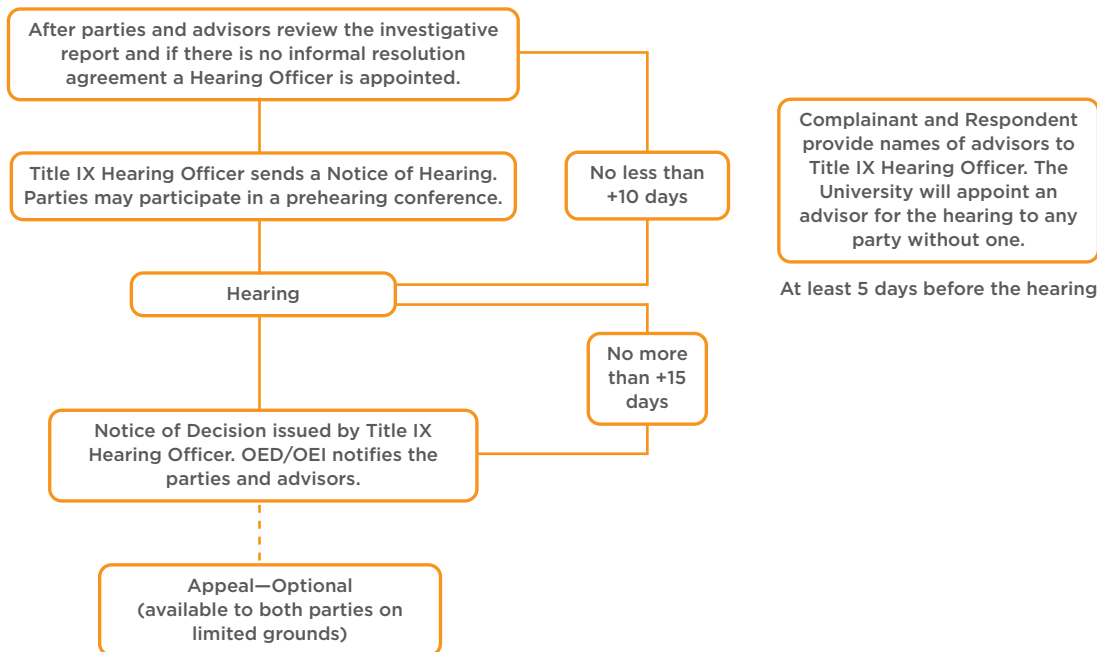
Title IX

Prohibited Conduct Hearing and Appeals

Faculty and Staff (2 of 2)*

A Title IX Prohibited Conduct Complaint must be resolved through the Title IX Hearing process, unless the parties agree to an Informal Resolution. Section D-1 of the Policy describes the process for a Title IX Hearing for faculty and staff respondents. The University generally concludes these hearings with a decision within forty (40) business days of the end of the investigation.

If allowable, Informal Resolution may occur at any time following formal complaint and prior to a finding of responsibility.



*The flow chart is a summary graphical representation. For full detail, information, and dismissal considerations see the Policy.

APPENDIX E
GUIDE FOR MANDATORY REPORTERS

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free of Sexual Harassment (including Sexual Assault, Domestic Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct is defined in the University’s Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (the “Policy”).¹⁹

A Mandatory Reporter is a University employee who is required to report information about known or suspected Prohibited Conduct to a Title IX Official, whether the employee received the information by means of a complaint, report, personal observation, or otherwise, including information learned from third parties. **A University employee is almost always a Mandatory Reporter when either the Complainant or Respondent is a student.** Employees who have questions about their reporting responsibilities, or students who have questions about an employee’s reporting responsibilities, should contact the Title IX Coordinator.

The purposes of this guide are to: (1) assist employees in determining whether they are Mandatory Reporters with respect to information they receive about Prohibited Conduct; and (2) assist Mandatory Reporters in determining how to respond to a report of Prohibited Conduct.

SECTION 1. QUESTIONS TO ASK TO DETERMINE WHETHER YOU ARE A MANDATORY REPORTER

- (1) Are you a Confidential Employee, or do you work under the supervision of a Confidential Employee? If you do not know the answer to this question, then you are most likely not a Confidential Employee. Confidential Employees are University employees who can keep information confidential because they hold a valid license in a profession for which Tennessee law recognizes a confidential relationship between a professional and a professional’s client or patient or because the University has deemed the employee as a confidential resource for students, faculty and staff. **(Refer to Section 1.2.1 of Appendix A or contact a Title IX Coordinator if you are not sure whether you are a Confidential Employee)**
 - If yes, and if you received the information about Prohibited Conduct in the context of a confidential relationship, then you are not a Mandatory Reporter. You should help a Complainant explore options for care and support and provide information on reporting options and Supportive Measures, and provide emotional support.
 - If no, proceed with asking Question 2.
- (2) Is the Complainant a child (under age 18)?
 - If yes, and the incident involves suspected child abuse or child sexual abuse, then you must report the incident in accordance with University of Tennessee Safety Policy 0575.
 - If no, proceed with asking Question 3.
- (3) Is either the Complainant or the Respondent a student?
 - If yes, then you must report the incident to a Title IX Official²⁰ unless:

¹⁹ Capitalized terms have the same meaning in the Policy and Appendix E.

²⁰ The names and contact information for Title IX Officials are listed in Section 4 of the Policy.

- You received the information about Prohibited Conduct during a public awareness event such as “Take Back the Night,” candlelight vigil, protest, “survivor speak outs” or other public forums including online forums such as social networking sites or blogs;
 - You received notice of the incident during the student’s participation as a subject in an Institutional Review Board-approved human subjects research protocol;
 - You received notice through an in-class discussion, a class paper, or other academic assignment; or
 - You are a student employee (e.g., graduate assistant) and you did not receive notice of the incident in your University employment capacity.
- If no, proceed with asking Question 4.
- (4) Are you the supervisor of either the Complainant or the Respondent, or do you otherwise have the authority to redress the Prohibited Conduct?
- If yes, then you must report the incident to a Title IX Official unless you received the information about Prohibited Conduct during a public awareness event such as “Take Back the Night,” candlelight vigil, protest, “survivor speak outs” or other public forums including online forums such as social networking sites and blogs, or you received notice of the incident during a person’s participation as a subject in an Institutional Review Board-approved human subjects research protocol;
 - If no, then the University strongly encourages you to report the information to a Title IX Official even though you are not a Mandatory Reporter with respect to the incident. Employees who have been designated by campus law enforcement as Campus Security Authorities for purposes of compliance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”) should evaluate whether they have an independent obligation to report the incident to campus law enforcement. Questions about the reporting obligations of Campus Security Authorities should be directed to Jillian Paciello, the University’s Clery Compliance Coordinator, at jpaciell@utk.edu or (865) 974-0544.

SECTION 2. ACTIONS THAT MANDATORY REPORTERS MUST TAKE

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

- (1) Support the Complainant by:
 - Assisting the Complainant with obtaining medical assistance (if requested) or accessing other on- or off-campus resources (if requested); and
 - Encouraging the Complainant to report the incident to law enforcement and assist the Complainant in contacting law enforcement if requested by the Complainant (call 911 in an emergency); and
- (2) Report the incident to the University:

- Report the incident to a Title IX Official promptly after receiving notice of the incident (no later than 48 hours²¹ after receiving the report).²² The Mandatory Reporter must communicate all details known about the alleged incident; or
- If the incident involves suspected child abuse or child sexual abuse, comply with University of Tennessee Safety Policy 0575.

SECTION 3. ACTIONS THAT MANDATORY REPORTERS SHOULD TAKE

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

- (1) The employee'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 a Title IX Official;
- (2) A Complainant's ability to share the information confidentially with certain on- and off-campus resources (Appendix A of the Policy);
- (3) A Complainant's option under the Policy includes meeting with the Title IX Coordinator, accessing Supportive Measures, and choosing to make a formal complaint; and
- (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 responsive action if Retaliation occurs.

After a Complainant reveals information about Prohibited Conduct to the Mandatory Reporter, the University recommends that a Mandatory Reporter take the following actions (in addition to the actions in Section 2):

- (1) Provide emotional support to the Complainant;
- (2) Encourage the Complainant to preserve any evidence (see [Appendix A](#) of the Policy for tips on the preservation of evidence);
- (3) Inform the Complainant that the employee will be reporting the incident to a Title IX Official, who will contact the Complainant to provide further guidance and assistance; and
- (4) Provide a Complainant with a copy of [Appendix A](#) of the Policy or the [You Are Not Alone](#) guide.

SECTION 4. ACTIONS THAT MANDATORY REPORTERS MUST NOT TAKE

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

- (1) Guarantee a Complainant that the employee will keep information confidential and not share the information with anyone else, including a Title IX Official;

²¹ 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.

²² 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 a Title IX Official.

- (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 a Title IX Official (this provision does not apply to UTPD), other than taking an action required or recommended in Section 2 or Section 3.

The University of Tennessee is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA institution in the provision of its education and employment programs and services. All qualified applicants will receive equal consideration for employment 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. The university name and its indicia within are trademarks of the University of Tennessee. A project of the Office of Title IX with assistance from the UT Office of Communications and Marketing. Job 45611493

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APPENDIX G

OTHER INFORMATION

In compliance with T.C.A. § 49-7-2203 Reports; crime statistics; policies and procedures, the following information is provided:

1. Crime statistics reported to the Tennessee Bureau of Investigation

For information on the crime statistics reported to the Tennessee Bureau of Investigation every year by the University of Tennessee Police Department, go to: <https://crimeinsight.tbi.tn.gov/tops/>

2. Enrolled undergraduate and graduate students:

The number of enrolled students in the fall of 2021 included:

- ▶ **25,067** Undergraduate students
- ▶ **6,634** Graduate and professionals
- ▶ With a total of **31,701** students

3. Housing for undergraduate and graduate students:

In the Fall of 2021 there were **8,057** students living in student housing.

4. Nonstudent employees:

According to the UTK 2021-2022 Fact Book, the number of nonstudent employees working on the Knoxville campus was **8,950**.

5. Policies for students and employees with criminal records:

Policy HR 0580 Code of Conduct, found at <https://policy.tennessee.edu/policy/hr0580-code-of-conduct/>, provides employee guidance on how to conduct themselves in an ethical and responsible manner.

Policy SA 0575 Programs for Minors, found at <https://policy.tennessee.edu/policy/sa0575-programs-for-minors/>, provides guidance for criminal background check requirements for covered programs sponsored by a university unit.

6. Policies on housing assignments and requests for changes:

The following are policies and information on housing assignments and requests by students for assignment changes:

<https://housing.utk.edu/first-year-student-room-selection/>

<https://housing.utk.edu/room-selection-returning-students/>

<https://housing.utk.edu/commuter-students/>

<https://housing.utk.edu/frequently-asked-questions/>

<https://housing.utk.edu/wp-content/uploads/sites/75/2021/02/Housing-Contract-standard-2021-22-Web.pdf>

VII. TERMINATION OF HOUSING CONTRACT

A. During the term of the Agreement, Student may submit a written request to University Housing to terminate the Agreement. The determination of whether to grant Student's request for termination of the Agreement is within the sole discretion of the University Housing Release Appeals Committee and such a request will be approved only in exceptional cases. Questions regarding the appeals process should be directed to Housing Assignments staff. Student agrees to accept the decision of the Housing Release Appeals Committee.

B. If the University approves Student's written request for termination of the Agreement, Student may receive a refund of housing fees as set forth in this Agreement.

C. The Agreement may be terminated by University as follows: i. upon the completion of graduation requirements by Student, if Student subsequently leaves the university; however, the Agreement will not be terminated if Student graduates but remains enrolled in the university; ii. if space is not available in any residence hall or temporary residence hall; iii. if Student fails to comply with the terms and conditions of the Agreement; or iv. if Student violates University Standards of Conduct (<http://studentconduct.utk.edu>) or Residence Hall Regulations (<http://housing.utk.edu/students/rights-responsibilities/>), or any other University policies or regulations, including, but not limited to Parking Services and Information Technology policies, which are incorporated into this Agreement by reference.

D. In lieu of terminating this Agreement, University may reassign Student to another location, restrict Student from entering specified housing areas or units, and/or restrict Student from other privileges normally allowed to residents of University-owned student housing.

E. Termination of the Agreement by University may result in the eviction of Student upon five (5) calendar days' notice, except where University determines that the continued residency of Student would pose a danger to the life, health, or general well-being of the resident or other members of the residential Community, in which case Student may be evicted upon twenty-four (24) hours' notice.

F. Within five (5) calendar days of termination the Agreement for any reason, except for eviction as set forth in V (E), Student must officially check out of the residence hall.

VIII. SUSPENSION OF AGREEMENT

A. The Agreement may be suspended by the University for any full academic terms during the term of the Agreement if Student is required to live elsewhere during the term in order to complete his/her academic program, such as co-op, student teaching, internship, or study abroad.

B. University does not guarantee reassignment to a specific residence hall room for Student returning to University Housing from such programs.

X. ASSIGNMENT AND USE OF SPACE:

A. While efforts will be made to meet the placement requests of students, University reserves the right to make all student housing assignments at its sole discretion, with no guarantee of placement in preferred residence halls. University will be mindful in establishing a process that it determines to be fair in assigning space but may deviate from that process at its discretion. In most cases, the date that the Student Confirmation Fee is paid to the University will be used in determining priority of assignment.

B. The Rented Premises shall be occupied only by the person(s) assigned to it by University Housing.

C. Room occupancy limits are maintained in accordance with fire safety codes. Maximum occupancy shall be defined by the number of beds indicated on the room inventory. The number of occupants residing in a residence hall room, suite bedroom, or apartment bedroom shall not exceed the number of beds provided by University Housing in that space.

D. University Housing, in its sole discretion, may move residents for consolidation, disciplinary action, a facility failure, or for other reasons, in response to unforeseen or extraordinary circumstances.

E. Right of Occupancy: University Housing shall provide Student with a space in a residence hall facility on campus based on availability. This Agreement shall not give Student a right to any specific space, building, roommate, or type of accommodation by this Agreement. In the event that no space is available on the campus, the University may terminate the agreement in accordance with the procedures outline in Section VII (E).

F. Right of Entry: a. Safety/Maintenance Inspection. University officials may enter the Rented Premises to conduct a safety/maintenance inspection of the health and safety conditions in the Rented Premises, to perform maintenance and repairs, to take inventory, and/or to perform cleaning and janitorial operations. University officials will provide advance notice to the Student prior to performing a safety/maintenance inspection of the Rented Premises. b. Search Inspection. University officials may enter the Rented Premises, without advance notice to the Resident, to conduct a search inspection for the purpose of inspecting whether violations of University policies, rules, and regulations are occurring or have occurred inside the Rented Premises. A search inspection must be authorized in writing by the Executive Director of University Housing before University officials may conduct a search inspection. The Executive Director of University Housing may authorize a search inspection only upon reasonable suspicion that University policies, rules, or regulations have been or are being violated inside the Rented Premises. c. Emergency Inspection. In an emergency situation, University officials may enter the Rented Premises to conduct an emergency inspection, without advance notice to the Student and without prior authorization from the Executive Director of University Housing, if the University officials reasonably believe that the delay from obtaining prior written authorization from the Executive Director of University Housing would pose a significant risk of substantial harm to persons, property, or the Rented Premises.

G. Room or Apartment Changes: A room change may not be made without written approval from University Housing and is predicated upon the space available, date and time of request, and the grounds and need for the transfer.

H. Cleanliness: Student agrees to maintain the Rented Premises in a clean and sanitary condition and to return the Rented Premises back to University Housing in the same condition, including general cleanliness, as it was at the beginning of the term of occupancy, ordinary wear and tear excepted.

7. Security personnel assigned to student housing facilities:

The following is a description of the type and number of employees, including security personnel, assigned to the student housing facilities, which shall include a description of their security training:

Housing Staff	Number of Staff Members	Security Training Provided to Staff	Description of duties
Resident Assistants	185	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Student Leader assigned to each floor on campus.
Office Assistants	200	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Students who work the lobby desk and post office in each building.
Summer Office Assistants	32		
Administration	18		Senior staff, central staff and function area staff.
Maintenance	23	Active Shooter, Bomb Threat, Basic principles of building security. No allowing tailgaters, no letting people in who do not have ID etc. Staff checks exterior doors Monday – Friday	Maintenance personnel assigned to each residence hall.
Custodial	69	Active Shooter, Bomb Threat, Basic principles of building security. No allowing tailgaters, no letting people in who do not have ID etc.	Custodial personnel assigned to each residence hall.
Administrative Support	6		Administrative and clerical support staff
Hall Directors	12	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Full time exempt staff member who oversees each residence hall.
Graduate Assistants	18	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Graduate student who works in residence halls or administrative areas
Student Manager	7	CCTV Monitoring, and protocols for witnessing suspicious activity	Students in supervisory roles with the Vols @ Home program and Call Center.
Student Worker (Call Center)	26	CCTV Monitoring, and protocols for witnessing suspicious activity	Vols @ Home team members who gives tours in the residence halls. URHC officers who plan programming for the halls. Call Center staff who monitor the camera system and answers calls 24 hours a day.