

The University of Tennessee

Annual Security & Fire Safety Report

for the Knoxville Campus



2017

TABLE OF CONTENTS

MESSAGE FROM CHIEF OF POLICE TROY LANE	1
UNIVERSITY OF TENNESSEE POLICE DEPARTMENT OVERVIEW.....	1
Mission Statement	1
Contact Information	2
Officers and Training	2
Accreditation	3
Authority, Jurisdiction, and Working Relationships with State and Local Law Enforcement Agencies.....	3
REPORTING A CRIME, EMERGENCY OR SUSPICIOUS ACTIVITY.....	5
Emergencies.....	5
Non-Emergencies.....	6
University of Tennessee Mobile App with Rave Guardian	6
Alternative Reporting.....	7
Confidentiality.....	8
Pastoral and Professional Counselors.....	9
Reporting Sexual Misconduct, Relationship Violence, and Stalking.....	9
Retaliation.....	9
TIMELY WARNINGS (SAFETY NOTICES)	9
EMERGENCY RESPONSE AND EVACUATION PROCEDURES	11
Emergency Response	11
Evacuation.....	11
How to Report an Emergency.....	13
Emergency Notification System.....	13
Confirming the Existence of a Significant Emergency or Dangerous Situation	13
UTAlert.....	13
Determining the Appropriate Segment(s) of the Campus.....	14
Initiating the Emergency Notification System and Determining the Contents of an Emergency Notification	14
Emergency Notification Methods.....	15
MISSING STUDENT NOTIFICATION PROCEDURES.....	17
How to Report a Missing Student	17
Identification of Emergency Contacts.....	18
Investigation of a Missing Student Report.....	18
SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE	19
SECURITY AND ACCESS TO CAMPUS FACILITIES.....	19
Security Cameras	19
Panic Alarms.....	19
Security Assessment	20

Residence Halls	20
Sorority and Fraternity Housing.....	21
Other University Facilities.....	22
SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES	22
EVENING AND SPECIAL TRANSPORTATION	22
CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS.....	23
UTPD	23
Center for Health Education and Wellness.....	25
Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking.....	28
University Housing	31
ALCOHOL AND ILLEGAL DRUGS.....	32
Drug Free Campus and Workplace Policy	33
Alcohol.	33
Illegal Drugs.....	33
Standards of Conduct for Students.....	34
Code of Conduct for Employees	34
Drug and Alcohol Abuse Prevention	35
Health Risks.....	35
WEAPONS.....	35
Tennessee Criminal Law.....	35
University Policies	36
TENNESSEE SEX OFFENDER REGISTRY	37
DISCLOSURE TO VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES	37
THE ANNUAL DISCLOSURE OF CRIME STATISTICS	38
DEFINITIONS.....	38
Definition of Terms Used in this Report	38
Definition of Terms for Local Jurisdiction	41
ANNUAL FIRE SAFETY REPORT	45
Fire Log and Reporting Non-Emergency Fires	45
Fire Statistics.....	46
Fire Safety Systems	46
Policies and Rules for Appliances, Smoking and Open Flames.....	46
Smoking.....	46
Open Flames	46

Message from Associate Vice Chancellor for Public Safety and Chief of Police Troy Lane

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

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



University of Tennessee Police Department Overview

The University of Tennessee Police Department (UTPD) provides basic police services to the campus of Tennessee's largest university, the University of Tennessee, Knoxville. UTPD's main objective is to provide a safe campus for students, staff, faculty, and visitors.

UTPD officers perform a variety of tasks that include investigation of criminal activity, apprehension of criminals, accident and fire response, traffic enforcement, and security for special events. Through its Community Relations Unit (CRU), UTPD offers services such as property engraving and educational programs to increase the safety of members of the UT community and their belongings. The CRU also offers campus safety statistical information, as well as posters, brochures, and seminars on a variety of safety topics.

UTPD reports to the Associate Vice Chancellor for Public Safety, 1101 Cumberland Ave, Knoxville, TN 37996, 865-974-6631.

Mission Statement

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

Officers and Training

UTPD employs 54 state certified police officers on the Knoxville campus. 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 80 hours of in-service training each year. Additional training may include such topics as:

<i>Cultural Diversity</i>	<i>Officer Stress Training</i>	<i>Legal Updates</i>
<i>Racial Profiling</i>	<i>Fire Safety</i>	<i>Rape Crisis</i>
<i>Crime Prevention</i>	<i>Investigations</i>	<i>Basic First Aid</i>
<i>Crime Scene Protection</i>	<i>Firearms</i>	<i>Aerosol Control Options</i>
<i>Evidence Handling</i>	<i>Crisis Intervention Training</i>	<i>Active Shooter Response</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>		

UTPD operations also are supported by:

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

Contact Information

UT Police Department
1101 Cumberland
Avenue Knoxville, TN
37996

E-mail:
utpolice@utk.edu

Telephone:
865.974.3111

Emergency: 911

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

Social Media

Website

<http://utpolice.utk.edu/>

Facebook:

<https://www.facebook.com/UTKPD/>

Twitter:

<https://twitter.com/utpolice>

Other sites

For Clery Act related safety information visit

<http://clery.utk.edu/>

For Public Safety information visit

<http://safety.utk.edu/>

Accreditation

In August 2009, UTPD earned Advanced Law Enforcement Accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). In July 2012 and again in 2015, UTPD was awarded re-accreditation through CALEA. Representatives from CALEA assessed UTPD's policies, procedures, management, operations, and support services. They specifically examined the department's ability to prevent and respond to crime, deliver services, build a rapport with the campus community, cooperate with other law enforcement agencies, and continue in its efforts to improve its practices and procedures. As of August 2015, UTPD is one of two university police agencies in the state to hold national accreditation.

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

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

On January 13, 2010, UTPD received accreditation through the International Association of Campus Law Enforcement Administrators (IACLEA). UTPD was the first agency in the state to be dually accredited through IACLEA and CALEA, which is a testament to UTPD's commitment to excellence and professionalism. In February of 2016, UTPD received accreditation through Tennessee Law Enforcement Accreditation (TLEA).

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

UTPD's state certified officers are duly commissioned by the State of Tennessee. As such, UTPD officers have full police powers in the City of Knoxville, Knox County, and on any other property contiguous to property of the University of Tennessee, Knoxville. As duly commissioned officers, UTPD carry service weapons and have arrest authority.

In general, each UTPD officer shall, in all cases, use only the minimum amount of force that is consistent with the accomplishment of his/her mission, and shall exhaust every other reasonable means of apprehension of defense before considering the use of a firearm.

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

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



UTPD is computer linked to city, state and federal criminal justice agencies, which provide access to information concerning criminal records, wanted persons, stolen property, and vehicles. All crimes reported to UTPD are investigated and, when appropriate, are referred for prosecution through the District Attorney General. Criminal matters involving university students may also be referred to the appropriate university administrative office (e.g., Office of Student Conduct and Community Standards) for disciplinary action.

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

- Violations of the Racketeer Influenced and Corrupt Organization Act of 1989, T.C.A. §§ 39-12-201, *et seq.*;
- Aggravated assault and vehicular assault, as defined in T.C.A. §§ 39-13-102 and -106;
- Criminal homicide, first-degree murder, second-degree murder, voluntary manslaughter, criminally negligent homicide, vehicular homicide, and viable fetus as victim, as defined in T.C.A. §§ 39-13-201, -202, -210, -211, -212, -213, and -214;
- Kidnapping, aggravated kidnapping, and especially aggravated kidnapping, as defined in T.C.A. §§ 39-13-303, -304, and -305;
- Aggravated robbery and especially aggravated robbery, as defined in T.C.A. §§ 39-13-402 and -403;
- Arson, aggravated arson, and related crimes, as defined in T.C.A. §§ 39-14-301 through -306; and
- Especially aggravated burglary, as defined in T.C.A. § 39-14-404.

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

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

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

The Clery Act requires the university to include in this report a statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities. The University does not officially recognize student organizations; rather, the University only registers student organizations. With respect to criminal activity in which students engage at off-campus locations of registered student organizations, UTPD officers can and do assist with responding to and investigating student-related incidents that occur in close proximity to campus, consistent with UTPD's written agreement with KPD. If KPD or the Knox County Sheriff's Office is contacted about criminal activity occurring off campus involving University students, KPD or the Knox County Sheriff's Office may notify UTPD. However, there is no official KPD or the Knox County Sheriff's Office policy requiring such notification. Students in those cases may be subject to arrest and university discipline.



Reporting a Crime, Emergency, or Suspicious Activity

UTPD strongly encourages students, employees, and visitors to promptly and accurately report criminal incidents, suspicious activity, and other public safety related emergencies and incidents to UTPD, another appropriate law enforcement agency, or to designated university officials.

This includes situations in which the victim of such crime either elects or is unable to report an incident. Promptly reporting criminal incidents, suspicious activity, and other emergencies and incidents to UTPD or other designated university officials assists the university in issuing **UTAlerts** or **Safety Notices**, as required by the Clery Act, and including the incident in the university's annual crime statistics.

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

Emergencies

Call **911** to report criminal incidents, suspicious activity, or other incidents that are emergencies, whether on campus or off campus. The University operates a telephone system that provides expanded emergency service to the University community. All 911 calls placed on campus telephones are routed to the Knoxville E911 emergency center. The call is dispatched to UTPD and/or the 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).

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

All campus elevators have emergency phones that transmit to the UTPD Central Alarm designated phone. A UTPD Central Alarm officer answering that designated phone will have the phone number, building name, and elevator number (depending on the building) available through the caller ID system. A UTPD officer will always be dispatched unless the person states that the button was pushed by accident and there is no reason to indicate there is a problem. The Knoxville Fire Department (KFD) will be dispatched to open the elevator when the repair service response time will exceed what the UTPD Central Alarm officer determines is a reasonable amount of time. If the elevator service company or facility services are unable to give an estimated time of arrival to the UTPD Central Alarm officer, he/she will wait five minutes and make contact again. KFD will be dispatched if a reasonable response time is not provided on the second contact.

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

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

Non-Emergencies

UTPD

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

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

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

Reports of Clery Act crimes filed through a Campus Security Authority (CSA), as defined by the Clery Act, provided to 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 misconduct, relationship violence, and stalking (as those terms are defined in the university's policy on sexual misconduct, relationship violence, stalking, and retaliation, a copy of which can be found in **Appendix F**) to 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 and UTPD to keep an accurate record of specific criminal incidents and the ability to alert the campus community of potential danger.



Mobile App with Rave Guardian

The UT Alert emergency messaging system provides the campus community with features to help enhance safety and improve two-way communication with the UT Police Department.

All faculty, staff, and students should download the **UT app** to receive the Guardian app, which will appear on the main screen. Community members who have already downloaded the app and are current on updates should be able to see the Guardian app on the first screen.

Users will be prompted to set up their Guardian account and create a safety profile. Faculty, staff, and students must use their UT email address to access the UT-specific interactive features.

Features in the Guardian app include:

Send UTPD a Tip: Users may send a tip to UTPD from the red “Emergency” button on the Guardian app’s first screen and then the green “Send a Tip” button on the next screen. A text message screen and keyboard will appear to allow the user to type a message and send photos. UTPD will respond promptly to the message through the app.

Call for Immediate Help: Faculty, staff, and students can request immediate assistance by tapping the red “Emergency” button on the bottom of the Guardian app’s first screen. The top “Call” button places an emergency call to UTPD, which will send help anywhere on campus. The bottom red “911”

button will call the closest 911 center.

Users must enable location when creating their safety profile so the full emergency call features are available. Users are also strongly encouraged to add any information about special needs and medical conditions to their profile to make it available to police and medical responders in the event of a serious emergency.

Feature Helps Vols Look Out for Each Other: Users can set a safety timer to create a connection when traveling between destinations or to unfamiliar settings. By choosing from a network of “guardians,” a close friend or nearby family member can be notified when

the user does not check in within a set amount of time. UTPD may also be selected as a guardian for when you are on campus.

Add a Mobile Number for UT Alert Text Messages: To receive information that UTPD sends directly to faculty, staff and students by text message during a serious emergency, users should add a mobile number to their UT Alert account. Users will need a NetID and password.

UT Alert messages are sent only during serious emergencies when situations require people to act immediately or to be aware of an imminent threat to their safety. The system is also utilized to alert the campus community about severe weather, campus operating delays and closures or problems with facilities and grounds affecting a large number of people.

Rave Guardian is available for download from the Apple or Android App Store. Once users have downloaded the app, notifications must be enabled to receive reply messages.

Alternative reporting

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

<p>Dean of Students 413 Student Services Building 865-974-3179</p>	<p>Title IX Coordinator 1817 Melrose Avenue 865-974-9600</p>	<p>Asst. Vice Chancellor for Student Life 515 Andy Holt Tower 865-974-7449</p>
<p>Executive Director, University Housing 405 Student Services Building 865-974-2571</p>	<p>Director, Office of Student Conduct and Community Standards 409 Student Services Building 865-974-3171</p>	<p>Director, Center for Health Education and Wellness 201E Student Health Center 865-974-5725</p>

<p>Sr. Associate Vice Chancellor for Finance and Administration 405B Andy Holt Tower 865-974-3061</p>	<p>Director, Human Resources 105 Student Services Building 865-974-2889</p>	<p>Sr. Associate Athletics Director 1551 Lake Loudoun Blvd 865-974-9190</p>
<p>Director, Ag. Extension 212D Morgan Hall 865-974-7245</p>	<p>Director, Center for International Education 1620 Melrose Avenue 865-974-2173</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:

Knox County Sheriff’s Office
(outside the City of Knoxville but within Knox County)
400 Main Street, Suite L165
Knoxville, TN 37902
865-215-2444

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

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



Confidentiality

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

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

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

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

Pastoral and Professional Counselors

In accordance with the Clery Act, professional counselors are not considered campus security authorities (i.e., they are not obligated to report crimes 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.

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

Reporting Sexual Misconduct, Relationship Violence, and Stalking

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

Retaliation

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

Timely Warning (Safety Notice)

A timely warning, in the form of **Safety Notice**, will be disseminated utilizing method(s) likely to reach members of the affected campus community when the reported incident is a Clery Act crime which:

(1) is reported in good faith to UTPD directly or reported to UTPD indirectly through a university campus security authority or a local law enforcement authority; (2) occurs on the university’s Clery geography (i.e., on campus, in or on a non-campus building or property in use or controlled by the university, or on public property immediately adjacent to the university); and (3) is a serious or continuing threat to University students and employees, or their property.





A **Safety Notice** will be issued in a manner which: (1) is timely (i.e., as soon as the pertinent information is available); (2) does not disclose the name or other identifying information about the victim, as defined in 42 U.S.C. § 13925(a)(20); and (3) will aid in the prevention of similar crimes.

A Safety Notice will contain sufficient information about the incident to enable persons to protect themselves or their property and aid in the prevention of similar crimes. Such information generally will include: (1) a brief description of the incident; (2) the general location, date, and time of the incident; (3) a description of the suspect, if a sufficient amount of detail is known about the suspect, which may include a composite drawing or photograph of the suspect; (4) a description of injuries or the use of force, if relevant; (5) a description of the incident's possible connection to other incidents; (6) suggested measures that university students and employees can take to help protect themselves or their property; and (7) contact information for UTPD and other instructions for the campus community. Safety Notices will not include information that, in the judgment of the Chief of UTPD or his/her designee, would compromise law enforcement efforts.

The decision whether to issue a Safety Notice is made by the Chief of UTPD or his/her designee on a case-by-case basis in light of all of the facts known concerning the crime, such as the nature of the crime and whether university students and employees are at risk of becoming victims of a similar crime. The apprehension of the alleged perpetrator typically removes the risk to university students and employees.

UTPD typically does not issue a Safety Notice for an incident for which a report was filed with UTPD more than five days after the alleged incident.

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

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

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

Emergency Response and Evacuation Procedures

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

Emergency Response

The University's Emergency Management Plan (EMP) is updated annually and available on Sharepoint for viewing for anyone with at UT NetID and password at:

<https://utworks.tennessee.edu/srvcfinaadm/EmergPrepare/UTK%20Emergency%20Management%20Plan%20EMP/Campus%20Emergency%20Management%20Plan%202016.pdf>

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

The EMP establishes a three year exercise cycle to test and evaluate the EMP and to improve the skills of the university personnel assigned emergency management responsibilities. The training includes an annual exercise that is designed to progress from training and workshops to a table top exercise and culminate in a full scale exercise in the third year. Multiple additional training and exercises are conducted in addition to the campus exercises to include participation with local, state, and federal agencies efforts. A description of exercise activity conducted in 2017 is available at <http://safety.utk.edu/emergency-management/emp/>.

The chart includes a description of the exercise activity, the date the test was held, the duration of the test, and whether the test was announced or unannounced.

In addition to making the EMP available on Sharepoint, campus specific information and procedures are also published at <http://safety.utk.edu> and in an emergency preparedness training module available on Canvas at <https://utk.instructure.com/courses/9068>. The Office of Emergency Management, UTPD, Environmental Health and Safety, and Office of Communication and Marketing regularly conduct awareness efforts to encourage campus community members to review safety related information. Efforts are heavily emphasized at the beginning of the fall semester for safety day and also during national emergency preparedness month. University buildings are equipped with emergency posters that indicate best shelter locations, assembly areas, and an emergency coordinator point of contact.

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

Evacuation

Evacuation drills are conducted regularly in university buildings on a schedule based on the occupancy and functionality of the building. The purpose of the evacuation drill is to prepare building occupants for an organized evacuation in case of fire or other emergency. Drills are used as practice and to familiarize students, faculty, and staff with exit locations and assembly areas and educate them on emergency procedures.

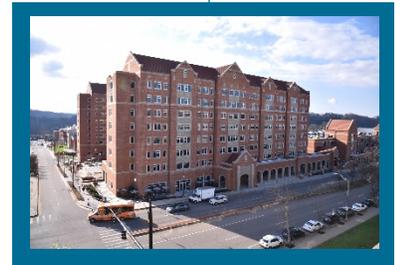
Documentation of university building evacuation/fire drills is maintained by Environmental Health and Safety, Student Life and University Housing is maintained in accordance with the procedure (GS 43) for Records Retention for Safety, Health and Environmental Protection procedure, which can be found in the Safety Manual (<http://web.utk.edu/~ehss/safety%20manual/smanualaph2kj.html>). Key performance measures are established, evaluated, and feedback is provided to the building occupants. A record of 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 <http://safety.utk.edu>. Individuals should know the basic characteristics of good shelter so they can respond properly when informed of an emergency. More information on what to do during an emergency is available at <http://safety.utk.edu> and in the emergency quick reference app available through the Tennessee app.



The following is basic shelter guidance:

- If you are inside when directed to seek shelter, find the best available shelter in that building. If you are outdoors, proceed to the closest building as quickly as possible. Continue to monitor campus communications and do not exit unless directed by competent authority.
- For sheltering from severe weather or other threats to the building's integrity, you should seek an interior room as low in the building as possible preferably with no windows.
- For sheltering from hazardous materials release, 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. Barricading in a room is a form of sheltering and the proper response for most of the campus.



How to Report an Emergency

Students and employees are encouraged to notify UTPD or call 911 of any situation or incident that involves a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.



Emergency Notification System

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

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

Confirming the Existence of a Significant Emergency or Dangerous Situation

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

As used in this section, "confirmation" generally means that the university has verified that a legitimate emergency or dangerous situation exists involving an immediate threat to the health or safety of students or employees occurring on the campus. The UTPD Shift Supervisor is the primary person who determines whether such a situation exists; however, the Director of Emergency Management, UTPD command staff, the Chancellor, the Vice Chancellor for Finance and Administration, and the Associate VC for Public Safety 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 at <http://www.utk.edu/utalert/>. Individuals are responsible for updating their contact information periodically to ensure their continued participation in the UT Alert system. Participation in the UT Alert system is not mandatory for text messaging but providing a mobile phone number is strongly encouraged by the university. Individuals are responsible for the cost of any text messaging fees from their mobile service provider incurred as a result of active or test messages received during their participation in the UT Alert system.

Signing up for the UT Alert system is not a guarantee of one's personal safety. Individuals may opt-out of the UT Alert text messaging portion of the system at any time. UT Alert email messaging is automatic and cannot be opted out of.

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

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

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

UT Alert text and e-mail messages will reach subscribers regardless of their actual location when the emergency notification system is activated. However, the university has the capability to send emergency notifications to blue light phones based on geographic area should the emergency or dangerous situation be specific to one area of campus. The campus is divided into zones to assist in determining if notification will be specific to a geographic area of campus. In addition to alerting UT Alert text message subscribers, every member of the campus community with a "utk.edu" e-mail address, can automatically receive any UT Alert message via their utk.edu email. The incident dictates the appropriate area(s) to be notified. For example, a building fire would generally only impact one zone while a severe weather event would potentially impact the entire campus. The UTPD Shift Supervisor generally is the person who determines which segment of the campus community receives an emergency notification.

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

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

The content of UT Alert text and e-mail messages for most potential campus emergencies have been pre-scripted and are ready to be immediately sent. Employees with authority to send a UT Alert also have the ability to amend the content of the message in the event that none of the 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 with a resolution of the incident. The campus community is encouraged to seek additional information after becoming aware of an emergency by monitoring their utk.edu e-mail, the university's Twitter account (<https://twitter.com/UTKnoxville>), 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.

Emergency Notification Methods

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

Notification Method	Uses	Types of Warnings	Content Administrator
UT Alert Text (SMS) Message, Email, App, & Computer Screen	Campus-wide emergency requiring immediate action	Text messages	UTPD & Office of Emergency Management (OEM)
Code Blue Units & Neyland external speakers	Campus-wide emergency requiring immediate action	PA system	UTPD & OEM
656-SAFE (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
Power Fail Emergency Phones	Zone specific emergency requiring immediate action	Phone	UTPD, OEM, Telephone Services
UT Emergency Website (Homepage)	Provide additional information	Web-based	Communications & Marketing
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

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

- **UT Alert Text (SMS) Message, Email, App, & Computer Screen** – This method can send thousands of text and e-mail messages to staff, faculty, and students. The same message will activate an alert message in the Rave Guardian App if enabled by the user and appear on active computer monitors that have the Alertus software downloaded.
- **Code Blue Units** – These are units located across the campus that can be activated by UTPD and/or the OEM. The message is preceded by an audible tone and can cover most parts of the campus. Neyland Stadium exterior speakers can be employed in the same fashion.
- **656-SAFE (7233)** – This designated number serves as the university's official number for pre-recorded emergency information. During critical events it can be activated as a live phone bank to provide information regarding the incident.
- **UTPD Vehicle Public Address Systems** – Each UTPD patrol vehicle has a public address system that can be utilized for emergency announcements.
- **UT Email** – The university has the ability to send emergency information without activating the UTAlert system via the university's e-mail exchange to all Knoxville-area students, staff, and faculty with a netid.
- **Power Fail Emergency Phones** – Colleges, EP Zone Coordinators and key leadership have been equipped with analog phones that continue to function when the power is out. These phones can be used to relay UTAlerts or specific emergency messages through the university's emergency notification system.
- **UT Emergency Website** – The University's homepage (<http://utk.edu>) is a secondary notification system where more detailed information concerning an incident or an emergency may be found. The 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 LE.D. boards that may be utilized to assist during large-scale emergency events.
- **WUOT-FM** – The University's College of Communications controls this campus radio station and emergency announcements can be transmitted as needed.
- **NOAA Weather Radio and Wireless Emergency Alerts** – Units receive all hazard information from the Emergency Alert System (EAS) regarding Amber Alerts, severe weather and regional emergencies. The university does not control content and cannot initiate a message using these devices. Several departments on-campus have these units.
- **Social Media** – The Office of Communications and Marketing (Communications and Marketing) will repost UTAlerts to Twitter. Communications and Marketing will also monitor and respond to Twitter and Facebook traffic using the main campus accounts to provide updates, dispel rumors, and share emergency information. UTPD will augment this effort as appropriate using UTPD's social media accounts.
- **Local Media** - Communications and Marketing will use their contacts to all local media to assist in spreading emergency public information.

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

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

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

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

Missing Student Notification Procedures

This section of the Annual Security 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 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.

Identification of Emergency Contact(s)

Upon contracting with the university to live in on-campus housing, all students have the opportunity to identify and provide confidential emergency contact information for the university’s use when the university or a local law enforcement agency has officially determined that a student is missing. Upon checking into on-campus housing, students are provided with a written reminder of the opportunity to identify and provide confidential emergency contact information for the university’s use when the university or a local law enforcement agency has officially determined that a student is missing. Sorority and fraternity housing residents will receive an electronic emergency notification form to disclose their confidential emergency contact information. Students living in on-campus housing (except for sorority and fraternity housing) may add or change confidential emergency contact information visiting the “My UT Housing” portal and clicking on “My Emergency Contacts.” Students living in sorority and fraternity housing may add or change confidential emergency contact information by contacting the Office of Sorority and Fraternity Life.

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



Investigation of a Missing Student Report

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

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 Misconduct and Relationship Violence

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

Policy on
Sexual Misconduct,
Relationship Violence,
Stalking, and
Retaliation
titleix.utk.edu

UT THE UNIVERSITY OF
TENNESSEE

T THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

UTIA INSTITUTE OF
AGRICULTURE
THE UNIVERSITY OF TENNESSEE

UT INSTITUTE FOR PUBLIC SERVICE



Security and Access to Campus Facilities

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

Security Cameras

The University has hundreds of cameras throughout the campus including all residence halls. The Surveillance Oversight Committee (SOC) is responsible for overseeing the implementation and revisions of operational camera procedures including approval of camera placement. UTPD, in conjunction with the Surveillance Oversight Committee (SOC), is responsible for implementation of this procedure. UTPD has the authority to select, coordinate, operate, manage, and monitor all campus video surveillance equipment pursuant to this procedure. The camera request form is available on the UT Police Department's webpage. All residence halls have camera coverage. Camera coverage in other buildings, garages, or areas are based upon a security assessment.

Panic Alarms

There are numerous panic alarms at various university facilities. These alarms are provided to locations at which monetary transactions are conducted, have a high potential for disturbances or threatening activity, or large numbers of students and/or employees are present. These alarms are transmitted directly to UTPD and UTPD officers respond appropriately. Requests for panic alarms must be submitted for approval through UTPD and Facility Services (request form on UTPD webpage).

Security Assessment

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



Residence Halls

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

The Department of University Housing manages all residence halls at the University of Tennessee, Knoxville. Each residence hall staff primarily consists of one full-time, live-in hall director; at least one live-in assistant hall director; and one resident assistant per floor. The university currently employs eleven hall directors, twelve assistant hall directors, and 162 resident assistants.

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

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

All exterior doors in residence halls, excluding the lobby entrance, are locked to limit entrance to the hall past the 24-hour staffed lobby only. During nightly hall walks, all exterior doors are checked to ensure that they are secure. In addition, security cameras have been installed in all of the residence halls, allowing the desk staff to monitor the exterior doors. All residence halls have a security camera system that monitors all exterior doors. Door access card readers have been installed 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. 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 39 national fraternal organizations. Of those, 28 university sorority and fraternity organizations are housed on campus—13 in Fraternity Park, 13 in Sorority Village, 1 fraternity on Melrose Avenue and 1 fraternity on Terrace Avenue. The 13 fraternity houses located in Fraternity Park have a combined capacity of 480 beds, the 13 houses in Sorority Village have a capacity of 590 beds. All of the houses offer both single and double rooms, with varying bathroom and shower facilities.



The university's Office of Sorority and Fraternity Life, operating under the Division of Student Life, coordinates the activities of the house corporations that supervise housing in sorority and fraternity houses. All Fraternity Park and Sorority Village housing assignments are made by the individual chapters. Residents must be members of the chapter and enrolled in the university. New housing agreements, and contracting process guidelines are distributed in early March to the president of each chapter.

All areas except individuals' rooms and chapter rooms are considered public areas. Each chapter maintains its own security policies for all non-public areas. All maintenance personnel are admitted to the houses by the president of the chapter or his/her designee. Maintenance personnel wear identification badges while in the house. Deliveries are made to the individual resident's rooms in Fraternity Park or the chapter facility in Sorority Village.



Each fraternity and sorority has a Housing Corporation that elects a Housing Corporation Spokesperson (HCS). This HCS is an alumni member of the fraternity or sorority and is ultimately responsible for the security of the house. The exterior doors of the houses are secured with a lock device (mostly punch-code locks or swipe card access). In a few cases in Fraternity Park, student room keys will unlock certain exterior doors so that students may gain access to the building at these locations. All houses are equipped with proper fire and safety equipment, and are inspected by the university's Office of Environmental Health and Safety once per semester. Fire evacuation drills are held 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 (<http://fs.utk.edu/Resources-Nav/Building-rep/building-representatives.pdf>) or contact UTPD at **865-974-3114**.



Security Considerations Used in the Maintenance of Campus Facilities

UTK's Facilities Services strives to ensure that campus facilities, grounds, and landscaping are maintained in such a way as to eliminate natural obstructions that could become safety concerns. Periodically, a lighting survey is performed by a group of campus representatives in conjunction with UTPD. Based on results of past surveys, significant improvements in outdoor lighting and placement of emergency blue-light telephones have been made. Additionally, UTPD conducts C.P.T.E.D. (Crime Prevention Through Environmental Design) surveys upon request or



when a serious or continuous facility security problem is noted. UTPD also regularly patrols the campus and reports malfunctioning lights and other potentially unsafe physical conditions to Facilities Services for correction. Members of the university community are encouraged to report any deficiency in lighting (e.g., dim, obstructed, or non-operational lighting) or other potentially unsafe physical conditions to Facilities Services at **865-946-7777** or **4-7777** (from a campus phone). Such reports to Facilities Services may be made 24 hours a day, seven days a week. Students residing in university residence halls may submit non-emergency requests for maintenance online (<http://housing.utk.edu/students/services/>) and may submit emergency requests and lock and key requests by visiting the front desk of the residence hall.

Evening and Special Transportation

The university's transit system, called the "T," is provided by First Transit and offers the "T:Link," a free on-demand shuttle service for individuals. During the academic year, students, faculty, and staff can 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 UT's Main Campus, Ag Campus, and Fort Sanders Neighborhood to Grand Avenue (excluding the Cumberland Strip). The "T:Late Nite" is also available to students. T:Late Nite is a bus route that runs on campus and in Fort Sanders from 6 p.m. to 2:30 a.m. Sunday through Thursday, and from 6 p.m. to 3:30 a.m. Friday and Saturday. The UT Mobile app integrates the T Transit System to include a GPS tracking map, route stop information, and news updates on route and service changes. Schedules vary when classes are out of session. For more information and schedules, visit <http://ridethet.utk.edu/>.

Crime Prevention and Security Awareness Programs

Continually throughout the year, multiple university units facilitate programs designed to inform the community about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others.



UTPD

UTPD facilitates crime prevention and security awareness programs in which members of UTPD's Community Relations Unit (CRU) explain and demonstrate how students, staff, and faculty can protect themselves and their property. CRU staff speak to students and parents at orientation sessions, students and staff in residence halls, members and residents of Greek organizations, and any individual or group requesting a program. A few of the programs conducted by the CRU include:



- S.A.F.E.* (Self-defense Awareness & Familiarization Exchange): A crime-victim prevention program that encompasses strategies and techniques that introduce participants to the physical aspects of self-defense.
- Personal Safety: A simple approach with realistic safety tips. Optional overview of self-defense devices can be included.
- Alcohol Awareness: This program addresses the dangers associated with excessive drinking and brings awareness to hazards of driving while impaired. "Fatal Vision" goggles are used to demonstrate vision and coordination impairment. This can also be used in conjunction with the Wii gaming system to simulate driving while impaired.
- Basic R.A.D. (Rape Aggression Defense): Self-defense program for women that offers risk reduction and avoidance information. This course incorporates physical defense skills in a realistic training environment. In addition to the basic program, UT Police offers other R.A.D. programs targeted to children and men.

- Operation ID: To assist in theft prevention and recovery, this program registers the serial number and item description of your property with UT Police. A theft-deterrent sticker, and or engraving your item with a unique, definable characteristic can also be applied. You may begin the Operation ID registration process online at <http://utpolice.utk.edu/operation-identification/>.
- Sexual Assault Awareness: Discussions of awareness, prevention, avoidance, and effective communication regarding non-stranger rape. Information regarding available counseling is also provided.
- Substance Abuse: This program discusses the dangers of drug abuse, as well as the abuse of prescription medication. The course also highlights the misconceptions students may have concerning drug use.
- Spring Break Information: Safety program geared towards travel and personal safety. Situational awareness and the understanding alcohol and drugs while traveling are also discussed.
- Workplace Violence: Information regarding the escalating problem of violence in the workplace. Identification of characteristics of potentially violent individuals, as well as prevention and avoidance strategies.
- Community Response to Active Shooter: One of the most frightening situations that can occur on a college campus is dealing with an active shooter. An active shooter is a person who is actively threatening lives or prepared to threaten lives in a populated area. This program focuses on how to deal with a potential active shooter situation. The course gives information on past occurrences, warning signs, and what to do if a shooting occurs in your immediate area.

All UTPD programs and courses are free to university students and employees.

In **2016**, UTPD's CRU instructed **271 programs** making contact with **18,160 individuals**.

The CRU conducts programs throughout the year upon request (**865-974-4674** or **utpolice@utk.edu**). Literature and brochures are distributed at most programs. The CRU staff has extensive training in a variety of areas and in many cases can adapt programs to meet a group's specific needs.

Other UTPD crime prevention and security awareness programs include:

- UTAlert & Rave Guardian Promotion: Police set up kiosk/table displays to promote and encourage UT staff, students, and faculty to register their mobile number for the **UTAlert emergency notification system** and **promote usage for the Rave Guardian 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, sorority and fraternity organizations, the Office of Multicultural Student Life, the Division of Student Life, the Fort Sanders neighborhood, and other various groups. Through these partnerships, organizations routinely report concerns to their liaison officer which are relayed to the proper person or unit. UTPD also organizes and participates in social events (e.g., softball games, 3-on-3 basketball games) and open forums on campus.

Center for Health Education and Wellness

The mission of the Center for Health Education and Wellness (CHEW) is to engage in prevention and intervention efforts to increase awareness, impact student decision making, and positively impact the university community.

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

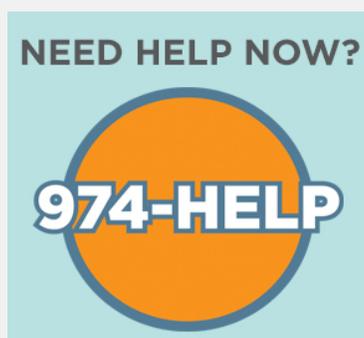
The CHEW is a unit in the Division of Student Life dedicated to the holistic development and support of students. The unit is designed to create connections which draw from across the Division of Student Life, the university and the greater Knoxville community. The goal of the CHEW is to facilitate supports, mobilize access, 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 supports addressing distressed students, sexual assault, personal safety, 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 courses are free to UT students and employees.



The CHEW facilitated the following programs and courses in 2016:

- The Think About It Module is an interactive, online module that was developed to educate incoming students at the university about alcohol, sexual misconduct, campus policies, state law and choice making. All incoming students were required to complete the module prior to matriculation in 2016. Approximately 3,094 students signed on to the module.

- E- Check UP to GO Alcohol / E-CheckUP to Go Marijuana are self-assessment tool available for use by students to examine their own alcohol/marijuana use. The program provides immediate personalized feedback about: drinking patterns, risk patterns, aspirations and goals, and campus and community resources.
- The Alcohol Education Program (AEP) is a mandated education class, and was offered by the Center to students who were been cited with an alcohol violation. In 2016, 503 students completed the Alcohol Education Program.
- BASICS: Brief Alcohol Screening and Intervention for College Students (BASICS) consists of two one hour one-on-one sessions with a Wellness Coordinator. The focus of these sessions are to learn more about the student, their drinking pattern, and working collaboratively toward preventing such incidents from occurring again. During these sessions, the student completes an online assessment. Students are typically sanctioned to complete these sessions as a part of an alcohol violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of alcohol.
- The Drug Education Program (DEP) is a mandated education class, and was offered by the CHEW to students who had been cited with a drug violation. In 2016, 100 students completed the Drug Education Program.
- Annual Health & Wellness Survey was administered to 4,000 full-time undergraduate students to measure student perceptions regarding four domains: health, personal safety, substance use/perceptions, and suicide. In 2016, 841 students participated in the Health & Wellness Survey.
- CASICS: CAnnabis Screening and Intervention for College Students (CASICS) consists of two one hour one-on-one sessions with a Wellness Coordinator. The focus of these sessions is to learn more about the student, their marijuana use pattern, and working collaboratively toward preventing such incidents from occurring again. During these sessions, the student completes an online assessment. Students are typically sanctioned to complete these sessions as a part of a drug violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of marijuana.
- Campus Wide Presentations are provided by request to student, faculty, and staff groups regarding: 974-HELP, Distressed Student Protocol, Case Management, and Sexual Assault Response. In 2016 presentations were conducted for over 7,000 students, faculty, and staff.



- First Year Studies (FYS) Volunteers Speak UP! FYS Edition was developed. The program serves as an introductory overview to the full Volunteers Speak UP! Relationship & Sexual Violence Prevention and Alcohol Edition programs.
- Start to Conversation: How to Discuss Alcohol with Your Student was developed to encourage and provide resources to parents to have a conversation about the use of alcohol, family expectations, and consequences prior to fall matriculation. Approximately 4,500 families received the electronic link via promotions to the Start the Conversation booklet.
- Media Campaigns were utilized to promote central office messages. Messaging campaigns were run in the student newspaper, The Daily Beacon, on electronic media boards, were found on the CHEW's website (wellness.utk.edu), in pamphlets, on bulletin boards, and on safety sandwich boards across campus. Messages promoted personal safety, sexual assault prevention, social norms, healthy behaviors, and the distressed student protocol. Media Campaigns reached approximately 20,000 students.

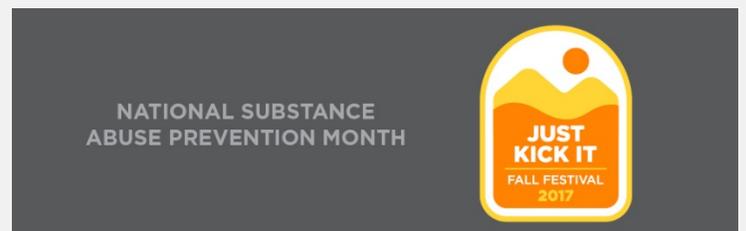


- Start to Conversation: How to Discuss Consent with Your Student was developed to encourage and provide resources to parents to have a conversation about the consent, policy, expectations and the impact of alcohol prior to fall matriculation. Approximately 4,500 families received the electronic link via promotions to the Start the Conversation booklet.
- New & Transfer Student Orientation Be Smart. Be Safe. Be a Vol! sessions were attended by all incoming new and transfer students. In 2016, the sessions were facilitated by UTPD and the CHEW. Content discussed during the presentation covered the following areas: personal safety, sexual health, alcohol & drugs, and sexual assault. Approximately, 98.2% of incoming First-Year students attended new student orientation and 81.8% of transfer students attended transfer student orientation sessions during 2016.

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



- The Substance Abuse Recovery Fair was a four hour long event hosted by the Center for Health Education and Wellness in the fall semester of 2016. Approximately 179 students attended the event, which was sponsored by eight campuses, local mental health, treatment facilities, and recovery support community resources. Participants received information about resources in the community for individuals needing support for recovery from substance use disorders.
- The National Substance Abuse Prevention Month Kick-Off Event was an event sponsored by the Center for Health Education & Wellness to raise awareness regarding National Substance Abuse Prevention Month. The purpose of the Kick-Off event was to bring awareness to National Substance Abuse Prevention Month and inform students, staff, and faculty of other events throughout the month of October 2016. Approximately Four hundred (400) individuals participated in the event.



- World AIDS Day was held on November 18, 2016. The event was a partnership between the Center for Health Education and Wellness and the Knox County Health Department. The event promoted the significance of World AIDS Day, awareness, and the importance of getting tested for HIV/AIDS. The Knox County Health Department provided free HIV testing while the CHEW participated in tabling to provide information and safer sex supplies. Approximately 30 students, faculty, and staff participated in the event.
- Volunteers Speak UP! RSVP (Relationship & Sexual Violence Prevention) program includes information on consent, how to provide support to someone who has been sexually assaulted, how to be an active bystander, and stalking. The RSVP program concludes with resources and how to promote a VOLS HELP VOLS culture at UT and beyond. RSVP is focused on preventing sexual assault, relationship violence and stalking. The program educates the University of Tennessee community around prevention, bystander intervention, and campus and community resources. Approximately, 25 programs with a total of 642 student contacts in 2016.
- Volunteers Speak UP! Alcohol Edition serves to address and reduce risks related to concerning drinking behavior, over-consumption of alcohol, and other alcohol-related injuries, deaths, or other incidents. The Alcohol Edition program includes information on how to recognize alcohol overdose, care-taking skills when someone has overdosed, how to be an active bystander, and ways to Speak UP! Approximately, 11 programs were held in 2016 with a total of 172 student contacts in 2016.



- 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. Topics presented in the 2016 year included Volunteers Speak UP Relationship and Sexual Violence Edition, Alcohol Edition and FYS Edition, Alcohol Risk Reduction, Stress, Safer Sex & Healthy Relationships. VOLS 2 VOLS Peer Educators - Healthy Relationships & Sexual Health presentations provide education on the dynamics of healthy relationships, evaluating communication and increasing awareness of at risk behaviors in relationships. Both editions of the Volunteers Speak UP presentations discuss being an active bystander and how to help create a safer campus community.

In 2016, VOLS 2 VOLS Peer Health Educators grew to 32 educators and had 4,860 contacts with students on being an active bystander, alcohol risk-reduction, healthy relationships (consent/violence prevention) sexual health (decision making, consent, and risk reduction), and additional health and wellness topics such as nutrition.

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 Misconduct, Relationship Violence, Stalking, 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. Prohibited Conduct is defined in the University’s Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (the “Policy”), 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 *Think About It Module* is an interactive, online module that was developed to educate incoming students at the university about alcohol, sexual misconduct, campus policies, state law and choice making.
- *New & Transfer Student Orientation: Be Smart. Be Safe. Be a Vol!* sessions were attended by all incoming new and transfer students. In 2016, the sessions were facilitated by the Office of Student Conduct & Community Standards and the CHEW. Content discussed during the presentation covered the following areas: personal safety, sexual health, alcohol & drugs, and sexual assault.
- The Office of Equity and Diversity and the Office of Title IX partner in presenting weekly to all new employees at *New Employee Orientation*. 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. It also 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.
- *Volunteers Speak UP! RSVP (Relationship & Sexual Violence Prevention)* program includes information on consent, how to provide support to someone who has been sexually assaulted, and how to be an active bystander. The RSVP program concludes with resources and how to promote a Vols Help Vols culture at UT and beyond.
- The *Consent* program explores the campus policy and definition of consent, as well as factors that impact the ability to give consent. Through interactive activities, students learn how to recognize when consent is present, when it is not, and what to do when consent may be unclear.
- The *Know Your Policy* program provides information on the campus Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation. Students and employees can get the facts on rights related to the policy, key definitions, and resources.
- For employees, the University provides an online training tool with EverFi called *Haven for Faculty and Staff*, addressing key topics on sexual assault, stalking, intimate partner violence, and sexual harassment. The online module is comprised of videos and interactive activities in an easy to use format providing content for prevention, awareness and action. UT's policies and resources related to these topics, along with key legislation, are referenced. This module can be found at https://cas.tennessee.edu/everfi/utk/?c_id=21 and accessed by entering your University assigned username and password.
- Additionally, Know Your Policy posters, resource cards, You Are Not Alone posters and resource cards, Red Zone campaign and resource cards, Topic Tuesday, Red Flag Campaign, Sexual Assault Awareness Month Events, Hike the Hill in Heels, consent t-shirts, Volunteers Speak UP! T-shirts and Daily Beacon advertisements promote <http://titleix.utk.edu>, wellness.utk.edu and prevention programs being carried out by the Center for Health Education and Wellness.

- Programs such as E- Check UP to GO Alcohol / E-CheckUP to Go Marijuana, The Alcohol Education Program (AEP), BASICS: Brief Alcohol Screening and Intervention for College Students (BASICS), The Drug Education Program (DEP), CASICS: CAnnabis Screening and Intervention for College Students, Campus Wide Presentations, First Year Studies (FYS) Volunteers Speak UP! FYS Edition, Start to Conversation: How to Discuss Alcohol with Your Student & How to Discuss Consent with Your Student, Media Campaigns, Volunteers Speak UP! Alcohol Edition, 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 Title IX Coordinator, the Deputy Title IX Coordinator for Prevention and Support, or the Clery Compliance Coordinator.

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

- End Violence Against Women International (EVAWI) developed the OnLine Training Institute (OLTI) to provide the opportunity to provide knowledge on cutting edge developments in the criminal justice and community response to sexual assault for anyone who is interested. This training specifically focuses on those crimes committed by someone known to the victim (non-stranger). **The OLTI is free. There is no cost to register, enroll, or complete any of the modules.** <http://olti.evawintl.org/Default.aspx?ReturnUrl=%2f>
- The Stalking Resource Center provides training to professionals seeking to understand and enhance their skills in working with victims and offenders of stalking. These trainings are victim-centered, research informed, and practice based. <https://www.victimsofcrime.org/our-programs/stalking-resource-center/training>
- National Online Resource Center on Violence Against Women offers VAWnet, a comprehensive and accessible online collection of information and resources on domestic violence, sexual violence and related issues. The VAWnet library provides training tools and materials to support efforts in raising awareness, increasing capacity, and enhance efforts to prevent violence against women and intervene more effectively when it occurs. <http://www.vawnet.org>

University Housing – Division of Student Life

University Housing incorporates a community development model for programming to engage their residents in safe and healthy lifestyles. Growth and development is sustained through one-on-one conversations, as well as floor and hall-wide community builders. Housing hosts many programs offered by UTPD and the Center, in addition to creating programs geared toward their resident’s safety and security.

A selection of the crime prevention and security awareness programs for the on-campus housing community conducted by University Housing – Division of Student Life in 2015 is contained in **Appendix D**.



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

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

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

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

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

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

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

Alcohol

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

It is unlawful in Tennessee for:

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

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

Illegal Drugs

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

Standards of Conduct for Students

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

- Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on University-controlled property or in connection with a University-affiliated activity 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 handbook, *Hilltopics*, at <http://studentconduct.utk.edu/>.

Code of Conduct for Employees

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



Drug and Alcohol Abuse Prevention

Units in the university's Division of Student Life (e.g., the Center for Health Education and Wellness, the Student Health Center, the Student Counseling Center, and the Office of the Dean of Students) are committed to promoting responsible decision making regarding alcohol and drugs through educational programming, resources, and referrals. The university's **Employee Assistance Program (855-437-3486)** (<http://hr.utk.edu/employee-relations/employee-assistance/>) manages the alcohol & drug abuse and rehabilitation program for benefits-eligible employees. The Employee Assistance Program also provides counseling and referral services.

Health Risks

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

Alcohol-abuse health risks: Liver damage—cirrhosis, alcoholic hepatitis; heart disease—enlarged heart, congestive heart failure; ulcers and gastritis; malnutrition; cancer—of the mouth, esophagus, stomach, liver; brain damage—memory loss, hallucinations, psychosis; damage to fetus if pregnant mother drinks; death—50 percent of fatal auto accidents involve alcohol, 31 percent of suicides are committed by alcoholics.

Drug-use health risks: Overdosing—psychosis, convulsions, coma, death; long-term use—organ damage, mental illness, malnutrition, death; casual use—heart attack, stroke, brain damage, death; needles—infections, hepatitis, AIDS, death; if a pregnant mother uses drugs, her baby can be stillborn or born addicted.

Weapons

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

Tennessee Criminal Law

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/safety_policy/sa0875/.

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 on University controlled property or in connection with a University affiliated activity, unless authorized in writing by the Chief of Police or their 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, https://policy.tennessee.edu/safety_policy/sa0875/, an employee shall not possess or carry a firearm on university property or while acting within the course and scope of their university employment.

Tennessee Sex Offender Registry

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

In Tennessee, convicted sex offenders must register with the Tennessee Sex Offender Registry maintained by the Tennessee Bureau of Investigation (TBI). Tennessee Code Annotated § 40-39-206 requires persons who are required to register pursuant to the Tennessee Sexual Offender and Violent Offender Registration, Verification and Tracking Act of 2004 (Tennessee Code Annotated § 40-39-201 et seq.) to disclose the name and address of any institution of higher education in Tennessee at which the offender is employed, carries on a vocation or is a student. TBI is responsible for maintaining the Tennessee Sex Offender Registry. Click on the following link to access the Tennessee Sex Offender Registry: <https://www.tn.gov/tbi/section/tennessee-sex-offender-registry>. 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 misconduct, relationship violence, stalking, and retaliation, a copy of which can be found in [Appendix F](#).

Annual Disclosure of Crime Statistics

UTPD is responsible for preparing and distributing this Annual Security and Fire Safety Report to comply with the Clery Act. Within UTPD, 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.

UTPD 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 Division of Finance and Administration; the university's Title IX Coordinator; the university's Division of Student Life; university Campus Security Authorities; and local law enforcement agencies, including the City of Knoxville Police Department and the Knox County Sheriff's Office. For statistical purposes, crime statistics reported to any of those sources are recorded in the calendar year in which the crime was reported. The statistics represent offenses that were reported to any of those sources, regardless of whether the alleged offense was investigated or whether there was a finding of guilt or responsibility.

UTPD submits the crime statistics published in the Annual Security 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 <http://clery.utk.edu/clery-map/> for a detailed map and geography descriptions. The University of Tennessee Medical Center, which is operated by University Health System, Inc., a separate legal entity from the University of Tennessee, is not considered campus property because it is separated from the Knoxville campus by the Tennessee River. There is no tunnel or pedestrian bridge connecting the campus and medical center.

Definitions

Definitions of Terms Used in this report

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

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

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

Clery 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 of the victim; (2) a person with whom the victim shares a child in common; (3) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

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

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

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (enzedrines, 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.

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

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

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

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

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

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

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

University or UTK: The University of Tennessee, Knoxville.

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

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 misconduct, relationship violence, stalking, and retaliation, 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 <http://safety.utk.edu/occupational-safety/fire-log/> or in person at, room 414, 1425 Tee Martin Drive, (East Stadium Hall) 8:00 a.m. – 5:00 p.m., Monday through Friday on university business days.

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

UTPD	865-974-3111
University Housing	865-974-2397
Environmental Health and Safety	865-974-5084
Sorority and Fraternity Life	865 974-2236

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

Fire Statistics

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

Fire Safety Systems

Appendix C to this report contains a description of each on-campus student housing facility's fire safety system, including the number of fire drills held during 2016.

Policies and Rules for Appliances, Smoking and Open Flames

Smoking

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

Entrances to all university buildings, including residence halls are designated as smoke free. Unless otherwise posted, smoking is prohibited within twenty-five (25) feet of all doorways, windows and ventilation systems of all university buildings. Smokers are responsible for ensuring that all smoking activity, including lighting and discarding cigarettes, takes place a sufficient distance from doorways, windows and ventilation systems of university buildings to avoid infiltration of smoke into the building.



Open Flames

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

Portable 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 units and one toaster are permitted in kitchens in apartment style halls.

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

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

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

False Reports and Interference with Fire Safety Systems

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

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

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

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

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

C— Close all doors.

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

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

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

1. Activate the nearest fire alarm pull station.
2. Students are not encouraged to use portable fire extinguishers.
3. Upon hearing the alarm, leave the building using the nearest exit stairway.
4. Close doors while exiting the building
5. Meet at the designated assembly point for a head count.
6. Do not re-enter the building until approval is given by police or fire officials.



Evacuation and Fire Drill Procedures for Individuals with Disabilities

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

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

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

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

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

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

Fire Safety Education and Training Programs for Students and Staff

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



Policies related to fire safety education and training can be found in the **UT Safety Manual** (<https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/>) and include the following:

Safety Policy Name	Safety Policy Number	Hyperlink
Safety Training	AD-050	https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/safety-training/
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

No improvements are planned at this time.

Fraternity Housing

Sigma Chi closed in December 2016 and will be subleasing to Chi Phi during the 2017-2018 school year.

Alpha Gamma Rho started renovations in the fall of 2016 with an anticipated completion in the spring 2018.



Phi Gamma Delta closed in the fall 2016 and will be subleasing to Alpha Gamma Rho in the 2017-2018 school year.

Pi Kappa Alpha is subleasing to Beta Upsilon Chi from 2017 to 2018.

Residence Halls

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

- Stokley Residence Hall, which is located on the site where Gibbs Hall formerly stood, was opened in the fall of 2016
- Orange and White dorms opened in the fall of 2016 on the site formerly occupied by Sherburne towers.
- Site work started in spring 2017 for two new dorms that will occupy the location where Apartment Residence formerly stood.
- The most significant future change will be the demolition of the President Court Complex and construction of new residence halls. This project will take several years to complete and will involve the demolition of several existing buildings. Reese Hall, Humes Hall, and Shelburne Towers have been demolished as part of this major project. In addition, Presidential Court, which serves these residential buildings, will also be razed and replaced. The new facilities that replace these residence halls will not be high-rise structures. All new residence halls will have complete automatic fire suppression (sprinkler) systems, with automatic alarms connect to Central Alarm, smoke-tight hallways, fire-rated exits and other fire code requirements. Portable fire extinguishers will be installed and maintained in accordance with National Fire Protection Association 10 (“Standard for Portable Fire Extinguishers”). Standpipes will be provided for buildings four or more stories in height. Fire safety training and drills will be conducted similar to the existing residence halls.

University of Tennessee, Knoxville

Non-Discrimination EEO/AA Statement

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

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

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

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

E01-7252-001-15

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX A: CRIME STATISTICS

CRIME STATISTICS: JANUARY 1, 2016 – DECEMBER 31, 2016

	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	Unfounded Crimes**
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	1	0	2	0	2	0	0	0	0	3	0	0	0	0	0
Aggravated Assault	1	0	0	1	0	1	0	1	0	1	0	1	3	1	0	0	1	0
Motor Vehicle Theft	12	2	0	14	0	0	0	0	0	4	0	4	18	0	0	0	0	1
Arson	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1	0
Burglary	16	0	0	16	1	4	5	10	0	0	0	0	26	10	0	0	10	0
Rape*	8	0	14	22	0	0	0	0	0	0	0	0	22	3	0	10	13	0
Fondling*	3	1	6	10	0	0	0	0	0	0	0	0	10	1	0	1	2	1
Incest*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	69	7	0	76	0	0	0	0	4	0	0	4	80	39	0	0	39	0
Liquor Law Violations Referred for Disciplinary Referral	88	0	441	529	0	0	0	0	11	0	0	11	540	22	0	437	459	0
Drug Law Arrests	62	1	0	63	0	0	0	0	11	0	0	11	74	32	0	0	32	0
Drug Law Violations Referred for Disciplinary Referral	56	0	51	107	0	0	0	0	2	1	0	3	110	53	0	51	104	0
Illegal Weapons Possession Arrests	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	3	0	1	4	0	0	0	0	0	0	0	0	4	3	0	1	4	0
Domestic Violence	24	1	2	27	0	0	0	0	1	1	0	2	29	17	0	0	17	0
Dating Violence	2	0	0	2	0	0	0	0	0	0	0	0	2	2	0	0	2	0
Stalking	28	0	14	42	0	0	0	0	0	0	0	0	42	12	0	3	15	0

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

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

***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.

***10/13/17 update to Arson on-campus/on-campus residential for incident on 3/3/16 which was classified as intentional for housing but did not meet Clery classification at the time. This incident was later identified as reportable for Clery statistics and added to this report.

CRIME STATISTICS: JANUARY 1, 2015 – DECEMBER 31, 2015

	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	Unfounded Crimes**
	1	2	3		1	2	3		1	2	3			1	2	3		
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	1	0	0	0	0	1	1	0	2	3	1	0	0	1	2
Aggravated Assault	3	0	0	3	0	0	0	0	0	1	0	1	4	1	0	0	1	0
Motor Vehicle Theft	11	1	0	12	0	1	0	1	0	4	0	4	17	0	0	0	0	2
Arson	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1	0
Burglary	32	0	0	32	0	1	0	1	0	0	0	0	33	15	0	0	15	3
Rape*	6	0	13	19	0	0	0	0	0	0	0	0	19	6	0	12	18	1
Fondling*	0	0	2	2	0	0	0	0	0	0	0	0	2	0	0	0	0	0
Incest*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	97	2	0	99	0	0	0	0	13	0	0	13	112	52	0	0	52	0
Liquor Law Violations Referred for Disciplinary Referral	93	0	499	592	0	0	0	0	5	0	0	5	597	49	0	498	547	0
Drug Law Arrests	74	2	0	76	1	1	0	2	9	0	0	9	87	33	0	0	33	0
Drug Law Violations Referred for Disciplinary Referral	42	0	25	67	0	0	0	0	4	0	0	4	71	14	0	25	39	0
Illegal Weapons Possession Arrests	4	0	0	4	0	0	0	0	0	0	0	0	4	1	0	0	1	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	2	0	1	3	0	0	0	0	0	0	0	0	3	2	0	0	2	0
Domestic Violence***	12	0	7	19	0	0	0	0	0	2	0	2	21	7	0	5	12	0
Dating Violence***	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking***	9	0	9	18	0	0	0	0	0	0	0	0	18	0	0	0	0	0

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

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

Hate Crimes: January 1, 2015 - December 31, 2015

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

OC=On Campus Property
NC=Non-Campus Property

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

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

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

CRIME STATISTICS: JANUARY 1, 2014 – DECEMBER 31, 2014

	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	Unfounded Crimes**
	1	2	3		1	2	3		1	2	3			1	2	3		
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	0	0	0
Aggravated Assault	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1	0
Motor Vehicle Theft	16	0	0	16	0	0	0	0	0	5	0	5	21	0	0	0	0	3
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	12	0	0	12	2	0	1	3	0	0	0	0	15	9	0	0	9	1
Rape*	3	0	6	9	0	0	0	0	0	0	0	0	9	2	0	6	8	2
Fondling*	2	0	0	2	0	0	0	0	0	0	0	0	2	2	0	0	2	0
Incest*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Liquor Law Arrests	107	1	0	108	0	0	0	0	35	0	0	35	143	57	0	0	57	0
Liquor Law Violations Referred for Disciplinary Referral	59	1	441	501	0	0	0	0	15	0	0	15	516	46	0	441	487	0
Drug Law Arrests	100	0	0	100	0	1	0	1	17	0	0	17	118	49	0	0	49	0
Drug Law Violations Referred for Disciplinary Referral	136	0	18	154	0	0	0	0	6	0	0	6	160	131	0	18	149	0
Illegal Weapons Possession Arrests	3	0	0	3	0	0	0	0	1	0	0	1	4	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	3	0	0	3	0	0	0	0	0	0	0	0	3	3	0	0	3	0
Domestic Violence***	4	2	1	7	0	0	0	0	0	0	0	0	7	2	0	1	3	2
Dating Violence***	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking***	12	0	4	16	0	0	0	0	0	0	0	0	16	4	0	1	5	0

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

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

Hate Crimes: January 1, 2014 - December 31, 2014

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

OC=On Campus Property
NC=Non-Campus Property

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

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

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

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX B: FIRES IN ON-CAMPUS STUDENT HOUSING FACILITIES

Housing Facility	Total Fires in the Housing Facility			Cause of Fire			Number of Injuries that Required Treatment at a Medical Facility			Number of Deaths Related to a Fire			Value of Property Damage Caused by Fire		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Apartment Residence Hall, 2117 Andy Holt Avenue	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Fred D. Brown, Jr. Hall, 1817 Andy Holt Avenue	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Carrick Hall, 1021 Francis St. (North Carrick) & 1023 Francis St. (South Carrick)	0	0	0	N/A	N/A	N/A	NA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Clement Hall, 1629 W. Cumberland Avenue	0	1	1	N/A	Unintentional / Outlet behind stove failed	Unintentional/ Electric arc from a plug started	N/A	N/A	N/A	N/A	N/A	N/A	NA	\$150	\$125
Gibbs Hall, 1311 Lake Loudoun Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Hess Hall, 1720 Melrose Place	0	0	1	N/A	N/A	Unintentional/ grease fire in kitchen	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$0
Humes Hall, 1911 Andy Holt Avenue	0	0	1	N/A	N/A	Unintentional/ combustibles too close to stove	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$0

Laurel Hall, 1615 Laurel Avenue	1	1	2	Uninte ntional / Grease cooking	Uninte ntional / Student clean- ing compu- ter	Uniti onal/ el- ectrical failure	N/A	\$250	\$400	\$400							
						Uninten tional/ waffle ignited in oven										\$250	
Massey Hall, 825 Volunteer Boulevard	1	0	0	Uninte ntional / Card- board in dump- ster	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$100	N/A	N/A
Morrill Hall, 1038 20 th Street	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Reese Hall, 1910 Caledonia Street	0	0	1	N/A	N/A	Intentio nal/ Posted notes ignited	N/A	N/A	N/A	\$0							
Stokley Hall 1311 Lake Loudoun Blvd	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Volunteer Hall, 1525 White Avenue	0	0	1	N/A	N/A	Uninten tional/ oven fire	N/A	N/A	N/A	\$250							
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Kappa Alpha Fraternity, 840 20 th Street	0	0	0	N/A												
Kappa Sigma Fraternity, 1730 Melrose Pl.	0	0	0	N/A												
Lambda Chi Alpha, 1848 Fraternity Park Dr.	0	0	0	N/A												
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	0	0	0	N/A												
Phi Kappa Psi, 1840 Fraternity Park Dr.	0	0	0	N/A												
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	0	0	0	N/A												
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	0	0	0	N/A												
Pi Kappa Phi, 1828 Fraternity Park Dr.	0	0	0	N/A												
Sigma Alpha Epsilon Fraternity	0	0	0	N/A												

Sigma Chi Fraternity	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	0	1	0	N/A	Gas leak under kitchen hood ignited	NA	N/A	\$2,000	N/A							

Delta Gamma Sorority, 2906 Sorority Village Circle	0	0	0	N/A											
Delta Zeta Sorority, 3018 Sorority Village Circle	0	0	0	N/A											
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	0	0	0	N/A											
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	0	0	0	N/A											
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	NA	N/A	N/A	N/A	N/A	N/A
Pi Beta Phi Sorority, 3006 Sorority Village Circle	0	0	0	N/A											
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	0	0	0	N/A											

Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	0	0	0	N/A											
Volunteer Condos, 910 22ndStreet	0	0	0	N/A											

ANNUAL SECURITY AND FIRE SAFETY REPORT

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

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2016	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Fred D. Brown, Jr. Hall, 1817 Andy Holt Avenue	✓	✓	✓	✓	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 Avenue	✓	✓	✓	✓	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
Humes Hall, 1911 Andy Holt Avenue	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Laurel Hall, 1615 Laurel Avenue	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Massey Hall, 825 Volunteer Boulevard	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Morrill Hall, 1038 20 th Street	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Orange Hall, 858 20 th Street	✓	✓	✓	✓	2 – opened fall 2016	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways

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

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2016	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Reese Hall, 1910 Caledonia Street	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Volunteer Hall, 1525 White Ave	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
White Hall, 862 20 th Street	✓	✓	✓	✓	2 - opened fall 2016	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	✓	✓	✓		4 - closed fall 2016	✓	Fire rated stairs, smoke-tight hallways
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Kappa Alpha Fraternity, 840 20 th Street	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Kappa Sigma Fraternity, 1730 Melrose Pl.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Lambda Chi Alpha Fraternity, 1848 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Phi Kappa Psi, 1840 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Pi Kappa Phi, 1828 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Sigma Alpha Epsilon Fraternity 1808 Fraternity Park Drive	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2016	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Sigma Chi Fraternity 1816 Fraternity Park Dr	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	✓	✓	✓		6	✓	Fire rated stairs, smoke-tight hallways
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	✓	✓	✓		6	✓	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
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

HOUSING FACILITY	FULL SPRINKLER SYSTEM ¹	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2016	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Volunteer Condos, 910 22 nd Street		✓	✓	✓	0	✓	Exterior Stairway for egress

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX D: CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS CONDUCTED BY UNIVERSITY HOUSING – DIVISION OF STUDENT LIFE

2016

Date of Program	Residence	Program Title	Objective	Participation Scope	Program Description
2017-03-30	North Carrick Hall	Alcohol and Drug Trivia	6. Safe and Healthy Lifestyles	2. Hall	This program aims at educating residents on various drugs and alcohol. By mixing in information about safe lifestyle choices with a fun activity, the residents are more likely to retain information from the program.
2016-09-19	Hess Hall	Alcohol Awareness- Drunk Mario Kart	6. Safe and Healthy Lifestyles	3. Inter-hall	Residents come together for education on alcohol awareness by means of a presentation by UTPD. Residents will attempt to play Super Mario Kart while wearing UTPD's drunk goggles which simulate varying levels of intoxication. Residents will have pizza and soda to enjoy while attending the program.
2017-01-30	Stokely Hall	Bachelor Viewing Party	6. Safe and Healthy Lifestyles	1. Floor	"Bachelor" viewing party with informational handouts about safe and healthy relationships, and dialogue during commercial breaks about the information. Each person will have different experiences when it comes to relationships, good and bad, so respect will factor into that portion. Making sure that everyone is respectful of other's experiences.
2017-02-26	North Carrick Hall	Be a Straight Shooter	6. Safe and Healthy Lifestyles	2. Hall	The residents will be shooting a nerf gun at cans to win prizes, but only if they correctly answer questions about alcohol awareness, consent, etc...
2016-10-23	Massey Hall	Booze-A-Palooza	6. Safe and Healthy Lifestyles	2. Hall	The goal is to inform residents about safe and responsible drinking habits in a fun and memorable way with a nacho bar catered by Moes, various alcohol-related games, posters with relevant alcohol information, music, tournaments, and drinks.

2017-01-26	Hess Hall	Buzzed Trivia	6. Safe and Healthy Lifestyles	1. Floor	Alcohol related questions to spread awareness for our residents, while adding a competitive aspect to make it enjoyable. Several different types of questions, some that are even alcohol related that deal with pop culture elements, to show how prevalent it is in our society today.
2016-09-08	Hess Hall	Channing Tater Tot Um	6. Safe and Healthy Lifestyles	2. Hall	Encourage dialogue about safe sex and how to talk openly about sex with your partner. During this we will be watching Magic Mike XXL and eating tater tots.
2017-04-28	Clement Hall	Come meet SEAT	6. Safe and Healthy Lifestyles	2. Hall	SEAT, the on-campus group responsible for Sex Week, will host a session that sheds light on sexual harassment and assault. Their presentation will be interactive and include the opportunity for residents to work through scenarios to gain the necessary tools to deal with multiple types of situations that may arise.
2016-09-15	North Carrick Hall	Condom Knowledge	6. Safe and Healthy Lifestyles	2. Hall	Free condoms and information on safe sex tips and practices.
2017-02-28	Orange & White Halls	Condoms and Queso	6. Safe and Healthy Lifestyles	1. Floor	Queso, chips and free condoms while stressing the importance of a healthy lifestyle.
2017-02-22	Stokely Hall	Cookies and Condoms	6. Safe and Healthy Lifestyles	1. Floor	As Spring Break is approaching and many residents will be travelling. The Student Health center provides free condoms and a large amount of free or affordable information and sexual healthcare, and the students deserve to know these facts. This program provides free cookies with condoms on top of them. There will be a table in the common area with the plate and a lot of facts regarding the resources at the student health center, including the free condoms, counseling and testing.

2017-03-22	Stokely Hall	Cookies and Consent	6. Safe and Healthy Lifestyles	1. Floor	Watch 'The Hunting Ground', a documentary on sexual assault on college campuses and sign pledges against sexual harassment and assault that I will post on the floor.
2017-03-30	South Carrick Hall	Could I Have Stolen Your TV?	6. Safe and Healthy Lifestyles	1. Floor	I went to each door and checked to see if there door was locked and each door got a door hanger that I made. It stated if they "passed or failed" the test and a list of do's and dont's when it comes to dorm safety.
2017-02-22	Clement Hall	Dating Advice	6. Safe and Healthy Lifestyles	2. Hall	A dating advice program to participate in the week long health and safety relationships program. Tips and advice on how to have a successful date in a safe and positive manner with different date ideas along with ways of gauging how well a date is going.
2016-10-20	Hess Hall	Domestic Violence Awareness Cookies	6. Safe and Healthy Lifestyles	1. Floor	This will be a program in which we make cookies to help spread the awareness of domestic violence. Purple frosted cookies for free to inform people of statistics and facts about domestic violence.
2017-01-30	Stokely Hall	Don't Get "Smashed"	6. Safe and Healthy Lifestyles	1. Floor	A presentation about the effects/dangers of alcohol and what can happen if residents are caught with alcohol on campus. This presentation will be themed around/paired with a Super Smash Bros tournament on the 8th floor south common area.
2016-10-27	Hess Hall	Don't Let Your Treats Become Tricks	6. Safe and Healthy Lifestyles	3. Inter-hall	Don't Let Your Treats Become Tricks is going to be a program centered on alcohol awareness. Mocktails set up for people to take once they come and we will have some Halloween candy out for them too. There will be an informational guide on what actual servings of alcohol are, and the danger of consuming too much (aka your treat becoming a trick).

2016-10-28	Morrill Hall	Drink the facts	6. Safe and Healthy Lifestyles	1. Floor	Its water pong except instead of drinking water you read a drinking fact. Learning facts about alcohol.
2016-08-30	Reese Hall	Drunk Ballin'	6. Safe and Healthy Lifestyles	2. Hall	Along with UTPD, patrons may try on drunk goggles and play various games ranging from Spikeball, Can Jam and Cornhole to find the difficulties of alcohol and substance abuse. Dialogues with residents before and after they try the goggles about what they expect would happen against what actually happened and how they feel they performed while under the influence. Allows students to discover the dangers of alcohol abuse through first hand experience. Discussions on how abuse would affect their learning capabilities as a college student, since many people face such difficult habits.
2016-10-13	Morrill Hall	Drunken Mario Kart	6. Safe and Healthy Lifestyles	2. Hall	UTPD will conduct their Alcohol Awareness program. For this program, UTPD brings a wii and drunk goggles and talk about alcohol awareness. Residents will play mario kart with the drunk google to simulate drunk driving and how dangerous it is.
2016-09-06	North Carrick Hall	Drunk-ology	6. Safe and Healthy Lifestyles	2. Hall	UT police to come in and talk to all the freshman about safe drinking habits and consumption. It is focused on educating them on safer drinking habits and teaching them the effects of alcohol on the body in various situations. After the seminar, there will be racing games set up and water pong for the residents to play. They will experience the effects of alcohol by wearing drunk goggles as they compete in these games.
2017-01-30	Stokely Hall	Find your bachelor before you watch the bachelor	6. Safe and Healthy Lifestyles	1. Floor	Cupcakes and other treats for residents. The objective is to have a conversation about what safe dating is and signs to notice whether someone has your best interest or not.

2017-02-16	Stokely Hall	Galentine's Day	6. Safe and Healthy Lifestyles	1. Floor	A Galentine's Day, girls only Valentine's Day celebration. Ice cream brownie sundaes provided as a treat while watching a movie about a healthy relationship, such as "The Vow", with Channing Tatum. A discussion about relationships with residents and talking any issues they may have in them.
2016-10-17	Clement Hall	Happy Hour	6. Safe and Healthy Lifestyles	2. Hall	Serving residents different types of virgin drinks while teaching them about alcohol safety.
2016-10-27	Morrill Hall	It's A Me! Alcohol Awareness!	6. Safe and Healthy Lifestyles	1. Floor	UTPD is bringing the Mario Kart system with Drunk Goggles to play on the floor in order to bring awareness to driving impaired.
2017-01-26	Clement Hall	It's Lit Trivia	6. Safe and Healthy Lifestyles	2. Hall	It's Lit Trivia will focus on drug and alcohol awareness. It will include facts about the effects of drug and alcohol usage and abuse, along with pop culture references to drugs and alcohol.
2016-10-03	Hess Hall	It's Not Taboo	6. Safe and Healthy Lifestyles	1. Floor	This program is sponsored by VOLS 2 VOLS, a division on the Center for Health Education and Wellness. They will be coming to K073 at 6:00PM on Monday evening to educate residents on sexual health through a fun and creative board game much like Candyland.
2017-02-23	Hess Hall	It's not taboo	6. Safe and Healthy Lifestyles	2. Hall	It's Not Taboo is a Vols help Vols lead program which provides students a fun and interactive opportunity to discuss safer sex practices in a safe, nonjudgmental manner. The topics covered in this interactive presentation are sexually transmitted infections, barrier methods, and contraceptives. They will also touch on consent and why it is important during this program.
2016-10-31	Hess Hall	J4-K3-H3	6. Safe and Healthy Lifestyles	2. Hall	Co-ed volleyball and then discuss the safeties of going out on Halloween. We will play for about an hour and then go over the safety of the nights activities. This is going to be a program that will bring residents out for fun, and then learn and reminded of safe skills.

2017-02-28	Stokely Hall	Jello Shots & Jungle Juice	6. Safe and Healthy Lifestyles	2. Hall	Non-alcoholic Jello shots and fruit punch in solo cops and handing out leaflets on alcohol awareness to residents.
2016-10-30	Clement Hall	Know Before You Go	6. Safe and Healthy Lifestyles	2. Hall	Before going out to celebrate Halloween, residents can hear about alcohol safety and how to socialize responsibly. A table set up the lobby where there will be red solo cups of candy to give away. However, before the residence may take a piece, they have to answer a piece of alcohol trivia or tips on how to be safe when going out.
2016-11-21	Reese Hall	Mocktail Social	6. Safe and Healthy Lifestyles	1. Floor	The girls will be making different cocktails: shirley temples, sparkling raspberry mocktail, safe sex on the beach Bags of sugar will portray how much alcohol is in a shot, in a cup of hunch punch and in a beer.
2016-10-20	South Carrick Hall	National Domestic Violence Awareness Day	6. Safe and Healthy Lifestyles	3. Inter-hall	October is National Domestic Violence Awareness month, and on Thursday, October 20, South Carrick Hall encouraged all residents of residence halls in the West Area to wear purple to show their support for victims and survivors of domestic violence. Cookies with information about domestic violence for residents as they leave for classes, as well as dedicating a table to resources for domestic violence prevention and help. At 7pm, residents of South Carrick Hall will travel to the rock to paint the rock purple to show support for victims and survivors.
2016-08-25	Reese Hall	Operation I.D.	6. Safe and Healthy Lifestyles	2. Hall	During Operation I.D., residents will have a chance to register any valuable items with UTPD just in case they happen to misplace them throughout their time here at UT. Through this program, residents will be able to interact with UTPD about the most frequent crime on campus: unattended theft.

2016-10-20	Hess Hall	Operation ID with UTPD	6. Safe and Healthy Lifestyles	2. Hall	Hess Hall Residents will be given the opportunity to register their electronic devices with UTPD. By registering the device, UTPD will be able to return the device if it is ever stolen or found. This is a proactive program that teaches safety and security.
2017-02-24	Massey Hall	Operation Identification	6. Safe and Healthy Lifestyles	1. Floor	A UTPD officer is going to come and help my residents register their items with UTPD so their items will be more safe from being stolen.
2017-02-27	Orange & White Halls	Operation Identification	6. Safe and Healthy Lifestyles	2. Hall	Operation Identification is a theft prevention program to help keep the personal items of residents more safe. By keeping a record of students' personal items and engraving them, the theft recovery and reporting process is made much smoother. By providing this free service to our residents, we are encouraging safe and healthy lifestyles, exposing them to some of the wonderful services offered by UTPD, and helping them to become more aware. It should last roughly an hour. All Orange and White residents will be encouraged to participate.
2016-11-20	Massey Hall	Party Tricks	6. Safe and Healthy Lifestyles	1. Floor	Residents will learn about the facts and risks associated with alcohol consumption in an interactive game format. The goal of this program is to educate residents on a topic that is incredibly relevant to them at this stage in their lives.
2017-01-30	Stokely Hall	Rose Ceremony	6. Safe and Healthy Lifestyles	1. Floor	Watch the "Bachelor" and in commercials, we will talk about healthy relationships and consent. A great way for everyone to get to be together while still learning and hearing new perspectives. A poster of healthy relationship traits and another for unhealthy for the girls to fill out together. This will allow them to see what they believe to be a healthy relationship.

2016-11-17	Orange & White Halls	S.A.F.E.	6. Safe and Healthy Lifestyles	1. Floor	This program will provide knowledge and confidence about self-defense and responding effectively to an attack. Just knowing that you hypothetically could defend yourself gives you peace of mind being out late at night as a female. Plus I'm sure UTPD will make this program fun and educational.
2016-10-24	Hess Hall	S.A.F.E. Girl's Self Defence	6. Safe and Healthy Lifestyles	1. Floor	S.A.F.E. Girls' Self-Defense a program made by UTPD. This program is an educational awareness, crime-victim prevention program that encompasses strategies, techniques, options, and prevention. It will provide teenage and adult women with information that may reduce their risk of exposure to violence and introduces them to the physical aspects of self-defense.
2016-08-25	Clement Hall	S.A.F.E. Self Defense	6. Safe and Healthy Lifestyles	2. Hall	Utilizing UTPD's Self-defense, Awareness, and Familiarization Exchange (S.A.F.E.) program will help women residents feel more comfortable on campus while giving them the tools to keep themselves safe. UTPD will conduct the program in the Clement Hall basement, where any woman resident will be able to attend. The program will last about an hour and will focus on awareness, responsiveness, and four self-defense moves.
2016-08-29	Fred D. Brown Jr. Hall	Self-Defense Workshop	6. Safe and Healthy Lifestyles	2. Hall	UTPD will teach a women's self defense class for Brown Hall. This class will raise awareness for assault on campus and teach the residents that attend the program how to defend themselves in dangerous situations. This program is free and officially taught by UTPD.
2016-10-31	Volunteer Hall	Sex, Drugs, and Rock & Roll	6. Safe and Healthy Lifestyles	1. Floor	A program to cover topics of safe sex, drug abuse, and alcohol awareness. I will be giving out condoms and jell-o "shots" for residents who stop by. Music will be playing to encourage people to stop by.

2017-04-19	Hess Hall	Sexual Assault Awareness	6. Safe and Healthy Lifestyles	1. Floor	Papers for each resident on their orange boards. This paper will include statistics about sexual assault in colleges and on our campus, prevention and reporting information along with an incentive to spread awareness. Each resident asked to wear teal (the color of sexual assault awareness month) on April 20th to spread our awareness and support for sexual assault. A reward each member who comes!
2017-04-12	Laurel Residence Hall	Sexual Assault Awareness Egg Hunt	6. Safe and Healthy Lifestyles	2. Hall	We will be making eggs that have information about sexual assault awareness inside of them, and hiding them around the building. We want to make people more aware of what can be going on around them that they may not be knowledgeable about.
2016-10-20	Clement Hall	Sexual Assault Movie Night	6. Safe and Healthy Lifestyles	2. Hall	A Netflix documentary called Audrie and Daisy where both girls were sexually assaulted and one committed suicide along with a printout of facts, statistics, and resources to give everyone who comes so they know what to do if they are informed of a sexual assault or if it happens to them.
2017-03-09	South Carrick Hall	Spring Break & Alcohol- Not all fun and games!	6. Safe and Healthy Lifestyles	1. Floor	This program is specifically focused on alcohol awareness and education. Each cup is "filled" with facts and tips about alcohol.
2017-02-27	North Carrick Hall	Spring Break 101	6. Safe and Healthy Lifestyles	2. Hall	Jeremy, Dom, Dean, and myself will be putting on a program to prepare students for Spring Break. We will put together information into a sort of Trivia like game, with subjects ranging from alcohol, drugs, sun poisoning, dangers of high tide, ways to save money, etc. Along the lines of, answer the question right and get a prize for spring break. Prizes will be along the lines of beach towels, sunscreen, and other small but essential items. We are also considering going by the student health center to be able to pass out condoms to those interested in the promotion of safe sex.

2017-03-06	South Carrick Hall	Spring Break Snacks and Safety Facts	6. Safe and Healthy Lifestyles	1. Floor	With Spring Break coming up, each suite will receive a large bag full of fun snacks to take while they travel to their Spring Break destinations. In these bags, there are slips of paper with safety facts on them pertaining to alcohol, hydration, traveling, personal safety, etc.
2017-03-08	Clement Hall	Spring Break Trivia Board	6. Safe and Healthy Lifestyles	2. Hall	<p>A poster of questions about Spring Break facts. Some categories would be about hygiene/traveling tips/swimming safety/sun exposure/ and the buddy system benefits. We will cover up the answers and have it in the lobby while people walk by and give a prize of candy if they try and answer it.</p> <p>The idea is to prepare students for details when they go on Spring Break Vacation.</p>
2017-02-09	South Carrick Hall	Surviving Boxing Weekend	6. Safe and Healthy Lifestyles	1. Floor	Surviving Boxing Weekend is a program that encourages residents to be safe during boxing weekend. A table with water, starchy foods, and the phone numbers to the South Carrick front desk, UTPD, and Uber. Information about alcohol and how to drink responsibly. Fun goodies for those who decide to stay in.
2017-03-06	South Carrick Hall	Take a Shot with Me	6. Safe and Healthy Lifestyles	2. Hall	During this program we will be having coke "shots" to give to residents. In some of those drinks there will be skittles. These skittles will represent date rape drugs. We are also handing out flyers about alcohol use. We think it is important to hold this program this week due to the fact that spring break is next week. We want to make residents as aware as possible about the dangers of alcohol.
2016-11-27	Reese Hall	Tea Time with Chris	6. Safe and Healthy Lifestyles	1. Floor	Sunday the 27th of November, there will be tea and coloring books to allow the guys to relax a bit before finals start up.

2017-02-27	Massey Hall	The Drinking Game	6. Safe and Healthy Lifestyles	1. Floor	Split up into teams and play a trivia game, half of the questions will be fun and the other half will be educational on the topic of drinking, but still fun! Prizes (snacks, candy, etc) and snacks for everyone to enjoy.
2016-10-30	South Carrick Hall	Tips and Treats	6. Safe and Healthy Lifestyles	1. Floor	Deliver treats with facts about alcohol consumption. Raising awareness before the ladies go out and celebrate the holiday.
2016-10-24	Massey Hall	UTPD Alcohol Awareness	6. Safe and Healthy Lifestyles	1. Floor	This program is done through the UTPD. It is designed to raise awareness of the consequences of overuse and abuse of alcohol. UTPD will conduct their program at 6pm on 10/24.
2016-09-14	Fred D. Brown Jr. Hall	UTPD Operation ID	6. Safe and Healthy Lifestyles	2. Hall	UTPD will come in and host their Operation ID program. They will register students' electronics for the purpose of preventing theft.
2016-09-08	Laurel Residence Hall	UTPD Personal Safety Presentation	6. Safe and Healthy Lifestyles	2. Hall	UTPD will be at Laurel on 6:30 PM on September 8 in order to inform students about necessary precautions that should be taken in order to maximize their safety while living on campus. The women that attend the personal safety presentation will have the opportunity to learn basic self defense moves.
2017-02-26	Orange & White Halls	UTPD Program	6. Safe and Healthy Lifestyles	2. Hall	UTPD will be registering people's personal items and it's also a great chance for students to interact with the UTPD officers.
2016-09-15	Laurel Residence Hall	UTPD S.A.F.E.	6. Safe and Healthy Lifestyles	2. Hall	A UTPD S.A.F.E. Women's self defense class.

2017-03-27	Morrill Hall	Want More Life?	6. Safe and Healthy Lifestyles	1. Floor	<p>Create an informative poster about the consequences of drunk driving. Drunk driving could drastically affect enjoying a long, healthy life. The poster will have information about the realities of drunk driving and how they can prevent it. This is inclusive because it includes all residents and will help to start a dialogue within the floor and also with their friends. Residents will learn respect for their own life and also for other's lives because drunk driving doesn't just harm them. This program can make an impact for Spring Break safety and safe and healthy life style choices.</p>
2017-02-23	Morrill Hall	What's Your Love Language?	6. Safe and Healthy Lifestyles	1. Floor	<p>Residents take the online love languages quiz while they eat pizza. Afterwards an explanation of what these results mean and give examples of how some people give and receive love. Open dialogue about what a healthy friendship or relationship looks like.</p>
2016-11-29	Hess Hall	Women Self-Defense	6. Safe and Healthy Lifestyles	2. Hall	<p>A program in conjunction with UTPD focusing in on women's self-defense. We want our girls to feel S.A.F.E. in their 'Home Sweet Home'.</p>

Program Name	Frequency	Participants	Description
New Member Orientation	Once per semester	All new members of IFC fraternities	Rebecca Juarez from Center for Health Education and Wellness educated men on alcohol and drug education and sexual assault prevention
New Member Orientation	Once per semester	All new member of Panhellenic sororities	Laura Bryant from Center for Health Education and Wellness and Betsy Smith from Student Conduct and Community Standards presented on alcohol and drug education and sexual assault prevention.
Emergency Response Training	One Time Program	All fraternity and sorority chapter presidents	Brad Walker from Crisis Management spoke to attendees about the importance of acting responsibly during crisis situations, particularly in the event of an active shooter.
National Hazing Prevention Week	Annual Program	Sorority and Fraternity Chapter Leaders	Programs covered the definition of hazing, case studies, positive teambuilding ideas, and a discussion on hazing behaviors.
Greek Conduct and Officer Training Program	Annual Program	Three members of each sorority and fraternity	Discussed the student conduct process, broke into groups and talked about safe event management, and trained students to be Speakologists.
Bystander Intervention Training	Annual Program	Risk Manager from each sorority and fraternity	Fletcher Havercamp, from Center for Health Education and Wellness, trained student leaders in Volunteers Speak Up! Training
Fall Leadership Retreat	Annual Program	All NPHC and MGC members	Each year NPHC and MGC councils partner with CHEW to host various prevention programs. For the 16-17 the focus was Bystander Behavior.
Advisor Training: Sexual Assault Education	Fall Program	Advisors to sorority and fraternity organizations	Ashley Blamey, Director of Center for Health Education and Wellness gave overview of consent, campus policy, resources and reporting
Chapter Visits by OSFL Staff	Annual Program	All Organizations: general membership	Members of OSFL staff visited all 40 student orgs and presented on alcohol, drugs, sexual assault and hazing prevention, education and reporting
TIPS Training	One Time Program	Office of Sorority and Fraternity Life staff	Staff members attended a 'train-the-trainer" TIPS program sponsored by UTPD

Meeting with UTPD	Annual Program	IFC Fraternity Chapter Leaders	Officers from UTPD met with chapter leaders from IFC fraternities to address any safety concerns within their residential facilities
Sexual Assault Education for Men Planning Meetings	As needed over past year	Council Presidents and IFC Fraternity Leaders	Fletcher Havercamp, from Center for Health Education and Wellness, met with various student leaders to discuss plan for rolling out new sexual assault prevention education for men
Title IX Investigation Focus Groups	One Time Program	Members of sorority and fraternity community	Members affiliated with the sorority and fraternity community participated in multiple focus groups as a part of an independent Title IX investigation

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX E: RESOURCES

RESOURCES

University of Tennessee Police Department

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

University of Tennessee Clery Compliance

clery.utk.edu
Email: clery@utk.edu

Dean of Students

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

The Student Health Center

1800 Volunteer Boulevard
General Information: 865-974-3135
Appointment Line: 865-974-3648
Studenthealth.utk.edu

Center for Health Education & Wellness

1800 Volunteer Boulevard, Suite 201
865-974-5725
Email: wellness@utk.edu
wellness.utk.edu

Student Conduct & Community Standards

409 Student Services Building
865-974-3171
Email: studentconduct@utk.edu
studentconduct.utk.edu

University Housing

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

Distressed Student Protocol

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

Distressed Staff Protocol

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

Sexual Misconduct and Relationship Violence

titleix.utk.edu

Employee Assistance Program

Here4TN.com
1-855-Here4TN (1-855-437-3486)

UT Human Resources

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

Office of Equity & Diversity

1840 Melrose Avenue
865-974-2498
oed.utk.edu

Student Disability Services

ods.utk.edu

Student Handbook

hilltopics.utk.edu

US Department of Education Campus Crime Data

ope.ed.gov/campussafety/#/

Family Educational Rights and Privacy Act

ed.gov/ferpa

Policies

utk.edu/policycentral/

Campus Safety

safety.utk.edu

Campus Blue Light Phone Map

utk.edu/maps

Campus Bus Schedule

ridethet.utk.edu

ANNUAL SECURITY AND FIRE SAFETY REPORT

APPENDIX F: POLICY ON SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION

**Policy on
Sexual Misconduct,
Relationship Violence,
Stalking, and
Retaliation**

titleix.utk.edu



CONTENTS

SECTION 1: INTRODUCTION1

SECTION 2: CARE, SUPPORT, AND REPORTING OPTIONS3

SECTION 3: PROCEDURES USED TO ADDRESS PROHIBITED CONDUCT 12

SECTION 4: PROHIBITED CONDUCT 13

APPENDICES 18

APPENDIX A: GUIDE ON CARE, SUPPORT, AND REPORTING OPTIONS

APPENDIX B: CONSENT

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

STUDENT CONDUCT INVESTIGATIVE FLOW CHART

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

APPENDIX E: GUIDE FOR MANDATORY REPORTERS

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 Misconduct, Relationship Violence, Stalking, 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 Misconduct, Relationship Violence, Stalking, and Retaliation ("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 procedures the University will follow to thoroughly, equitably, and promptly investigate and resolve reports of Prohibited Conduct. Additional information about the University'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;
- Employees and affiliates of the University;¹ and
- University contractors and third parties participating in a University education program or activity.

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 strangers or acquaintances and can occur between people of the same or of different sexes, sexual orientations, gender identities, or gender expressions.

- The "Complainant" is the person who may have been subjected to Prohibited Conduct, regardless of whether that person makes a report or seeks action under this Policy.
- The "Respondent" is the person who has been accused of committing Prohibited Conduct.

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.

¹ "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.

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 if it: (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, or Roane County; (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.

1.2.3 Effective Date

The effective date of this Policy is August 22, 2017. This Policy applies to all Prohibited Conduct reported to have occurred on or after August 22, 2017. If the Prohibited Conduct reportedly occurred prior to August 22, 2017, then: (1) the report will be evaluated using definitions of misconduct contained in applicable university policies in effect at the time of the reported Prohibited Conduct; and (2) other aspects of the University's response to the report (e.g., investigation and resolution procedures) will be based on this Policy.

1.2.4 Other University 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.

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 (provost.utk.edu/faculty/manuals/faculty-handbook/). 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. In addition, depending on the circumstances, a consensual sexual relationship may also violate other University policies, including, without limitation: University of Tennessee System Human Resources Policies 0220 ("Equal Employment Opportunity Affirmative Action and Diversity") (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/).

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
CARE, SUPPORT, AND REPORTING OPTIONS

2.1 OVERVIEW

Complainants have a wide range of options for care, support, and reporting in response to an incident of 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.

2.2 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, including promptly, thoroughly, and equitably investigating and resolving reports of Prohibited Conduct to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

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 any other kind of Sex Discrimination, or questions about the University’s policies, procedures, resources, or programs concerning any of those issues, may be directed to the University’s Title IX Coordinator or 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 Deputy Title IX Coordinators are:

NAME	TITLE(S)	CONTACT INFORMATION
Erin Stoner	Senior Deputy Title IX Coordinator	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 estoner@utk.edu titleix.utk.edu
Jenny Richter	Deputy Title IX Coordinator for Human Resources/Office of Equity and Diversity (OED) Associate Vice Chancellor and Director, Office of Equity and Diversity	1840 Melrose Avenue Knoxville, TN 37996 (865) 974-2498 jrichter@utk.edu oed.utk.edu
Sarah Gardner	Deputy Title IX Coordinator for Student Support	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 sgardn15@utk.edu titleix.utk.edu
Laura Bryant	Deputy Title IX Coordinator for Student Prevention Director, Center for Health Education and Wellness	1800 Volunteer Blvd., Suite 201 Knoxville, TN 37996 (865) 974-5725 or (865) 974-HELP lbryant7@utk.edu wellness.utk.edu
Betsy Smith	Deputy Title IX Coordinator for Student Conduct Director, Office of Student Conduct and Community Standards	409 Student Services Building Knoxville, TN 37996 (865) 974-3171 bbsmith@utk.edu studentconduct.utk.edu
Donna Thomas	Deputy Title IX Coordinator for Intercollegiate Athletics Senior Associate Athletics Director/Senior Woman Administrator	Brenda Lawson Athletic Center 1551 Lake Loudon Boulevard Knoxville, TN 37996 (865) 974-0123 dthomas7@utk.edu
Jillian Paciello	Deputy Title IX Coordinator for Law Enforcement and Clery Compliance Clery Compliance Coordinator	University of Tennessee Police Department 1101 Cumberland Avenue Knoxville, Tennessee 37996 (865) 974-0544 jpaciell@utk.edu clery.utk.edu ; utpolice.utk.edu

2.3 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, can keep information confidential, then the Complainant should contact one of the resources outlined in Section 2.4.
- **Privacy:** Information communicated to a Title IX Official (Section 2.2) or a Mandatory Reporter (Section 2.5.2.1) will not be confidential but will be kept private, which means that the

information will initially 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. A Title IX Official will not share personally identifiable information with the police for law enforcement purposes.² A Title IX Official will not share information with the Respondent if the University grants a Complainant's Request for Limited Action (Section 2.5.2.4). 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.

2.4 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 law, a court order, or a subpoena. 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 2.5).

2.4.1 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. **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.

A Confidential Employee can help a Complainant explore options for care and support, provide information on reporting options (Section 2.5) and Interim Measures (Section 2.6), and provide emotional support. A Complainant who at first requests confidentiality may later decide to report the incident to a Title IX Official and/or to the police and have the University and/or the police fully investigate the incident. Confidential Employees can provide the Complainant with assistance in making such reports if the Complainant asks them to do so. Respondents may also communicate with and request assistance from Confidential Employees.

2.4.2 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 or the police. Those options also are described in **Appendix A**.

2.5 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.

2.5.1 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

² An employee of the University of Tennessee Police Department (UTPD) participates in the University's Sexual Assault Response Team. However, UTPD will not write a police report unless the Complainant decides to report the incident to the police. A description of the University's Sexual Assault Response Team can be found at titleix.utk.edu.

incident to the police is especially critical for incidents of Nonconsensual Sexual Penetration because the collection and preservation of evidence relating to Nonconsensual Sexual Penetration often 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 Interim Measures (Section 2.6) 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** also provides suggestions about the preservation of evidence relating to Prohibited Conduct.

2.5.2 Report to the University

A person who wants to report Prohibited Conduct to the University should contact a Title IX Official (Section 2.2). 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.

2.5.2.1 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 2.4.1) 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;
- 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. **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 jpaciell@utk.edu or (865) 974-0544.**

2.5.2.2 Benefits of Reporting Prohibited Conduct to the University

Reporting Prohibited Conduct to the University empowers Complainants to obtain the support they need and enables the University to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, pursuing disciplinary action against a Respondent. Complainants are not required to report Prohibited Conduct if they do not want the University to respond to the incident or assist with Interim Measures (Section 2.6). 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 Interim Measures to the Complainant, but the University's ability to investigate the incident and pursue disciplinary action against the Respondent or take other remedial action will be limited. If an incident is not reported to the University, then the University will not be able to take steps to: identify care and support resources for the Complainant, such as Interim Measures; or promptly, thoroughly, and equitably investigate the incident and/or resolve the situation to eliminate the Prohibited Conduct, prevent its recurrence, and address its effects on the Complainant or the University community.

2.5.2.3 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:

- Have an appropriate University employee offer to meet with, or otherwise communicate with, the Complainant;
- Implement Interim Measures (Section 2.6) 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, Relationship 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;

- Subject to a Complainant's Request for Limited Action (Section 2.5.2.4), initiate the investigation and resolution procedures outlined in **Appendix C** (reports of student misconduct) or **Appendix D** (reports of employee misconduct) of the Policy if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct and falls within the scope and applicability of this Policy; 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.

2.5.2.4 Request for Limited Action

A Complainant has the right to do the following when an incident of Prohibited Conduct is reported to a Title IX Official:

- Request that the report of Prohibited Conduct or the Complainant's contact with a Title IX Official not be disclosed to the Respondent;
- Decline to personally identify the Respondent;
- Decline to respond to communications from a Title IX Official; and/or
- Request that the University not investigate the incident, stop an ongoing investigation, or not pursue or stop the pursuit of disciplinary action against the Respondent.

Such an action is referred to in this Policy as a "**Request for Limited Action.**"

The Title IX Coordinator evaluates Requests for Limited Action, although the Title IX Coordinator may delegate the authority to evaluate Requests for Limited Action to the Deputy Title IX Coordinator for Human Resources/OED in cases involving employees.

If the Complainant makes a Request for Limited Action, then the Title IX Coordinator will seriously weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all members of the University community, including the Complainant. If the Title IX Coordinator honors the Request for Limited Action, then the University's ability to respond fully to the incident (e.g., meaningfully investigate the incident and pursue disciplinary action against the Respondent or take other remedial action) may be limited.

There are limited circumstances in which the Title IX Coordinator may not grant a Request for Limited Action because of the University's commitment to providing a safe and non-discriminatory learning, living, and working environment free from Prohibited Conduct. For example, if the University has credible information that the Respondent has committed one or more other acts of Prohibited Conduct, then the balance of

factors might compel the University to investigate the allegation, and, if appropriate, pursue disciplinary action in a manner that may make known the Complainant's identity to the Respondent.

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

- The risk that the Respondent will commit additional acts of Prohibited Conduct, such as:
 - Whether there have been other 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; and
- The University's commitment to providing a safe, non-discriminatory environment, including the risk posted to any individual or to the campus community by not proceeding with an investigation.

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

If the Title IX Coordinator determines not to grant the Request for Limited Action, then the Title IX Coordinator will inform the Complainant of the decision prior to starting/continuing the investigatory/disciplinary 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. If the Title IX Coordinator determines that the University must disclose the Complainant's identity to the Respondent, then the Title IX Coordinator will inform the Complainant of that determination prior to the disclosure. The University will honor a request by the Complainant that the University inform the Respondent that the Complainant asked the University not to investigate or seek discipline. The University will take ongoing steps that it determines are reasonable and appropriate to protect the Complainant from Retaliation or harm and may work with the Complainant to create a safety plan. The University will also assist the Complainant to access the support resources identified in **Appendix A**, including Interim Measures, and inform the Complainant of the right to report a crime to campus or local law enforcement (and provide the Complainant with assistance in reporting if the Complainant requests it). The University will not 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) 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.

2.5.2.5 *Amnesty*

The University recognizes that a student or employee 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 or employee who reports Prohibited Conduct to the University or provides information in a University investigation into alleged Prohibited Conduct will not be subject to disciplinary action by the University for personal consumption of alcohol or other drugs, or minor offenses, at or near the time of the reported incident, but may be responsible for other, more serious conduct that harmed or placed the health or safety of any other person at risk ("Amnesty"). The University may, however, initiate an educational discussion or pursue other educational remedies with the student or employee regarding alcohol or drugs. The Title IX Coordinator has the discretion to grant Amnesty to other 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 2.5.2.3 does not apply to reports to the police.

2.5.2.6 *False Reports*

A person who makes a report of Prohibited Conduct to the University that is later found to have been intentionally false or made maliciously without regard for truth 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 false information to the University during a University investigation or disciplinary proceeding action may be subject to disciplinary action.

2.6 INTERIM PROTECTIVE AND REMEDIAL MEASURES

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

The specific Interim Measures implemented and the process for implementing those measures will usually be determined by the Title IX Coordinator and will vary depending on the facts of each case and the student or employee status of the Complainant and the Respondent. Examples of Interim Measures include, without limitation: issuing no-contact directives; imposing an interim suspension on a student-Respondent (determined by the Vice Chancellor for Student Life); exploring changes in academic, living, transportation, dining, extracurricular, and working arrangements for the Complainant and/or the Respondent; providing medical and counseling services to students; arranging appointments with on-campus support services or off-campus support services; assisting with communications with faculty; and exploring options of re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty.

Interim Measures are available:

- Even if the Complainant does not want to report the incident to the police;
- Even if the Complainant has made a Request for Limited Action and the University has granted the Request for Limited Action. (The University may be limited in the Interim 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; and
 - Prior to, during, or after the investigation or resolution of a report of Prohibited Conduct.

In implementing Interim Measures, the University attempts to minimize the burden on the Complainant while balancing the due process rights, if any, of the Respondent. If a Complainant requests Interim Measures through a Confidential Employee, then the University may be limited in its ability to provide the Interim Measures depending on how much information the Complainant is willing to share with the Title IX Coordinator. Information about Interim Measures generally will be shared only within the limited circle of those University employees whom the University reasonably needs to involve in providing the Interim Measures. However, information about an Interim Measure for one party (e.g., the Complainant) that directly affects the other party (e.g., the Respondent) will be shared with the affected party (e.g., a no-contact directive).

Individuals are encouraged to report to the Title IX Coordinator concerns about the failure of another person to abide by the terms of an Interim Measure; 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 Interim Measure and alleged violations will be investigated and addressed by the appropriate office. The Title IX Coordinator has the discretion to issue, modify, or remove any Interim Measure at any time.

With respect to non-student employee Complainants, the Title IX Coordinator has delegated the authority to determine and implement appropriate Interim Measures to the Deputy Title IX Coordinator for Human Resources/OED.

SECTION 3
PROCEDURES USED TO ADDRESS PROHIBITED CONDUCT

The University has specific procedures for addressing reports of Prohibited Conduct after the initial response and assessment by the Title IX Coordinator (Section 2.5.2.3). The procedures the University uses are based on the relationship of the Respondent to the University.

3.1 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 PROCEDURES WHEN THE RESPONDENT IS AN EMPLOYEE

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

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

When the Respondent is both a student and an employee: (1) 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; and (2) the Respondent may receive sanctions under the University's Student Code of Conduct and/or University disciplinary policies for employees.

3.4 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 appropriate disciplinary, remedial, and/or protective measures with respect to a third party will depend on the nature of the relationship between the third party and the University. The Title IX Coordinator (or designee) has the authority to alter the manner of resolving a report of Prohibited Conduct committed by a third party if the procedures in *Appendix D* are not appropriate.

SECTION 4 **PROHIBITED CONDUCT**

This Policy prohibits the following conduct:³

- **Sexual Misconduct**
 - **Sexual Assault**
 - **Nonconsensual Sexual Penetration**
 - **Nonconsensual Sexual Contact**
 - **Sexual Harassment**
 - **Sexual Exploitation**
- **Relationship Violence**
- **Stalking**
- **Retaliation**

4.1 SEXUAL MISCONDUCT

"Sexual Misconduct" is an umbrella term that encompasses Sexual Assault, Sexual Harassment, and Sexual Exploitation.

4.2 SEXUAL ASSAULT

"Sexual Assault" is an umbrella term that encompasses Nonconsensual Sexual Penetration; Nonconsensual Sexual Contact; and conduct that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program.

4.2.1 NONCONSENSUAL SEXUAL PENETRATION

"Nonconsensual Sexual Penetration" means Sexual Penetration, however slight, performed upon another person that occurs without that person's Consent. "Sexual Penetration" means penetration of a vagina or anus by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person.

4.2.2 NONCONSENSUAL SEXUAL CONTACT

"Nonconsensual Sexual Contact" means Sexual Contact, however slight, performed upon another person that occurs without that person's Consent. "Sexual Contact" means intentional physical contact with another person's breasts, buttocks, groin, or genitals, whether clothed or unclothed; intentional contact with another person using one's breasts, buttocks, groin, or genitals, whether clothed or unclothed; causing another

³ The University's Nondiscrimination Statement (oed.utk.edu/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. Sexual Harassment, Sexual Assault, and Sexual Exploitation are all types of Sex Discrimination. A complaint of Prohibited Conduct will be treated as a complaint of Sex Discrimination in violation of the University's Nondiscrimination Statement if it was based on the sex of the Complainant. Complaints of Sex Discrimination will be handled in accordance with the procedures outlined in Section 3 of this Policy.

person to physically contact oneself with or on the other person's breasts, buttocks, groin, or genitals, whether clothed or unclothed; or any other type of intentional physical contact done in a sexual manner or for the purpose of sexual arousal or gratification, based on the perspective of a Reasonable Person.

4.2.3 CONSENT

"Consent" means an active agreement to participate in Sexual Contact or Sexual Penetration. An active agreement is words and/or conduct that communicate a person's willingness to participate in Sexual Contact or Sexual Penetration.

The following individuals cannot give valid Consent:

- A person who is Incapacitated, if either the person claiming to have obtained Consent knows that the other person is Incapacitated or a Reasonable Person would know that the other person is Incapacitated;
- A person who is Forced to participate in Sexual Contact or Sexual Penetration; or
- A person who is under the age of eighteen (18), unless the person giving Consent is at least the age of thirteen (13) and the other person is less than four (4) years older than the person giving Consent.

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 4 and Appendix B.**

4.2.4. 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 participate in Sexual Contact or Sexual Penetration.

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 Sexual Contact or Sexual Penetration; or
 - Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.

Force is something more than seduction or persuasion.

4.2.5. INCAPACITATION

"Incapacitation (Incapacitated)" means a temporary or permanent physical or mental state in which a person cannot make an informed, rational judgment about whether to Consent to Sexual Contact or Sexual Penetration because: (1) the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct (i.e., cannot understand the "who, what, when, where, why, and/or how" of their words and/or conduct); and/or (2) the person is unable to physically and/or verbally communicate and/or withdraw Consent.

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. Alcohol and drugs are common causes of Incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication.

4.3 SEXUAL HARASSMENT

With respect to conduct by an employee or other non-student, **"Sexual Harassment"** means words and/or conduct of a sexual nature prohibited by University of Tennessee System Human Resources Policy 0280 ("Sexual Harassment and Other Discriminatory Harassment") (policy.tennessee.edu/hrpolicy/hr0280/).

With respect to conduct by a student, **"Sexual Harassment"** means (1) unwelcome words and/or conduct, (2) that are sexual in nature, sex-based, and/or gender-based, (3) that are pervasive, persistent, or sufficiently severe, (4) that are objectively offensive, and (5) that unreasonably deny, unreasonably limit, or unreasonably interfere with a person's ability to participate in or benefit from a University educational program or activity. In no event shall the term "Sexual Harassment" be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech). Sexual Harassment may include, for example, unwelcome sexual advances, requests for sexual favors, Sexual Assault, and Sexual Exploitation. 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. Depending on the severity of the words and/or conduct, a single incident (e.g., Sexual Assault) may be considered Sexual Harassment.

4.4 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.

Examples of Sexual Exploitation include, without limitation:

- Surreptitiously observing, photographing, audiotaping, videotaping, or recording an image of a person who is engaging in Sexual Contact or Sexual Penetration, 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 Contact or Sexual Penetration, 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 Contact or Sexual Penetration, 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; or
- 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 Contact or Sexual Penetration with a person other than oneself; or 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 Contact or Sexual Penetration; or
- Forcing a person to take an action against that person's will by threatening to disclose sensitive personal information or information that would harm a person's reputation;
- Causing or requesting an Incapacitated person to expose the person's breasts, buttocks, groin, or genitals.

A person cannot actively agree to an act if: (1) the person is Incapacitated, if either the person claiming to have obtained Consent 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 participate in the act.

4.5 RELATIONSHIP VIOLENCE

"Relationship Violence" means an act of violence, or a threat of an act of violence, committed by a person who is or has been in a sexual, dating, spousal, romantic, familial, or other intimate relationship with the Complainant.⁴

- "Act of violence, or a threat of an act of violence" means: causing physical harm to any person; endangering the health, safety, or welfare of any person; engaging in conduct that causes a Reasonable Person to fear harm to their health or safety; or making an oral or written statement that a Reasonable Person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.
- The existence of a sexual, dating, spousal, romantic, familial, or other intimate relationship shall be determined based on the totality of the circumstances including, without limitation: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

Relationship Violence also may be a form of Sex Discrimination prohibited by federal and state antidiscrimination laws, such as Title VII and Title IX, and/or may constitute a crime in Tennessee.

Relationship Violence does not include roommates who do not have an intimate relationship.

4.6 STALKING

"Stalking" means engaging in a course of conduct directed at a specific person, regardless of one's relationship with that person, which would cause a Reasonable Person to: (1) fear for the person's safety or the safety of another person; and/or (2) 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.

Acts that may be involved in a course of conduct include, without limitation:

- Cyber-stalking, a particular type of stalking in which electronic media such as the internet, social networks, apps, blogs, texts, cell phones, or a similar action, method, device, or means is used;

⁴ The University also prohibits "domestic violence" and "dating violence" as defined by the Clery Act.

- Following a person;
- Being or remaining in close proximity to a person;
- Entering or remaining on or near a person's property, residence, or place of employment;
- Monitoring, observing, or conducting surveillance of a person;
- Threatening a person (directly or indirectly);
- Giving gifts or objects to, or leaving items for, a person; or
- Damaging or harming a person's property (including pets) or interfering with a person's use of property.

Stalking also may be a form of Sex Discrimination prohibited by federal and state antidiscrimination laws, such as Title VII and Title IX, and/or may constitute a crime in Tennessee.

4.7 RETALIATION

"Retaliation" means an action taken because of a person's participation in a protected activity and that would discourage a Reasonable Person from engaging in protected activity. "Protected activity" means a person's good faith: (1) opposition to Prohibited Conduct or assisting a person who opposes Prohibited Conduct; (2) report of Prohibited Conduct to the University, the police, or to a state or federal agency or assisting a person who reports Prohibited Conduct; (3) participation (or reasonable expectation of participation) in any manner (e.g., in an investigation, proceeding, or hearing relating to Prohibited Conduct) or requesting an Interim Measure under this Policy; and/or (4) exercise of rights or responsibilities under any provision of the Clery Act. An action is not taken in good faith if done with knowing or reckless disregard for information that would negate the accuracy of the report or information. 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.

4.8 REASONABLE PERSON

"Reasonable Person" means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the person whose words and/or conduct are being evaluated by the University.

APPENDIX A
GUIDE ON CARE, SUPPORT, 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 Misconduct, Relationship Violence, Stalking, and Retaliation (collectively, "Prohibited Conduct"). Prohibited Conduct is defined in the University's Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (the "Policy").

The purpose of this appendix is to provide an overview of care, support, and reporting options, including confidential resources and options for reporting Prohibited Conduct to the police and/or the University.¹ The University has developed a "You Are Not Alone" guide that highlights the areas addressed in this appendix, but this appendix serves as the comprehensive resource.

Section 2 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 care, support, and reporting options. 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. CARE AND SUPPORT RESOURCES

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, for individual who has experienced Prohibited Conduct ("Complainant"). A Complainant may pursue the care and support resources identified in this Section 1 regardless of whether they choose to report the incident to the University or the police.

1.1 Medical Care

The University strongly encourages Complainants who experience Sexual Assault or any other 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) 974-2196 1800 Volunteer Blvd Knoxville, TN 37996 <i>studenthealth.utk.edu</i>

¹ Capitalized terms have the same meaning in the Policy and Appendix A.

PLACE	WHEN	CONTACT INFORMATION
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

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 in collecting physical evidence of a Sexual Assault is to collect the evidence as soon as possible after a Sexual Assault (ideally within 24 hours of a Sexual Assault but no later than 72 hours after a Sexual Assault).** Prior to seeking medical care 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.

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 venereal disease 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, a SANE (Sexual Assault Nurse Examiner) 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.

1.2 Confidential Support and Counseling

The University urges Complainants to seek emotional support and counseling immediately after any incident of 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"

A Complainant may speak with a person identified as a University employee identified as a "Confidential Employee" if a Complainant does not desire action by the University but desires to confide in someone 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.

A Confidential Employee can provide emotional support and help a Complainant explore options for care and support and provide information on reporting options and Interim Measures. A Complainant who at first requests confidentiality may later decide to report the incident to the University and/or to the police and have the incident fully investigated. Confidential Employees can provide the Complainant with assistance in making such reports if the Complainant asks them to do so.

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, 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.

1.2.1.1 Identification of Confidential Employees

Confidential Employee	Who May Access Their Services	How to Contact
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 <u>not</u> open may call (865) 974-HELP (4357). <i>counselingcenter.utk.edu</i> 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	Students	(865) 974-3648 <i>studenthealth.utk.edu</i> Student Health Center

<p>practitioner in the Student Health Center</p>		<p>1800 Volunteer Blvd. Knoxville, TN 37996</p> <p>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</p>
<p>A licensed psychologist in the Psychological Clinic</p>	<p>Students and Employees</p>	<p>(865) 974-2161 psychclinic.utk.edu 208 UT Conference Center Bldg 600 Henley Street Knoxville, TN 37996</p> <p>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</p>
<p>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</p>	<p>Students and Employees</p>	<p>Varies by employee</p>
<p>Kristen Martin, Team ENHANCE/EXCEL Coordinator</p>	<p>Intercollegiate student-athletes only</p>	<p>kmartin5@tennessee.edu (865) 974-9754</p>
<p>Dr. Chris Klenck, Head Team Physician</p> <p>NOTE: Athletic trainers and other staff members in Sports Medicine are <u>not</u> 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>

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).

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

1.2.1.2 Confidentiality Exceptions

In a limited number of circumstances, Confidential Employees are required or permitted by law, court order, or subpoena 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.; 37-1-614);
- 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

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

Knoxville-Area Resources

- **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 SACETN.**

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.com

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) 521-6336 (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 hour/7 days a week

- **Tennessee Coalition to End Domestic & Sexual Violence**

800-356-6767

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

Other confidential, non-University resources

- 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

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 Complainant may contact:

- **Knoxville Family Justice Center**
400 Harriet Tubman Street
Knoxville, TN 37915
(865) 521-6336 (24/7 crisis line)
fjcknoxville.com
- **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 a Complainant with arranging an appointment with the Knoxville Family Justice Center to discuss options for pursuing an order of protection and other legal remedies. The Title IX Coordinator can explore the implementation of University Interim Measures (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/documents/orders-of-protection-%28under-faq%29.pdf
- 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: apps.americanbar.org/legalservices/findlegalhelp/home.cfm.

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 Assistance

International students and employees who are Complainants receive the same rights under Title IX and the Clery Act as other Complainants, regardless of their immigration and visa status. For victims of Sexual Assault, Relationship Violence, and Stalking, there may be other visa options, including U and T Visas.

The University's International Student and Scholar Services can provide useful information regarding immigration status, although the office does not provide legal advice:

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

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

all attorneys, immigration attorneys are bound by professional ethical and legal requirements to keep client discussions confidential.

The Tennessee Coalition to End Domestic and Sexual Violence (tncoalition.org) operates an Immigrant Legal Clinic (tncoalition.org/documents/ilc-english-brochure.pdf), 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-map.

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

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 Interim Protective and Remedial Measures Implemented by the University

After receiving a report of Prohibited Conduct, the Title IX Coordinator will implement interim protective and remedial measures ("Interim Measures") while the University assesses, investigates, and resolves the report. Interim measures are designed to eliminate and prevent the recurrence of Prohibited Conduct, deter Retaliation, and remedy the effects of Prohibited Conduct through reasonable appropriate support services, accommodations, and other assistance. Interim Measures may be implemented upon request or at the Title IX Coordinator's initiative. In accordance with the Clery Act, the Title IX Coordinator must implement academic, living, transportation, and working situations or protective measures if the Complainant requests them and if they are reasonably available.

1.5.1 Availability of Interim Measures

Interim Measures are available:

- Even if the Complainant does not want to report the incident to the police;

- Even if the Complainant has made a Request for Limited Action and the University has granted the Request for Limited Action (Section 2.3.4). (The University may be limited in the Interim Measures it can implement while keeping the identity of the Complainant confidential, such as: providing support services to the Complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the Prohibited Conduct occurred);
- To the Complainant, the Respondent, and witnesses, when determined to be appropriate by the Title IX Coordinator; and
- Prior to, during, or after the investigation or resolution of a report of Prohibited Conduct.

If a Complainant requests Interim Measures through a Confidential Employee, then the University may be limited in its ability to provide the Interim Measures depending on how much information the Complainant is willing to share with the Title IX Coordinator.

1.5.2 Examples of Interim Measures

The following are examples of Interim Measures:

- Issuing an interim administrative action under Section 6.4 of the Student Code of Conduct, including:
 - Issuing a no-contact directive, which prohibits a student (e.g., the Respondent) from having verbal, physical, written, and/or electronic contact with another person (e.g., the Complainant) and/or from being present on designated University-controlled property for a definite or indefinite period of time (no-contact directives may be mutual, e.g., the Complainant may also receive a directive to not contact the Respondent); and/or
 - Imposing interim restrictions on the Respondent (e.g., an interim suspension if the Vice Chancellor for Student Life has reasonable cause to believe that a Respondent's continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health, safety, or welfare of others);
- 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 of Prohibited Conduct;
- Assisting the Complainant in obtaining medical, advocacy, and counseling services;
- Exploring changes in living, transportation, dining, and working arrangements;
- Providing an escort to ensure that a Complainant who is a student can move safely between classes and activities;
- Arranging appointments for a Complainant with follow-up on-campus support services 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 the Complainant in communicating with faculty;

- Reviewing any disciplinary action(s) taken against the Complainant to see if there is a causal connection between the Respondent's misconduct and the misconduct that may have resulted in the Complainant being disciplined;
- Assisting the Complainant in requesting that directory information be removed from public sources by contacting the Office of the University Registrar;
- Accessing academic support for the Complainant, 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.

1.5.3 Determination of Interim Measures

The specific Interim Measures implemented and the process for implementing those measures will usually be determined by the Title IX Coordinator² and will vary depending on the facts of each case and the student or employee status of the Complainant and the Respondent. The Title IX Coordinator will consider a number of factors in determining what Interim Measures the University will take, including, for example: the specific desire(s) expressed by the person who will benefit from the Interim Measures (e.g., the Complainant); whether the Complainant has made a Request for Limited Action (Section 2.3.4); the age of the persons involved; the severity or pervasiveness of the allegations; any continuing effects on the Complainant; whether the Complainant and Respondent share the same residence hall, dining hall, classes, extracurricular activities, transportation, or job location; and whether judicial measures have been taken to protect the Complainant (e.g., civil protection orders). In implementing Interim Measures, the University attempts to minimize the burden on the Complainant while balancing the due process rights, if any, of the Respondent.

1.5.4 Privacy

Under the Policy, privacy should be distinguished from confidentiality.

- Confidentiality: If a Complainant desires to communicate with someone who, by law, can keep information confidential, then the Complainant should contact one of the resources outlined in Section 1.2.
- Privacy: Information communicated to the University (Section 2.3) through a Title IX Official or a Mandatory Reporter will not be confidential but will be kept private, which means that the information will initially 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. A Title IX Official will not share personally identifiable information with the police for law enforcement purposes.³ A Title IX Official will not share information with the Respondent if the University grants a Complainant's Request for Limited Action (Section 2.3.4). When speaking with a Title

² With respect to non-student employee Complainants, the Title IX Coordinator has delegated the authority to determine and implement appropriate Interim Measures to the Deputy Title IX Coordinator for Human Resources/OED.

³ An employee of the University of Tennessee Police Department (UTPD) participates in the University's Sexual Assault Response Team. However, UTPD will not write a police report unless the Complainant decides to report the incident to the police. A description of the University's Sexual Assault Response Team can be found at titleix.utk.edu.

IX Official, Complainants are free to limit the details they share while they decide whether to report an incident to the University.

1.5.5 Subsequent Communications with the University Concerning Interim Measures

The University will strive to maintain consistent contact with the Complainant and the Respondent to ensure that all safety, emotional, and physical well-being concerns are being addressed. Persons are encouraged to report to the Title IX Coordinator concerns about the failure of another person to abide by the terms of an Interim Measure; 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 Interim Measure and alleged violations will be investigated and addressed by the appropriate office. The Title IX Coordinator has the discretion to issue, modify, or remove any Interim Measure at any time.

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.⁴ 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.

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 (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.

⁴ Student-employees who are Mandatory Reporters (Section 2.3.1) are required to report information they receive about Prohibited Conduct.

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 incidents of Nonconsensual Sexual Penetration because the collection and preservation of evidence relating to Nonconsensual Sexual Penetration 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 Interim 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 or UTPD 1101 Cumberland Avenue, Knoxville, TN (865) 974-3111 utpolice.utk.edu
In the City of Knoxville	Knoxville Police Department (KPD) 800 Howard Baker, Jr. Avenue, Knoxville, TN (865) 215-4010 knoxvilletn.gov/government/city_departments_offices/police_department/ or UTPD 1101 Cumberland Avenue, Knoxville, TN (865) 974-3111 utpolice.utk.edu
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 the Knoxville Police Department or another police department other than UTPD, then the Complainant also will need to report the incident to a Title IX Official (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 Sexual Assault, 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 on 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 procedures outlined in the Policy, may pursue criminal action, may choose one but not the other,

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

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/tip/index.php, 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 to the University empowers Complainants to obtain the support they need and enables the University to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, taking disciplinary action against a Respondent. Complainants are not required to report Prohibited Conduct to the University if they do not want the University to respond to the incident or assist with Interim Measures. A Complainant may opt to report an incident of Prohibited Conduct to the University but decline to disclose the identity of the Respondent; in that case, the University will offer Interim Measures to the Complainant, but the University's ability to investigate the incident and pursue disciplinary action against the Respondent or take other remedial action will be limited. If an incident is not reported to the University, then the University will not be able to take steps to: identify resources for the Complainant, such as Interim Measures; or promptly, thoroughly, and equitably investigate the incident and/or resolve the situation in order to eliminate the Prohibited Conduct, prevent its recurrence, and address its effects on the Complainant or the University community.

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 Whom 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 Deputy Title IX Coordinators are:

NAME	TITLE(S)	CONTACT INFORMATION
Erin Stoner	Senior Deputy Title IX Coordinator	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 estoner@utk.edu titleix.utk.edu
Jenny Richter	Deputy Title IX Coordinator for Human Resources/Office of Equity and Diversity Associate Vice Chancellor and Director, Office of Equity and Diversity	1840 Melrose Avenue Knoxville, TN 37996 (865) 974-2498 jrichter@utk.edu oed.utk.edu
Sarah Gardner	Deputy Title IX Coordinator for Student Support	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 sgardn15@utk.edu titleix.utk.edu
Laura Bryant	Deputy Title IX Coordinator for Student Prevention Director, Center for Health Education and Wellness	1800 Volunteer Blvd., Suite 201 Knoxville, TN 37996 (865) 974-5725 or (865) 974-HELP lbryant7@utk.edu wellness.utk.edu
Betsy Smith	Deputy Title IX Coordinator for Student Conduct Director, Office of Student Conduct and Community Standards	409 Student Services Building Knoxville, TN 37996 (865) 974-3171 bbsmith@utk.edu studentconduct.utk.edu
Donna Thomas	Deputy Title IX Coordinator for Intercollegiate Athletics Senior Associate Athletics Director/Senior Woman Administrator	Brenda Lawson Athletic Center 1551 Lake Loudon Boulevard Knoxville, TN 37996 (865) 974-0123 dthomas7@utk.edu

NAME	TITLE(S)	CONTACT INFORMATION
Jillian Paciello	Deputy Title IX Coordinator for Law Enforcement and Clery Compliance Clery Compliance Coordinator	University of Tennessee Police Department 1101 Cumberland Avenue Knoxville, Tennessee 37996 (865) 974-0544 jpaciell@utk.edu clery.utk.edu ; utpolice.utk.edu

Privacy under this Policy is different than confidentiality. If a Complainant desires to communicate with someone who, by law, can keep information confidential, then the Complainant should contact one of the resources outlined in Section 2.4. Information communicated to a Title IX Official or a Mandatory Reporter will be kept private, which means that the information will initially be shared only with the University employees whom a Title IX Official determines need to be involved in responding to the incident,⁵ except as required or permitted by law. A Title IX Official will not share personally identifiable information with the police for law enforcement purposes. A Title IX Official will not share information with the Respondent if the University grants a Complainant’s Request for Limited Action (Section 2.3.4).

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.

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.

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 1.2.1) 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;

⁵ The University of Tennessee Police Department (UTPD) participates in the University’s Sexual Assault Response Team. However, UTPD will not write a police report unless the Complainant decides to report the incident to the police.

- 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. **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.

2.3.2 Benefits of Reporting Prohibited Conduct to the University

Reporting Prohibited Conduct to the University empowers Complainants to obtain the support they need and enables the University to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, pursuing disciplinary action against a Respondent. Complainants are not required to report Prohibited Conduct if they do not want the University to respond to the incident or assist with Interim Measures. 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 Interim Measures to the Complainant, but the University's ability to investigate the incident and pursue disciplinary action against the Respondent or take other remedial action will be limited. If an incident is not reported to the University, then the University will not be able to take steps to: identify care and support resources for the Complainant, such as Interim Measures; or promptly, thoroughly, and equitably investigate the incident and/or resolve the situation to eliminate the Prohibited Conduct, prevent its recurrence, and address its effects on the Complainant or the University community.

2.3.3 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:

- Have an appropriate University employee offer to meet with, or otherwise communicate with, the Complainant;
- Implement interim protective and remedial measures (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, Relationship 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 Title IX 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;

- Subject to a Complainant's Request for Limited Action (Section 2.3.4), initiate the investigation and resolution procedures outlined in **Appendix C** (reports of student misconduct) or **Appendix D** (reports of employee misconduct) of the Policy if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct and falls within the scope and applicability of this Policy; 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.

2.3.4 Complainant's Right to Make a Request for Limited Action

A Complainant has the right to do the following when an incident of Prohibited Conduct is reported to a Title IX Official:

- Request that the report of Prohibited Conduct or the Complainant's contact with a Title IX Official not be disclosed to the Respondent;
- Decline to personally identify the Respondent;
- Decline to respond to communications from a Title IX Official; and/or
- Request that the University not investigate the incident, stop an ongoing investigation, or not pursue or stop the pursuit of disciplinary action against the Respondent.

Such an action is referred to in this Policy as a "**Request for Limited Action.**"

The Title IX Coordinator evaluates Requests for Limited Action, although the Title IX Coordinator may delegate the authority to evaluate Requests for Limited Action to the Deputy Title IX Coordinator for Human Resources/OED in cases involving employees.

If the Complainant makes a Request for Limited Action, then the Title IX Coordinator will seriously weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all members of the University community, including the Complainant. If the Title IX Coordinator honors the Request for Limited Action, then the University's ability to respond fully to the incident (e.g., meaningfully investigate the incident and pursue disciplinary action against the Respondent or take other remedial action) may be limited.

There are limited circumstances in which the Title IX Coordinator may not grant a Request for Limited Action because of the University commitment to providing a safe and non-discriminatory learning, living, and working environment free from Prohibited Conduct. For example, if the University has credible information that the Respondent has committed one or more other acts of Prohibited Conduct, then the balance of factors might compel the University to investigate the allegation, and,

if appropriate, pursue disciplinary action in a manner that may make known the Complainant's identity to the Respondent.

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

- The risk that the Respondent will commit additional acts of Prohibited Conduct, such as:
 - Whether there have been other 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; and
- The University's commitment to providing a safe, non-discriminatory environment, including the risk posted to any individual or to the campus community by not proceeding with an investigation.

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

If the Title IX Coordinator determines not to grant the Request for Limited Action, then the Title IX Coordinator will inform the Complainant of the decision prior to starting an investigation and will, to the extent possible and unless otherwise required by law, only share information with people responsible for handling the University's response. If the Title IX Coordinator determines that the University must disclose the Complainant's identity to the Respondent, then the Title IX Coordinator will inform the Complainant of that determination prior to the disclosure. The University will honor a request by the Complainant that the University inform the Respondent that the Complainant asked the University not to investigate or seek discipline. The University will take ongoing steps that it determines are reasonable and appropriate to protect the Complainant from Retaliation or harm and may work with the Complainant to create a safety plan. The University will also assist the Complainant to access the support resources identified in this guide, including Interim Measures, and inform the Complainant of the right to report a crime to campus or local law enforcement (and provide the Complainant with assistance in reporting if the Complainant requests it). The University will not 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) 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.

2.3.5 Complainant's Participation in an Investigation or Disciplinary Proceeding

The University will not require a Complainant to participate in any investigation, or a hearing before the Student Disciplinary Board. A Complainant may be required to participate in a disciplinary hearing held pursuant to the Uniform Administrative Procedures Act if the Complainant receives a subpoena.

2.3.6 Amnesty for Students Who Report Prohibited Conduct to the University⁶

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

2.3.7 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 of Prohibited Conduct to UTPD to comply with the Clery Act. Campus Security Authorities are not required to report personally identifiable information to UTPD for Clery Act purposes, but statistical information must be sent to UTPD regarding the type of incident that occurred and its general location (e.g., on or off-campus) for publication in an annual report of crime statistics, called the Annual Security Report. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, **but the statistics do not personally identify Complainants or Respondents**. Reports by Campus Security Authorities are not official police reports and do not initiate criminal investigations.

In addition to the Annual Security Report and in compliance with the Clery Act, UTPD maintains a daily crime log that includes entries for all crimes and alleged crimes that occurred within the University's Clery Geography or the patrol jurisdiction of UTPD. The crime log does not include personally identifying information about the Complainant or the Respondent.

Complainants of Prohibited Conduct also should be aware that the Clery Act requires the University to: issue timely warnings for crimes reported to UTPD or Campus Security Authorities that pose a substantial threat of bodily harm or danger to members of the campus community. The University

⁶ This Section 2.3.5 does not apply to reports to the police. The amnesty provision applies only to discipline for violations of the University's Code of Conduct.

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.

FERPA

In accordance with FERPA, personally identifiable information about a Complainant, Respondent, or Reporter who is a student that has been communicated to a Mandatory Reporter regarding Prohibited Conduct will be shared within the University only with 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, during a University's investigation or resolution of Prohibited Conduct, a Respondent who is a student makes a request to review documents concerning the investigation, the University will be required by FERPA to grant the Respondent's request to inspect and review records that relate specifically to the Respondent, but the University will redact the Complainant's name and any other identifying information to the maximum extent allowed by law.

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.

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.

Due Process

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

APPENDIX B
CONSENT

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (collectively, "Prohibited Conduct"). Prohibited Conduct is defined in the University's Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (the "Policy").¹

The purpose of this Appendix B is to inform students, employees, and third parties about how the University, in investigations and disciplinary hearings,² will determine whether Sexual Contact or Sexual Penetration occurred without Consent.

- "Consent" means an active agreement to participate in Sexual Contact or Sexual Penetration. An active agreement is words and/or conduct that communicate a person's willingness to participate in Sexual Contact or Sexual Penetration.
- The following individuals cannot give valid Consent:
 - A person who is Incapacitated, if either the person claiming to have obtained Consent knows that the other person is Incapacitated or a Reasonable Person would know that the other person is Incapacitated;
 - A person who is Forced to participate in Sexual Contact or Sexual Penetration; or
 - A person who is under the age of eighteen (18), unless the person giving Consent is at least the age of thirteen (13) and the other person is less than four (4) years older than the person giving Consent.
- 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 Sexual Contact or Sexual Penetration occurred without Consent (and it is not a Respondent's burden to prove Consent).**
- Whether a person has communicated Consent to participate in Sexual Contact or Sexual Penetration 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 Contact or Sexual Penetration conclude based on the pattern of communication?).
- 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 act of Sexual Contact and Sexual Penetration that occurs during a sexual encounter. A person has a right to change their mind; thus, Consent to participate in an act of Sexual Contact or Sexual Penetration 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 an act of Sexual Contact or Sexual Penetration. 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

¹ Capitalized terms have the same meaning in the Policy and Appendix B.

² Including contested case proceedings under the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 *et seq.* ("UAPA").

that sexual act. Consent is automatically withdrawn when a person becomes Incapacitated or is Forced to participate in Sexual Contact or Sexual Penetration.

- Consent to one type of Sexual Contact or Sexual Penetration (e.g., oral sex) does not constitute or imply Consent for another type of Sexual Contact or Sexual Penetration (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 Sexual Contact or Sexual Penetration:
 - Silence, unless accompanied by non-verbal conduct conveying a willingness to participate in Sexual Contact or Sexual Penetration;
 - 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 is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (collectively, "Prohibited Conduct"). Prohibited Conduct is defined in the University's Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (the "Policy").¹

Disciplinary proceedings² 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 in compliance with Clery Act regulations, 34 C.F.R. § 668.46. A copy of the Code is included in this Appendix C.

HOW TO FILE A COMPLAINT OF PROHIBITED CONDUCT

Prohibited Conduct may be reported to any Title IX Official identified in Section 2 of the Policy.

TRAINING FOR UNIVERSITY OFFICIALS

Disciplinary proceedings relating to Prohibited Conduct will be conducted by persons who, at a minimum, receive annual training on the issues related to Prohibited Conduct, and on how to conduct an investigation and hearing process that protects the safety of Complainants and promotes accountability.

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 the Complainant or the Respondent.

PROMPT, FAIR, AND IMPARTIAL PROCESS

Disciplinary proceedings will be conducted in a prompt, fair, and impartial manner from the initial investigation to the final result.

STANDARD OF PROOF

The standard of proof used in disciplinary proceedings is the preponderance of the evidence, i.e., whether it is more likely than not that the Respondent violated the Standards of Conduct by engaging in Prohibited Conduct. In a University disciplinary proceeding, the University has the burden of proving that Prohibited Conduct occurred. It is not a Respondent's burden to prove that Prohibited Conduct did not occur.

¹ Capitalized terms have the same meaning in the Policy and Appendix C.

² "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 concerning accommodations or protective measures to be provided to a Complainants.

DISCIPLINARY PROCEEDINGS

Sections V-VIII of the Code describe the types of disciplinary proceedings that may be used in cases of Prohibited Conduct, including the steps, decision-making process, and how the University determines which type of proceeding to use. Disciplinary proceedings generally have three steps, unless a Request for Limited Action³ is granted:

Step	Description	Policy Reference	Anticipated Timeline
Title IX Assessment	An initial assessment by the Title IX Coordinator, including implementation of interim protective and remedial measures	Policy, Section 2.5.2.3	Within five (5) business days of Title IX Coordinator's receipt of report of Prohibited Conduct
Student Conduct Process: Initial Stages/Investigation	SCCS ⁴ conducts a prompt, thorough, and equitable investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any witnesses. As part of the investigation, SCCS will provide an equal opportunity for the Complainant and the Respondent to be heard, to submit information, and to identify witnesses and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available.	Code, Sections 6.2, 6.6, 6.7, and 7.4.1	Within sixty (60) business days after SCCS begins an investigation
Student Conduct Process: Resolution	Allegations of Prohibited Conduct may be resolved through: <ul style="list-style-type: none"> • a Resolution Agreement; • a Formal Hearing, including appeals; • an Alternative Resolution; • a No Action Determination; or • another type of resolution outlined in Section 7.4 of the Code 	Code, Sections 7.1-7.4	Within thirty (30) business days of the issuance of a Notice of Allegations, if issued ⁵

³ See Section 2.5.2.4 of the Policy.

⁴ 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. The investigator(s) may be a University employee, a team of University employees, an external investigator(s) engaged to assist the University, or a team of investigators that pairs an external investigator(s) with a University employee.

⁵ This timeline does 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 law judge will be appointed by the University's Agency Head 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 UAPA hearing typically lasts a minimum of four (4) months.

ANTICIPATED TIMELINES

Although the University strives to adhere to the timelines described above, in each case the University will balance the need to complete a prompt disciplinary proceeding with the need to conduct a thorough disciplinary proceeding that complies with due process and, when applicable the UAPA. Thus, the actual time to complete a disciplinary proceeding may require a reasonable adjustment of the time frames in these procedures depending on many factors, including, 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, witnesses, and evidence (e.g., forensic evidence); a request by a Complainant to delay the disciplinary proceeding or conduct a disciplinary proceeding at a slower pace; the effect of a concurrent criminal investigation or proceeding; a request by a district attorney to delay interviewing a witness; a witness' compliance with the instruction of a district attorney not to participate in a University disciplinary proceeding; intervening University holidays, breaks, or other closures; and/or other unforeseen circumstances. In the event that the need arises to significantly 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.

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. The University provides the Complainant and the Respondent with the same opportunities to have others present during a University disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The University will not limit the choice of an advisor or the advisor's presence for either the Complainant or the Respondent in any meeting or disciplinary proceeding; however, Section 5.3.2 of the Code explains the limitations on the role of an advisor, which apply equally to the Complainant and the Respondent.

SIMULTANEOUS NOTIFICATION OF RESULTS

The Complainant and the Respondent have the right to receive a copy of a notice of an initial, interim, or final decision, or a change in such a decision, issued by the Vice Chancellor for Student Life, SCCS, a Student Life Hearing Officer, the Student Conduct Board, Appellate Board (e.g., Notice of Allegations, Notice of Decision, Notice of Final Decision), simultaneously with the other party's receipt of a copy of the notice of the decision, to the extent allowed by law. Notification of an initial, interim, or final decision must include any sanctions imposed by the University and the rationale for the decision and sanctions (if any).

PREVENTATIVE, PROTECTIVE, AND REMEDIAL MEASURES

Section 2.6 of the Policy describes interim protective and remedial measures that the University may offer to a Complainant to prevent the recurrence of Prohibited Conduct, deter Retaliation, and remedy the effects of Prohibited Conduct through reasonable support services, accommodations, and other assistance.

After the conclusion of a disciplinary proceeding, the University also may implement protective and remedial measures, including: issuing a no-contact directive to the Respondent; providing medical and counseling services to the Complainant (for a student Complainant); exploring changes in living, transportation, dining, and working arrangements for the Complainant and the Respondent; providing an escort to ensure that the Complainant can move safely between classes and activities; exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes; assisting the Complainant in communicating with faculty; providing academic support for the Complainant, including tutoring; and exploring options for re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty.

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

POSSIBLE SANCTIONS

Following a final determination under the Code that a student committed Prohibited Conduct (e.g., after appeals have been exhausted), the University will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. Section IX of the Code identifies the possible sanctions that the University may impose 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.

ALTERNATIVE RESOLUTION

Section 7.3 of the Code provides that SCCS may propose to the Respondent and the Complainant that they attempt to resolve the allegations against the Respondent through an alternative resolution process. In cases involving Prohibited Conduct, however, the Title IX Coordinator (rather than SCCS) will determine whether exploration of an alternative resolution is appropriate (including a determination whether the Complainant has been pressured by others to pursue alternative resolution). If the Title IX Coordinator determines that the exploration of an alternative resolution is appropriate, then the Title IX Coordinator will serve as an impartial facilitator (or designate another trained employee to do so) so that the Complainant and the Respondent do not have direct contact (unless both parties consent to direct contact). The University will not compel a Complainant or a Respondent to participate in an alternative resolution process. At any time during an alternative resolution process, either the Complainant or the Respondent may request that the process cease and the investigation and resolution process continue. The Title IX Coordinator will not approve an alternative resolution unless the Complainant and the Respondent agree to the alternative resolution in writing as provided in Section 7.3.3 of the Code. The Title IX Coordinator will ensure that any proposed alternative resolution

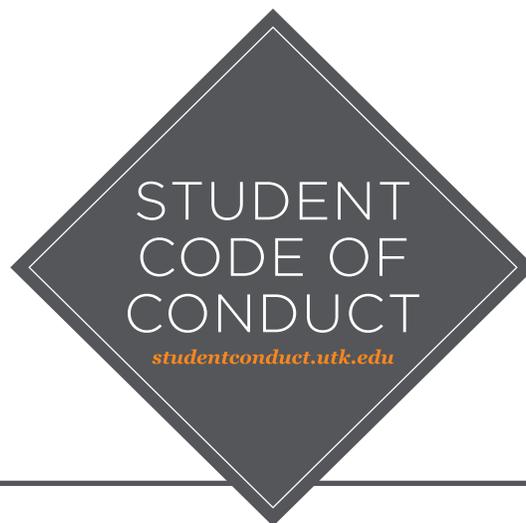
is consistent with the University's Title IX obligations. If no alternative resolution is reached, then the University will continue with the investigation and resolution process. The Title IX Coordinator will not use mediation to resolve reports of Sexual Assault.

COMPLAINANT'S RIGHT TO APPEAL A NO ACTION DETERMINATION

If a disciplinary proceeding concludes with SCCS making a final determination that no action will be taken with respect to a report of Prohibited Conduct, then the Complainant may appeal that determination to the Title IX Coordinator, in writing, within five (5) business days of the date that SCCS transmitted notice of the no action determination to the Complainant. The Title IX Coordinator will provide the Respondent with a copy of the Complainant's appeal and an opportunity to respond to the appeal within five (5) business days. A decision of the Title IX Coordinator to affirm the no action determination is final and may not be appealed.

UNIFORM ADMINISTRATIVE PROCEDURES ACT

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



STUDENT CONDUCT & COMMUNITY STANDARDS (SCCS)

The University of Tennessee has a Student Code of Conduct, which was significantly updated in 2017. Students are responsible for conducting themselves in a lawful manner and in compliance with the guidelines set forth in the Code. This document is meant to serve as an overview of the Student Code of Conduct; please visit studentconduct.utk.edu or call the Office of Student Conduct (865-974-3171) for more information.

STANDARDS OF CONDUCT

Students are prohibited from engaging in the following types of misconduct:

The full Standards of Conduct can be found in the Student Code of Conduct on page 5.

1. Academic Dishonesty
2. Providing False Information
3. Misuse of Information in Connection with University Investigation or Hearing
4. Misconduct Related to Records or Identification
5. Causing Harm to Others
6. Harassment
7. Sexual Misconduct, Relationship Violence, Stalking, and/or Retaliation
8. Invasion of Privacy
9. Theft, Unauthorized Use, and/or Vandalism of Private or Public Property
10. Hazing
11. Disorderly Conduct
12. Lewd, Indecent, or Obscene Conduct
13. Engaging in Imminent Lawless Action
14. Misconduct Related to Fire Safety
15. Unauthorized Use or Possession of University Keys, Access Cards, and Identification
16. Misconduct Related to Information Technology
17. Unauthorized Weapon Possession on University Property or in Connection with University Activity
18. Alcohol Related Misconduct on University Property or in Connection with University Activities
19. Alcohol Related Conduct Prohibited by Law
20. Providing Alcohol to Underage Person(s)
21. Conduct Related to Drugs and Drug Paraphernalia if Prohibited by Law
22. Failure to Fulfill a University Financial Obligation
23. Failure to Respond, Comply, or Identify of Oneself
24. Failure to Appear at a University Hearing
25. Violation of Interim Administrative Actions, Disciplinary Sanctions, or Condition of Re-Enrollment
26. Obstruction or Disruption of University Activity
27. Violation of University Policy or Rule
28. Act Prohibited by Law
29. Attempted Violation; Accessory to Violation
30. Retaliation

SANCTIONS FOR VIOLATING THE STANDARDS OF CONDUCT

The purposes of sanctions are to educate, promote personal and professional development, discourage violations, and protect the University community.

The full explanation of the Administrative and Developmental Sanctions may be found in the Student Code of Conduct on page 19.

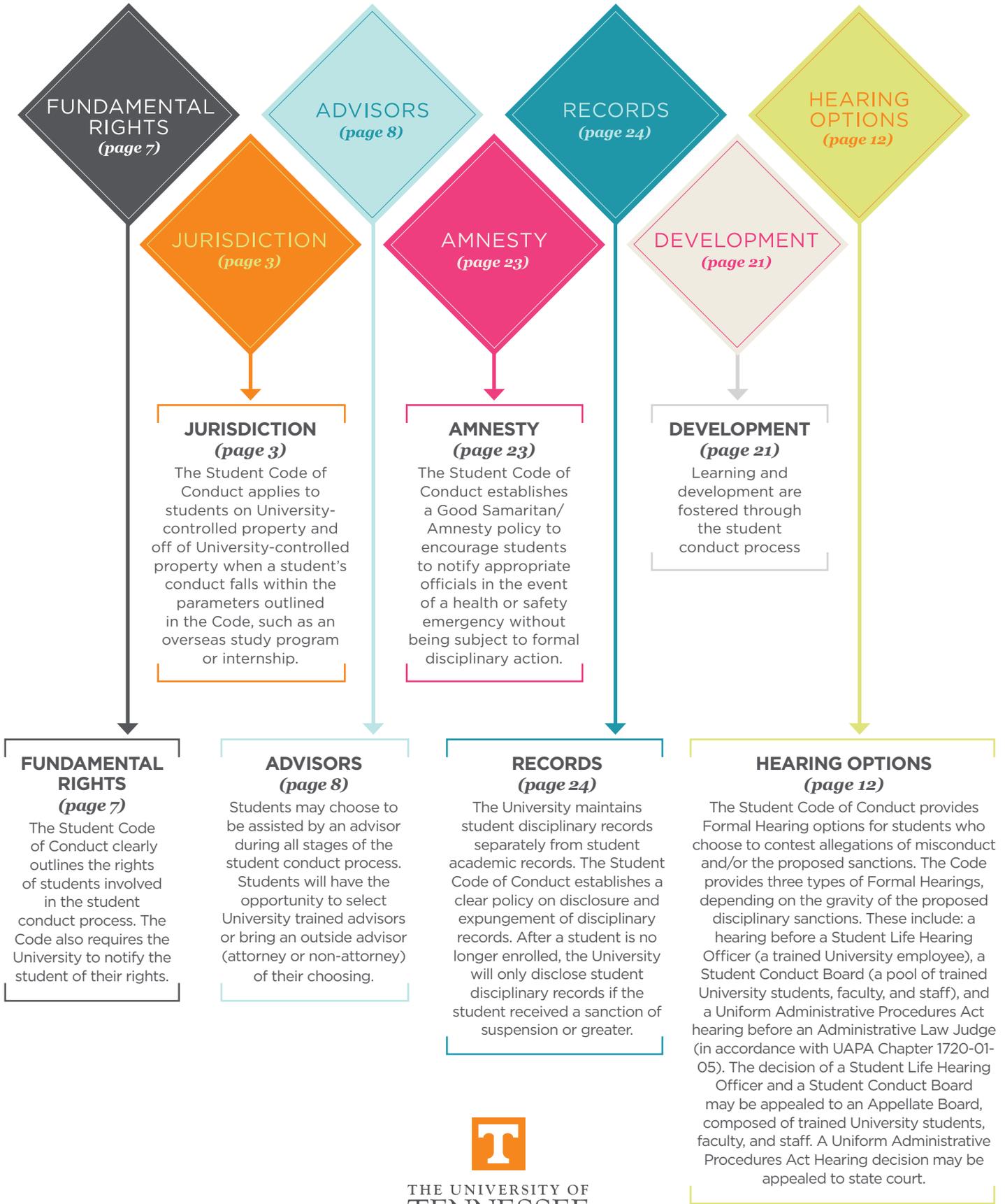
ADMINISTRATIVE SANCTIONS

1. Warning
2. Disciplinary Probation
3. Deferred Suspension
4. Suspension
5. Expulsion
6. Withholding of Degree
7. Revocation of Degree
8. Student Organizations
 - Disciplinary Probation for Student Organizations
 - Social Probation for Student Organizations
 - Revocation or Suspension of University Registration

DEVELOPMENTAL SANCTIONS

1. Educational Activities
2. Restitution for Loss, Damage, and/or Injury
3. Supervised Work/Service
4. Loss or Restriction of Privileges
5. University Housing Reassignment or Removal
6. Mandatory Education

The major changes to the Student Code of Conduct include the following:



THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

studentconduct.utk.edu

APPENDIX D

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

The University of Tennessee, Knoxville welcomes and honors people of all races, sexes, sexual orientations, creeds, and cultures. In keeping with those values, any employee, student, applicant for admission or employment, or other participant in University programs or activities who believes that he or she has been discriminated against on the basis race, color, sex (including sexual misconduct, sexual assault, sexual exploitation, sexual orientation, gender identity, pregnancy, marital status, and parental status), religion, national origin, age, disability or veteran status is encouraged to bring the matter to the University's attention. University policy prohibits retaliation against any person who in good faith opposes a practice that he or she believes to be discriminatory, who assists someone with a report of discrimination, or who participates in an investigation of a complaint. The University will take steps to prevent the recurrence of any action prohibited by its policies against discrimination and retaliation and to correct any effects of such policy violations on the Complainant and others, if appropriate. This Procedure is designed to provide a prompt, fair, and impartial resolution to complaints.

Scope of OED Authority

This Procedure applies when the individual accused of violating University policy (the Respondent) is a University employee or someone unaffiliated with the University, such as a visitor to campus or University contractor (although the University's ability to investigate and implement any necessary corrective action may be limited). When the Respondent is a University student, see titleix.utk.edu to report allegations of sex discrimination (including sexual assault, sexual exploitation, sexual harassment, and other sexual misconduct). Concerns about other types of student conduct should be reported to the Office of Student Conduct and Community Standards, (865) 974-3171, studentconduct.utk.edu.

This Procedure applies to behavior by University employees and others unaffiliated with the University that allegedly violates the University's Equal Employment Opportunity Policies, including HR0220, Equal Employment Opportunity (policy.tennessee.edu/hr_policy/hr0220/), HR0280, Sexual Harassment & Other Discriminatory Harassment (policy.tennessee.edu/hr_policy/hr0280/), and ***Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation***; or federal or state civil rights law, including prohibitions on retaliation (e.g., threats, intimidation, reprisals, or adverse actions) because a person (1) made a report of discrimination in good faith, (2) assisted someone with a report of discrimination, or (3) participated in any manner in an investigation or resolution of a report of discrimination.

Rude, inappropriate, or offensive behavior that is not based on characteristics protected under state or federal law should be addressed by the appropriate supervisor or through appropriate administrative channels, and in accordance with any other applicable policies, including but not limited to, Human Resources Policies (policy.tennessee.edu/hr_policy/), HR0580, Code of Conduct (policy.tennessee.edu/hr_policy/hr0580/) and HR0525, Disciplinary Action (policy.tennessee.edu/hr_policy/hr0525/). If a complaint does not fall within the scope of OED's authority, OED will refer the Complainant to the appropriate office.

Complaints of discrimination should be directed to the Office of Equity and Diversity, (865) 974-2498, oed.utk.edu and made within 300 calendar days of the alleged discriminatory action. Formal complaints may be submitted on a ***Discrimination Complaint Form***. Formal complaints by employees should be in writing. In certain circumstances, at the discretion of OED, complaints filed outside the 300 day time limit or not submitted in writing may be investigated.

Privacy and Requests for Limited Action

Information communicated to OED will be kept as private as possible and will be shared only as necessary to conduct a thorough and effective investigation and to comply with federal and state civil rights laws. In addition, the University may need to release certain documents in response to a public records act request.

A Complainant may request that the Complainant's contact with OED not be disclosed to the Respondent, that no investigation be conducted, or that no disciplinary action be taken. When a Complainant makes a request that the University take such limited action, the University will seriously weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all members of the University community, including Complainant. In cases of Sexual Misconduct (including Sexual Assault, Sexual Harassment, and Sexual Exploitation), Relationship Violence, Stalking, and Retaliation prohibited by the Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation, will be evaluated consistent with Section 2.5.2.4 of that policy. For example, if the University has credible information that the Respondent has violated the University's policy against discriminatory harassment, the University may decide that it should investigate the allegation, and, if appropriate, pursue disciplinary action in a manner that may make known the Complainant's identity to Respondent.

Informal Complaints and Resolution

Complainants are encouraged, but not required, to attempt to resolve issues through the administrative structure of the employment unit or academic department. OED is available to provide assistance to the Complainant and employment unit or academic department.

If a Complainant does not wish to seek resolution directly with the employment unit or academic department, he or she may decide to seek either an informal or formal resolution with OED. A Complainant who chooses an informal resolution process may decide to proceed with a formal complaint at any time during the informal process or after completion of the informal process if a mutually acceptable resolution is not reached.

The goal of the informal process is to attempt to reach a resolution that is acceptable to both the Complainant and the Respondent. The University does not make a determination as to whether a Respondent has violated University policy. Instead, OED attempts to facilitate a mutually acceptable resolution. In the informal process, OED will speak to those people whose involvement is necessary to facilitate a resolution. Frequently, this includes only the Complainant and Respondent, followed by notification to the supervisor(s) or appropriate administrator(s) to help implement a resolution. Possible informal resolutions might include, but are not limited to: (1) an agreement by Respondent to cease the behavior; (2) assisting the Respondent to better understand the effects of his or her conduct and ways in which the behavior might be changed; or (3) participation in education programs about equal opportunity or diversity.

Formal Complaints -- Where, When, and How to File

The goal of the formal complaint process is to reach a determination as to whether a Respondent has violated one or more University policies prohibiting discrimination and unlawful harassment. All investigations and proceedings, including any disciplinary proceedings, will be conducted using a "preponderance of the evidence" standard. As a part of the formal complaint process, OED will conduct an investigation into the allegations and prepare a written report. OED will consider requests for privacy and other limited action as discussed above but may not be able to honor such requests during the formal complaint process.

1. An employee making a formal complaint must include the name of the Complainant, a description of the complained of action or conduct, and the person or department that is responsible for the action. The Complainant should identify witnesses and other evidence the Complainant wants OED to consider in its investigation. OED may request that the Complainant identify resolutions that might be acceptable. The Respondent and the appropriate administrator with supervisory responsibility will be notified of the complaint.

2. OED will conduct an investigation into whether Respondent violated University policy. OED will determine the nature and scope of the investigation on a case-by-case basis. The investigation may include any or all of the following, as well as such other action as OED deems appropriate: interviewing the Complainant, interviewing the Respondent, interviewing witnesses, submitting questions to or taking statements from parties or witnesses, and reviewing documents and recordings. In rare cases, OED may set up an investigative committee to conduct an investigation in accordance with this Procedure.

3. Following its investigation, OED will prepare a written report that includes findings and recommendations as to whether Respondent should be found in violation of University policy. The report will include the rationale for the findings and recommendations and may include other information, such as recommended corrective and/or remedial actions. OED will provide the report to the appropriate administrator(s) and will simultaneously provide a copy to the Complainant and Respondent.

4. The appropriate administrator is responsible for reviewing the OED report and making a written Determination whether Respondent violated one or more University policies. The Determination will include the rationale for the findings and recommendations and may include a description of remedial and/or corrective measures that the University will implement. The appropriate administrator will simultaneously provide a copy of the Determination to the Complainant, Respondent, and OED.

5. Appeals

(a) Employees: A Complainant or Respondent who is an employee who is not satisfied with the Determination may appeal in accordance with applicable University policies and procedures, including Human Resources Policy HR0525, Human Resources Policy HR0640, and the Faculty Handbook. For situations involving sex discrimination (including Sexual Misconduct (including Sexual Assault, Sexual Harassment, and Sexual Exploitation), Relationship Violence, Stalking, and Retaliation), if the applicable policy or practice does not provide Complainant and Respondent with the same ability to appeal, the University will offer an appeal to both parties consistent with the appeal opportunities offered in policy.

- (b) Students: Within seven (7) business days after receipt of the Determination, a Complainant who is a student and who is not satisfied with the Determination may appeal in writing to the next higher administrative level. The Determination will identify the person to whom an appeal may be made. The Complainant and Respondent will have the same opportunity to provide information to the reviewer during an appeal and will also receive notice of the outcome of any appeal. Decisions on appeals shall be provided in writing to the Complainant and Respondent.

For complaints involving allegations of sex discrimination, OED will ensure that the Title IX Coordinator is appropriately informed.

Advisors

Both the Complainant and Respondent are permitted to bring an advisor (who is not a party or witness) of their choice to any University meetings and hearings, but the advisor's role is limited to providing advice, guidance, and/or support for the Complainant or Respondent. An advisor is not permitted to act as a participant or advocate (except in a TUAPA hearing, in which a Complainant and Respondent may retain an attorney to advocate on their behalf).

Timing of Investigation Stages

OED will conduct the investigation as promptly as possible under the circumstances, taking into account the complexity of the allegations, the complexity of the investigation and resolution, the severity and extent of the alleged misconduct, the number and availability of witnesses, the University's calendar, and/or other unforeseen circumstances. In each case, however, the University will balance the need to complete a prompt investigation and resolution with the need to conduct a thorough and fair investigation.

The University will attempt to follow the following timeframes:

- Completion of OED's investigation, findings, and recommendations; transmission of OED report to appropriate administrator: within sixty (60) business days of receipt of complaint
- Review by appropriate administrator and issuance of Determination: within fifteen (15) business days of receipt of report from OED

If the University is unable to complete these steps within the timeframes stated, the timeframes may be extended, and both the Complainant and Respondent will receive notice of the extension and the reasons for delay.

Disciplinary Action

The University's actions to correct and prevent the recurrence of any policy violations may include, but not be limited to, taking disciplinary action, up to and including termination, against employees who are found to have violated University policy. The University generally determines which policies and procedures will be followed based on the employment status of the employee being disciplined (e.g., faculty, staff, student, graduate student). The policies and procedures (including steps and anticipated timelines) applicable to disciplinary processes may be found here:

- Staff employees: Human Resources Policies (policy.tennessee.edu/hr_policy/); HR0580, Code of Conduct (policy.tennessee.edu/hr_policy/hr0580/); and HR0525, Disciplinary Action (policy.tennessee.edu/hr_policy/hr0525/)
- Faculty: BT006, Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure (policy.tennessee.edu/bot_policy/bt0006/); Faculty Handbook (provost.utk.edu/faculty-handbook/)
- Student employees: Hilltopics (hilltopics.utk.edu/campus-policies-procedures/)

In the event that employment status is unclear, (e.g., the employee has more than one status), the appropriate administrator will determine which policies and procedures are applicable.

Employee Responsibilities Upon Learning of Sexual and Other Unlawful Harassment

An employee who learns of sexual harassment or other discriminatory harassment of an employee must report the conduct to OED (or in the case of sexual harassment, a report can be made to the Title IX Coordinator) if the employee who learns of the conduct is a supervisor of either a Complainant or Respondent or otherwise has the authority to redress the harassment (e.g., human resources administrators, OED employees, department heads, deans, vice chancellors, chancellors, vice presidents). Other employees are encouraged to report the conduct to OED/Title IX Coordinator.

Employees who learn that a student may have been subjected to sexual misconduct, relationship violence, stalking, or retaliation must report that information to the Title IX Coordinator in accordance with Section 3 of the ***Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation***.

Employees who receive information about suspected child abuse or child sexual abuse must report it in accordance with University of Tennessee System Safety Policy 0575 (Programs for Minors) (policy.tennessee.edu/safety_policy/sa0575/).

Contact Information

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

ADA/Section 504/Title VI
Coordinator
Jenny Richter
1840 Melrose Avenue
Knoxville, TN 37996
(865) 974-2498
jr Richter@utk.edu
oed@utk.edu

United States Department of Education
Office for Civil Rights
61 Forsyth Street, S.W., Suite 19T10
Atlanta, GA 30303-8927
(404) 974-9406
Ocr.atlanta@ed.gov

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 from Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (collectively, "Prohibited Conduct"). Prohibited Conduct is defined in the University's Policy on Sexual Misconduct, Relationship Violence, Stalking, and Retaliation (the "Policy").¹

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. ***(Refer to Section 1.2.1 of Appendix A or contact the 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 interim 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 Official² 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 forum;
 - 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.

¹ Capitalized terms have the same meaning in the Policy and Appendix E.

² The names and contact information for Title IX Officials are listed in Section 2 of the Policy.

(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 forum, 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 The University of Tennessee Police Department (“UTPD”) 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 misconduct to UTPD. 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 needed or 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 hours³ after receiving the report).⁴ The Mandatory Reporter must communicate: (1) all details known about the alleged incident; and (2) if applicable, communicate to a Title IX Official that a Complainant has made a Request for Limited Action; or
- If the incident involves suspected child abuse or child sexual abuse, comply with University of Tennessee Safety Policy 0575.

³ 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.

⁴ 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.

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 to make a Request for Limited Action to the Title IX Coordinator, if the person indicates that he/she wants to disclose information to the Mandatory Reporter but wishes to maintain confidentiality or does not want the University to investigate the incident or pursue disciplinary action against the Respondent; 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 strong 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;
- (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.

OFFICE OF TITLE IX

1817 Melrose Avenue
Knoxville, TN 37996
865-974-9600
titleix@utk.edu

titleix.utk.edu