

# THE ANNUAL SECURITY & FIRE SAFETY REPORT



THE UNIVERSITY OF  
TENNESSEE  
KNOXVILLE



# 2019

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

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

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



## University of Tennessee Police Department Overview

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

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

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

## Mission Statement

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

## Officers and Training

UTPD is authorized for 62 state certified police officer positions. Police Officers receive a minimum of 420 hours of basic police training through a Tennessee Peace Officer Standards and Training-certified (POST) training academy, within their first six months of employment. Upon completion of the basic academy, officers are assigned to field training officers and must complete 320 hours of additional field training.

UTPD officers complete a minimum of 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>Forensic Anthropology</i>	<i>Ethics</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](mailto: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, 2015, and 2018 UTPD was awarded re-accreditation through CALEA. Representatives from CALEA assessed UTPD's policies, procedures, management, operations, and support services. They specifically examined the department's ability to prevent and respond to crime, deliver services, build a rapport with the campus community, cooperate with other law enforcement agencies, and continue in its efforts to improve its practices and procedures. As of August 2018, 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). UTPD was successfully re-accredited with both IACLEA and TLEA in 2018.

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

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

UTPD officers may enforce any parking or traffic regulation, or any misdemeanor or felony offense that occurs in their presence, so as long as they are on property owned or controlled by the University of Tennessee Board of Trustees or traveling along any route between UT property. 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 and recently update in March of 2019. UTPD and KPD officers communicate regularly at the scene of incidents that occur in and around the campus area. UTPD investigators work closely with KPD investigators when incidents arise that require joint investigative efforts, resources, crime related reports, and exchanges of information. KPD has primary investigative responsibility when the following crimes occur on university property:

- Unattended death, criminal homicide, first-degree murder, second-degree murder, voluntary manslaughter, criminally negligent homicide, vehicular homicide, and viable fetus as victim, as defined in T.C.A. §§ 39-13-201, -202, -210, -211, -212, -213, and -214;

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

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

Serious crimes and other incidents that are deemed by UTPD to be of interest to state and/or local agencies are reported to those agencies. All crimes that occur on campus are reported by UTPD on a monthly basis to the [Tennessee Bureau of Investigation \(TBI\)](#) and to the [Federal Bureau of Investigation \(FBI\)](#) headquarters for their annual publications.

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

The Clery Act requires the university to include in this report a statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at noncampus locations of student organizations officially recognized by the institution, including student organizations with noncampus housing facilities. The University does not officially recognize student organizations; rather, the University only registers student organizations. With respect to criminal activity in which students engage at noncampus locations of registered student organizations, UTPD officers can and do assist with responding to and investigating student-related incidents that occur in close proximity to campus, consistent with UTPD's written agreement with KPD. If KPD or the Knox County Sheriff's Office is contacted about criminal activity occurring off campus involving University students, KPD or the Knox County Sheriff's Office may notify UTPD. However, there is no official Knox County Sheriff's Office policy requiring such notification. Students in those cases may be subject to arrest and university discipline. In the event of the arrest of any individual known to be a UT student, KPD will notify UTPD of said arrest in a manner directed by the Chief of UTPD. KPD may be delayed or forego said notification when, in the sole determination of KPD, notification might hinder, interfere with or otherwise jeopardize an ongoing investigation or prosecution.



## Reporting a Crime, Emergency, or Suspicious Activity

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

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

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

## Emergencies

Call **911** to report criminal incidents, suspicious activity, or other incidents that are emergencies, whether on campus or off campus. The University operates a telephone system that provides expanded emergency service to the University community. All 911 calls placed on campus telephones are routed to the Knoxville E911 emergency center. The call is 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 may transfer the incident to UTPD or dispatch appropriate emergency services directly. The location of the blue light emergency telephone from which the call has been placed is made available to the E911 Dispatcher when the call comes in. The UTPD communications officer will dispatch an officer(s) to the location of the blue light emergency telephone. Bluephones located in high traffic areas are equipped with 24/7 communication with the University's current contract transportation provider. "The T" transit system provides University students, staff, faculty, and visitors a convenient and efficient campus wide transportation service. Service is fare-free for all passengers.

All campus elevators have emergency phones that transmit to the UTPD communications center designated phone. A UTPD communications officer answering that designated phone will have the phone number, building name, and elevator number (depending on the building) available through the caller ID system. If the person states that the button was pushed by accident and there is no reason to indicate there is a problem, no one is notified. A UTPD communications officer will contact the UT Facilities Service one call number to have maintenance in route to the elevator if someone is stuck inside. The one call Facilities Services person will attempt to get the person out of the elevator. If unable to get the person off the elevator, facilities services will contact the contracted elevator company. If the wait time for the contracted elevator company has an ETA of 45 minutes or longer, the Knoxville Fire Department (KFD) will be notified to get the person out. KFD will also be notified if the person stuck calls back to advise that they are in any type of distress, or if they are in distress when they notify UTPD that they are stuck. If KFD is sent to an elevator call, a UTPD officer will be dispatched with them.

## Non-Emergencies

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

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.

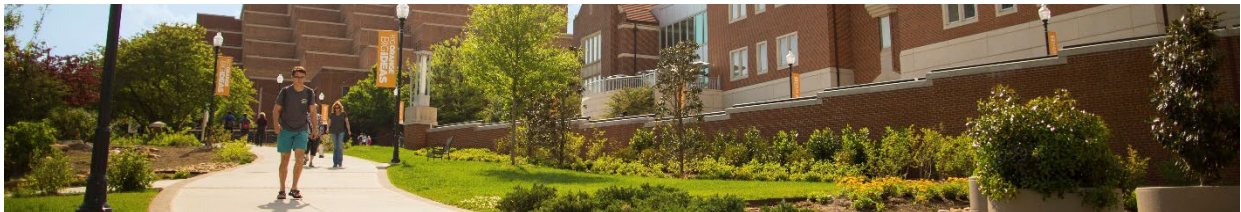
## UTPD

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

- Call **4-3114** (from a campus phone) or **865-974-3114** (from an off-campus phone or cell phone) (UTPD operates on a 24-hour basis and a police dispatcher is always available to take information); or
- Report in person at **1101 Cumberland Avenue, Knoxville, TN.**

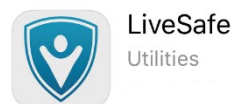
For general questions or other inquiries, you may send UTPD an e-mail at [utpolice@utk.edu](mailto:utpolice@utk.edu). This account is frequently checked, but not continuously monitored.

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 to keep an accurate record of specific criminal incidents, and the ability to notify the campus community of potential danger. If you are a Campus Security Authority, you may report Clery reportable incidents at <http://clery.utk.edu/campus-security-authority/>.

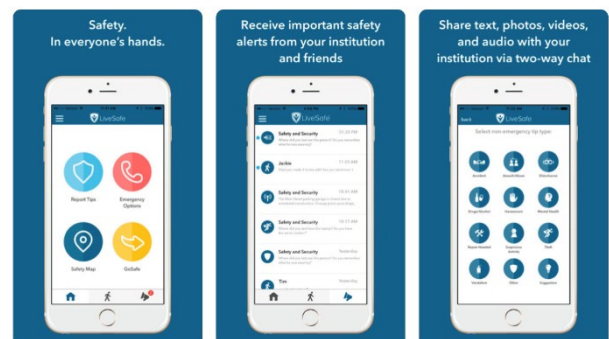


## LiveSafe - Campus Safety Mobile App

Help is at your fingertips! Turn your phone into a personal safety device with the campus safety app. The LiveSafe Mobile App is a free download available to students, employees, and visitors of the Knoxville campus. LiveSafe offers a variety of tools and safety features such as the ability to send tips and incidents to UTPD and other departments on campus. Other features include the SafeWalk application to ensure friends arrive at their destination safely, as well as easy to access campus and local resources. Download and install the LiveSafe app from either [Google Play](https://play.google.com/store/apps/details?id=com.utk.livesafe) or the [Apple App Store](https://apps.apple.com/us/app/live-safe/id1444444444). For more information go to <https://prepare.utk.edu/app/>.



GET



## Police to Community – P2C

The University of Tennessee Police Department provides a webpage known as *Police to Community*, or P2C, available at <http://p2c.utpolice.utk.edu/>. P2C provides access to useful safety information as well as limited online reporting to UTPD. Reports involving theft or vandalism under \$1,000 when no suspects are known may be submitted from this webpage. The P2C page has contact information for UTPD, links to our daily crime log, and provides citizens a method of submitting officer commendations.

## 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:

<b>Dean of Students</b> Student Union, Suite 383 <b>865-974-3179</b>	<b>Title IX Coordinator</b> 1817 Melrose Avenue <b>865-974-9600</b>	<b>Asst. Vice Chancellor for Student Life</b> 515 Andy Holt Tower <b>865-974-7449</b>
<b>Executive Director, University Housing</b> 2107 Andy Holt Avenue <b>865-974-2571</b>	<b>Director, Office of Student Conduct and Community Standards</b> 405 Student Services Building <b>865-974-3171</b>	<b>Director, Center for Health Education and Wellness</b> 201E Student Health Center <b>865-974-5725</b>
<b>Sr. Associate Vice Chancellor for Finance and Administration</b> 405B Andy Holt Tower <b>865-974-3061</b>	<b>Executive Director, Human Resources</b> 105 Student Services Building <b>865-974-9950</b>	<b>Sr. Associate Athletics Director</b> 1551 Lake Loudoun Blvd <b>865-974-9190</b>
<b>Director, Ag. Extension</b> 212D Morgan Hall <b>865-974-7245</b>	<b>Director, Center for International Education</b> 1620 Melrose Avenue <b>865-974-2173</b>	

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  
**865-215-7000**

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** which can be found at <https://policy.tennessee.edu/wp-content/uploads//policytech/system-wide/hr/HR0580-Code-of-Conduct.pdf> protects employees from retaliatory discharge if in good faith they report or attempt to report illegal activities. Employees are also protected from other forms of retaliation for reporting or seeking guidance regarding potential or actual criminal conduct.

## Timely Warning (Safety Notice)

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



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



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

A Safety Notice will contain pertinent information about the incident to enable persons to protect themselves or their property and aid in the prevention of similar crimes. Such information generally could include: (1) a brief description of the incident; (2) the general location, date, and time of the incident; (3) a description of the suspect, if a sufficient amount of detail is known about the suspect, which may include a composite drawing or photograph of the suspect; (4) a description of injuries or the use of force, if relevant; (5) a description of the incident's possible connection to other incidents; (6) suggested measures that university students and employees can take to help protect themselves or their property; and (7) contact information and other instructions for the campus community. Safety Notices will not include information that, in the judgment of the Chief of UTPD or 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. Typically, the Clery Coordinator or his/her designee will follow a timely warning matrix checklist, and may consult with other departments to help determine if a threat to campus safety exists. The apprehension of the alleged perpetrator typically removes the risk to university students and employees.

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 Public Safety Public Information Officer or his/her designee for review and distribution to all UTK netid accounts (e.g., students, faculty, and staff) through a campus email marketing platform known as Emma. 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](http://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://liveutk.sharepoint.com/sites/eoc/Campus%20Emergency%20Management%20Plan%20Public/Forms/AllItems.aspx?viewpath=%2Fsites%2Feoc%2FCampus%20Emergency%20Management%20Plan%20Public%2FForms%2FAllItems.aspx>

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 2018 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 <https://prepare.utk.edu/ep/> and in an emergency preparedness training module available on Canvas at <https://utk.instructure.com/courses/9068>. The Public Safety Department 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 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.



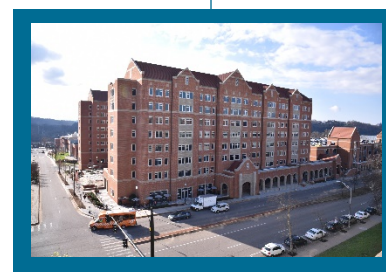
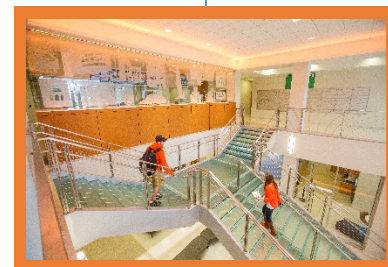
Documentation of university building evacuation/fire drills is maintained by Environmental Health and Safety, Student Life and University Housing is maintained in accordance with the procedure (GS 43) for Records Retention for Safety, Health and Environmental Protection procedure, which can be found in the Safety Manual at <https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/records-retention/>. Key performance measures are established, evaluated, and feedback is provided to the building occupants. A record of conducted drills is available upon request from Environmental Health and Safety.

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

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

The following is basic shelter guidance:

- If you are inside when directed to seek shelter, find the best available shelter in that building. If you are outdoors, proceed to the closest building as quickly as possible. Continue to monitor campus communications and do not exit unless directed by competent authority.
- For sheltering from severe weather or other threats to the building's integrity, you should seek an interior room as low in the building as possible preferably with no windows.
- For sheltering from hazardous materials release, seek shelter on an above ground floor and shut off ventilation and air handling systems and use available materials to seal windows and doors.
- The reaction to an active shooter event depends on your locations in regard to the threat. 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 campus safety app. The blue light phones' public address system is tested by activating units monthly on a rotational basis with all units being tested annually.

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

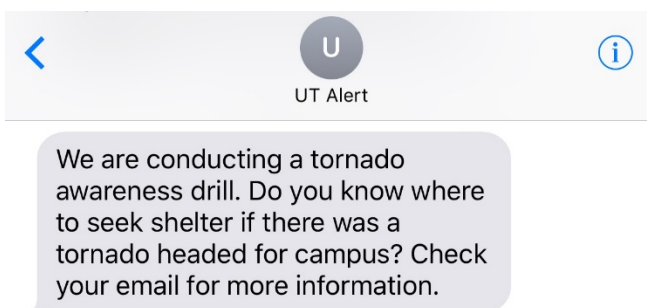
### **Determining the Appropriate Segment(s) of the Campus Community to Receive an Emergency Notification**

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.



## 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, Fire alarms	Campus-wide emergency requiring immediate action	PA system	UTPD & OEM
656-SAFE (7233)	Partial or full campus wide action	Pre-recorded message; phone bank	Communications & Marketing
UTPD vehicle PA system	Emergency Information	Voice	UTPD
UT Email	Emergency Information	Email	Communications & Marketing
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
IPAWS WEA	Geofence campus alerts	Text messaging	UTPD & OEM



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

- **UT Alert Text (SMS) Message, Email, App, & Computer Screen** – This method can send thousands of text and e-mail messages to staff, faculty, and students. The same message will activate an alert message in the 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. Building's equipped with fire alarm annunciators and Neyland Stadium exterior speakers can be employed in the same fashion.
- **656-SAFE (7233)** – This designated number serves as the university's official number for pre-recorded emergency information. During critical events it can be activated as a live phone bank to provide information regarding the incident.
- **UTPD Vehicle Public Address Systems** – Each UTPD patrol vehicle has a public address system that can be utilized for emergency announcements.
- **UT Email** – The university has the ability to send emergency information without activating the UTAlert system via the university's e-mail exchange to all Knoxville-area students, staff, and faculty with a netid.
- **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 located at <http://utk.edu> is a secondary notification system where more detailed information concerning an incident or an emergency may be found. The UT Alert text or e-mail notice may advise faculty, staff, and students to go to the university's homepage to obtain additional information and updates.
- **Digital Signage** – UT Alert has the ability to send an RSS message to digital signage software to display the alert message on internal campus building signage.
- **Campus Cable Television** – UT alert can send an emergency message to campus cable television through the Common Alerting Protocol (CAP) that will appear the same as an Emergency Alert System (EAS) message on broadcast television.
- **Portable L.E.D. Display Boards** – Parking and Transit Services maintain several vehicle-towed 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.
- **IPAWS WEA** – Federal alerting system that allows campus to send specific alert types to all cell phones in a geographic area.

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

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

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

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

## Missing Student Notification Procedures

This section of the Annual Security and Fire Safety Report sets forth the university's missing student notification procedures for students who reside in on-campus student housing facilities. These procedures only apply to students who reside in on-campus residential facilities operated by University Housing or in sorority and fraternity residential facilities owned and/or controlled by the University of Tennessee, Knoxville. The university does not own property or control either

Farm House or the Phi Delta Theta facilities. The university owns the property of Kappa Sigma, but does not own the house or control the facility.

## How to Report a Missing Student

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

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

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

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



### 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](http://titleix.utk.edu)

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## Security and Access to Campus Facilities

The University of Tennessee, Knoxville Campus-specific rules relating to security and access to campus facilities are described below.

### Security Cameras

The University has hundreds of cameras throughout the campus including all residence halls. The 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 twelve hall directors, thirteen assistant hall directors, and 176 resident assistants.

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

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

All exterior doors in residence halls, excluding the lobby entrance, are locked to limit entrance to the hall past the 24-hour staffed lobby only. During nightly hall walks, all exterior doors are checked to ensure that they are secure. In addition, security cameras have been installed in all of the residence halls, allowing the desk staff to monitor the exterior doors. All residence halls have a security camera system that monitors all exterior doors. Door access card readers have been installed at all exterior access points and interior access points leading to residential portions within all halls. The card readers control access from the public areas to the residential areas reserved for residents of each facility. Students use their university IDs to gain access to the building or living area.

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

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

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

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

## Sorority and Fraternity Housing

The university sorority and fraternity student organization community is composed of 45 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** (<https://fs.utk.edu/wp-content/uploads/2019/07/2019BuildingRepresentativeListUpdated.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 **46-7777** (from a campus phone) or using the **LiveSafe app**. Such reports to Facilities Services may be made 24 hours a day, seven days a week. Students residing in university residence halls may submit non-emergency requests for maintenance online (<http://housing.utk.edu/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.
- Social Media Safety: With an increased use of social media in our daily lives, it's important to understand the amount of information we put out there about ourselves and how to limit/protect that information.
- Substance Abuse: This program discusses the dangers of drug abuse, as well as the abuse of prescription medication. The course also highlights the misconceptions students may have concerning drug use.
- Spring Break Information: Safety program geared towards travel and personal safety. Situational awareness and the understanding alcohol and drugs while traveling are also discussed.
- Workplace Violence: Information regarding the escalating problem of violence in the workplace. Identification of characteristics of potentially violent individuals, as well as prevention and avoidance strategies.
- Community Response to Active Shooter: One of the most frightening situations that can occur on a college campus is dealing with an active shooter. An active shooter is a person who is actively threatening lives or prepared to threaten lives in a populated area. This program focuses on how to deal with a potential active shooter situation. The course gives information on past occurrences, warning signs, and what to do if a shooting occurs in your immediate area.

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

In **2018**, UTPD's CRU instructed **292 programs** making contact with **24,163 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 & LiveSafe 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 LiveSafe App**.
- Crime Prevention through Environmental Design: Several UTPD officers are certified to assist with the design of built structures and environmental conditions and a safer community. Security surveys are completed upon request through the CRU.

- Liaison Program: UTPD takes the initiative to bridge the gap between the university community and campus police. UTPD officers are assigned to University Housing, 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 empower all Volunteers to thrive by cultivating personal and community well-being.

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 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 2018:

- The VOL Module is an interactive, online module that was developed by the Center for Health Education & Wellness to educate incoming students at the university about alcohol, consent, sexual misconduct, healthy relationships, active bystander skills, and campus policies & state law. All incoming students were required to complete the module as part of their FYS 100 course. 2,861 students completed the module in 2018.

- CHECKUP TO GO Alcohol / CHECKUP TO GO Marijuana are self-assessment tool available for use by students to examine their own alcohol/cannabis use. The program provides immediate personalized feedback about: drinking/use, risk patterns, aspirations and goals, and campus and community resources.
- The Alcohol Education Program (AEP) is a group education program for students to discuss the incident got them to AEP, what are potential risks of current behavior, and how to modify behavior to reduce risk of further incidents. 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. In 2018, 440 students completed the Alcohol Education Program and 45 programs were provided.
- BASICS: Brief Alcohol Screening and Intervention for College Students (BASICS) is a brief intervention consisting of two one hour meetings with students. It is an opportunity to have a more in-depth conversation about the incident that brings them to BASICS. The purpose of these meetings is to look at current pattern of use, possible risks, and possible ways to reduce these risks to prevent another incident. Participants complete the CHECKUP TO GO – Alcohol online assessment. Students are typically sanctioned to complete these sessions as a part of an alcohol violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of alcohol. In 2018, BASICS was conducted with 99 students.
- The Drug Education Program (DEP) is a group education program for students to discuss the incident got them to DEP and the impact it has had on their lives. In addition, it is an opportunity to look at behavior and how it aligns with values. The goal is to consider what potential risks are for current behavior and how to modify behavior to reduce risk of further incidents. Students are typically sanctioned to complete these sessions as a part of a drug violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of substances. In 2018, 108 students completed the Drug Education Program and 21 programs were provided.
- In November of 2018, CHEW administered the American College Health Association’s National College Health Assessment in order to compare University of Tennessee students’ health habits, behaviors, and perceptions to a national sample. The desired sample size based on UTK’s student population is at least 900 returned or completed surveys. Unfortunately we only received 282 completed surveys. The survey will be re-administered in fall of 2019.
- CASICS: CAnnabis Screening and Intervention for College Students (CASICS) is a brief intervention consisting of two one hour meetings with students. It is an opportunity to have a more in-depth conversation about the incident that brings them to CASICS. The purpose of these meetings is to look at current pattern of use, possible risks, and possible ways to reduce these risks to prevent another incident. Participants complete the CHECKUP TO GO – Marijuana online assessment. Students are typically sanctioned to complete these sessions as a part of a drug violation; however, any student may volunteer to meet with the Wellness Coordinator due to concerns or questions regarding their personal use of substances. In 2018, CASICS was conducted with 19 students.



**NEED HELP NOW?**

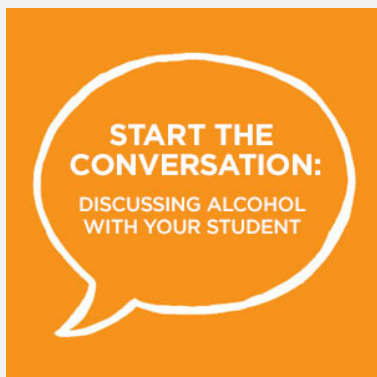


**Are you or a fellow Vol  
in distress?**

If so, call 865-974-HELP  
(4357) or [fill out our  
referral form.](#)

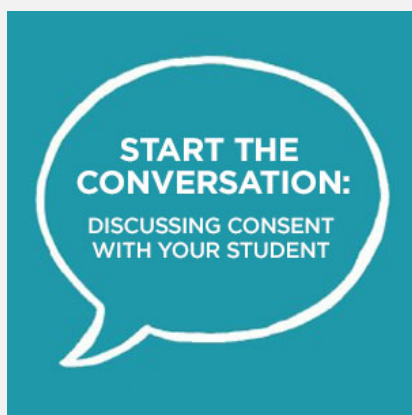


**VOLS HELP VOLS:**  
YOU ARE NOT ALONE



- First Year Studies (FYS) Volunteers Speak UP! FYS Edition was provided by request to 357 students in 2018. 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.

- Be Well, Vols was developed in 2017. The program explores general health and wellness topics such as sleep, stress, and cold and flu prevention to help students learn how to manage and improve their health in these areas. In 2018, Be Well, Vols was provided to 441 student participants.
- 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 2018, the sessions were facilitated by Student Conduct and Community Standards, the Office of Title IX, and the CHEW. Content discussed during the presentation covered the following areas: personal safety, sexual health, alcohol & drugs, and sexual assault. Approximately, 97.8% of incoming First-Year students attended new student orientation and 96.6% of transfer students attended transfer student orientation sessions during 2018.
- World AIDS Day was held on November 29, 2018. The event was a partnership between the Center for Health Education and Wellness, PRIDE Center, and Helen Ross McNabb Center. The event promoted the significance of World AIDS Day, awareness, and the importance of getting tested for HIV/AIDS. The Helen Ross McNabb Center provided free HIV testing while the CHEW and PRIDE Center participated in tabling to provide information and safer sex supplies. 58 students, faculty, and staff participated in the event.



- 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 six “Red Zone Pop-up Installations.” The installations were located at Pedestrian Walkway, Presidential Court, the Alumni Memorial Building terrace, the Hill, and Brenda Lawson Center. 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 1,378 consent shirts were distributed, and approximately 1,400 students, faculty, and staff signed the red zone canvas.



- The Just Kick It Kick-Off/Safe Fall Break 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 issues around substance misuse and inform students, staff, and faculty of opportunities around Fall Break and other events throughout the month of October 2018. 344 individuals participated in the event.
- The Just Kick It Recovery Fair was an event hosted by the Center for Health Education and Wellness in the fall semester of 2018 during National Substance Abuse Prevention Month. 219 students attended the event, which was sponsored by seven campus partners, 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.
- Masculinity: More than a Mask program is designed for men to provide a space to explore the norms around gender identity, specifically masculinity, and to create positive change in their world around violence against women. The program launched in fall 2017. In 2018, there were 2 programs facilitated with 44 participants.
- Volunteers Speak UP! FYS (First-Year Studies) program is designed for First-Year Studies students. It introduces students to bystander intervention and serves as an overview of issues addressed in the other VSU programs. Available resources are provided during the program as well as how to promote a Vols Help Vols culture at UT and beyond. The program educates the University of Tennessee community around prevention, bystander intervention, and campus and community resources. There were 23 programs conducted with a total of 357 student contacts in 2018.
- Volunteers Speak UP! Fraternity Men is a program designed specifically for male students in Greek letter organizations. The interactive discussion based program educates students on sexual assault and how to apply their fraternal values to being an active bystander. Students share ways to intervene in situations where someone is in a potentially dangerous situation. There were 4 programs conducted with a total of 59 student contacts in 2018.



- 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. There were 10 programs conducted with a total of 268 student contacts in 2018.
- 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! 13 programs were held in 2018 with a total of 244 student participants.



## VOLS 2 VOLS

PEER EDUCATION PROGRAM



- 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 2017 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 2018, there were 32 VOLS 2 VOLS Peer Health Educators. The VOLS 2 VOLS Peer Health Educators had 5,511 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](http://titleix.utk.edu) and **Appendix F**.

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

Primary Prevention Programs are programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

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

- The fact that the University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined by the Clery Act regulations, 34 C.F.R. § 668.46(a); the definitions of dating violence, domestic violence, stalking, and sexual assault under Tennessee criminal law; the definition of consent with respect to crimes relating to sexual activity in Tennessee; and the information that is included in the Policy in accordance with Clery Act regulations, 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);
- Bystander intervention, which are safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of Prohibited Conduct. Bystander intervention includes, without limitation, recognizing situations of potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening; identifying safe and effective intervention options; and taking action to intervene; and
- Risk reduction, which are options designed to decrease perpetration and bystander inaction, and to increase empowerment for Complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence.

The University implements Primary Awareness Programs which are comprehensive, intentional, and integrated community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to: prevent violence, promote safety and reduce perpetration.

The University implements Ongoing Prevention and Awareness Campaigns which are programming, initiatives, and strategies for students and employees that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing Prohibited Conduct using a range of strategies with audiences throughout the University and including information about:

- The fact that the University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined by the Clery Act regulations, 34 C.F.R. § 668.46(a); the definitions of dating violence, domestic violence, stalking, and sexual assault under Tennessee criminal law; the definition of consent with respect to crimes relating to sexual activity in Tennessee; and the information that is included in the Policy in accordance with Clery Act regulations, 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);
- Bystander intervention, which are safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of Prohibited Conduct. Bystander intervention includes, without limitation, recognizing situations of potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening; identifying safe and effective intervention options; and taking action to intervene; and
- Risk reduction, which are options designed to decrease perpetration and bystander inaction, and to increase empowerment for Complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Examples of Primary Prevention and Awareness Programs for incoming students and new employees, and Ongoing Primary Prevention and Awareness Campaigns for students and employees, as well as positive options for Bystander Intervention and information on Risk Reduction include:

- The *Vol Module* is an interactive, online module that was developed to educate incoming students at the university about alcohol, consent, sexual misconduct, healthy relationships, active bystander skills, and campus policies & state law.
- *New & Transfer Student Orientation: Be Smart. Be Safe. Be a Vol!* sessions were attended by all incoming new and transfer students. In 2018, 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 inter-active activities, students learn how to recognize when consent is present, when it is not, and what to do when consent may be unclear.
- 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 information related to sexual assault, stalking, interpersonal violence (including dating violence and domestic violence), and sexual harassment. The video was created by the Title IX Office and customized to address reporting responsibilities, prevention, and campus specific assessment data. UT policy and procedure including key legislation are referenced. The module can be found on the University's comprehensive learning management tool K@TE. This module can be found at <https://kate.tennessee.edu/> and accessed by entering your University assigned username and password.
- Additionally, You Are Not Alone posters and resource cards, Red Zone campaign and resource cards, Red Flag Campaign, Sexual Assault Awareness Month Events Cards and Pins, 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](http://wellness.utk.edu), and prevention programs being carried out by the Center for Health Education and Wellness. Social Media campaigns included Stalking Awareness Week, Sexual Assault Awareness Month, the Red Zone & Consent Campaign, and Domestic Awareness Month.



- Programs such as CHECKUP TO GO Alcohol / CHECKUP TO GO Marijuana, The Alcohol Education Program, BASICS: Brief Alcohol Screening and Intervention for College Students (BASICS), The Drug Education Program, CASICS: Cannabis Screening and Intervention for College Students, Campus Wide Presentations, First Year Studies, Volunteers Speak UP! FYS Edition, Start to Conversation: How to Discuss Alcohol with Your Student & How to Discuss Consent with Your Student, Social Media Campaigns, #VolTruth social norms campaign, National Drug and Alcohol Facts Week campaign, 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 Prevention, Awareness, and Resource Center (SPARC) ensures allied professionals have the specialized knowledge to identify and respond to the crime of stalking. SPARC provides ready-to-teach modules providing everything you need including PowerPoints and presenter guides. <https://www.stalkingawareness.org/>
- The Battered Women's Justice Project (BWJP) is the national resource center on civil and criminal justice responses to intimate partner violence. BWJP provides training that translates research findings into ideas for implementation, and facilitates the adoption of promising practices across the country. <https://www.bwjp.org/training.html>
- 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 2018 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 Drug Free Campus and Workplace HR0720 policy can be found at <https://policy.tennessee.edu/>.

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

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

Individuals who are paid by the University of Tennessee from federal grants or contracts must notify the University of any Criminal Drug Statute Conviction for a violation occurring in the workplace within five days after such conviction. The university is, in turn, required to inform the granting or contracting agency of such violation within ten days of the university's receipt of notification.

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

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

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

## Alcohol

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

It is unlawful in Tennessee for:

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

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

## Illegal Drugs

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



## Standards of Conduct for Students

UTK's Standards of Conduct for students state that a student may be disciplined for 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 policy **HR0580** which can be found at <https://policy.tennessee.edu/>, prohibits: "The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in a university vehicle on or off university property; possession or use of alcohol while on duty (except at university-sponsored events and other events an employee is expected to attend as part of his or her duties); or reporting to work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances." Violation of the Code of Conduct is grounds for disciplinary action, up to and including termination of employment, pursuant to University of Tennessee Human Resources Policy **HR0525**, a copy of which can be found at <https://policy.tennessee.edu/>. Illegally using, manufacturing, possessing, distributing, purchasing or dispensing of controlled substances or alcohol as well as reporting for duty under the influence of intoxicants, constitutes gross under university policy. In a case of gross misconduct, immediate disciplinary action up to and including discharge may be taken. During the investigation of alleged gross misconduct, an employee may be placed on administrative leave with pay.





## Drug and Alcohol Abuse Prevention

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

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

## Health Risks

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

Alcohol-misuse health risks: Liver damage—cirrhosis, alcoholic hepatitis; heart disease—enlarged heart, congestive heart failure; ulcers and gastritis; malnutrition; cancer—of the mouth, esophagus, stomach, liver; brain damage—memory loss, hallucinations, psychosis; damage to fetus if pregnant mother drinks; death—Over 30 percent of fatal auto accidents involve alcohol. Suicide is known to be highly prevalent among those who suffer from alcohol disorders.

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

## 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**, found at <https://policy.tennessee.edu/>.

Those requirements include, without limitation:

1. The employee shall have the handgun carry permit in the employee's immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer.
2. Prior to carrying the handgun, the employee shall provide written notification to UTPD in accordance with UTPD's policy and procedure for notification. Notification forms are available at UTPD at 1101 Cumberland Avenue. The eligible employee shall meet with a UTPD police officer and provide a valid University of Tennessee identification card, driver's license, and valid Tennessee Handgun Carry permit. Other identifying information that must be provided includes - name, office address, phone number, job title, Employee ID number, and date of birth. The eligible employee will be required to sign a form acknowledging the terms and conditions for carrying a handgun on university property, including without limitation acknowledging that they will not be carrying a handgun in any official university capacity, are not entitled to workers' compensation claims resulting from the use of misuse of a handgun, that they are not currently enrolled as a student, that they agree to carry the handgun in a concealed manner, and that they will notify UTPD of any change in employment or student status. All information gathered will be kept confidential by UTPD and will not be shared with another person or entity other than a law enforcement agency for law enforcement purposes or except as otherwise permitted by law.

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

## Parking

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

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

## University Weapons Policy - Students

The university's Student Code of Conduct states that a student may be disciplined for "possessing, carrying, using, storing, or manufacturing any weapon 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 Firearms, section three, Authorized Possession and Carrying of Firearms**, found at <https://policy.tennessee.edu/>, an employee shall not possess or carry a firearm on university property or while acting within the course and scope of their university employment.

## Tennessee Sex Offender Registry

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

In Tennessee, convicted sex offenders must register with the Tennessee Sex Offender Registry maintained by the Tennessee Bureau of Investigation (TBI). Tennessee Code Annotated § 40-39-206 requires persons who are required to register pursuant to the Tennessee Sexual Offender and Violent Offender Registration, Verification and Tracking Act of 2004 (Tennessee Code Annotated § 40-39-201 et seq.) to disclose the name and address of any institution of higher education in Tennessee at which the offender is employed, carries on a vocation or is a student. TBI is responsible for maintaining the Tennessee Sex Offender Registry.

Click on the following link to access the Tennessee Sex Offender Registry:

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

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

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

The Clery Coordinator prepares the Annual Security and Fire Safety Report, including the annual disclosure of crime, arrest, and referral statistics, with input from various sources, including: UTPD; the university's 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.

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

In compliance with the Clery Act, the university shares the crime statistics contained in **Appendix A**.

For more information on the university's Clery geography, you may visit:

<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 is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**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) or Human Resources (HR), for liquor law, drug law, and illegal weapon law violations. The numbers include incidents that are reported via UTPD incident reports and reports provided to OSCC or HR from other members of the university community.

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

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

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

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

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

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

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

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

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

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

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

**Larceny – Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

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

**Manslaughter by Negligence:** The killing of another person through gross negligence.

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

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

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

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

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

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

**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 unwanted 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;

“Unwanted 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. Unwanted 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:

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

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 2018.

## Policies and Rules for Appliances, Smoking and Open Flames

### Smoking

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

<https://bewell.utk.edu/wp-content/uploads/sites/26/2018/03/UT-smoke-free-campus-policy.pdf>. As used in this section, "smoke" or "smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette (including electronic cigarette) pipe or other lighted tobacco product in any manner or in any form. Smoking devices, including, but not limited to electronic cigarettes, pipes, bongs and hookahs, are not permitted in residence halls.

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



### Open Flames

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



## Portable Electronic Appliances

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

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

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

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

Students who are found to have violated the policies or rules described above will be subject to discipline in accordance with the procedures outlined in *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** 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.

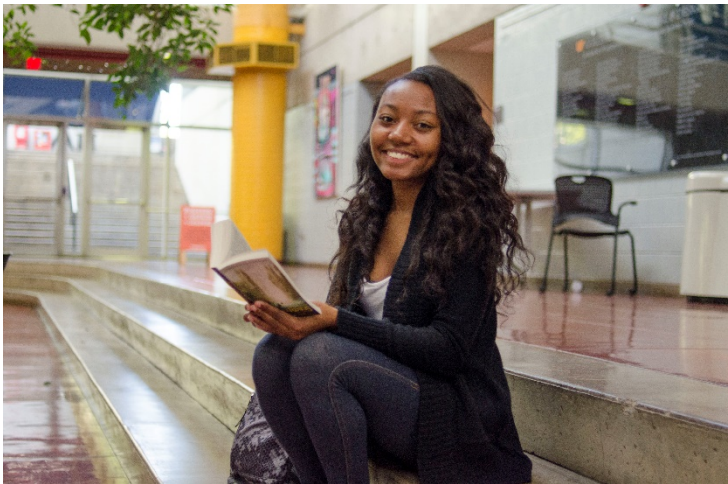
Prior planning and practicing of emergency evacuation routes are important in assuring a safe evacuation:

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 seek out individuals with disabilities reported to be in the building and provide assistance to evacuate the building if necessary. Keep in mind, emergency personnel may be engaged in various activities that prevent assisting all individuals; each person should be responsible for their own evacuation whenever possible.
5. In the event of an evacuation during a non-fire emergency, the steps described above will be followed.
6. Individuals should provide a copy of their current schedules and immediately report changes to their Hall Director, 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
Fire Drills	FS-002	<a href="https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/fire-drill-procedure/">https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/fire-drill-procedure/</a>
Fire Extinguishers	FS-001	<a href="https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/portable-fire-extinguishers-pfes/">https://ehs.utk.edu/index.php/table-of-policies-plans-procedures-guides/portable-fire-extinguishers-pfes/</a>

## Plans for Future Improvement in Fire Safety

### Sorority Village

No improvements are planned at this time.

### Fraternity Housing

- Sigma Chi will be subleasing to Chi.
- Phi Sigma Kappa will be subleasing to Beta Upsilon Chi.
- Lambda Chi Alpha will be subleasing to Beta Theta Pi.



### Residence Halls

- Two new buildings are to open in Fall 2019; Dogwood and Magnolia Halls.
- Laurel Hall closed due to mold in 2018. And reopened in fall of 2019.
- In addition to the new residence hall construction currently underway, there will be the demolition of most of the President Court Complex allowing for the construction of future residence halls and a new dining facility. All new residence halls will have code compliant automatic fire suppression (sprinkler) systems, fire alarm detection systems and all other required fire protection features as mandated by code. Portable fire extinguishers will be installed and maintained in accordance with National Fire Protection Association 10 (“Standard for Portable Fire Extinguishers”).



# 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, 2018 – DECEMBER 31, 2018**

	All On-Campus Property				Non-Campus Property				Public Property				GRAND TOTAL	On-Campus Residential Only			
	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL	Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	SUB-TOTAL		Reported to UTPD	Reported to Other Agencies	Reported to Non-Police	Section TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	1	0	0	0	0	1	0	0	1	2	0	0	0	0
Aggravated Assault	0	1	0	1	0	0	0	0	1	0	0	1	2	0	0	0	0
Motor Vehicle Theft	21	5	0	26	0	0	0	0	0	1	0	1	27	0	0	0	0
Arson	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	0	0
Burglary	29	0	0	29	0	0	1	1	0	0	0	0	30	10	0	0	10
Rape	8	0	15	23	0	0	0	0	0	0	0	0	23	4	0	15	19
Fondling	0	0	15	15	0	0	0	0	0	0	0	0	15	0	0	5	5
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	19	0	0	19	0	0	0	0	4	0	0	4	23	6	0	0	6
Liquor Law Violations Referred for Disciplinary Referral	55	6	439	500	0	0	0	0	1	0	0	1	501	26	0	424	450
Drug Law Arrests	47	0	0	47	1	0	0	1	18	0	0	18	66	25	0	0	25
Drug Law Violations Referred for Disciplinary Referral	67	3	150	220	0	0	2	2	7	0	0	7	229	55	3	144	202
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	0	0	3	3	0	0	0	0	0	0	0	0	3	0	0	3	3
Domestic Violence	6	1	9	16	0	0	0	0	0	0	0	0	16	6	0	8	14
Dating Violence	0	0	3	3	0	0	0	0	0	0	0	0	3	0	0	1	1
Stalking	28	0	34	62	0	0	0	0	0	0	0	0	62	7	0	4	11

- 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. The University of Tennessee Police Department unfounded 4 Clery Act crimes in 2018.
- Included in rape statistics are rape kits received by the Sexual Assault Center of East Tennessee being stored at UTPD. No complainant information is kept on these hold kits and it is possible the number is a duplicate to a number already reported.
- Roommates are included for our jurisdiction's family protection laws and their relationship is included for domestic violence incidents.
- There were no reported Hate Crimes for 2018.

# CRIME STATISTICS: JANUARY 1, 2017 – DECEMBER 31, 2017

	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	0	1	0	1	0	0	0	0	0	1	0	1	2	0	0	0	0	0
Aggravated Assault	6	0	1	7	0	0	0	0	4	2	0	6	13	2	0	1	3	0
Motor Vehicle Theft	11	1	0	12	0	0	1	1	0	2	0	2	15	0	0	0	0	3
Arson	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1	0
Burglary	23	0	0	23	0	0	0	0	0	0	0	0	23	15	0	0	15	0
Rape	5	0	20	25	0	0	0	0	0	0	0	0	25	4	0	17	21	1
Fondling***	1	0	24	25	0	0	0	0	2	0	0	2	27	1	0	19	20	2
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	30	2	0	32	0	0	0	0	12	1	0	13	45	10	0	0	10	0
Liquor Law Violations Referred for Disciplinary Referral	69	4	444	517	0	0	0	0	1	0	0	1	518	64	0	441	505	0
Drug Law Arrests	32	0	0	32	2	0	0	2	6	2	0	8	42	14	0	0	14	0
Drug Law Violations Referred for Disciplinary Referral	112	0	37	149	0	0	0	0	0	1	0	1	150	109	0	37	146	0
Illegal Weapons Possession Arrests	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Referral	0	0	0	0	0	0	0	0	3	0	0	3	3	0	0	0	0	0
Domestic Violence***	10	0	25	35	0	0	0	0	0	1	1	2	37	6	0	22	28	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	26	0	29	55	0	0	0	0	0	0	0	0	55	17	0	4	21	1

\*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.

\*\*\*12 incidents of fondling and domestic violence came from one report involving two individuals in a domestic relationship.

## Hate Crimes: January 1, 2017 – December 31, 2017

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

OC=On Campus Property  
NC=Non-Campus Property

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

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



# 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.

## Hate Crimes: January 1, 2016 – December 31, 2016

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

OC=On Campus Property  
NC=Non-Campus Property

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

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

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

# ANNUAL SECURITY AND FIRE SAFETY REPORT

## APPENDIX B: FIRES IN ON-CAMPUS STUDENT HOUSING FACILITIES

	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
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	2	0	N/A	Unintentional/ Microwave oven fire - overheat, melted interior parts	N/A	N/A	0	N/A	N/A	N/A	0	N/A	N/A	N/A
					Intentional/ Arson fire to posters in hallway			0				0			
Clement Hall, 1629 W. Cumberland Avenue	1	0	0	Unintentional/ Electric fire/ arc on plug connection	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$125	N/A	N/A
Hess Hall, 1720 Melrose Place	1	0	1	Unintentional/ Grease fire in kitchen	N/A	Unintentional/ Debris under stoveop burner	0	N/A	0	0	N/A	0	\$0	N/A	\$0

	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Humes Hall, 1911 Andy Holt Avenue	1	0	0	Unintentional/ Combustibles too close to stove	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$0	N/A	N/A
Laurel Hall, 1615 Laurel Avenue	2	0	0	Unintentional/ Electrical failure	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$400	N/A	N/A
				Unintentional/ Waffle ignited in oven			0			0			\$250		
Massey Hall, 825 Volunteer Boulevard	0	2	0	N/A	Unintentional/U se of Candle in Hall	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$50	N/A
					Unintentional/ Electrical Fire due to faulty AC Unit			0							
Morrill Hall, 1038 20 <sup>th</sup> 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
Orange Hall, 828 20th Street	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Reese Hall, 1910 Caledonia Street	1	0	0	Intentional/ Posted notes ignited	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$0	N/A	N/A



	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Stokley Hall 1311 Lake Loudoun Blvd	0	1	0	N/A	Unintentional/ Food in microwave overheated causing styrofoam plate to flame	N/A	N/A	0	N/A	N/A	0	N/A	N/A	\$600	N/A
White Hall, 862 20th Street	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Volunteer Hall, 1525 White Avenue	1	1	1	Unintentional/ Oven fire	Unintentional/ Food overheated in oven	Unintentional/ Plastic utensils in microwave	0	0	0	0	0	0	\$250	\$250	\$300
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Kappa Alpha Fraternity, 840 20 <sup>th</sup> 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

	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Kappa Sigma Fraternity, 1730 Melrose Pl.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lambda Chi Alpha, 1848 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Kappa Psi, 1840 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Sigma Kappa Fraternity, 1800 Fraternity 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
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pi Kappa Phi, 1828 Fraternity Park Dr.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sigma Alpha Epsilon Fraternity	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
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
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
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
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
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
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
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

	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	0	0	0	N/A	NA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Gamma Sorority, 2906 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Zeta Sorority, 3018 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	0	0	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
Pi Beta Phi Sorority, 3006 Sorority Village Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

	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		
Housing Facility	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Volunteer Condos, 910 22ndStreet	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A



# ANNUAL SECURITY AND FIRE SAFETY REPORT

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

HOUSING FACILITY	FULL SPRINKLER SYSTEM <sup>1</sup>	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2017	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	✓	✓	✓	✓	Demo 2017	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Laurel Hall, 1615 Laurel Avenue	✓	✓	✓	✓	3  Closed in Fall 2018	✓	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 <sup>th</sup> Street	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Orange Hall, 858 20 <sup>th</sup> Street	✓	✓	✓	✓	4	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways

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

HOUSING FACILITY	FULL SPRINKLER SYSTEM <sup>1</sup>	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2017	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Reese Hall, 1910 Caledonia Street	✓	✓	✓	✓	2  Closed Spring of 2018	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Stokely Hall, 1311 Lake Loudon Blvd.	✓	✓	✓	✓	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 <sup>th</sup> Street	✓	✓	✓	✓	2  Closed Fall 2018	✓	Fire rated stairs, exterior walls, floors, roof assembly, hallways; smoke tight hallways
Alpha Gamma Rho Fraternity, 1840 Fraternity Park Dr.	✓	✓	✓		1  Closed Spring 2018	✓	Fire rated stairs, smoke-tight hallways
Alpha Tau Omega Fraternity, 1812 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Delta Tau Delta Fraternity, 1844 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Kappa Alpha Fraternity, 840 20 <sup>th</sup> Street	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Kappa Sigma Fraternity, 1730 Melrose Pl.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Lambda Chi Alpha Fraternity, 1848 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Phi Gamma Delta Fraternity, 1836 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Phi Kappa Psi, 1840 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Phi Sigma Kappa Fraternity, 1800 Fraternity Park Dr.	✓	✓	✓		1  Closed Fall 2018	✓	Fire rated stairs, smoke-tight hallways
Pi Kappa Alpha Fraternity, 1820 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways

HOUSING FACILITY	FULL SPRINKLER SYSTEM <sup>1</sup>	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2017	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Pi Kappa Phi, 1828 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Sigma Alpha Epsilon Fraternity 1808 Fraternity Park Drive	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Sigma Chi Fraternity 1816 Fraternity Park Dr	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Sigma Nu Fraternity, 1824 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Sigma Phi Epsilon, 1832 Fraternity Park Dr.	✓	✓	✓		2	✓	Fire rated stairs, smoke-tight hallways
Alpha Chi Omega Sorority, 2919 Sorority Village Circle	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Alpha Delta Pi Sorority, 2621 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Alpha Omicron Pi Sorority, 2509 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Chi Omega Sorority, 2630 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Delta Delta Delta Sorority, 2620 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Delta Gamma Sorority, 2906 Sorority Village Circle	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Delta Zeta Sorority, 3018 Sorority Village Circle	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Kappa Delta Sorority, 2515 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Kappa Kappa Gamma Sorority, 3010 Sorority Village Circle	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Phi Mu Sorority, 2610 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Pi Beta Phi Sorority, 3006 Sorority Village Circle	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways

HOUSING FACILITY	FULL SPRINKLER SYSTEM <sup>1</sup>	SMOKE DETECTION	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS AND PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS CONDUCTED IN 2017	FIRE ALARM SYSTEMS	OTHER FIRE CONTROL
Sigma Kappa Sorority, 2601 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Zeta Tau Alpha Sorority, 2600 Ann Baker Furrow Blvd.	✓	✓	✓	✓	3	✓	Fire rated stairs, smoke-tight hallways
Volunteer Condos, 910 22 <sup>nd</sup> 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 2018



Date of Program	Hall	Program Title	Program Location	Program Description
August 30, 2018	Morrill Hall	Alcohol Awareness	Morrill Hall Lobby	This program will address the dangers associated with excessive drinking and brings awareness to hazards of driving while impaired.
April 17, 2019	Fred D. Brown Jr. Hall	Alcohol Awareness	Fred Brown 3rd floor	This program would facilitate conversation with students and create a fun learning environment about making educated decisions when it comes to drinking and driving . It will also educates students in knowing their limits when it comes to drinking how to do it responsibly.
November 8, 2018	Orange Hall	Alcohol Awareness (or Drunk Mario Kart)	Orange Hall 2nd Floor Lobby	Through Drunk Mario Kart, this program will provide a real-world lesson in a fun way that will, hopefully, stick with them throughout their college years. The residents will be educated about drinking responsibly, the dangers faced when drinking in excess (especially when getting behind the wheel), and the protocol needed when an alcohol incident occurs.
January 31, 2019	Fred D. Brown Jr. Hall	Alcohol Awareness Water Pong	Brown Hall 4th Lobby	This program will incorporate the residents playing "water pong" where each cup will have a number written on the bottom that correspond with specific questions about alcohol awareness. Infographics will be handed out at the end of each game summarizing the information given during play.
September 21, 2018	Morrill Hall	Beer Pong... The Root Kind	Rec Room of Morrill Basement	Residents will be invited to a party where they will engage in a multitude of activities designed to distract them. When distracted the RA will slip a skittle into their drink, to signify that they have been roofied. In the middle of the program the RA will ask everyone to check their drinks. Those that have been roofied will be asked to step forward and read from a card containing a fact about alcohol use on campus. Afterwards residents will be encouraged to list the number of ways that they can stay safe at parties regardless of whether or not they chose to partake in alcohol consumption.
September 27, 2018	Massey Hall	Bottoms Up!	7 south elevator lobby	This program is to promote safety when drinking especially in social settings and will show residents how easily they can be drugged at a party. There will set up with a table in the elevator lobby with small cups of drinks already poured. As people pass by, they will be encouraged to get a cup and have a drink. Each cup will have a piece of skittle at the bottom, but will not be visible until they have already drank all of the beverage. This will allow residents to be aware of how easily someone could be drugged and also teach them not to fall into peer pressure.

September 6, 2018	Reese Hall	Bystander Mafia	West MPR	The residents will play an interactive version of the game Mafia that encourages greater participation from the Townspeople to show how to be an active bystander and how the townspeople could be more proactive in preventing the "Mafia" members.
September 12, 2018	Fred D. Brown Jr. Hall	Cash Cab: Elevator Edition	FDB Elevators	This event will have RA setting up a stall in the elevator and asking residents alcohol related trivia questions for candy as students return from classes.
September 4, 2018	Morrill Hall	Catfish and Chips	13th Floor Lobby	This event will introduce the concept of the show Catfish. We will briefly explain that although the show itself is popular, because it seeks such outlandish story lines, that it is important to make parallels to the relationships that we are forming in our lives whether they be with fellow residents or significant others. Once residents are done watching the episode, RAs will ask the residents what they viewed as wrong within the episode, and then RAs will try to help unpack why these actions are wrong and what actions we can take to end or prevent them. CHEW resource sheets will also be providing at this event.
September 13, 2018	Laurel Residence Hall	Cereal and Safety	MPR	Students will meet in the MPR for a cereal bar and to socialize as UTPD teach residents about self defense, proactive methods to be more aware of surroundings, and other violence prevention methods. RAs will encourage healthy and safe lifestyles by mediating an open and truthful conversation about community safety to make everyone aware of the threats that exist to our safety. UTPD will engage in a dialogue where we look for ways around those problems and better equip us to handle them when faced with those situations.
November 15, 2018	North Carrick Hall	Chicken Nugs, Not Drugs	MPR	There will be a small presentation about the different kinds of drugs residents might see or be offered around campus and talk about the drug's addictive natures, damage to the body, and risk of death.
March 12, 2019	Hess Hall	Club Hess	Hess Hall Lobby	This program will be a social event with a focus on providing residents with information on alcohol awareness and safe spring break habits.
March 14, 2019	Morrill Hall	Cocktails with a Twist	3rd Floor Lobby	This program will incorporate virgin cocktails,"mocktails", made by RAs and presenting alcohol facts for safe drinking habits.
February 20, 2019	Morrill Hall	Consent and Cookies	7th Floor Lobby	This program will be partnered with CHEW, who will teach about what consent is and what that means in the scope of healthy relationships.

September 20, 2018	Fred D. Brown Jr. Hall	Cookie Dough Consent Trivia	5th Floor Lobby	During this program, edible cookie dough will be a prize for attempting to answer a trivia question about consent and/or sexual awareness. I will also make a handout with all the trivia questions that I will be asking along with their answers.
August 27, 2018	Stokely Hall	Cookies & Condom	Apartment Visits	For this program, RAs will be promoting living a healthy lifestyle by providing our residents with free condoms as well as cookies. RAs ordered the different types of barrier methods that the Center for Health Education and Wellness provides including latex-free condoms, female condoms, and dental dams. We will be providing our residents with information on where the CHEW is located and that they have always have free condoms and other resources available at their office.
February 13, 2019	Volunteer Hall	Cookies & Condoms	7th Floor	For this program, RAs will be promoting living a healthy lifestyle by providing our residents with free condoms as well as cookies. We ordered the different types of barrier methods that the Center for Health Education and Wellness provides including latex-free condoms, female condoms, and dental dams. We will be providing our residents with information on where the CHEW is located and that they have always have free condoms and other resources available at their office.
September 10, 2018	Hess Hall	Cookies and Condoms	Hess Hall Lobby	Cookies and Condoms is a program that utilizes the CHEW's "It's Not Taboo!" sex education program. This program will help new and returning residents of safety and consent with sex. A member of CHEW will come out and do an activity as RAs provide a safe social environment.
October 28, 2018	Stokely Hall	Cookies and Condoms	2nd floor men's common area	Students will have the opportunity to come to the common room for a free cookie and a couple condoms, as well as a flyer of information provided by CHEW.
September 12, 2018	Fred D. Brown Jr. Hall	Cookies and Consent	5th Floor Lobby	During this program, a RA will be presenting information on safe sex and consent and will stick around to answer an question residents might have.
October 25, 2018	North Carrick Hall	Cookies and Consent!	North Carrick Lobby	This program will capitalize on the Red Zone of October and emphasize safe and healthy life styles.
September 9, 2018	Fred D. Brown Jr. Hall	Cookies, Condoms & Consent	MPR	This program is designed to educate residents on how to correctly give consent, the importance of using a condom, and overall sex education in general. RAs will foster an environment of back and forth conversation, getting the residents to talk and ask any questions that they have.

September 13, 2018	Stokely Hall	Daiquiris and Data	5S common area	RAs will provide residents virgin cocktails to teach with them about alcohol safety, how to say no to taking drinks in an uncomfortable situation and how to speak out for others.
September 12, 2018	Hess Hall	Dippers and Escorts	Hess Lobby	This program will discussion of escorts and about the dangers of allowing unescorted people in doors or up elevators. RAs will go in depth about the dangers of these things for both men and women.
October 25, 2018	North Carrick Hall	Domestic Violence Awareness and Doughnuts	6th Floor Elevator Lobby	This program will inform residents about domestic violence and how to recognize it.
September 6, 2018	North Carrick Hall	Don't Get Smashed: Drinking 101	Elevator Lobby	This program will have root beer floats and alcohol trivia as Residents learn about responsible drinking.
January 31, 2019	Morrill Hall	Don't Get Super Smashed Bro	Morrill Hall 8th Floor Lobby	This program will be a small presentation given by a RA about Underage Drinking and Safe Alcohol Consumption. RAs will have materials from the Student Health Center Like statistics concerning campus drinking percentages, amount of alcohol related crashes in the Knoxville area and the official rules of the University regarding Underage and Overage drinking. Within the presentation there will be multiple open ended questions designed to get students to talk and answer out loud about their experiences, or lack there of, with alcohol at UTK.
October 26, 2018	Stokely Hall	Drinking Game Trivia	7th Floor Elevator Lobby	This program will briefly engage the residents in thinking about how the consumption of alcohol can affect them.
September 5, 2018	Morrill Hall	Drunk Mario Kart	10th floor lobby	In this program, RAs are partnering with UTPD to teach our residents about the effects of being under the influence of alcohol. We will invite our residents to put on "drunk goggles" and play Mario Kart in order for them to see how the goggles inhibit their performance. RAs will be making mock-tails for students to help inform them about alcohol.
October 24, 2018	Hess Hall	Drunk Mario Kart	Hess Hall Lobby	Drunk Mario Kart will utilize UTPD's assistance and helping residents become aware of the adverse effects of alcohol, especially when attempting to drive.
March 14, 2019	Orange Hall	Drunk Mario Kart	Orange Hall 3rd Floor Lobby	In this program, RAs are partnering with UTPD to teach our residents about the effects of being under the influence of alcohol. We will invite our residents to put on "drunk goggles" and play Mario Kart in order for them to see how the goggles inhibit their performance.

August 27, 2018	Fred D. Brown Jr. Hall	Fight or Flight: Self Defense Training	Fred Brown Multipurpose Room	UTPD provides a program called SAFE (self-defense, awareness, and familiarization exchange), this program aims to teach techniques and strategies to help keep young women safe in and around campus.
September 6, 2018	North Carrick Hall	Go Hard, Play Safe	North Carrick 12th Floor or lobby depending on availability	RAs will provide condoms to promote safe sex and awareness of STD's.
September 26, 2018	Hess Hall	H6 Self Defense Class	H6 Study Room	UTPD provides a program called SAFE (self-defense, awareness, and familiarization exchange), this program aims to teach techniques and strategies to help keep young women safe in and around campus.
September 6, 2018	Morrill Hall	Happy Hour	9th floor lobby	In this event RAs will have mocktails made and unbeknownst to the residents the cups will have marks underneath representing a drink that was drugged. Towards the end of the event residents will be advised to look underneath to see the marks while CHEW will talk about being an active bystander and how to drink safely and responsibly such as eating and drinking water and not drinking from a common source.
October 22, 2018	Morrill Hall	Healthy Relationships	Morrill Hall 3rd Floor Lobby	This program will be teaching what is and is not healthy in interpersonal relationships, the residents can use the tools in their own lives to fix or prevent relationship problems for a better life by establishing boundaries in resident's relationships.
February 28, 2019	Reese Hall	Healthy Relationships	5th Floor West Side Study Room	In this program, RAs plan on sharing some of the more useful information they learned from their "Romantic Relationships" course.
September 18, 2018	Orange Hall	Healthy Relationships Seminar	Orange Hall Basement	In this program, a representative from CHEW will lead a program on developing and maintaining healthy relationships, along with info on what healthy and unhealthy relationships look like.
February 25, 2019	Fred D. Brown Jr. Hall	How to Relationship	Fred Brown Hall, 6th Floor Lobby	This event will have residents watching a movie about issues in relationships and afterwards talk about real life ways to maintain a healthy relationship. Also discussions on how to watch out for the signs of an unhealthy or "red flag" relationship.
February 21, 2019	Fred D. Brown Jr. Hall	I Know What You Did Last Night	TBD	This program will help educate residents on STDs by having participants will be given a role to play as and have to interact with each other. After each round, the RA's will explain what they did that 'night'. They will then be given a chance to roll dice that will determine their score. However, their score will tell them if they got STD from their encounter.

April 15, 2019	Hess Hall	I Know What You Did Last Night Part 2	Study Room	This program will help show residents how one decision can affect residents through the rest of their lives through a game called, "I Know What You Did Last Night". Each resident is assigned an identity that has information about them. I will read off a script about what happens to each person. Each resident will be read their lines from the script. Each person identity is connected through the story and they will be able to see what happens when they make certain choices.
November 28, 2018	Morrill Hall	It's Not Taboo	3rd Floor Lobby	This event will involve CHEW's "It's Not Taboo" program to inform residents about sexually transmitted infections, barrier methods, and contraceptives.
October 29, 2018	Morrill Hall	Love Me or Love Me Not: Healthy Relationships	Lobby	With this program RAs will partner with CHEW to talk to residents about what it means and how to be in a healthy relationship.
September 2, 2018	Orange Hall	Mocktail Party Mixer	Third Floor Lobby - Orange Hall	This program will have residents having Shirley Temple "Mocktails", but skittles will be randomly placed in the drink to simulate roofies while playing popular board games. This program will help educate residents on the safety of drinking at parties whether they do or do not partake in drinking.
October 25, 2018	Fred D. Brown Jr. Hall	Nacho Sex	FDB 3rd floor lobby	For this program, RAs will invite all of our residents to come enjoy nachos and education about consent.
January 30, 2019	Morrill Hall	On the Basis of Sex	14th Floor Lobby	With this program, I am getting a CHEW representative to come and do their "It's Not Taboo (Sexual Health)" Program. Residents will discuss sexually transmitted infections, barrier methods, and contraceptives.
September 12, 2018	Fred D. Brown Jr. Hall	Operation ID	Third Floor Lobby	UTPD will come and help register students belongings for them. This will help the residents protect their belongings. This should teach respect for others property, integrity in not stealing others belongings, learning and awareness for the differences among the students at the university.
September 11, 2018	Orange Hall	Operation Identification	Orange Hall Lobby	This a program where students are able to register any valuable or important items. The range of items can be anything from cell phones and laptops to bicycles and skateboards. Registering an item can ease the process of locating that item when lost or stolen. RAs will have UTPD set up at a table in the lobby, so anybody passing by can register their items.
August 29, 2018	Reese Hall	Patio Party	Patio between ground floor	This event will be a mock party where RAs will teach about staying safe while attending parties around campus.



September 17, 2018	Massey Hall	Piggyback Program	Massey Hall and Clement Hall	During this program, RA's from different halls will attempt to "sneak" into the each other's buildings. The goal of the program is to inform residents of the dangers of letting a stranger into the building. It will promote knowledge, of policies and dangers, awareness, of how one person's actions can affect the whole building; and response, so residents will learn to take action against piggybacking or tailgating into their building.
October 25, 2018	Hess Hall	Pizza and Personal Safety	H4 Study	This program will have UTPD giving a presentation on personal safety around campus and in personal life.
August 20, 2018	Clement Hall	Poppin with UTPD	Clement hall courtyard	This program will have UTPD will come and set up an Operation ID table to help register the valuable items that residents have.
September 14, 2018	South Carrick Hall	Pot Party!	South Carrick	For this program resident are going to have mini Terra Cotta planters for residents to paint and make their own. Residents will also have the option for them to plant their own seeds but the main focus is for them to create their own planter! Along with painting their own planters RAs and residents will focus on the civility principle of Learning by handing out drug awareness facts while they work on their planters.
January 31, 2019	Massey Hall	Pour One Out for 3 North	3 North elevator Lobby	This program will help create conversations and give out paper's with information on alcohol and how drinking impacts a students every day life while residents pour acrylic paints and canvases.
November 29, 2018	North Carrick Hall	Punch Pong	Study Room	For this progarm, residents will play a form of "beer pong" without any beer but facts about alcohol abuse and how to drink alcohol safely.
March 29, 2019	North Carrick Hall	Punch Pong	Study Room 11th floor	This program will have residetns playing a form of "beer pong" but underneath each teams cups will be marks that signify that they have been drugged, sexually assaulted or both. Unfortunately, this is the reality that many people face and many people are not aware of how common it is.
August 30, 2018	Reese Hall	Red Zone Rave	Patio of Reese	This program will incorporate the dangers of sexual assulat and safe drinking while at parties. RAs will throw a mock party for residents and provide "mocktails" in which RAs will try to slip residents skittles, "roofies".
November 29, 2018	Fred D. Brown Jr. Hall	Relationship Advice from a Jedi	6th floor commons	This program will ahve residetn wathcing Star Wars Episode III: Revenge of the Sith, and at the many occurrences of relationship troubles (between Darth Sidious and Count Dooku, Anakin and Padme, Anakin and Obi Wan, and The clones and the Jedi). RAs will provide discussion about what makes a relationship healthy and unhealthy.

September 12, 2018	Fred D. Brown Jr. Hall	S.A.F.E. with UTPD	MPR 2	This program will facilitate knowledge in regard to safety tips and self-defense, awareness on dangers of being a female on campus (elaborating on things they may not know) and response of residents to critically think about what they will have learned from UTPD and how to apply that in the future.
March 11, 2019	Morrill Hall	Safe Spring Break	First Floor Lobby	This program will make sure residents will have the opportunity to learn some safety tips and tricks to use to ensure that they have a fun and safe Spring Break. Using a ticket system Residents will show that they have participated in at least 2 tables worth of activities (tracked by stamps/stickers), one being the alcohol safety table, one being a safe sex and one for outdoor safety before moving on to the final table where they will get a goodie bag consisting of sunglasses, sun screen, and chapstick. They will also put their name and room number on the back the ticket for the chance to win a surprise (fanny pack) in a raffle at the end of the program. UTPD will head up alcohol safety, we will have a table dedicated to outdoor awareness that will highlight sun and hydration safety by an Eagle Scout, and the last table will focus on safe sex with a wheel that has numbers on it corresponding to a question about safe sex.
March 14, 2019	Hess Hall	Safe Spring Break	K5 Study Room	I am going to have a program where I talk about being safe over spring break and finishing out the semester strong. I think my floor is really in need of this talk and discussion because they have been here for a while now and are starting to get too comfortable. We will meet in the study and I will talk to them about some stuff to remember over break.
March 15, 2019	Stokely Hall	Safe Spring Break	7th Floor North Lobby	For this program, residents will roll a dice, which will select their "Safe Spring Break" topic. They will then either be allowed to answer a trivia question on the topic or explain what they already know about that topic to see how it compares with the research provided by the health center. After this, residents will have the option to select a "Safe Spring Break" goodie bag with items such as condoms, sun screen, water bottles, chapstick, safe alcohol tips, and more inside.
March 15, 2019	Massey Hall	Safe Spring Break	Front Lobby	For this program, I will be giving residents information and statistics about common spring break dangers and tips about how to be safe if they are traveling for the break, along with cookies to get their attention.

October 26, 2018	North Carrick Hall	Self Defense for a Safe Halloween	Reese Fright Night	For this program, a RA will invite residents to come watch Fright Night, and giving them informational pamphlets about self defense so they can stay aware of dangerous signs, for example being tailed on the way home through the fort, and some tips for getting to safety.
February 12, 2019	Orange Hall	Sex in the Dark	Orange Hall MPR	For this program RAs will be hosting a Sex in the Dark buildingwide program alongside CHEW, where we host a panel of RAs and CHEW representatives, who are there to answer anonymous questions from residents about topics related to sex. Residents ask questions anonymously by writing them down on a piece of paper (the room is dark, so no one else can see what they are writing), and the questions are forwarded to the panel to be answered. This program embraces respect by acknowledging that everyone has their own beliefs and perspectives when it comes to sex. The primary focus of this program is educational, so that residents can be provided with the information that they need to make healthy and informed decisions about sex. It also encourages awareness because everyone should be made aware of the resources available for students who may have experienced sexual assault, domestic violence, etc. Additionally, students should recognize that these are real issues that impact their surrounding community.
February 19, 2019	South Carrick Hall	Sex in the Dark	South Carrick MPR	For this program, "Sex in the Dark" is a life skills based program that encourages residents to learn about healthy lifestyles and ways to interact with significant others. The purpose of this program is to allow residents to have a safe and brave space to ask questions about sex and to get them answered without feeling ashamed or afraid.
November 7, 2018	Massey Hall	Sexed Program	Massey Hall Lobby	For this program, RAs will partner with Sexual Education and Awareness at Tennessee (SEAT) to give a presentation about sex education. They will also provide condoms, lube, dental dam, and any other contraceptives.
September 12, 2018	South Carrick Hall	Shirts and Shots	South Carrick MPR	For this program, RAs will have the girls bring T-shirts that they would like to cut out and make into cute game day shirts. While designing shirts residents will also have little shot glasses and our own punch. RAs will use the punch to talk about the dangers of drinking from a common source.
August 23, 2018	Morrill Hall	Social Media Showdown	14th Floor	This program will focus on the importance of being safe on social media by showing residents just how much information can be found out about them from simply looking up their name.

March 14, 2019	Fred D. Brown Jr. Hall	Spring Break Kickoff	2nd floor lounge	The program will a trivia based program, where when residents will be asked questions about drugs, alcohol, and STDs, and they will be rewarded with a (non-alcoholic) jello shot.
March 25, 2019	Hess Hall	Student Conduct OutREACH	Hess Lobby	For this progarm, RAs will have a representative from the SCCS (Student Conduct) set up a station in the Hess lobby where residents and other passersby can learn more about the Student Code of Conduct, how the Student Conduct Board works, and how they can become more involved/knowledgeable of conduct in general.
August 30, 2018	Massey Hall	Tales and Mocktails	5 North Elevator Lobby	This program will be to facilitate information about the safe consumption of alcohol. A RA will cover the recommended amounts of alcohol to drink. In addition, to facilitate a conversation of what to do if there is a friend overly intoxicated and how to get them help. RAs will cover the integrity portion by being honest about past experiences so that each lady can learn from one another. In addition to being honest with yourself and emergency responds if a situation arises, and you need to provide information that could get you in trouble. This will cover learning, by having the residents pour the amount of alcohol they believe they should consume, and discussing the consumption of alcohol and the effects. Information provided by UTPD. Response will be covered with the concept of taking responsibility for themselves if they need to get help for a friend via UT resources (RA, UTPD etc.)
September 6, 2018	Orange Hall	Think Before You Drink	4th floor common area	For this program, Ras will partner with UTPD to engage residents with their Alcohol Awarness Program. This program is meant to teache students how to make smart decisions about alcohol and the risk factors that are associated with drinking.

February 14, 2019	Stokely Hall	Thirsty Thursday Water Pong	8th Floor Lobby	<p>This program is designed to inform residents on how much alcohol they are drinking while out at events or parties. The goal is to show them how much they are drinking and provide simple methods to realize how much you have consumed to avoid alcohol poisoning. With this awareness, residents will be more prepared when engaging in alcohol related events. This program will also encourage residents to be confident in public when dealing with alcohol related situations like this. Whether this be dealing with themselves or with others around them. RAs will have water pong set up for residents to play against one another. There will be juices available for the residents that will be bought from the store to represent an "alcoholic beverage". When residents are done with their game, I will check in with the residents to see how much theoretical alcohol they have consumed and compare it with different types of alcohol which have different contents. The goal is to put their drink consumption into perspective and see what kind of results they may have physically based on how much they have consumed. RAs will use resources from chew and UT's alcohol awareness guide to help with accurate information.</p>
November 19, 2018	North Carrick Hall	UTPD and Pizza	North Carrick Lobby	<p>This program will be partnered by UTPD officers to teach residents on how to properly communicate with law enforcement.</p>
September 19, 2018	Orange Hall	UTPD Defense Training	2nd floor lobby	<p>UTPD provides a program called SAFE (self-defense, awareness, and familiarization exchange), this program aims to teach techniques and strategies to help keep young women safe in and around campus.</p>
February 20, 2019	Reese Hall	UTPD Women's Defense	East MPR	<p>For this program. UTPD will come to speak about the Rape Aggression Defense (RAD) class UTPD offers and give a brief introduction. UTPD will also discuss the LiveSafe app. An officer might bring their K-9 to do a demo for the residents and answered questions regarding the K-9.</p>
November 26, 2018	Fred D. Brown Jr. Hall	Vols Speak Up	Fourth floor lobby	<p>For this program, CHEW will come and engage residents to teach them about consent and how to be an active bystander.</p>
October 16, 2018	North Carrick Hall	Watch Your Booze	North Carrick MPR	<p>RAs will collaborate for this program called "Watch your BOOze". It is a Halloween themed program focused on safe drinking. RAs plan to set up in the MPR and have residents come to learn how to correctly measure a drink with a solo cup. RAs will set this up as a competition; so residents will each pour a drink and whoever is closest to the "right" amount will get a prize.</p>

October 10, 2018	Fred D. Brown Jr. Hall	Water Pong Tournament	5th Floor Lobby	RAs will host a water pong tournament for residents to raise awareness about drinking from a common source, but to introduce it in a way that is fun. During the program we are going to talk to the residents about the dangers of drinking from a common source and what to do if they feel unsafe.
March 13, 2019	Morrill Hall	Water Pong: Be Aware	5th Floor Lobby	For this program, RAs will put on a game of water pong for the residents as an alcohol awareness program.
September 27, 2018	Hess Hall	What Are You Drinking?	Study lounge	For this program, residents will participate in trivia that consists of questions pertaining to alcohol consumption, campus safety and smart party habits. The residents will participate in the game via Kahoot. The person with the highest score will receive a UT coffee mug as a prize.



Program Name	Frequency	Participants	Description
Greek Summit	Annual Program	Chapter Presidents and Council Executive Officers	Campus administration, including Center for Health Education and Wellness, Title IX, Student Conduct and Community Standards, and UTPD are invited to lunch with newly elected chapter and council officers to educate them on campus resources and policies
Health and Safety Summit	Annual Program	Chapter Presidents and Council Executive Officers	Day long training provided opportunities for newly elected officers to address specific health and safety concerns within the fraternity and sorority community
House Director Training	Once per semester	Sorority and Fraternity House Directors	Training included presentations from Center for Health Education and Wellness, Title IX, and UTPD.
New Member Orientation	Once per semester	All new members of IFC fraternities and Panhellenic sororities	Presentations for new members including the office of Center for Health Education and Wellness, Title IX, and Student Conduct and Community Standards.
Fall Leadership Retreat	Annual Program	All NPHC and MGC Members	Each year NPHC and MGC councils partner with CHEW to host various prevention programs.
Chapter Visits by OSFL Staff	Annual Program	All Organizations: general membership	Members of OSFL staff visited all of the recognized fraternities and sororities and presented on alcohol, drugs, sexual assault and hazing prevention, education, and reporting
Prevention Education for Potential New Members	Annual Program	Women Participating in Panhellenic Sorority Recruitment	Groups visited various tables during recruitment to learn more about prevention and reducing risk. Tables included interactive presentations from Center for Health Education and Wellness and UTPD
Advisor Bootcamp	Spring 2019	IFC Fraternity Chapter Advisors	Chapter Advisors were able to learn more about risks associated with the IFC community and about available resources
Love Mom and Dad	Spring 2019	Members of IFC, MGC, NPHC, and Panhellenic	One-time program for members of the fraternity and sorority community to listen to parents of student's that were killed by hazing talk about hazing prevention efforts.
IFC Recruitment Orientation	Fall 2019	Students participating in IFC Recruitment	One-time program for potential new members to hear from Dr. Lori Hart about health and safety topics

QPT Training for Advisors	Fall 2019	Chapter Advisors, House Directors, and House Corporations	Counseling Center provided training on suicide prevention strategies and resources on campus
Ladder of Risk	As requested	All chapter members	Presentation on reducing risk, particularly related to alcohol.
Hazing EDU	As requested	All chapter members	Presentation focused on hazing prevention and resources.

# 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](mailto:utpolice@utk.edu)

[utpolice.utk.edu](http://utpolice.utk.edu)

### University of Tennessee Clery Compliance

[clery.utk.edu](http://clery.utk.edu)

Email: [clery@utk.edu](mailto:clery@utk.edu)

### Dean of Students

413 Student Services Building

865-974-3197

[dos.utk.edu](http://dos.utk.edu)

### The Student Health Center

1800 Volunteer Boulevard

General Information: 865-974-3135

Appointment Line: 865-974-3648

[studenthealth.utk.edu](http://studenthealth.utk.edu)

### Center for Health Education & Wellness

1800 Volunteer Boulevard, Suite 201

865-974-5725

Email: [wellness@utk.edu](mailto:wellness@utk.edu)

[wellness.utk.edu](http://wellness.utk.edu)

### Student Conduct & Community Standards

409 Student Services Building

865-974-3171

Email: [studentconduct@utk.edu](mailto:studentconduct@utk.edu)

[studentconduct.utk.edu](http://studentconduct.utk.edu)

### University Housing

405 Student Services Building

865-974-2571

Email: [housing@utk.edu](mailto:housing@utk.edu)

[housing.utk.edu](http://housing.utk.edu)

### Distressed Student Protocol

865-974-HELP (4357)

[dos.utk.edu/distressed-student-protocol/](http://dos.utk.edu/distressed-student-protocol/)

### Distressed Staff Protocol

865-946-CARE (2273)

[hr.utk.edu/care/](http://hr.utk.edu/care/)

### Sexual Misconduct and Relationship Violence

[titleix.utk.edu](http://titleix.utk.edu)

### Employee Assistance Program

[Here4TN.com](http://Here4TN.com)

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

### UT Human Resources

105 Student Services Building

865-974-8847

[hr.tennessee.edu/](http://hr.tennessee.edu/)

Email: [hr@utk.edu](mailto:hr@utk.edu)

### Office of Equity & Diversity

1840 Melrose Avenue

865-974-2498

[oed.utk.edu](http://oed.utk.edu)

### Student Disability Services

[ods.utk.edu](http://ods.utk.edu)

### Student Handbook

[hilltopics.utk.edu](http://hilltopics.utk.edu)

### US Department of Education Campus Crime Data

[ope.ed.gov/campussafety/#/](http://ope.ed.gov/campussafety/#/)

### Family Educational Rights and Privacy Act

[ed.gov/ferpa](http://ed.gov/ferpa)

### Policies

[utk.edu/policycentral/](http://utk.edu/policycentral/)

### Campus Safety

[safety.utk.edu](http://safety.utk.edu)

### Campus Blue Light Phone Map

[utk.edu/maps](http://utk.edu/maps)

### Campus Bus Schedule

[ridethet.utk.edu](http://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**

August 19, 2019

[titleix.utk.edu](http://titleix.utk.edu)





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## **SECTION 1** **INTRODUCTION**

### **1.1 OVERVIEW**

The University of Tennessee is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual 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](https://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;<sup>1</sup> 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 individuals regardless of their relationship status and can occur between people of the same or of different sexes, sexual orientations, gender identities, or gender expressions.

- The “Complainant” 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 reported to have engaged in 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.

The University’s jurisdiction concerning misconduct by students is governed by the University’s Student Code of Conduct (“Code”). The Code applies to Prohibited Conduct which occurs on University-controlled property. The Code also applies to Prohibited Conduct that occurs off of University-controlled property in certain situations, including Prohibited Conduct which: (1) occurs in connection with a University-affiliated activity including, without limitation, an overseas study program or a clinical, field, internship, or in-service experience; (2) is prohibited by local, state, or federal law, and the conduct was committed within Knox, Anderson, Union, Grainger, Jefferson, Sevier, Blount, Loudon, Roane County,

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<sup>1</sup> “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.

Coffee County (UTSI students), or Franklin County (UTSI students); (3) is fairly attributable to a student organization based on a consideration of the criteria in the Code; (4) is committed against another member of the University community; or (5) threatens, or indicates that the student poses a threat to, the health, safety, or welfare of others or the security of any person's property. The University may address Prohibited Conduct that occurs off-campus regardless of whether the University has a duty under Title IX to address the conduct.

### **1.2.3 Effective Date**

The effective date of this Policy is August 20, 2019. This Policy applies to all Prohibited Conduct reported to have occurred on or after August 20, 2019. If the Prohibited Conduct reportedly occurred prior to August 20, 2019, then: (1) the report will be evaluated using definitions of misconduct contained in applicable university policies in effect on the date the reported Prohibited Conduct occurred; and (2) other aspects of the University's response to the report (e.g., 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/sao575/](http://policy.tennessee.edu/safety_policy/sao575/)) 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/](http://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/hro220/](http://policy.tennessee.edu/hr_policy/hro220/)), 0280 ("Sexual Harassment and Other Discriminatory Harassment") ([policy.tennessee.edu/hr\\_policy/hro280/](http://policy.tennessee.edu/hr_policy/hro280/)), and 0580 ("Code of Conduct") ([policy.tennessee.edu/hr\\_policy/hro580/](http://policy.tennessee.edu/hr_policy/hro580/)).

## **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](mailto:ashleyblamey@utk.edu)  
[titleix.utk.edu](http://titleix.utk.edu)

Reports or complaints of Prohibited Conduct or any other kind of Sex Discrimination<sup>2</sup>, 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](http://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](mailto:OCR.Atlanta@ed.gov).

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<sup>2</sup> The University’s Nondiscrimination Statement ([oed.utk.edu/searches/statement](http://oed.utk.edu/searches/statement)) prohibits Sex Discrimination in any University education program or activity, including employment and admissions. Sex Discrimination means conduct directed at a specific person or a group of identifiable persons that subjects the person or group to treatment that adversely affects their employment, education, or ability to participate in or benefit equally in any University program or activity, on the basis of sex. Sex Discrimination may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. 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.

The University's Deputy Title IX Coordinators are:

NAME	TITLE(S)	CONTACT INFORMATION
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 <a href="mailto:jrichter@utk.edu">jrichter@utk.edu</a> <a href="http://oed.utk.edu">oed.utk.edu</a>
Sarah Thomas	Deputy Title IX Coordinator for Student Support	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 <a href="mailto:sarahthomas@utk.edu">sarahthomas@utk.edu</a> <a href="http://titleix.utk.edu">titleix.utk.edu</a>
Laura Bryant	Deputy Title IX Coordinator for Prevention, Training, and Evaluation	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 <a href="mailto:lbryant7@utk.edu">lbryant7@utk.edu</a> <a href="http://titleix.utk.edu">titleix.utk.edu</a>
Betsy Smith	Deputy Title IX Coordinator for Student Conduct  Director, Office of Student Conduct and Community Standards	405 Student Services Building Knoxville, TN 37996 (865) 974-3171 <a href="mailto:bbsmith@utk.edu">bbsmith@utk.edu</a> <a href="http://studentconduct.utk.edu">studentconduct.utk.edu</a>
Tara Brooks	Deputy Title IX Coordinator for Intercollegiate Athletics  Director of Internal Operations and Special Projects	Brenda Lawson Athletic Center 1551 Lake Loudon Boulevard Knoxville, TN 37996 (865) 974-6122 <a href="mailto:tbrooks3@utk.edu">tbrooks3@utk.edu</a>
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 <a href="mailto:jpaciell@utk.edu">jpaciell@utk.edu</a> <a href="http://clery.utk.edu">clery.utk.edu</a> ; <a href="http://utpolice.utk.edu">utpolice.utk.edu</a>

### 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 as private as possible, 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.<sup>3</sup> 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.

<sup>3</sup> An employee of the University of Tennessee Police Department (UTPD) participates in the University's Title IX 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 Title IX Response Team can be found at [titleix.utk.edu](http://titleix.utk.edu).

## **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. 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.

### **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. These confidential 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 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**, Sections 1.1 and 2.1, also provide 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.

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

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

**Appendix E** explains other actions that a Mandatory Reporter must take, should take, and must not take in response to notice of Prohibited Conduct. Complainants who are Mandatory Reporters are not required to report or take any other action identified in this section with respect to Prohibited Conduct to which they personally have been subjected.

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

- **Child Abuse:** Employees who receive information about suspected child abuse or child sexual abuse must comply with University of Tennessee System Safety Policy 0575 (Programs for Minors) ([policy.tennessee.edu/safety\\_policy/sao575/](http://policy.tennessee.edu/safety_policy/sao575/)). 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](mailto: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***

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

### **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

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 Complainant's Participation in an Investigation or Disciplinary Proceeding**

The University will not require a Complainant to participate in any investigation, or hearing before a Student Life Hearing Officer or 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 from a party other than the University. If a Complainant chooses not to participate in an investigation or disciplinary hearing, the University's ability to discipline the Respondent may be affected.

#### **2.5.2.6 Amnesty**

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

Coordinator has the discretion to grant Amnesty to persons other than the person who reported Prohibited Conduct (e.g., Complainant, Respondent, witnesses). The Student Code of Conduct, Section 11, also contains a policy on amnesty for individuals acting as good Samaritans and students in need of emergency medical attention. This Section 2.5.2.5 does not apply to reports to the police; rather, it applies only to discipline for violations of the University's Code of Conduct.

### **2.5.2.7 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 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 or designee and will vary and be individualized, reasonable, and appropriate depending on the facts of each case and the student or employee status of the Complainant and the Respondent.<sup>4</sup> In fairly assessing the need for an individual to receive Interim Measures, the Title IX Coordinator does not rely on fixed rules or operating assumptions in favor of one party over another.

Examples of Interim Measures are listed in [Appendix A](#), Section 1.5. Interim Measures are available to Complainants and Respondents.

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 or designee; and
- Prior to, during, or after the investigation or resolution of a report of Prohibited Conduct.

Individuals are encouraged to report to the Title IX Coordinator concerns about the failure of another person to abide by the terms of 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 or designee will strive to communicate with the Complainant and the Respondent throughout an investigation to ensure that the Interim Measures in place are necessary and effective based on the evolving needs of the parties. The Title IX Coordinator has the discretion to issue, modify, or remove any Interim Measure at any time.

With respect to non-student employees and third parties, 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.

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<sup>4</sup> The Clery Act requires the University to provide certain interim measures upon the request of a Complainant if such measures are reasonably available. 34 C.F.R. § 668.46(b)(11)(v).

### **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**

### **4.1 INTRODUCTION**

This Policy prohibits the following conduct:<sup>5</sup>

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

Section 4.2 contains definitions of Prohibited Conduct, and Section 4.3 contains definitions of other terms used in the definitions of Prohibited Conduct.

### **4.2 DEFINITIONS OF PROHIBITED CONDUCT**

#### **4.2.1 Sexual Misconduct**

“**Sexual Misconduct**” is an umbrella term that encompasses Sexual Assault, Sexual Harassment, and Sexual Exploitation.

#### **4.2.2 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.

#### **4.2.3 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.

#### **4.2.4 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 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

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<sup>5</sup> The University’s Nondiscrimination Statement ([oed.utk.edu/searches/statement/](https://oed.utk.edu/searches/statement/)) prohibits Sex Discrimination in any University education program or activity, including employment and admissions. Sex Discrimination means conduct directed at a specific person or a group of identifiable persons that subjects the person or group to treatment that adversely affects their employment, education, or ability to participate in or benefit equally in any University program or activity, on the basis of sex. Sex Discrimination may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. 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.



physical contact done in a sexual manner or for the purpose of sexual arousal or gratification, based on the perspective of a Reasonable Person.

#### **4.2.5 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/hro280/](http://policy.tennessee.edu/hrpolicy/hro280/)).

Sexual Harassment- with respect to conduct by a student, “sexual harassment” means (1) verbal or physical conduct, (2) on the basis of sex, which includes gender, pregnancy, sexual orientation, gender identity, and gender expression, (3) that is so severe, pervasive, and objectively offensive (4) that it unreasonably interferes with or denies a person the ability to participate in or benefit from a University education 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.

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.

#### **4.2.6 Sexual Exploitation**

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

Examples of Sexual Exploitation include, without limitation:

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

#### **4.2.7 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, or other intimate relationship with the Complainant.<sup>6</sup>

- “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 would cause 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, 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.

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

#### **4.2.8 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. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used. 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.

#### **4.2.9 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.

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<sup>6</sup> The University also prohibits “domestic violence” and “dating violence” as defined by the Clery Act.

### **4.3 RELATED DEFINITIONS: CONSENT; FORCE; INCAPACITATION; REASONABLE PERSON**

#### **4.3.1 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. Valid Consent cannot be given if:

- A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated.
- A person is Forced; or
- A person 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.**

#### **4.3.2 Force**

**“Force (Forced)”** means words and/or conduct that, viewed from the perspective of a Reasonable Person, substantially impair(s) a person’s ability to voluntarily choose whether to take an action or participate in an activity.

Examples of Force include, without limitation:

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

#### **4.3.3 Incapacitation**

**“Incapacitation”** means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of alcohol or other drugs such that the person does not have control over their body, is unaware that sexual activity is occurring, or their mental, physical or developmental abilities render them incapable of making rational informed decisions. Incapacitation is not the same as legal intoxication.

A person violates this policy when they engage in sexual activity with another person who is Incapacitated and a Reasonable Person in the same situation would have known that the person is Incapacitated.

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.

#### **4.3.4 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.<sup>1</sup>

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

Section 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 an 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. The University also provides support and resources for an individual who is alleged to have committed Prohibited Conduct (“Respondent”).

##### **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:

<b>PLACE</b>	<b>WHEN</b>	<b>CONTACT INFORMATION</b>
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 <a href="http://studenthealth.utk.edu">studenthealth.utk.edu</a>
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 <a href="http://menabbcenter.org/sacet">menabbcenter.org/sacet</a>

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<sup>1</sup> Capitalized terms have the same meaning in the Policy and Appendix A.

PLACE	WHEN	CONTACT INFORMATION
UT Medical Center (or another local hospital)	24 hours, seven days a week	(865) 305-9000 1924 Alcoa Highway Knoxville, TN <a href="http://utmedicalcenter.org">utmedicalcenter.org</a>

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 infections, and, if the Complainant later decides to pursue legal options, to obtain evidence to assist in criminal prosecution, a civil action, or in obtaining a civil protection order. **According to the Sexual Assault Center of East Tennessee**, the key to success of the evidentiary exam is collecting physical evidence as soon as possible; however, evidence can be collected up to 72 hours after the assault. Assaults do not have to be reported to law enforcement to receive SANE services. Prior to seeking medical care following a Sexual Assault, a Complainant should avoid changing their clothing, bathing, showering, using a douche, using the bathroom, brushing their teeth, drinking liquids, washing their hands or face, or combing their hair. If the Complainant changes their clothes, then the best way to preserve evidence relating to clothing is to put the clothing in a paper (not plastic) bag. Other tips on the preservation of evidence are described in Appendix A, Section 2.1.

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

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

## 1.2 Confidential Support and Counseling for Complainants and Respondents

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. Respondents may also seek support and counseling services from confidential resources.

### 1.2.1 *University “Confidential Employees”*

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

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



**Information communicated to a Confidential Employee does not constitute notice or a report to the University of an incident of Prohibited Conduct.** Except in the limited circumstances described in Section 1.2.1.2 of Appendix A, information communicated to a Confidential Employee will not be shared with a Title IX Official, and the University therefore will be unable to use such information to investigate alleged Prohibited Conduct or to pursue disciplinary action against the Respondent.

#### 1.2.1.1 Identification of Confidential Employees

Confidential Employee	Who May Access Their Services	How to Contact
Lisa Yamagata-Lynch, Ombudsperson	Students and Employees	(865) 974-6273 <a href="mailto:lisayl@utk.edu">lisayl@utk.edu</a> <a href="http://ombuds.utk.edu">ombuds.utk.edu</a>
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  <b>A student who needs counseling support when the Student Counseling Center is <u>not</u> open may call (865) 974-HELP (4357).</b>  <a href="http://counselingcenter.utk.edu">counselingcenter.utk.edu</a> Student Health Center, Second floor 1800 Volunteer Blvd. Knoxville, TN 37996  Open from 8:00 a.m. – 5:00 p.m. on Mondays, Tuesdays, Wednesdays, and Fridays, and from 9:00 a.m. – 5:00 p.m. on Thursdays, except on University holidays, breaks, or closures
A licensed physician, registered nurse, or nurse practitioner in the Student Health Center	Students	(865) 974-3648 <a href="http://studenthealth.utk.edu">studenthealth.utk.edu</a> Student Health Center 1800 Volunteer Blvd. Knoxville, TN 37996  Open from 8:00 a.m. – 4:30 p.m., Mondays, Tuesdays, Thursdays, and Fridays, and from 9:00 a.m. – 4:30 p.m. on Wednesdays, except on University holidays, breaks, or closures
A licensed psychologist in the Psychological Clinic	Students and Employees	(865) 974-2161 <a href="http://psychclinic.utk.edu">psychclinic.utk.edu</a> 208 UT Conference Center Bldg 600 Henley Street Knoxville, TN 37996  Open from 8:00 a.m. – 5:00 p.m., Monday-Thursday, and 8:00 a.m. – 5:00 p.m. on Fridays, except on University holidays, breaks, or closures
A University employee who holds a valid license in a profession for which Tennessee law recognizes a confidential	Students and Employees	Varies by employee



relationship between a professional and a professional's client or patient, <b>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</b>		
Kristen Martin, Team ENHANCE/EXCEL Coordinator	Intercollegiate student-athletes only	<a href="mailto:kmartin5@tennessee.edu">kmartin5@tennessee.edu</a> (865) 974-9754
Dr. Chris Klenck, Head Team Physician  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.	Intercollegiate student-athletes only	<a href="mailto:cklenck@tennessee.edu">cklenck@tennessee.edu</a> (865) 974-1147

**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 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***

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

#### **Knoxville-Area Resources for Complainants**

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

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

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

- **Sexual Assault Nurse Examinations.** A Sexual Assault Nurse Examiner (SANE) is available 24/7, 365 days a year to provide forensic nursing to Sexual Assault crime victims ages 13 and older. SANE exams can be performed at a local hospital or at SACET's Sexual Assault Forensic Exam (SAFE) Center. All services provided by the SACET are free, including no-cost SANE exams, pregnancy prevention, and testing and preventative treatment for sexually transmitted infections.
- **Advocacy.** The advocacy program of SACET provides victims of Sexual Assault with the support, information, and resources needed throughout the recovery process. Advocates work to ensure that victims' legal rights are protected, while also empowering victims to make their own decisions. Advocacy assistance includes: accompaniment during SANE exams, police interviews, legal appointments, and University and court proceedings; and assistance filing victim's compensation applications and petitions for orders of protection.
- **Therapy.** Therapy services are available to victims in crisis, victims of a recent Sexual Assault, and persons who were victims of a Sexual Assault or sexual abuse that happened months or years ago. The goal of SACET is to work collaboratively to address the many concerns and issues associated with sexual violence to promote healing. Therapists at the SACET specialize in treating female, male, and LGBTQ Complainants and offer services to individuals of all ages.
- **University of Tennessee Medical Center** (or another local hospital)  
(865) 305-9000  
1924 Alcoa Highway  
[utmedicalcenter.org](http://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](http://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](http://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](http://mcnabbcenter.org/content/domestic-violence-services)  
The Kent C. Withers Family Crisis Center is a safe place of refuge for individuals experiencing dating/domestic violence. While at the shelter, victims receive on-site counseling, advocacy and case management. Additionally, the 24-hour crisis hotline provides a number for victims to call for any-time-of-day access to safety planning and information on emergency shelter, support groups and other domestic violence services from caring, knowledgeable staff.

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

- **Tennessee Coalition to End Domestic & Sexual Violence**  
800-289-9018  
800-256-6767 – 24 hour statewide domestic violence hotline  
[tncoalition.org](http://tncoalition.org)  
The Tennessee Coalition to End Domestic and Sexual Violence (TCEDS) is a private nonprofit organization composed of diverse community leaders and program members who share a common vision of ending violence in the lives of Tennesseans through public policy, advocacy, education and activities that increase the capacity of programs and communities to address violence. The TCEDS is a stateside organization that serves: Domestic Violence and Sexual Assault programs; community groups and organizations; criminal justice agencies; allied professionals (e.g., medical, legal, mental health professionals); individuals seeking information and resources; and immigrant victims of domestic or sexual violence, stalking or trafficking.
- **RAINN National Sexual Assault Crisis Hotline**  
800-656-HOPE (4673)  
[rainn.org/get-help/national-sexual-assault-hotline](http://rainn.org/get-help/national-sexual-assault-hotline)
- **National Domestic Violence Hotline**  
800-799-SAFE (7233)  
[thehotline.org](http://thehotline.org)

- **Love is Respect – National Dating Abuse Hotline**  
866-331-9474  
[loveisrespect.org](https://loveisrespect.org)

**Other confidential, non-University resources for Complainants and Respondents**

- A personal attorney
- A clergy member
- A physician or licensed mental health professional who is not an employee or contractor of the University
- A licensed marital or family therapist, licensed professional counselor, or certified clinical pastoral therapist who is not an employee or contractor of the University

Non-University counselors, advocates, and health care providers will maintain confidentiality unless state law requires or permits the disclosure of information.

**1.3 Legal Resources for Complainants and Respondents**

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

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

- **Knoxville Family Justice Center**  
400 Harriet Tubman Street  
Knoxville, TN 37915  
(865) 521-6336 (24/7 crisis line)  
[fjcknoxville.com](https://fjcknoxville.com)
- **Knox County Fourth Circuit Court**  
City County Building  
400 Main Street  
Knoxville, TN 37902  
(865) 215-2399  
[knoxcounty.org/fourthcircuitcourt/index.php](https://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 (Appendix A, Section 1.5) to assist with enforcing the terms of an order of protection.

Additional information on orders of protection can be found here:

- The Tennessee Coalition to End Domestic and Sexual Violence provides information about orders of protection on its website: [tncoalition.org/documents/orders-of-protection-%28under-faq%29.pdf](https://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](https://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](https://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](https://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](https://apps.americanbar.org/legalservices/findlegalhelp/home.cfm).

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

### **1.3.2 Visa and Immigration**

International students and employees who are Complainants receive the same rights under Title IX and the Clery Act as other Complainants, regardless of their immigration and visa status. For victims of Sexual Assault, 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](https://tncoalition.org)) operates an Immigrant Legal Clinic ([tncoalition.org/documents/ilc-english-brochure.pdf](https://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](https://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](https://uscis.gov/citizenship/learners/find-help-your-community)

USCIS Find Legal Services Webpage:  
[uscis.gov/avoid-scams/find-legal-services](https://uscis.gov/avoid-scams/find-legal-services)

The Board of Immigration Appeals ([justice.gov/eoir/board-of-immigration-appeals](https://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](https://justice.gov/eoir/list-pro-bono-legal-service-providers-map).

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

#### **1.4 Student Financial Aid Resources for Complainants and Respondents**

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

#### **1.5 Interim Protective and Remedial Measures Implemented by the University for Complainants and Respondents**

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 may be implemented upon request or at the Title IX Coordinator’s initiative. Section 2.6 of the Policy explains the availability of Interim Measures and how they are determined, implemented, and enforced.

The following are examples of Interim Measures:

- Issuing an interim administrative action under Section 6.4 of the Student Code of Conduct, including:
  - o 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
  - o Imposing interim actions 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 an individual in obtaining medical, advocacy, and counseling services;
- Exploring changes in living, transportation, dining, and working arrangements;
- Arranging appointments for an individual for follow-up on-campus support services or off-campus support services, such as those identified in this Section 1 (e.g., arranging an appointment with the Knoxville Family Justice Center to discuss options for pursuing an order of protection in Knox County Fourth Circuit Court);
- Exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes;
- Assisting an individual in communicating with faculty;
- 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 an individual in requesting that directory information be removed from public sources by contacting the Office of the University Registrar;
- Accessing academic support for an individual, including tutoring;



- Assisting with requesting academic accommodations such as re-scheduling exams, obtaining extensions of time for assignments, re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty.

## **SECTION 2.     REPORTING PROHIBITED CONDUCT**

The University encourages students who have experienced, have knowledge of, or have witnessed Prohibited Conduct to promptly report the incident to the police or the University.<sup>2</sup> 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 (Appendix A, Section 1.1);
- When possible, prior to having a forensic sexual assault nurse examination performed, avoid: changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair;
- Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter);
- Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and
- Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator.

### **2.2     Reporting to the Police**

Prohibited Conduct may constitute both a violation of the Policy and criminal law. Therefore, the University encourages Complainants to report Prohibited Conduct to the police immediately. Prompt reporting of an incident to the police is especially critical for 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.

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<sup>2</sup> Student-employees who are Mandatory Reporters (Policy, Section 2.5.2.1) are required to report information they receive about Prohibited Conduct.

### **2.2.1 Contact Information for Police**

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

INCIDENT LOCATION	CONTACT
Regardless of where the incident occurred	Call 911 in an emergency
On campus or the City of Knoxville	UTPD 1101 Cumberland Avenue, Knoxville, TN (865) 974-3111 <a href="mailto:utpolice@utk.edu">utpolice.utk.edu</a>  Knoxville Police Department (KPD) 800 Howard Baker, Jr. Avenue, Knoxville, TN (865) 215-4010 <a href="http://knoxville.tn.gov/government/city_departments_offices/police_department/">knoxville.tn.gov/government/city_departments_offices/police_department/</a>
In Knox County but outside of the City of Knoxville	Knox County Sheriff 400 Main Street, Suite L165, Knoxville, TN 37902 (865) 215-2243 <a href="http://knoxsheriff.org">knoxsheriff.org</a>  or  UTPD 1101 Cumberland Avenue, Knoxville, TN (865) 974-3111 <a href="mailto:utpolice@utk.edu">utpolice.utk.edu</a>
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 (Appendix A, Section 2.3) if the Complainant wants the University to take any action under the Policy.

### **2.2.2 What to Expect after Reporting Prohibited Conduct to the Police**

Even if a Complainant is unsure whether to pursue criminal prosecution or an order of protection, the University recommends that the Complainant report the incident to the police as soon as possible. In most cases, after addressing a Complainant's immediate safety needs and/or needs for medical care, a police officer will meet with the Complainant and take a statement about what occurred. In cases of 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 an on-call victim advocate from the Sexual Assault Center of East Tennessee to be present during the Complainant's interview(s).

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

### ***2.2.3 How University Policies/Procedures Relate to Criminal Law/Procedures***

The University will cooperate with law enforcement if a Complainant decides to pursue the criminal process, to the extent permitted by law. However, the University's Policy and procedures may differ in significant respects from criminal law. A Complainant may seek resolution through the University's procedures outlined in the Policy, may pursue criminal action, may choose one but not the other, may choose both, or may choose neither. Procedures under the Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. Although the University may delay temporarily the fact-finding portion of its investigation while law enforcement is gathering evidence, the University will implement appropriate Interim Measures 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](https://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 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 Who to Contact at the University**

Students are encouraged to report Prohibited Conduct to a Title IX Official, who are trained to support Complainants:

The University's Title IX Coordinator is:

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

The University's Deputy Title IX Coordinators are:

NAME	TITLE(S)	CONTACT INFORMATION
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 <a href="mailto:jrichter@utk.edu">jrichter@utk.edu</a> <a href="mailto:oed.utk.edu">oed.utk.edu</a>
Sarah Thomas	Deputy Title IX Coordinator for Student Support	1817 Melrose Avenue Knoxville, TN 37996 (865) 974-9600 <a href="mailto:sarahthomas@utk.edu">sarahthomas@utk.edu</a> <a href="mailto:titleix.utk.edu">titleix.utk.edu</a>
Laura Bryant	Deputy Title IX Coordinator for Prevention, Training, and Evaluation	Laura Bryant 1817 Melrose Ave. 865-974-9600 <a href="mailto:lbryant7@utk.edu">lbryant7@utk.edu</a> <a href="mailto:titleix.utk.edu">titleix.utk.edu</a>
Betsy Smith	Deputy Title IX Coordinator for Student Conduct  Director, Office of Student Conduct and Community Standards	405 Student Services Building Knoxville, TN 37996 (865) 974-3171 <a href="mailto:bbsmith@utk.edu">bbsmith@utk.edu</a> <a href="mailto:studentconduct.utk.edu">studentconduct.utk.edu</a>
Tara Brooks	Deputy Title IX Coordinator for Intercollegiate Athletics  Director of Internal Operations	Brenda Lawson Athletic Center 1551 Lake Loudon Boulevard Knoxville, TN 37996 (865) 974-6112 <a href="mailto:tbrooks3@utk.edu">tbrooks3@utk.edu</a>
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 <a href="mailto:jpaciell@utk.edu">jpaciell@utk.edu</a> <a href="mailto:clery.utk.edu">clery.utk.edu</a> ; <a href="mailto:utpolice.utk.edu">utpolice.utk.edu</a>

As explained in Section 2.3 of the Policy, 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 Appendix A, Section 1.2.

**If a student discloses information about Prohibited Conduct to a University employee who is not a Title IX Official, then the University employee’s duty to report the information to a Title IX Official will depend on whether the University employee is a Mandatory Reporter. All Mandatory Reporters are required to report information about Prohibited Conduct to a Title IX Official. Section 2.5.2.1 of the Policy identifies the University employees who are Mandatory Reporters.**

### ***2.3.2 Initial Response and Assessment by the Title IX Coordinator***

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

- Have an appropriate University employee offer to meet with, or otherwise communicate with, the Complainant;
- Implement interim protective and remedial measures (Appendix A, Section 1.5) to eliminate and prevent the recurrence of Prohibited Conduct, deter Retaliation, and remedy the effects of Prohibited Conduct through reasonable support services, accommodations, and other assistance;
- In cases of Sexual Assault, 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 (Appendix A, 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 make a “Request for Limited Action” when an incident of Prohibited Conduct is reported to a Title IX Official. Section 2.5.2.3 of the Policy explains what Requests for Limited Action are, how they are evaluated, and the limited circumstances in which they may not be granted.

### ***2.3.5 Amnesty for Students Who Report Prohibited Conduct to the University***

Because of the importance to the University of responding to incidents of Prohibited Conduct, a student who reports Prohibited Conduct to the University or provides information in a University investigation into alleged Prohibited Conduct will not be subject to University disciplinary action by the Office of Student Conduct and Community Standards for personal consumption of alcohol or other drugs, or minor offenses, at or near the time of the reported incident, but may be responsible for other, more serious conduct that harmed or placed the health or safety of any other person at risk (“Amnesty”). More information on the University’s Amnesty policy can be found in Section 2.5.2.5 of the Policy.

### ***2.3.6 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 and Fire Safety Report. Statistics published in the Annual Security and Fire Safety Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, **but the statistics do not personally identify Complainants or Respondents**. Reports by Campus Security Authorities are not official police reports and do not initiate criminal investigations.

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

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

#### **FERPA**

In accordance with FERPA, personally identifiable information about a Complainant or Respondent who is a student that has been communicated to a Mandatory Reporter regarding Prohibited Conduct will be shared within the University only with Title IX Officials and those University employees who "need to know" in order to assist with the University's response to the Prohibited Conduct. Personally identifiable information concerning a Complainant or Respondent who is a student will not be disclosed by the University to third parties unaffiliated with the University without the consent of the student except in response to a lawfully issued subpoena, court order, or as otherwise required or allowed by law. If a Respondent who is a student makes a request to review documents concerning the University's investigation or resolution of Prohibited Conduct, the University will be required by FERPA to grant the Respondent's request to inspect and review records that relate specifically to the Respondent, 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.

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



**Robert (Robbie) Nottingham Campus Crime Scene Investigation Act**

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

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

**Disclosure to Respondents During the Disciplinary Process**

After the University has formally initiated an investigation and during the disciplinary process, a Respondent has rights under federal and state law, including the right to be informed of the nature of the allegations, including the identity of the Complainant and the names of any witnesses, and the right to equal access to all information that will be used in the disciplinary process.

## **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”).<sup>1</sup>

The purpose of this Appendix B is to inform students, employees, and third parties about how the University, in investigations and disciplinary hearings,<sup>2</sup> 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.

Valid Consent cannot be given if:

- A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated.
  - A person is Forced; or
  - A person 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 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.

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<sup>1</sup> Capitalized terms have the same meaning in the Policy and Appendix B.

<sup>2</sup> Including contested case proceedings under the Uniform Administrative Procedures Act, Tennessee Code Annotated § 4-5-101 *et seq.* (“UAPA”).

- 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”).<sup>1</sup>

Disciplinary proceedings<sup>2</sup> 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. Page five of this appendix C contains a graphical summary of the student conduct process under the Code. A copy of the Code may be found at [studentconduct.utk.edu](http://studentconduct.utk.edu).

**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.

**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 Action<sup>3</sup> is granted:

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<sup>1</sup> Capitalized terms have the same meaning in the Policy and Appendix C.

<sup>2</sup> “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 interim or protective measures to be provided to a Complainant.

<sup>3</sup> See Section 2.5.2.4 of the Policy.

Step	Description	Policy Reference	Anticipated Timeline
<b>Title IX Assessment</b>	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
<b>Student Conduct Process: Initial Stages/Investigation</b>	OSCCS <sup>4</sup> 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, OSCCS 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 OSCCS begins an investigation
<b>Student Conduct Process: Resolution</b>	Allegations of Prohibited Conduct may be resolved through: <ul style="list-style-type: none"> <li>• a Resolution Agreement;</li> <li>• a Formal Hearing, including appeals;</li> <li>• an Alternative Resolution;</li> <li>• a No Action Determination; or</li> <li>• another type of resolution outlined in Section 7.4 of the Code</li> </ul>	Code, Sections 7.1-7.4	Within thirty (30) business days of the issuance of a Notice of Allegations, if issued <sup>5</sup>

#### 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,

<sup>4</sup> Investigations of reports of Prohibited Conduct are usually performed by OSCCS. However, for good cause, the Title IX Coordinator may select an investigator(s) external to OSCCS, 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.

<sup>5</sup> 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 judge will be appointed by the University's Agency Head typically within five (5) business days of the Respondent's request for a UAPA hearing. The timelines for a UAPA hearing are governed by the UAPA. The UAPA hearing typically lasts a minimum of four (4) months.

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, OSCCS, 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).

### **INTERIM PROTECTIVE AND REMEDIAL MEASURES**

Section 2.6 of the Policy describes interim protective and remedial measures that the University may implement while the University assesses, investigates, and resolves a report of Prohibited Conduct.

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, at any time during the student conduct process, allegations against a Respondent may be resolved through an alternative resolution. An alternative resolution is a resolution that is reached through a process and/or by a sanction or restriction not described in the Code. Before proposing an alternative resolution in a case involving Prohibited Conduct, OSCCS shall consult with the Title IX Coordinator and determine whether an alternative resolution would be appropriate based on the facts and circumstances of the case, and, if so, what type of alternative resolution process should be used. The Title IX Coordinator will ensure that any proposed alternative resolution is consistent with the University's Title IX obligations.



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

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

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

#### **COMPLAINANT'S RIGHT TO APPEAL A NO ACTION DETERMINATION**

If a disciplinary proceeding concludes with OSCCS 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 in accordance with Section 7.4.1 of the Code. Under the Code, a Complainant who is informed by OSCCS of a no action determination may appeal the decision to OSCCS, in writing, within five (5) business days of the date that OSCCS transmitted notice of the no action determination to the Complainant. The decision of OSCCS to affirm the no action determination is final and may not be appealed. Respondent appeal rights and procedures for appealing decisions are located in Sections 7 and 8 of the Code.

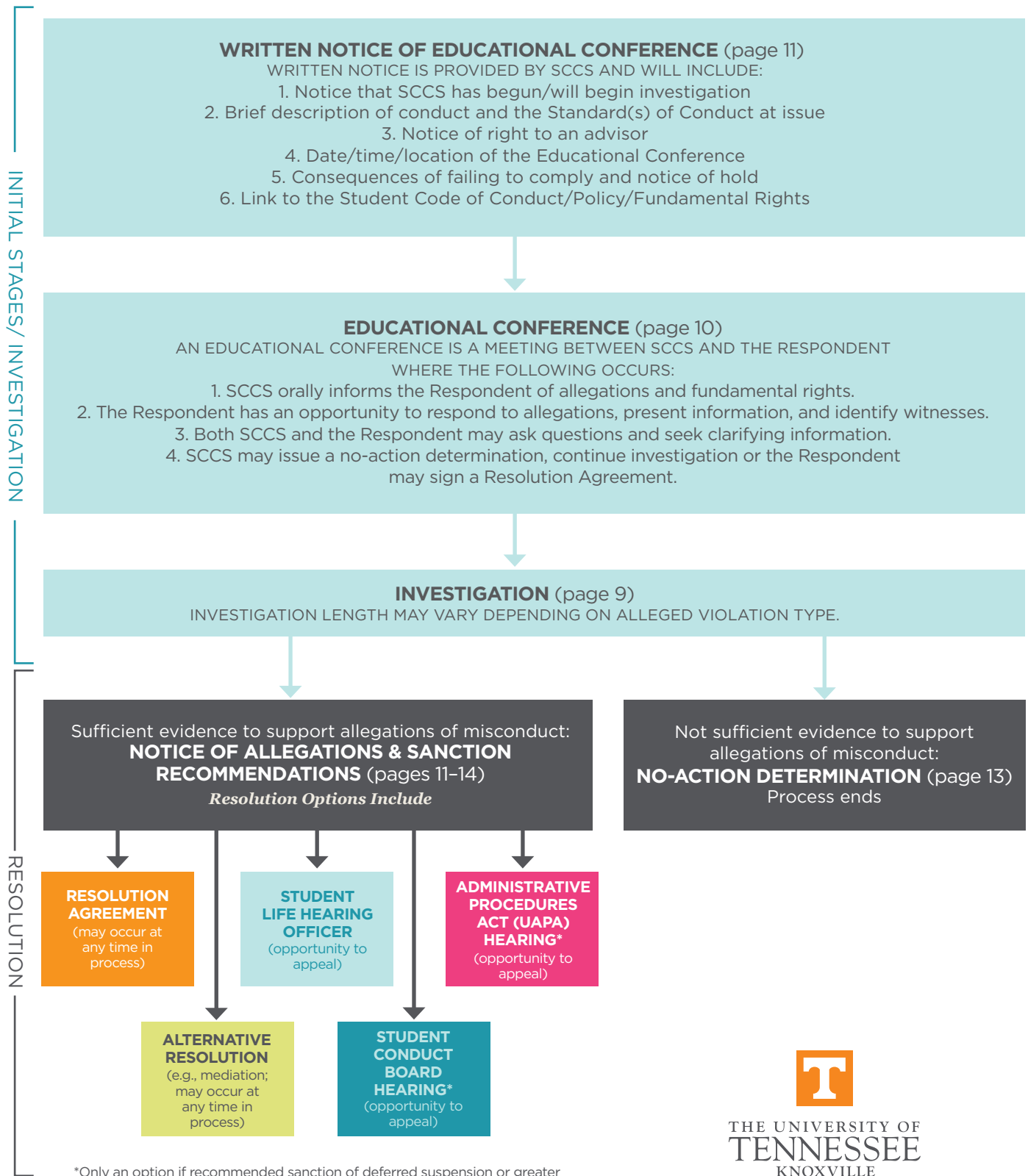
#### **UNIFORM ADMINISTRATIVE PROCEDURES ACT**

Chapter 1720-1-5 of the Rules of the University of Tennessee (<https://publications.tnsosfiles.com/rules/1720/1720-01/1720-01-05.20180524.pdf>) sets forth the University's procedures for conducting a contested case hearing pursuant to the Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-301 *et seq.* In a case involving alleged Prohibited Conduct, the administrative judge or hearing officer must modify those procedures when required to comply with federal law, including without limitation, Title IX, the Clery Act, and FERPA.

# STUDENT CONDUCT & COMMUNITY STANDARDS (SCCS)

## STUDENT CONDUCT PROCESS

*When a student faces an alleged (nonacademic) violation, the below process is followed.*



## **APPENDIX D**

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

The University 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).<sup>1</sup>

#### **Scope of OED Authority**

The procedures in Exhibit D apply when the person reported to have engaged in Prohibited Conduct 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 with respect to unaffiliated individuals may be limited). The person making a complaint is referred to as the Complainant. The person reported to have engaged in Prohibited Conduct is referred to as the Respondent. When the Respondent is a University student, see [titleix.utk.edu](https://titleix.utk.edu) to report violations of this Policy.

Complaints of Prohibited Conduct against employees and individuals not affiliated with the University may be directed to the Title IX Coordinator or to the Office of Equity and Diversity, (865) 974-2498, [oed.utk.edu](https://oed.utk.edu). Formal complaints by employees should be in writing and made within 300 calendar days of the alleged violation. 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 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 environment for all members of the University community, including the Complainant. Cases of Prohibited Conduct will be evaluated consistent with Section 2.5.2.4 of the Policy.

#### **Informal Complaints and Resolution**

Complainants who are employees and who feel comfortable doing so are encouraged, but not required, to attempt to resolve issues through the administrative structure of the employment unit or academic department of the Complainant and/or Respondent (if an employee). OED is available to provide assistance to the Complainant and employment unit or academic department.

If a Complainant who is an employee does not wish to seek resolution directly with their 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.

Complainants who are not employees may seek either an informal or formal resolution with OED.

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 engaged in Prohibited Conduct. Instead, OED attempts to facilitate a mutually acceptable

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<sup>1</sup> Capitalized terms have the same meaning in the Policy and Exhibit D.  
Appendix D, Page 1

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 appropriate supervisors or administrators, if the Complaint or Respondent is an employee, 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 engaged in Prohibited Conduct. 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. A formal complaint must include the name of the Complainant, a description of the complained of action or conduct, and the person or entity 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, if applicable, the appropriate administrator with supervisory responsibility will be notified of the complaint.

2. OED will conduct an investigation into whether Respondent engaged in Prohibited Conduct. 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 to have engaged in Prohibited Conduct. The report will include the rationale for the findings and recommendations and may include other information. OED will provide the report to the appropriate administrators, if applicable, and will simultaneously provide a copy to the Complainant and Respondent.

4. If the Respondent is an employee, the appropriate administrator is responsible for reviewing the OED report and making a written Determination whether Respondent engaged in Prohibited Conduct. The Determination will include the rationale for the findings and recommendations and, if the Respondent is found responsible, will 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. If the Respondent is not an employee, the Title IX Coordinator (or designee) will review the OED report and making a written Determination.

5. Appeals

(a) Employees: A Complainant or Respondent who is an employee and who is not satisfied with the Determination (including the discipline imposed, if any) may appeal in accordance with applicable University policies and procedures, including Human Resources Policy HR0525, Human Resources Policy HR0640, and the Faculty Handbook Chapter 5. 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 fifteen (15) business days after receipt of the Determination, a Complainant who is a student and who is not satisfied with the Determination (including the discipline imposed, if any) may appeal in writing to the next higher administrative level above the person who issued the Determination. 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 and simultaneously to the Complainant and Respondent.
- (c) Third Parties: Within fifteen (15) business days after receipt of the Determination, a Complainant or Respondent who is an unaffiliated third party (not an employee or student) may file a request for reconsideration with the Title IX Coordinator. The Title IX Coordinator's decision on reconsideration is not appealable.

OED will ensure that the Title IX Coordinator is appropriately informed regarding reports of Prohibited Conduct.

### **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 ( <a href="https://policy.tennessee.edu/hr_policy/">policy.tennessee.edu/hr_policy/</a> ); HR0580, Code of Conduct ( <a href="https://policy.tennessee.edu/hr_policy/hr0580/">policy.tennessee.edu/hr_policy/hr0580/</a> ); and HR0525, Disciplinary Action ( <a href="https://policy.tennessee.edu/hr_policy/hr0525/">policy.tennessee.edu/hr_policy/hr0525/</a> )
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THE UNIVERSITY OF TENNESSEE  
POLICY ON SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE, STALKING, AND RETALIATION  
2019–2020

Faculty: BToo6, Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure  
([policy.tennessee.edu/bot\\_policy/bt0006/](http://policy.tennessee.edu/bot_policy/bt0006/)); Faculty Handbook  
([provost.utk.edu/faculty-handbook/](http://provost.utk.edu/faculty-handbook/))

Student employees: Hilltopics ([hilltopics.utk.edu/campus-policies-procedures/](http://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.

If the Respondent is someone not affiliated with the University (that is, not an employee or student), the University's action will be decided based on the facts of each case.



## **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”).<sup>1</sup>

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 Official<sup>2</sup> 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.

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<sup>1</sup> Capitalized terms have the same meaning in the Policy and Appendix E.

<sup>2</sup> 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](mailto:jpaciell@utk.edu) or (865) 974-0544.

**SECTION 2. ACTIONS THAT MANDATORY REPORTERS MUST TAKE**

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

**(1) Support the Complainant by:**

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

**(2) Report the incident to the University:**

- Report the incident to a Title IX Official promptly after receiving notice of the incident (no later than 48 hours<sup>3</sup> after receiving the report).<sup>4</sup> 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.

**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;

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<sup>3</sup> 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.

<sup>4</sup> A Mandatory Reporter may also inform his/her supervisor of the incident. With the prior approval of the Title IX Coordinator, a University unit may adopt a policy that requires a Mandatory Reporter in the unit to report an incident of Prohibited Conduct to his/her supervisor or other designee within the unit, who, in lieu of the Mandatory Reporter who received notice of the incident, must promptly report the incident to a Title IX Official.

- (2) 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](mailto:titleix@utk.edu)*

**[titleix.utk.edu](http://titleix.utk.edu)**

# ANNUAL SECURITY AND FIRE SAFETY REPORT

## APPENDIX G: OTHER INFORMATION



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

### Crime statistics reported to the Tennessee Bureau of Investigation

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

### Enrolled undergraduate and graduate students:

The number of enrolled students in the fall of 2019 included:

**23,290** Undergraduate students

**6,170** graduate and professionals

With a total of **29,460** students

### Housing for undergraduate and graduate students:

In the Fall of 2018 there were **7,417** students living in student housing.

### Nonstudent employees:

According to the UTK 2018-2019 Fact Book, the number of nonstudent employees working on the Knoxville campus was **7,774**.

### Policies for students and employees with criminal records:

Policy HR 0580 Code of Conduct

<https://universitytennessee.policytech.com/dotNet/documents/?docid=153> refers to this subject.

Expectations are outlined in sections one – Ethical and Responsible Conduct, twelve – Standards of Safety, and thirteen – Compliance with Laws and University Policies.

### Policies on housing assignments and requests for changes:

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

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

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

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

<https://housing.utk.edu/room-change-request/>

<https://housing.utk.edu/wp-content/uploads/sites/75/2014/02/Housing-Contract-standard-2018-19-approved.pdf>

## Contract Section VII

### SUSPENSION OF AGREEMENT

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

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

## Contract Section IX

### ASSIGNMENT AND USE OF SPACE:

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

B. Residence hall rooms/apartments shall be occupied only by the person(s) assigned to them by University Housing.

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

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

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

F. Right of Entry: University reserves the right to enter resident rooms and common spaces for the following reasons: to take inventory, fire protection, sanitation, safety, maintenance, rule enforcement, inspection, improvement or repairs, to evaluate conditions that could affect the health or safety of residents, or controlling the rooms/apartments in the event of an epidemic or emergency, or for any other purpose in accordance with University policy. Student is not required to be present at the time of inspection or other entries described above. Inspections will occur at least once a term.

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

## Contract Section X, Item D

After execution of the Agreement, a change in residence hall assignment, rental rate, requires a written amendment to the Agreement.

## Security personnel assigned to student housing facilities:

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

Housing Staff	Number of Staff Members	Security Training Provided to Staff	Description of duties
Resident Assistants	168	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Student Leader assigned to each floor on campus.
Office Assistants	168	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Students who work the lobby desk and post office in each building.
Administration	13	N/A	Senior staff, central staff and function area staff.
Maintenance	27	Active Shooter, Bomb Threat, Staff checks exterior doors Monday – Friday	Maintenance personnel assigned to each residence hall.
Custodial	106	Active Shooter, Bomb Threat, Basic principles of building security. No allowing tailgaters, no letting people in who do not have ID etc.	Custodial personnel assigned to each residence hall.
Conference Assistants	65	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Student staff who work the lobby desk during the summer term.
Administrative Support	5	N/A	Administrative and clerical support staff
Hall Directors	12	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Full time exempt staff member who oversees each residence hall.
Graduate Assistants	18	Active Shooter, Bomb Threat, CCTV Monitor, Panic Buttons, Door Chimes/Alarms	Graduate student who works in residence halls or administrative areas
Student Manager	4	CCTV Monitoring, and protocols for witnessing suspicious activity	Students in supervisory roles with the Vols @ Home program and Call Center.
Student Worker (Call Center)	24	CCTV Monitoring, and protocols for witnessing suspicious activity	Vols @ Home team members who gives tours in the residence halls. URHC officers who plan programming for the halls. Call Center staff who monitor the camera system and answers calls 24 hours a day.