Drug-Free Schools and Colleges [EDGAR Part 86]

University of Tennessee at Chattanooga: Biennial Review
2014-2016

Tricia Henderson, M.Ed., LPC-MHSP
Assistant Director, Office of the Dean of Students
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I. Introduction/Overview

In compliance with the Department of Education’s Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department General Administrative Regulations (EDGAR Part 86.100), the University of Tennessee at Chattanooga (UTC) will provide a biennial review of the university’s prevention efforts, disciplinary sanctions, and procedures for distributing the annual alcohol and drug notification to students and employees. The UTC Biennial Review will include data related to alcohol and drug incidents and arrests and recommendations for revising university prevention, education, and disciplinary efforts.

II. Biennial Review Process

The UTC Biennial Review is conducted by the UTC Office of the Dean of Students, Assistant Director for Alcohol, Other Drugs, and Mental Health Prevention. The UTC Biennial Review will utilize information provided by the UTC Office of the Dean of Students, UTC Counseling & Personal Development Center, UTC Police Department, UTC Residence Life, and UTC Athletic Department. University Representatives involved in providing information for the 2014-2016 UTC Biennial Review were:

Tricia Henderson, Office of the Dean of Students
Jim Hicks, Office of the Dean of Students
Brett Fuchs, Office of the Dean of Students
Mark Rehm, Counseling and Personal Development Center
Kendra Biggs- Human Resources

The 2014-2016 UTC Biennial Review is available online at utc.edu/aod.

A hard copy is also maintained on file at the UTC Office of the Dean of Students, it can be provided to the United States Department of Education, as requested. A copy of the review is maintained by UTC for a minimum of three years.

III. University Alcohol and Other Drug Policies

As an academic community, UTC is committed to providing an environment in which learning and education can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
B. Distribution, possession, or use of illegal drugs or controlled substances.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Code of Conduct IV; Student Rights & Responsibilities (Appendix A). Student Code of Conduct IV: Standards of Conduct (18) states;
A student or student organization may be disciplined for the following types of misconduct:

(18) 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.

(19) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.

(20) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

(21) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by University staff.

In compliance with applicable state and federal laws, Human Resources Policy 720 (Appendix B), 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.

The University strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. Students can contact the UTC Counseling and Personal Development Center 423-425-4438 for counseling and crisis services and 423-425-4357 for after-hours crisis services. Faculty and staff can contact 1-855-HERE4TN (1-855-437-3486), and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. UTC Counseling and Personal Development Center and the Office of the Dean of Students provides educational and awareness programming, information, and assistance for the UTC community.

The UTC Medical Amnesty Policy encourages all students to seek assistance for themselves or someone else who may be experiencing an alcohol or drug related medical emergency. The policy states;

“In the event of a drug or alcohol emergency, the primary concern is the well-being, health and safety of the individual(s) involved. The University of Tennessee at Chattanooga recognizes that the potential of disciplinary action creates a barrier for students seeking medical assistance for themselves or other students in alcohol or other drug-related emergencies; therefore, a medical amnesty protocol has been established.
Students/organizations who call for medical assistance for themselves or for another student who they observe to be or feel is dangerously intoxicated/under the influence of alcohol or drugs will not be face formal conduct action by the Dean of Students office for the mere possession of alcohol or drugs. The student/organization, who calls on behalf of another student, is required to remain with the student experiencing the emergency until medical assistance arrives.

The student requiring medical assistance and the referring student(s)/organization will be required to contact the Dean of Students Office at The University of Tennessee at Chattanooga within two weeks of written notification to schedule a meeting and develop follow-up plans. Sufficient evidence must be provided to confirm medical assistance was received at the time of the incident for the medical amnesty policy to apply. If the student/organization complies with all directives within the appropriate timeframe, there will be no disciplinary action taken related to the violation of possession or consumption of alcohol or drugs and no disciplinary record of the incident kept in the students official conduct file.

This policy is only applicable to the individual(s)/organization who are directly involved in the effort to seek medical assistance or the individual in direct need of medical assistance. This policy does not apply to any situation where a campus official or employee (residence hall staff, police officer, or administrative staff) initiates the response for medical assistance or where the reporting student does not stay until assistance arrives.

Medical amnesty applies only to alcohol or other drug-related emergencies but does not apply to other conduct violations such as assault, property damage, or distribution of illicit substances. The use/or abuse of alcohol or drugs is never considered a mitigating circumstance for any other violations of the Student Code of Conduct. Medical amnesty applies specifically to The University of Tennessee at Chattanooga’s conduct and judicial policies and has no influence over criminal or police action or authority. If multiple violations occur the Dean of Students Office will review the additional violations separately and assess the need for further intervention. This policy is not intended to provide a shield or protect students/organizations who conspire to misuse or abuse the policy instead empower students and organization to seek medical attention for those in need without question.”

The UTC Athletic Department supports the health and well-being of all UTC student athletes. The UTC Athletic Department imposes drug testing policies and sanctions per the University of Tennessee at Chattanooga Athletics Drug Testing Policy, see appendix C.

**IV. AOD Prevalence Rate, Incidence Rate, and Trend Data**

The Core Drug and Alcohol Survey and the National College Health Assessment are used to assess current trends in usage, risk, and protective behaviors. Included in this report are the Executive Summaries of the Core Survey 2015, National College Health Assessment 2015, the UTC 2014 & 2015 Annual Security & Annual Fire Safety Report and 2014-2015, 2015-2016 AlcoholEdu Executive Summary are included in Appendices D, E, F, G &H.

Core survey data (Appendix D) measures student’s attitudes, perceptions, and behaviors related to alcohol and drug use. The table below compares six data points which were the focus of the prevention and education efforts between Core surveys. The Core Drug and Alcohol Survey is conducted on a triennial basis and funded through the Coalition for Healthy and Safe Campus Communities. Included in the following table are six examples of CORE Survey area results:
<table>
<thead>
<tr>
<th>2010 CORE Survey Results</th>
<th>2012 CORE Survey Results</th>
<th>2015 CORE Survey Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>35% reported drinking five or more drinks in one setting.</td>
<td>29.4% reported drinking five or more drinks in one setting.</td>
<td>35% reported drinking five or more drinks in one setting.</td>
</tr>
<tr>
<td>64.1% of UTC students report they “don’t know” if the UTC campus has an alcohol and drug prevention program.</td>
<td>46.5% of UTC students report they “don’t know” if the UTC campus has an alcohol and drug prevention program.</td>
<td>52.4% of UTC students report they “don’t know” if the UTC campus has an alcohol and drug prevention program.</td>
</tr>
<tr>
<td>UTC students report experiencing impacts of alcohol and drug use including; 21.9% missing class, 21.1% performing poorly on tests, and 27% reported doing something they later regretted.</td>
<td>UTC students report experiencing impacts of alcohol and drug use including; 15.2% missing class, 13.9% performing poorly on tests, and 25% reported doing something they later regretted.</td>
<td>UTC students report experiencing impacts of alcohol and drug use including; 17.8% missing class, 13% performing poorly on tests, and 23.5% reported doing something they later regretted.</td>
</tr>
<tr>
<td>41.4% of respondents reported alcohol makes it easier to deal with stress.</td>
<td>41.4% of respondents reported alcohol makes it easier to deal with stress.</td>
<td>49.6% of respondents reported alcohol makes it easier to deal with stress.</td>
</tr>
<tr>
<td>24.6% of UTC students report they have driven a car while intoxicated.</td>
<td>19.6% of UTC students report they have driven a car while intoxicated.</td>
<td>15.9% of UTC students report they have driven a car while intoxicated.</td>
</tr>
<tr>
<td>52.4% of underage students (younger than 21) who consumed alcohol in the previous 30 days.</td>
<td>47.7% of underage students (younger than 21) who consumed alcohol in the previous 30 days.</td>
<td>47.7% of underage students (younger than 21) who consumed alcohol in the previous 30 days.</td>
</tr>
</tbody>
</table>

Data presented in the UTC 2014, 2015, & 2016 Annual Security & Annual Fire Safety Reports (Appendices E, F, & G) pertains to the arrests, citations, and incidents reported on-campus for UTC. The following tables represent the arrests and disciplinary referrals during 2014, 2015, & 2016:

<table>
<thead>
<tr>
<th>Charge</th>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facility</th>
<th>Non-campus building or property</th>
<th>Public property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrest: Liquor Law</td>
<td>2014</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------</td>
<td>------------</td>
<td>--------</td>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Arrest: Liquor Law</td>
<td>5</td>
<td>not available</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug-related Violation</td>
<td>2014</td>
<td>11</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug-related Violation</td>
<td>2015</td>
<td>8</td>
<td>6</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Drug-related Violation</td>
<td>2016</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
</tr>
<tr>
<td>Disciplinary Referrals: Liquor Law</td>
<td>2014</td>
<td>488</td>
<td>487</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Disciplinary Referrals: Liquor Law</td>
<td>2015</td>
<td>359</td>
<td>349</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Disciplinary Referrals: Liquor Law</td>
<td>2016</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
</tr>
<tr>
<td>Drug-Related Violations</td>
<td>2014</td>
<td>103</td>
<td>102</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug-Related Violations</td>
<td>2015</td>
<td>68</td>
<td>64</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Drug-Related Violations</td>
<td>2016</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
</tr>
</tbody>
</table>

The Office of the Dean of Students provided the data to the number of violations and convictions of students for alcohol and drug related offenses from 2014-2016 provided in the table below. There is no quantifiable 2014 data through the Maxient system due to program transfer during 2014.
V. Annual Policy and Policy Notification Process: Employees

The University strives to maintain a work environment free from the illegal use, possession, or distribution of alcohol or controlled substances. An employee is inclusive of all persons who hold a staff or academic appointment. This includes student employees and Work-Study students. The University of Tennessee (UT) system, inclusive of UTC, relevant policy to an alcohol- and drug-free place are included in Human Resources Policy 720 (Appendix B). Employees found in violation of the Human Resource Policy may be subject to correction action and/or discipline, including dismissal under applicable University policies and labor contracts. Also, employees may be referred for criminal prosecution and/or required to complete treatment/support programs.

As provided below, the University of Tennessee (UT) provides faculty and staff with an email notification of the UT Policy on a Drug- and Alcohol-free Campus and Workplace. This notification is sent to all active employee email addresses within the UT system (3/18/14, 3/27/15, 2/1/16).

![Human Resources](https://example.com/human-resources.jpg)

Linda Hendricks Harig,
Vice President for Human Resources

Policy on a Drug- and Alcohol-free Campus and Workplace

The University of Tennessee is committed to maintaining a safe and healthy environment for all faculty, staff and students. This message should serve as an annual reminder of this commitment.
In compliance with applicable state and federal laws, Human Resources Policy 720 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.

The policy, including terms for disciplinary action, is available for review at policy.tennessee.edu/hr_policy/hr0720/.

Questions about the policy should be directed to the HR Call Center at (888) 444-8847 or (865) 946-8847 for calls made within the Knoxville area. The University's Employee Assistance Program is another resource and is available toll-free at (855) 437-3486.

Thank you for all you do for the University of Tennessee.

Best Regards,
Linda

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VI. Annual Policy and Policy Notification Process: Students

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Code of Conduct IV; Student Rights & Responsibilities (Appendix A). The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by University staff.

UTC students are offered a copy of the Student Handbook by email each semester. Residence Life places a copy of the Student Handbook on the bed of each resident before move in to ensure that each resident receives a copy. Copies of the student handbook are offered in the University Center at the desk outside the Student Development office where they can be picked up anytime the University Center is open. They can all receive a copy from the Dean of Students office during regular business hours.

In addition to the Student Handbook, students are made aware of AOD policies during summer orientation, residence life meetings, and other activities throughout the year. During orientation students are educated about campus AOD policies while attending orientation.

As provided below, UTC provides faculty and staff with an email notification. This notification is sent to all students email addresses within the UTC system (6/15/16 & 7/2/16).

From: Office of the Dean of Students [mailto:austin-arias@UTC.EDU]
To: SCRAPPY@RAVEN.UTC.EDU
UTC’s Alcohol- and Drug-free Campus Policy, Resource, and Information Notification

The University of Tennessee at Chattanooga (UTC) is dedicated to the health and wellness of our campus community. UTC Student Code of Conduct prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. In accordance with the Drug Free Schools and Campuses Act [Edgar Part 86], UTC is required to provide enrolled students, faculty, and staff with an annual notification which provides specific information regarding the unlawful use of drugs or alcohol on university property, legal sanctions, health risks, available assistance and treatment avenues and University-imposed disciplinary standards. The UTC Annual Notification can be found at http://www.utc.edu/alcohol-drug-education/utcannualnotification/index.php.

UTC Annual Notification Table of Contents:

- University of Tennessee at Chattanooga Policies
- UTC Student Code of Conduct
- Commonly Imposed Disciplinary Sanctions for On-Campus Policy Violations
- State of Tennessee Laws & Sanctions
- Federal Drug Laws
- Health Risks of Commonly Abused Substances
- Counseling and Treatment Resources
- Prevention and Education

The complete Student Conduct Code and its appendices are available for review at: http://www.utc.edu/dean-students/student-handbook.php


Questions about this email, UTC policies, or alcohol and other drug resources should be directed to Tricia Henderson at 423-425-4940 or tricia-henderson@utc.edu.

Tricia L. Henderson, LPC-MHSP
Assistant Director, A.O.D., & Mental Health Education

University of Tennessee at Chattanooga
Office of the Dean of Students
Dept 1951 325 University Center
615 McCallie Ave
Chattanooga, TN 37403-2598

VI. AOD Policy, Sanctions and Related Data

AOD sanctions are imposed by the Dean of Students Office and Residence Life Office. Due to recent amendments to Tennessee Code Annotated, Title 49, Chapter 7, Part 1 by the General Assembly (House Bill 4088, Senate Bill 4108), and UTC is required to notify the parents or guardians of students under the age of 21 when those students are found responsible for alcohol- and drug-related offenses. If a student under the age of 21 is found to be responsible for the use and/or possession of drugs or drug paraphernalia, the resultant sanction will include notification of the
parent/guardian by the Dean of Students Office. In the event of a first or second violation of the alcohol policy by a student, the resultant sanction may include, but is not limited to, probation, an alcohol education course, and community service. In addition to the aforementioned sanctions, a third violation of the alcohol policy by a student under the age of 21 will result in the notification of the parent/guardian by the Dean of Students Office. In addition, the parent/guardian may be contacted in any instance in which the health or safety of the student has been threatened either through the student’s own acts or the acts of others.

**VII. AOD Prevention and Education Programming, Interventions, and Data**

An inventory of UTC prevention and education interventions includes a wide variety of interventions and services for individual students at the universal, selective, and indicated levels. Programming strategies include online assessments (Echug & Etoke), educational programming, social norms campaigns, late night and other alternative programming, and counseling and motivational interviewing sessions. Campus AOD policies are designed to limit availability of alcohol and drugs through environmental management. Campus public safety officers, as well as other UTC representatives, also coordinate with local law enforcement and the Hamilton Count AOD prevention Coalition to advocate and enforce AOD policies in the surrounding community.

**AlcoholEdu Completion Rates:**

2014-2015: Part 1 (Pre-matriculation course, surveys, and test with score of 80)-1638

Part 2 (Post-matriculation course and survey)- 746

Total of 2048 solicited students.

*2015-2016: Part 1 (Pre-matriculation course, surveys, and test with score of 80)-2328

Part 2 (Post-matriculation course and survey)- 1495

Total of 2503 solicited students.

*This is the first year UTC include all incoming freshmen, adult and transfer students.

**AlcoholEdu Sanctions Course Completions:**

2014: 171

2015-2016: 234


Part I & II Completed: 218

**Echug Completion:**

2014-2015: 13

2015-2016: 8

**Etoke Completion:**
Assessments Performed by the Assistant Director for Alcohol, Other Drug & Mental Health Education:

2014-2015: 86 Individual Assessments
2015-2016: 26 Individual Assessments

Counseling and Personal Development Center visits:

2014-2015: Sessions- 6%
   Individuals- 24%
2015-2016: Sessions- 7%
   Individuals- 19%

<table>
<thead>
<tr>
<th>2015-2016 Referrals or Admittances to Higher Level of Care</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referred to Inpatient AOD Treatment</td>
<td>2</td>
</tr>
<tr>
<td>Referred to Outpatient AOD Treatment</td>
<td>4</td>
</tr>
<tr>
<td>Admitted to Inpatient Eating Disorder Treatment</td>
<td>1</td>
</tr>
<tr>
<td>Admitted to Outpatient Eating Disorder Treatment</td>
<td>1</td>
</tr>
<tr>
<td>Referred for Inpatient Hospitalization</td>
<td>3</td>
</tr>
<tr>
<td>Admitted to Voluntary Inpatient Hospitalization or Crisis Stabilization</td>
<td>11</td>
</tr>
<tr>
<td>Admitted to Involuntary Inpatient Hospitalization or Crisis Stabilization</td>
<td>6</td>
</tr>
<tr>
<td>Referred to Mental Health Intensive Outpatient</td>
<td>1</td>
</tr>
<tr>
<td>Transported to Emergency Room</td>
<td>12</td>
</tr>
<tr>
<td>Evaluated by Crisis Response Team</td>
<td>5</td>
</tr>
</tbody>
</table>

Human Resources Referrals:

2014-2015:

2015-2016: 1 faculty/staff treatment referral

Alcohol, Other Drug (AOD), and Mental Health Prevention and Education Outreach and Programming Efforts 2014-2015:

- AlcoholEdu & Haven Implementation: UTC policy and contracts, marketing, emails, over 95% of incoming freshmen class completed AlcoholEdu pre-matriculation course. Require all incoming freshman to complete a web based alcohol and drug awareness program/course. Haven is included in this course. Interviewed with media outlets. Sent reports to Madison Ralston and Sara Peters for use with programming, prevention and education.
- Step UP! Trainings
- Alcohol Free alternative programming: Partnership with Campus Activities Board, ARC and SGA
- EDGAR 86 & Biennial Review Compliance.
- Social Norms Campaign: Uses campus specific data (CORE 2015 results) to correct false beliefs, shape student choices, provide accurate information about campus norms, present positive role model for healthy behaviors and convey social rewards for specific choices. This project is grant funded by CHASCo.
- Prescription Drug Take-Back - Partnership with community coalitions, Blood Assurance, Tennessee American Water, and US District Attorney’s Office. Held two days of take-back here on campus during the spring & fall.
- Stress Fair: Spring 2014, provides alternative resources to alcohol and drug use during finals and end of the year.
- Individual Student Assessments: Referring departments on campus include athletics, housing, and the Dean of Students office. Each assessment lasts approximately one hour and includes an intake, alcohol and other drug assessment measuring frequency of use and consequences, brief motivational interview, and educational information. Tools used during these assessments include AlcoholEduSanctions & R.A.P.I. assessment.
- CORE Survey administered in spring of 2015.
- Happy Hours and UTC Happiness Project.
- Moc Wreck- Drinking and Driving Awareness with 1n3 presentation sponsored by UTC Step UP!, Sigma Kappa, and Delta Zeta.
- Suicide Prevention and Awareness signs posted around campus.
- QPR Trainings for faculty, staff, and students-fall and spring.
- Safe Spring Break information 2014: Coordinated Spring Break or Bust Bags.
- Residence Life trainings: Resident Directors and Resident Assistants related to AOD and Mental Health.
- Collaboration with campus law enforcement and other departments to provide educational events- tables, residence life programs, and fraternity and sorority awareness.
- Collaboration with Fraternity and Sorority Life:
  - Risk Management Presentations.
  - Mental Health Information.
- Coalition for Healthy and Safe Campus Communities (CHASCo):
  - Executive Committee Member- Chair.
  - Social Norms Campaign Funding -$1200.00.
  - Partners in Prevention Conference- $500.
- Hamilton County Community Coalition and partnership to address underage drinking and community issues.

Alcohol, Other Drug (AOD), and Mental Health Prevention and Education Outreach and Programming Efforts 2015-2016:

- AlcoholEdu Implementation: Over 95% of incoming freshmen class completed AlcoholEdu pre-matriculation course. Implied mandate for all incoming freshman, transfer, and graduate to complete a web based alcohol and drug awareness program/course.
- Social Norms Campaign: Uses campus specific data (CORE 2015 results) to correct false beliefs, shape student choices, provide accurate information about campus norms, present positive role model for healthy behaviors and convey social rewards for specific choices. This project is grant funded by CHASCo. Campaign includes print materials and advertisements in FSL recruitment book, Echo, and Orientation handbooks (students, parents, transfer).
- UTC Step UP Bystander Intervention program coordinator, trained approximately 2100 (athletes, fraternity and sorority members).
- Individual Student Assessments (26 total): Referring departments on campus include athletics, housing, and the Dean of Students office. Each assessment lasts approximately one hour and includes an intake, alcohol and other drug assessment measuring frequency of use and consequences, brief motivational interview, and educational information. Tools used during these assessments include AlcoholEduSanctions & R.A.P.I. assessment.
• Coordinator of 142 support events, programs, and trainings through Counseling and Personal Development Center reaching 13573 people.
• Residence Life trainings (AOD, Step UP! & MH): Resident Directors and Resident Assistants.
• UTC Sexual Misconduct & Relationship Violence Committee Member.
• UTC Sexual Misconduct & Relationship Violence Education and Programming Committee Member.
• Alcohol Free alternative programming: Campus Activities Board, ARC and SGA.

• Programs:
  o Prescription Drug Take-Back- Partnership with community coalitions, Blood Assurance, Tennessee American Water, and US District Attorney’s Office. Held two days of take-back here on campus during the spring & fall and collected over 50lbs of drugs.
  o Stress Fair: Spring 2015, provides alternative resources to alcohol and drug use during finals and end of the year.
  o Happy Hours Welcome Week program.
  o Moc Wreck- Drinking and Driving Awareness with 1n3 presentation sponsored by UTC Step UP!, Sigma Kappa, and Delta Zeta.
  o Safe Spring Break information 2015: Coordinated Spring Break or Bust Bags.
  o Collaboration with campus law enforcement and other departments to provide educational events- tables, residence life programs, and fraternity and sorority awareness.
  o Collaboration with Fraternity and Sorority Life: Risk Management Presentations & Mental Health Information.

• Tennessee Suicide Prevention Network (TSPN): Regional Meetings & other meetings
• Hamilton County Health Department Alcohol and Drug Coalition community partner.
• Focus Treatment Center eating disorder awareness partnership, Grant award $500.
• Volunteer Behavioral Health’s Health Transitions program partner.
• Tennessee Higher Education Prevention Network (THESPN): QPR Training Grant $500
• Coalition for Healthy and Safe Campus Communities (CHASCo):
  • Executive Committee Member- Chair
  • Social Norms Campaign Funding -$1200.00
  • Governors Highway Safety Office- $450
  • Prevention Planning Grant: $2000
  • Partners in Prevention Conference- $600
• Hamilton County Community Coalition and partnership to address underage drinking and community issues: Environmental Review of 10 locations during high-risk time (Halloween & Homecoming).

IX. Progress on Prior Recommendations

Based on a review of current AOD prevention programs and on current usage statistics, the following recommendations were recommended in the 2012-2014 review:

1. UTC support and advocate for continued growth of the UTC Step UP! Bystander intervention training. This includes promoting buy-in with all high-risk populations including athletes, freshmen, residence life, and fraternity and sorority life. 
   *This initiative is continued to be supported by the institution.*
2. Increase promotion of medical amnesty policy, especially to those living in on-campus housing.
   *Medical Amnesty was integrated into the Student Development orientation PowerPoint for all incoming students.*
3. Efforts should be made to create a reporting system for departments to track all alcohol and other drug prevention, programming and education efforts for future Biennial reviews.
   *This effort continues to be discussed and will be a recommendation in the 2014-2016 review.*
4. Partnerships with state and county coalitions should continue and be supported to increase environmental management strategies.
Partnerships are continuing and expanding with various programming and environmental review.

5. The Counseling and Personal Development Center and Human Resources develop a tracking system for all referrals for students, faculty and staff who have been referred to in-patient or intensive out-patient treatment facilities. The tracking system could be kept internally with each department and should not include any identifying information related to a student, faculty or staff member’s identity. The number of referrals for in-patient and intensive out-patient referrals should be reported for each Biennial Review period by calendar or academic calendar year.
The CPDC tracked all referrals for the 2015-2016 year.

6. Coordinate with administrators implementing policies in compliance with the Violence Against Women Act (VAWA), including the Campus Sexual Violence Elimination Act (Campus SaVE), as relates to AOD issues.
The Assistant Director for AOD and Mental Health Education served on all the campus UTC Sexual Misconduct & Relationship Violence Committees.

7. The next review will be due in December of 2016 and will review the 2014-2015 & 2015-2016 academic years.

Submitted for review on 2/1/2017.

8. Develop protocol to distribute information required to maintain compliance with the Department of Education’s Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department General Administrative Regulations (EDGAR Part 86.100). The information provided below in the Education Department General Administrative Regulations (EDGAR) Edgar 86: Federal Drug-Free Schools and Campuses Regulations University of Tennessee at Chattanooga should be distributed to all students, faculty, and staff each semester to meet compliance standards. This is currently being discussed as an addition to the Annual Security Report.
The report was sent each semester during 2015. See dates provided in Section VI.

X. Recommendations for Next Biennium

Based on a review of current AOD prevention programs and on current usage statistics, the following recommendations are recommended for 2016-2018:
1. Continue to increase promotion of medical amnesty policy.
2. Efforts should be made to create a reporting system for departments to track all alcohol and other drug prevention, programming and education efforts for future Biennial reviews.
3. Partnerships with state and county coalitions should continue and be supported to increase environmental management strategies.
4. Continue to coordinate with administrators implementing policies in compliance with the Violence Against Women Act (VAWA), including the Campus Sexual Violence Elimination Act (Campus SaVE), as relates to AOD issues.
5. The next review will be due in December of 2018 and will review the 2016-2017 & 2017-2018 academic years.
6. Develop protocol to distribute information required to maintain compliance with the Department of Education’s Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department General Administrative Regulations (EDGAR Part 86.100). The information provided below in the Education Department General Administrative Regulations (EDGAR) Edgar 86: Federal Drug-Free Schools and Campuses Regulations University of Tennessee at Chattanooga should be distributed to all students, faculty, and staff each semester to meet compliance standards.

XI. UTC Annual Notification

Education Department General Administrative Regulations (EDGAR)

Edgar 86: Federal Drug-Free Schools and Campuses Regulations

University of Tennessee at Chattanooga Notification:

As a requirement of these regulations, The University of Tennessee at Chattanooga (UTC) is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis. This process is formally conducted by the
Dean of Students Office, Counseling and Personal Development Center, and Human Resources. Questions concerning this policy and/or alcohol and other drug programs, interventions and policies may be directed to Tricia Henderson at tricia-henderson@utc.edu, or 423-425-4438.

**University of Tennessee at Chattanooga Policies**

As an academic community, UTC is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

C. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
D. Distribution, possession, or use of illegal drugs or controlled substances.
E. Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Conduct Code. The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by University staff.

The University strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. UTC Counseling and Personal Development Center 423-425-4438, Magellan Behavioral Health 1-855-437-3486, and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. UTC Counseling and Personal Development Center provides educational and awareness programming, information, and assistance.

**UTC Student Code of Conduct**

**IV. Student’s Rights and Responsibilities**

(1) Students at the University of Tennessee at Chattanooga are members of both the University community and the larger community of which the University is a part. Accordingly, students are responsible for conducting themselves in a lawful manner and in compliance with University rules and policies. The University has established the following rules in order to advance the mission of the University by maintaining a safe and secure learning environment, protecting the rights and privileges of all members of the University community, providing a basis for orderly conduct of the affairs of the University, promoting a positive relationship between the University and its surrounding community, preserving institutional integrity and property, encouraging students to engage in conduct that brings credit to themselves and the University, and ensuring that each student who matriculates at the University graduates ready to contribute to society as an ethical and law-abiding citizen. The Standards of Conduct apply to conduct that occurs on University-controlled property.
(2) The University also has the discretion to discipline a student for an act in violation of the Standards of Conduct that occurs off University-controlled property if the conduct adversely affects the interests of the University, including, but not limited to, conduct which: (a) Occurs in connection with a University-affiliated activity, including, but not limited to, an overseas study program or a clinical, field, internship, or in-service experience;

(b) Involves another member of the University community; or (c) Threatens, or indicates that the student may pose a threat to, the health or safety of him/herself or others or the security of any person’s property, including, but not limited to, alcohol-related offenses, drug-related offenses, arson, battery, fraud, hazing, participation in group violence, rape, sexual assault or misconduct, stalking, and theft.

(16) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes, including, but not limited to: unauthorized entry into or transfer of a file; using another person’s identification and/or password without that person’s consent; using information technology facilities or resources to interfere with the work of another student, faculty member, staff member, or other member of the University community; using information technology facilities or resources to interfere with normal operation of a University information technology system or network; circumventing University information technology system or network security; using information technology facilities or resources in violation of copyright laws; falsifying an e-mail header; and conduct that violates the University’s policy on the Acceptable Use of Information Technology Resources.

(17) Possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

(18) 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.

(19) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.

(20) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

(21) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

(22) Failing to pay a University bill, account, or other University financial obligation.

(23) Failing to respond to a request to report to a University administrative office; failing to comply with a lawful directive of a University employee or other public official acting within the scope of his/her duties; or failing to identify oneself to a University employee or other public official acting within the scope of his/her duties when requested to do so.

(24) Failing to appear at a University hearing, including, but not limited to, a hearing of a University judicial board, following a request to appear either as a party or as a witness.

(25) Violating the terms of an interim suspension, a no-contact directive, or a disciplinary penalty imposed by the University.

(26) Obstructing or disrupting teaching, learning, studying, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, or the free flow of pedestrian or vehicular traffic on University-controlled property. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.

(27) Violating a University policy or rule, including but not limited to University policies or rules relating to facilities use, smoking, the acceptable use of information technology resources, research or service misconduct, finder’s fees relating to clinical investigations involving human subjects or access to University data or materials, University libraries, dining services, parking or transportation, University identification card use, sexual harassment, residence halls, and registered student organizations.

(28) Committing an act that is prohibited by local, state, or federal law.

(29) Attempting to commit a violation of a Standard of Conduct or being an accessory to the commission of an act or attempted act in violation of a Standard of Conduct.

Penalties.

(1) Disciplinary penalties are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, and discourage other students and student organizations from violating the Standards of Conduct, and
protect members of the University community. The penalties imposed should be appropriate for the particular case based on
the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other
members of the University community). Consideration may also be given to the student’s or student organization’s conduct
record, the student’s or student organization’s responsiveness to the conduct process, student academic classification, and other
aggravating or mitigating factors.

(2) The following penalties may be imposed on any student found to have violated the Standards of Conduct:

(a) Warning. A warning is a notice that the student is violating or has violated the Standards of Conduct.

(b) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of
time. Privileges that may be lost include, but are not limited to, scholarships, stipends, participation in extracurricular activities
(e.g. intramurals), housing privileges, participation in social activities, and use of certain University-controlled property (e.g.,
information technology resources).

(c) Educational Sanction. Students may be required to attend classes, at their own expense, dealing with issues such as the
consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student
Development or his/her designee.

(d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed
medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to
repair or otherwise compensate for the destruction, damage, or loss.

(e) Disciplinary Reprimand. A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand
indicates that further violations will result in more severe disciplinary actions.

(f) Disciplinary Probation. This penalty permits a student to remain at the University on probationary status but with the
understanding that a future violation of the Standards of Conduct may result in suspension. Probation may be for a defined or
indefinite period. Other conditions of probation are specific to each individual case and may include a requirement of community
service or other requirement or restriction.

(g) Suspension for a Specific Period of Time. Suspension for a specific period of time means that the student is withdrawn from
the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated
suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may
include a requirement of community service or other requirement or restriction. Upon return to the University following a
suspension for a specific period of time, the student may be placed on indefinite disciplinary probation.

(h) Permanent Dismissal. Permanent dismissal means that a student is permanently barred from matriculating as a student on
the Chattanooga campus. This penalty is used when the violation of one (1) or more of the institution’s Standards of Conduct is
deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of
re-enrollment; or when, by his/her repeated violation of the institution’s Standards of Conduct, a student exhibits blatant
disregard for the health and safety of other members of the University community or the University’s right to establish rules of
conduct.

(i) Revocation of Admission or Degree. Revocation of admission or degree means revoking a student’s admission to the University
or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee
Board of Trustees.

(3) A disciplinary hold may be placed on a student’s account until the completion of the student disciplinary process and/or until
the student satisfies the terms and conditions of any penalties imposed. A student who at the time of commencement, is subject
to a continuing disciplinary penalty or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of
all penalties and/or resolution of all disciplinary charges.

(4) The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:

(a) Warning. A warning is a notice that the student organization is violating or has violated the Standards of Conduct.
(b) Educational Sanction. Representatives of student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee.
(c) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.

(d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.

(e) Disciplinary Probation. Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Probation may be for a defined or indefinite period. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious penalties, including revocation of University registration.

(f) Revocation of University Recognition. In cases of serious misconduct, a student organization’s University registration may be revoked.

(5) More than one (1) of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.

(6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

### Commonly Imposed Disciplinary Sanctions For On-Campus Policy Violations:

<table>
<thead>
<tr>
<th>Policy Violation</th>
<th>Other Typical Sanctions - 1st Offense</th>
<th>Typical Sanctions – 2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underage Possession of Alcohol</td>
<td>Alcohol Education Program, Assessment, Community Service</td>
<td>Parental Notification if under 21, Possible Disciplinary Probation.</td>
</tr>
<tr>
<td>Open Alcohol In A Public Area</td>
<td>Alcohol Education Program</td>
<td>Parental Notification if under 21, Possible Disciplinary Probation.</td>
</tr>
<tr>
<td>Possession of Kegs</td>
<td>Alcohol Education Program</td>
<td>Parental Notification if under 21, Monetary Sanction, Possible Disciplinary Probation.</td>
</tr>
<tr>
<td>Single Incident of Possession of Marijuana For Personal Use</td>
<td>Disciplinary Probation, Drug Education Program on Marijuana &amp; Random Drug Testing</td>
<td>Suspension or Expulsion</td>
</tr>
</tbody>
</table>
As members of the University community, students are also subject to city ordinances and to state and federal law. Arrest and prosecution for alleged violations of criminal law or city ordinances may result from the same incident for which the University imposes disciplinary sanctions.

**State of Tennessee Laws & Sanctions**

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by employees on University premises, or while conducting University business off University premises, is absolutely prohibited.

Violations of this prohibition by employees or students may result in the application of sanctions, including possible required participation in an approved drug abuse assistance or rehabilitation program, and disciplinary action up to and including termination under applicable regulations, University policies, statues, employment contracts, or collective bargaining agreements.

**Gradations of Criminal Offenses**

Like all jurisdictions (federal and state), Tennessee distinguishes among offenses based on their seriousness. These offenses range from minor misdemeanors to capital crimes. The table below shows the gradations of criminal offenses under Tennessee law. See T.C.A. § 40-35-111, “Authorized terms of imprisonment and fines for felonies and misdemeanors.”

<table>
<thead>
<tr>
<th>Level of Offense</th>
<th>Punishment(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Crime</td>
<td>Death; life imprisonment</td>
</tr>
<tr>
<td>Class A felony</td>
<td>Not less than fifteen (15) nor more than sixty (60) years in prison. In addition, the jury may assess a fine not to exceed fifty thousand dollars ($50,000), unless otherwise provided by statute</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Class B felony</td>
<td>Not less than eight (8) nor more than thirty (30) years in prison. In addition, the jury may assess a fine not to exceed twenty-five thousand dollars ($25,000), unless otherwise provided by statute</td>
</tr>
<tr>
<td>Class C felony</td>
<td>Not less than three (3) years nor more than fifteen (15) years in prison. In addition, the jury may assess a fine not to exceed ten thousand dollars ($10,000), unless otherwise provided by statute</td>
</tr>
<tr>
<td>Class D felony</td>
<td>Not less than two (2) years nor more than twelve (12) years in prison. In addition, the jury may assess a fine not to exceed five thousand dollars ($5,000), unless otherwise provided by statute</td>
</tr>
<tr>
<td>Class E felony</td>
<td>Not less than one (1) year nor more than six (6) years in prison. In addition, the jury may assess a fine not to exceed three thousand dollars ($3,000), unless otherwise provided by statute</td>
</tr>
<tr>
<td>Class A misdemeanor</td>
<td>not greater than eleven (11) months twenty-nine (29) days in jail or a fine not to exceed two thousand five hundred dollars ($2,500), or both, unless otherwise provided by statute</td>
</tr>
<tr>
<td>Class B misdemeanor</td>
<td>not greater than six (6) months in jail or a fine not to exceed five hundred dollars ($500), or both, unless otherwise provided by statute</td>
</tr>
<tr>
<td>Class C misdemeanor</td>
<td>not greater than thirty (30) days in jail or a fine not to exceed fifty dollars ($50.00), or both, unless otherwise provided by statute</td>
</tr>
</tbody>
</table>

Tennessee Sanctions Under 21 Alcohol Offenses

(http://www.hollinslegal.com/criminal-defense/dui-defense/under-21-alcohol-related-criminal-offenses/)

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenn. Code Ann. § 1-3-113 Unlawful for person under 21 to purchase, possess, transport or consume</td>
<td>The class of offense is not specified but is a misdemeanor per 39-11-111. Pursuant to TCA 39-11-114, it is a Class A misdemeanor. Therefore, 11 mos. 29 days and fine of up to $2500 applies. Statute makes no mention of impact to driving privileges. However for</td>
</tr>
<tr>
<td>OFFENSE</td>
<td>PENALTY</td>
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<td>------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>alcoholic beverages unrelated to employment.</td>
<td>individuals under 18, T.C.A. 55-10-701 would require the denial of driving privileges.</td>
</tr>
<tr>
<td>Tenn. Code Ann. 39-15-404 Relates to the furnishing of alcohol to a minor by an adult.</td>
<td>Class A misdemeanor and punishable as such and additionally the offender shall be sentenced to 100 hours of community service work. The court in its discretion may send an order to the Dept. of Safety denying the offender’s driving privileges. If the offender does not have driving privileges then the court may impose 200 hours of community service.</td>
</tr>
</tbody>
</table>
| Tenn. Code. Ann § 55-10-415 Driving while impaired 18 to 21 for driving under the influence of any intoxicant or with a BAC over .02 | >18 years and <21 years old: Class A Misdemeanor that is punishable only by suspension of driving privileges for 1 year and by a fine of $250. Court may impose community service. No provision for restricted license. Not eligible for judicial diversion since no incarceration and thus no probation is permitted, but would be eligible for pre-trial diversion.  
>16<18: Same as above, but delinquent act not misdemeanor. Note that no jail time is applicable in conflict with general penalty relating to delinquent children, see T.C.A. § 37-1-131. |
| Tenn. Code Ann. § 57-3-412 (a)(3)(A) Prohibits the possession, consumption, or transporting of alcoholic beverages unrelated to employment by anyone under 21. | Class A misdemeanor. Regardless of disposition, the record can be expunged 6 months after the date of the violation and such offense cannot be used against them in any criminal proceeding. Under section (a)(5)(C), an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18. |
| Tenn. Code Ann. § 57-3-412 (a)(4) Prohibits the purchase of            | Class A misdemeanor.1st offense: fine of not less than $25 nor more than $500, 2nd and subsequent offenses: minimum $50 fine with max of $1,000.  
In addition to the fines stated above, all offenders are additionally |
<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>alcohol for or at the request of anyone that is under 21.</td>
<td>subject to all penalties imposed by T.C.A. 39-15-404. (see above, 100 hours community service work, potential loss of license).</td>
</tr>
<tr>
<td>Tenn. Code Ann. § 57-3-412 (a)(5)(A) Prohibits the purchase or attempted purchase of alcoholic beverages by anyone under 21.</td>
<td>Class A misdemeanor. “In addition to any criminal penalty imposed by this section (see above),” an order denying the offender of driving privileges is required, and the court and dept of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</td>
</tr>
<tr>
<td>Tenn. Code Ann. § 57-3-412 (c) Penalty for someone under 21 using a fake id.</td>
<td>Class A misdemeanor. (1) Less than 18: fine of $50 and not less than 20 hours community service.</td>
</tr>
<tr>
<td></td>
<td>(2) &gt;18&lt;21: Fine of not less than $50 but no more than $200 OR by imprisonment in jail for a minimum of 5 days and a max of 30 days. In addition to above, an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</td>
</tr>
<tr>
<td>Tenn. Code Ann. § 57-4-203 (b)(2) (A) Prohibits the purchase, attempted purchase, or possession of alcohol by a person under 21 in a public place. (B) Exhibiting a fake id saying you are 21.</td>
<td>Exact same penalty as stated in 57-3-412 (c). see above.</td>
</tr>
<tr>
<td>Tenn. Code Ann. § 57-5-301(d)(1)(A) Unlawful for minor to purchase or attempt to purchase any “such beverage.” (presumed beer).</td>
<td>Such Statutes under Title 57, Part 5 appear to relate particularly to beer. Punishment is under 57-5-303, which defines it as a Class C misdemeanor. An order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</td>
</tr>
<tr>
<td>OFFENSE</td>
<td>PENALTY</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tenn Code. Ann. § 57-5-301(d)(1)(A)(3) Making a fake Id to show you are 21 or presenting such.</td>
<td>Statute provides exact same punishment as in 57-3-412(c).</td>
</tr>
<tr>
<td>Tenn. Code Ann. § 57-5-301(e) unlawful for someone under 21 to have beer in their possession.</td>
<td>Class A misdemeanor. Regardless of disposition, the record can be expunged 6 months after the date of the violation and such offense cannot be used against them in any criminal proceeding. Under section (d)(1)(B)(i), an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</td>
</tr>
</tbody>
</table>

**Tennessee Sanctions Driving Under the Influence T.C.A § 55-10-401**

(http://www.tn.gov/safety/duioutline.shtml)

Implied Consent - Refusal to Submit to Blood Alcohol (BAC) [55-10-406]

- Revocation of Driver’s License for 1 year - 1st offense
- Revocation of Driver’s License for 2 years - 2nd offense
- Revocation of Driver’s License for 2 years if crash resulted in bodily injury (Most Aggravated Drunk Driving Law)
- Revocation of Driver’s License for 5 years if crash resulted in a death (Most Aggravated Drunk Driving Law)

1st Time DUI Offender - .08 (BAC) [55-10-401] [55-10-403]

- 48 hours up to 11 months, 29 days for offenders in violation of 55-10-401
- .20 BAC or greater minimum jail time 7 consecutive days
- License revocation for 1 year
- You will be ordered to participate in an alcohol and drug treatment program
- Pay restitution to any person suffering physical injury or personal loss
- $350-$1,500 fine
- With towing, bail, attorney, high risk insurance, court costs, school, and reinstatement fees, your first offense average costs could add up to $4,900
- Judge can order you to install an Ignition Interlock Device at your expense. Minimum first year costs could exceed $1,000.00
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense
- Drug and Alcohol Treatment may be required at the judge's discretion

2nd Time DUI Offender

- 45 days to 11 months, 29 days in jail
- $600-$3,500 mandatory fine
- License revocation for 2 years/Restricted License available after first year
- Subject to vehicle seizure/forfeiture
- You will be ordered to attend an alcohol and drug treatment program
- The judge can order you to install an Ignition Interlock Device at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense
- Pay restitution to any person suffering personal injury or loss

3rd Time DUI Offender

- 120 days to 11 months, 29 days in jail
- $1,100 to $10,000 mandatory fines
- License revocation for 6-10 years/NO restricted license available
- Subject to vehicle seizure/forfeiture
- Alcohol and drug treatment program
- Judge could order an Ignition Interlock Device installed at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense

4th and Subsequent DUI Offender

- Class E Felony
- 1 Year (365) days of jail time with a minimum of 150 consecutive days served
- $3,000 to $15,000 mandatory fine
- License revocation for 8 years/NO restricted license available
- Subject to vehicle seizure/forfeiture
- Alcohol and drug treatment program
- Judge could order an Ignition Interlock Device installed at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense

Vehicular Assault - Serious injury to another person by a DUI driver

- Class D Felony \([39-13-106]\)
- License revocation from 1 to 5 years according to number of prior offenses
- Jail time 2 to 12 years according to range \([40-35-112]\)
- Plus fines and court costs
- No restricted driver license is available

Child Endangerment - DUI with passenger under 18 years old

- Class D felony if child suffers serious injury \([55-10-403]\) \([40-35-112]\)
- 2 to 12 years jail time
- Class B Felony if child death involved
- 8 to 30 years jail time
- License revocation

Note: Sentence length depends on a number of factors, including the person's criminal history

Vehicular Homicide

- Class B Felony \([39-13-213]\) \([40-35-112]\)
- Fatal crash caused by DUI with .08 BAC or more
- License revocation for 3-10 years/NO restricted license available
- No restricted driver license is available

Aggravated Vehicular Assault While Driving Intoxicated

- Class A Felony \([39-13-218]\) \([40-35-112]\)
- If any of the following conditions are present: Two or more prior (a) DUI conviction, (b) Vehicular assault convictions or, (c) any combination
- One prior Vehicular Homicide
- A BAC of .20 or greater at the time of the vehicular homicide has (1) one prior DUI or Vehicular Assault offense

Fees to reinstate a driver license after alcohol-related offenses

Implied Consent Refusal to Submit to Blood Alcohol T.C.A. 55-10-406
- $100 reinstatement fee
- $50 fee if filing of financial responsibility (SR-22) is required
- $75 fee for failure to surrender driver license may be required
- Required to apply for valid license & pay appropriate driver license fee


- $20 reinstatement fee
- $75 fee for failure to surrender driver license may be required
- Required to apply for valid license & pay appropriate driver license fee

All other DUI Type Offenses

- $100 reinstatement fee
- $3 certification fee if violation occurred in Tennessee
- $50 fee if filing of financial responsibility (SR-22) is required
- $75 fee for failure to surrender driver license may be required
- Required to apply for valid license & pay appropriate driver license fee

Penalties for drug and alcohol-related offenses committed by minors

Drug Free Youth Act Offenses (Ages 13 – 17) T.C.A. 55-10-701

- License suspension for 1 year or until person reaches age 17, whichever longer for 1st offense & may apply to court for early withdrawal of suspension after serving 90 days
- License suspension of 2 years or until person reaches age 18, whichever longer for 2nd offense & may apply to court for early withdrawal of suspension after serving 1 year
- Restricted license can be issued on 1st offense at court discretion, however, on 2nd offense must serve one year of suspension before eligible for restricted

Underage Possession of Alcohol (Age 18 -21) T.C.A. 57-5-301

- License suspension for 1 year or until person reaches age 17, whichever longer for 1st offense & may apply to court for early withdrawal of suspension after serving 90 days
- License suspension of 2 years or until person reaches age 18, whichever longer for 2nd offense & may apply to court for early withdrawal of suspension after serving 1 year
- Restricted license can be issued on 1st offense at court discretion, however, on 2nd offense must serve one year of suspension before eligible for restricted

Driving While Impaired (Age 16 – 20) T.C.A 55-10-415
- License revocation for 1 year/No provision for restricted license
- $250 fine
- Court may impose public service work

**Tennessee Statutory Sanctions for Illegal Drugs Manufacture or Delivery**

It is a crime in Tennessee for a person to knowingly manufacture a controlled substance; deliver a controlled substance; sell a controlled substance; or possess a controlled substance with intent to manufacture, deliver or sell such controlled substance. T.C.A. § 39-17-417. Controlled substances are classified according to their potential for abuse, utility in medical treatment, and potential for dependency. The Tennessee Drug Control Act of 1989, T.C.A. § 39-17-401 et seq., establishes the following schedule of controlled substances:

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Description</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>High potential for abuse; no accepted medical use in treatment or lacks accepted safety for use in treatment under medical supervision.</td>
<td>This includes certain opiates (e.g., heroin); hallucinogens (e.g., LSD); depressants (e.g., methaqualone) and stimulants (e.g., MDMA).</td>
</tr>
<tr>
<td>II</td>
<td>High potential for abuse; has currently accepted medical use in treatment, or currently accepted medical use with severe restrictions; abuse of the substance may lead to severe psychic or physical dependence.</td>
<td>Examples: cocaine, morphine, amphetamines, amobarbital.</td>
</tr>
<tr>
<td>III</td>
<td>Potential for abuse less than the substances listed in Schedules I and II; has currently accepted medical use in treatment; and may lead to moderate or low physical dependence or high psychological dependence.</td>
<td>Examples: Anabolic steroids.</td>
</tr>
<tr>
<td>IV</td>
<td>Low potential for abuse relative to substances in Schedule III; has currently accepted medical use in treatment; and may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III.</td>
<td>Examples: Phenobarbital and Fenfluramine.</td>
</tr>
<tr>
<td>V</td>
<td>Low potential for abuse relative to the controlled substances listed in Schedule IV; has currently accepted medical use in treatment in the United States; and has limited physical dependence or psychological dependence liability relative.</td>
<td>Example: A medicine containing not more than two hundred (200) milligrams of codeine per one hundred (100) grams;</td>
</tr>
</tbody>
</table>
to the controlled substances listed in Schedule IV.

Schedule VI  Tetrahydrocannabinols  Marijuana; hashish; synthetic equivalents

Schedule VII.  Butyl nitrite and any isomer thereof

The following table sets forth the basic levels of offenses involving manufacture, sale, distribution, or possession with intent distribute, the various levels of scheduled controlled substances. However, one must understand that the law provides additional penalties for violations involving large amounts of numerous substances, including heroin, cocaine, LSD, morphine, peyote, barbiturates and amphetamines.

<table>
<thead>
<tr>
<th>Level of Controlled Substance</th>
<th>Level of Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule I</td>
<td>Class B felony</td>
</tr>
<tr>
<td>Cocaine (.5 grams or more)</td>
<td>Class B felony and an additional fine of no more than one hundred thousand dollars ($100,000)</td>
</tr>
<tr>
<td>Schedule II, including cocaine (less than .5 grams)</td>
<td>Class C felony</td>
</tr>
<tr>
<td>Schedule III</td>
<td>Class D felony</td>
</tr>
<tr>
<td>Schedule IV</td>
<td>Class D felony</td>
</tr>
<tr>
<td>Schedule V</td>
<td>Class E felony</td>
</tr>
<tr>
<td>Schedule VI</td>
<td>Depends on amount; see table below</td>
</tr>
<tr>
<td>Schedule VII</td>
<td>Class E Felony</td>
</tr>
</tbody>
</table>

The following table sets forth the levels of offenses involving manufacture, sale, distribution, or possession with intent distribute, of marijuana and hashish (resin containing the active ingredient THC), based on quantities seized:

<table>
<thead>
<tr>
<th>Marijuana</th>
<th>Hashish</th>
<th>Level of Offense (and additional fine)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than ½ ounce</td>
<td>--</td>
<td>Class A misdemeanor</td>
</tr>
<tr>
<td>1/2 ounce to 10 lbs.</td>
<td>up to 2 lbs.</td>
<td>Class E felony + $5,000 fine</td>
</tr>
<tr>
<td>10 to 70 lbs.; 10 to 19 plants regardless of weight</td>
<td>2 to 4 lbs.</td>
<td>Class D felony + $50,000 fine</td>
</tr>
</tbody>
</table>

*The table above is illustrative and not exhaustive. For more detailed information, consult the relevant legal documents.*
Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Denial of Federal Aid (20 USC 1091)

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

Forfeiture of Personal Property and Real Estate (21 USC 853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

<table>
<thead>
<tr>
<th>Plants/weight</th>
<th>Weight</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 to 99</td>
<td>4 to 8 lbs.</td>
<td>Class C felony + $100,000 fine</td>
</tr>
<tr>
<td>70 to 300</td>
<td>8 to 15 lbs.</td>
<td>Class B felony + $200,000 fine</td>
</tr>
<tr>
<td>More than 300</td>
<td>15 lbs. or more</td>
<td>Class A felony + $500,000 fine</td>
</tr>
</tbody>
</table>

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to $8 million.
Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

<table>
<thead>
<tr>
<th>Drug/Substance</th>
<th>Amount</th>
<th>Penalty - 1st Conviction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbiturates</td>
<td>Any amount</td>
<td>Up to 5 years prison. Fine up to $250,000</td>
</tr>
<tr>
<td>Cocaine</td>
<td>5 kgs. or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td></td>
<td>Less than 100 grams</td>
<td>10-63 months prison. Fine up to $1 million</td>
</tr>
<tr>
<td>Crack Cocaine</td>
<td>50 grams or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td></td>
<td>5-49 grams</td>
<td>Not less than 5 years prison, not more than 40 years. Fine up to $2 million</td>
</tr>
<tr>
<td></td>
<td>5 grams or less</td>
<td>10-63 months prison. Fine up to $1 million</td>
</tr>
<tr>
<td>Ecstasy</td>
<td>Any amount</td>
<td>Up to 20 years imprisonment. Fine up to $1 million. 3 years of supervised releases (following prison)</td>
</tr>
<tr>
<td>GHB</td>
<td>Any amount</td>
<td>Up to 20 years imprisonment. Fine up to $1 million. 3 years of supervised releases (following prison)</td>
</tr>
<tr>
<td>Hashish</td>
<td>10-100 kg</td>
<td>Up to 20 years imprisonment. Fine up to $1 million.</td>
</tr>
<tr>
<td></td>
<td>10 kg or less</td>
<td>Up to 5 years imprisonment. Fine up to $250,000</td>
</tr>
<tr>
<td>Hash Oil</td>
<td>1-100 kg</td>
<td>Up to 20 years imprisonment. Fine up to $1 million.</td>
</tr>
<tr>
<td></td>
<td>1 kg or less</td>
<td>Up to 5 years imprisonment. Fine up to $250,000</td>
</tr>
<tr>
<td>Heroin</td>
<td>1 kg or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td>Substance</td>
<td>Amount</td>
<td>Penalty Description</td>
</tr>
<tr>
<td>------------</td>
<td>--------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>Ketamine</td>
<td>100-999 grams</td>
<td>Not less than 5 years prison, not more than 40 years. Fine up to $2 million</td>
</tr>
<tr>
<td></td>
<td>100 grams or less</td>
<td>10-63 months prison. Fine up to $1 million</td>
</tr>
<tr>
<td>LSD</td>
<td>Any amount</td>
<td>Up to 5 years imprisonment. Fine up to $250,000. 2 years supervised release</td>
</tr>
<tr>
<td></td>
<td>10 grams or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td></td>
<td>1-10 grams</td>
<td>Not less than 5 years prison, not more than 40 years. Fine up to $2 million</td>
</tr>
<tr>
<td>Marijuana</td>
<td>1000 kg or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td></td>
<td>100-999 kg</td>
<td>Not less than 5 years prison, not more than 40 years. Fine up to $2 million</td>
</tr>
<tr>
<td></td>
<td>50-99 kg</td>
<td>Up to 20 years imprisonment. Fine up to $1 million</td>
</tr>
<tr>
<td></td>
<td>50 kg or less</td>
<td>Up to 5 years imprisonment. Fine up to $250,000</td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>50 grams or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td></td>
<td>10-49 grams</td>
<td>Not less than 5 years prison, not more than 40 years. Fine up to $2 million</td>
</tr>
<tr>
<td></td>
<td>10 grams or less</td>
<td>10-21 months prison. Fine up to $1 million</td>
</tr>
<tr>
<td>PCP</td>
<td>100 grams or more</td>
<td>Not less than 10 years prison, not more than life. Fine up to $4 million</td>
</tr>
<tr>
<td></td>
<td>10-99 grams</td>
<td>Not less than 5 years prison, not more than 40 years. Fine up to $2 million</td>
</tr>
<tr>
<td>Substance</td>
<td>Amount</td>
<td>Penalty</td>
</tr>
<tr>
<td>-----------</td>
<td>--------</td>
<td>---------</td>
</tr>
<tr>
<td>Rohypnol</td>
<td>1 gram or more</td>
<td>Up to 20 years imprisonment. Fine up to $1 million</td>
</tr>
<tr>
<td></td>
<td>less than 30 mgs</td>
<td>Up to 5 years imprisonment. Fine up to $250,000</td>
</tr>
</tbody>
</table>

**Federal Drug Possession Penalties (21 USC 844)**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than $1,000 up to a maximum of $100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of $2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of $5,000. Possession of drug paraphernalia is punishable by a minimum fine of $750.

Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to $250,000, or both if:

A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Civil penalties of up to $10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

**Health Risks of Commonly Abused Substances**

The following information on health risks is from *What Works: Schools Without Drugs*, U. S. Department of Education (2012).

The drugs students are taking today are more potent, more dangerous, and more addictive than ever. Adolescents are particularly vulnerable to the effects of drugs. Drugs threaten normal development in a number of ways:

- Drugs can interfere with memory, sensation, and perception. They distort experiences and cause a loss of self-control that can lead users to harm themselves and others.
- Drugs interfere with the brain's ability to take in, sort, and synthesize information. As a result, sensory information runs together, providing new sensations while blocking normal ability to understand the information received.
Drugs can have an insidious effect on perception; for example, cocaine and amphetamines often give users a false sense of functioning at their best while on the drug.

Drug suppliers have responded to the increasing demand for drugs by developing new strains, producing reprocessed, purified drugs, and using underground laboratories to create more powerful forms of illegal drugs. Consequently, users are exposed to heightened or unknown levels of risk.

- The marijuana produced today is from five to 20 times stronger than that available as recently as 10 years ago. Regular use by adolescents has been associated with an "a motivational syndrome," characterized by apathy and loss of goals. Research has shown that severe psychological damage, including paranoia and psychosis, can occur when marijuana contains 2 percent THC, its major psychoactive ingredient. Since the early 1980s, most marijuana has contained from 4 to 6 percent THC—two to three times the amount capable of causing serious damage.
- Crack is a purified and highly addictive form of cocaine.
- Phencyclidine (PCP), first developed as an animal tranquilizer, has unpredictable and often violent effects. Often children do not even know that they are using this drug when PCP-laced parsley in cigarette form is passed off as marijuana, or when PCP in crystal form is sold as lysergic acid (LSD).
- Some of the new "designer" drugs, slight chemical variations of existing illegal drugs, have been known to cause permanent brain damage with a single dose.

Drug Use and Learning

Drugs erode the self-discipline and motivation necessary for learning. Pervasive drug use among students creates a climate in the schools that is destructive to learning. Research shows that drug use can cause a decline in academic performance. This has been found to be true for students who excelled in school prior to drug use as well as for those with academic or behavioral problems prior to use. According to one study, students using marijuana were twice as likely to average D's and F's as other students. The decline in grades often reverses when drug use is stopped.

Drug use is associated with crime and misconduct that disrupt the maintenance of an orderly and safe school conducive to learning. Drugs not only transform schools into marketplaces for dope deals, they also lead to the destruction of property and to classroom disorder. Heavy drug users are two-and-one-half times as likely to vandalize school property and almost three times as likely to be involved in a fight at school as nonusers. Students on drugs create a climate of apathy, disruption, and disrespect for others. A drug-ridden environment is a strong deterrent to learning not only for drug users, but for other students as well.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.
<table>
<thead>
<tr>
<th>Drug</th>
<th>Common Names</th>
<th>Physical Effects</th>
<th>Psychological Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>Slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts, toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphetamines</td>
<td>Uppers, speed, meth, crack, crystal, ice, pep pills</td>
<td>Increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety, delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence.</td>
<td></td>
</tr>
<tr>
<td>Barbiturates and Tranquilizers</td>
<td>Barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's</td>
<td>Slurred speech, muscle relaxation, dizziness, decreased motor control, severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence.</td>
<td></td>
</tr>
<tr>
<td>Cocaine</td>
<td>Coke, cracks, snow, powder, blow, rock</td>
<td>Loss of appetite, increased blood pressure and heart rate, contracted blood vessels, nausea, depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage.</td>
<td></td>
</tr>
<tr>
<td>Drug</td>
<td>Common Names</td>
<td>Effects</td>
<td>Long-Term Effects</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>Hyper-stimulation</td>
<td>Anxiety, paranoia, increased hostility</td>
<td>Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep,</td>
<td>Injury, kidney, liver and lung damage</td>
</tr>
<tr>
<td>GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm</td>
<td>Euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure</td>
<td>Memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence</td>
<td></td>
</tr>
<tr>
<td>Heroin</td>
<td>H, junk, smack, horse, skag</td>
<td>Euphoria, flushing of the skin, dry mouth, “heavy” arms and legs, slowed breathing, muscular weakness</td>
<td>Constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence</td>
</tr>
<tr>
<td>Ketamine</td>
<td>K, super K, special K</td>
<td>Dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression</td>
<td>Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence,</td>
</tr>
<tr>
<td>Drug</td>
<td>Common names</td>
<td>Side effects</td>
<td>Long-term effects</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>LSD</td>
<td>acid, stamps, dots, blotter, A-bombs</td>
<td>dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes</td>
<td>may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence</td>
</tr>
<tr>
<td>MDMA</td>
<td>ecstasy, XTC, adam, X, rolls, pills</td>
<td>impaired judgment, confusion, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension</td>
<td>same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss, kidney failure, cardiovascular problems, convulsions, death, physical dependence, psychological dependence</td>
</tr>
<tr>
<td>Marijuana/Cannabis</td>
<td>pot, grass, dope, weed, joint, bud, reefer, doobie, roach</td>
<td>sensory distortion, poor coordination of movement, slowed reaction time, panic, anxiety</td>
<td>bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some</td>
</tr>
<tr>
<td>Mescaline</td>
<td>peyote cactus</td>
<td>nausea, vomiting, anxiety, delirium, hallucinations,</td>
<td>lasting physical and mental trauma, intensified existing</td>
</tr>
<tr>
<td>Substance</td>
<td>Common Names</td>
<td>Effects</td>
<td>Complications</td>
</tr>
<tr>
<td>-----------------</td>
<td>------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Morphine/Opiates</td>
<td>M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff</td>
<td>euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs</td>
<td>constipation, loss of appetite, collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence</td>
</tr>
<tr>
<td>PCP</td>
<td>crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone</td>
<td>shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking</td>
<td>memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence</td>
</tr>
<tr>
<td>Psilocybin</td>
<td>mushrooms, magic mushrooms, shrooms, caps, psilocybin &amp; psilocyn</td>
<td>nausea, distorted perceptions, nervousness, paranoia, confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,</td>
<td></td>
</tr>
<tr>
<td>Steroids</td>
<td>roids, juice</td>
<td>increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure</td>
<td>Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing</td>
</tr>
</tbody>
</table>
attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

**Counseling and Treatment**

Short term alcohol and other drug counseling and treatment is available on campus to students through the Counseling and Personal Development Center. Students may be referred through the Counseling Center to other treatment programs for more intensive treatment. Through the UTC Human Resources department, Magellan Behavioral Health offers employees additional education and counseling, as well as appropriate referrals.

**UTC ON-CAMPUS RESOURCES –**

<table>
<thead>
<tr>
<th>Department</th>
<th>Phone</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counseling and Personal Development Center</td>
<td>423-425-4438</td>
<td><a href="http://www.utc.edu/counseling">http://www.utc.edu/counseling</a></td>
</tr>
<tr>
<td>Alcohol and Drug Prevention and Education</td>
<td>423-425-4438</td>
<td><a href="http://www.utc.edu/alcohol-drug-education/">http://www.utc.edu/alcohol-drug-education/</a></td>
</tr>
<tr>
<td>Student Health Services</td>
<td>423-425-2266</td>
<td><a href="http://www.utc.edu/student-health-services/">http://www.utc.edu/student-health-services/</a></td>
</tr>
<tr>
<td>Dean of Students Office</td>
<td>423-425-4761</td>
<td><a href="http://www.utc.edu/dean-students/">http://www.utc.edu/dean-students/</a></td>
</tr>
<tr>
<td>Department of Public Safety</td>
<td>423-425-4357</td>
<td><a href="http://www.utc.edu/public-safety/">http://www.utc.edu/public-safety/</a></td>
</tr>
<tr>
<td>Office of Human Resources</td>
<td>423-425-4221</td>
<td><a href="http://www.utc.edu/human-resources/">http://www.utc.edu/human-resources/</a></td>
</tr>
<tr>
<td>Employee Assistance Program (Magellan Behavioral Health)</td>
<td>855-437-3486</td>
<td><a href="http://www.state.tn.us/finance/ins/eap.shtml">http://www.state.tn.us/finance/ins/eap.shtml</a></td>
</tr>
</tbody>
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**CHATTANOOGA COMMUNITY RESOURCES -**

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Website</th>
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</thead>
<tbody>
<tr>
<td>Emergency Services</td>
<td>911</td>
<td></td>
</tr>
<tr>
<td>Hamilton County Coalition</td>
<td>423-305-1449</td>
<td><a href="http://www.hccoalition.org/">http://www.hccoalition.org/</a></td>
</tr>
<tr>
<td>Hamilton County Sheriff’s Office</td>
<td>423-209-7000</td>
<td><a href="http://www.hcsheriff.gov/">http://www.hcsheriff.gov/</a></td>
</tr>
</tbody>
</table>
CHATTANOOGA ALCOHOL, DRUG & MENTAL HEALTH TREATMENT RESOURCES

<table>
<thead>
<tr>
<th>Name</th>
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<th>Website</th>
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</thead>
<tbody>
<tr>
<td>Bradford Health Services</td>
<td>866-246-3216</td>
<td><a href="https://bradfordhealth.com/">https://bradfordhealth.com/</a></td>
</tr>
<tr>
<td>CADAS</td>
<td>423-756-7644</td>
<td><a href="http://www.cadas.org/">http://www.cadas.org/</a></td>
</tr>
<tr>
<td>Focus Treatment Center</td>
<td>423-308-2560</td>
<td><a href="http://focustreatmentcenters.com/">http://focustreatmentcenters.com/</a></td>
</tr>
<tr>
<td>Volunteer Behavioral Health Center</td>
<td>423-634-8884</td>
<td><a href="https://www.vbhcs.org/">https://www.vbhcs.org/</a></td>
</tr>
<tr>
<td>Parkridge/Valley</td>
<td>423-894-4220</td>
<td><a href="http://parkridgevalley.com/">http://parkridgevalley.com/</a></td>
</tr>
</tbody>
</table>

Prevention and Education

Through the Counseling and Personal Development Center the Assistant Director for Alcohol, Drug, and Mental Health and other departments and offices, a variety of prevention, education, group, individual and community programs and interventions aimed at reducing harm and negative consequences related to alcohol and drug use. Interventions include but are not limited to social norms messaging, alcohol-free alternative events, bystander intervention training, assessments, and programming. As mandated by the Drug-Free Schools and Campuses Act, this policy is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. For more information concerning current programs, interventions and policies, contact Tricia Henderson at tricia-henderson@utc.edu or 423-425-4438.

In accordance with Americans with Disabilities Act of 1990, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the University. Further, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the University or be subjected to discrimination by the University.
Appendix A

Student Code of Conduct and Disciplinary Procedures

Introduction

(1) Students at the University of Tennessee at Chattanooga are members of both the University community and the larger community of which the University is a part. Accordingly, students are responsible for conducting themselves in a lawful manner and in compliance with University rules and policies. The University has established the following rules in order to advance the mission of the University by maintaining a safe and secure learning environment, protecting the rights and privileges of all members of the University community, providing a basis for orderly conduct of the affairs of the University, promoting a positive relationship between the University and its surrounding community, preserving institutional integrity and property, encouraging students to engage in conduct that brings credit to themselves and the University, and ensuring that each student who matriculates at the University graduates ready to contribute to society as an ethical and law-abiding citizen.

(2) The University of Tennessee is committed to respecting students’ constitutional rights. Nothing in this chapter is intended or shall be interpreted to restrict students’ constitutional rights, including but not limited to, rights of freedom of speech and assembly.

(3) Disputes between student organizations (including fraternity/sorority cases which may be within the jurisdiction of the appropriate Greek governing council and/or the Dean of Students office) shall be subject to the jurisdiction of the Vice Chancellor for Student Development or his or her designee.

(4) The Vice Chancellor for Student Development or his or her designee shall have jurisdiction over disputes between individual students and student organizations when such arbitration is requested by either of the parties involved.

Definitions

(1) The term “University” means the University of Tennessee at Chattanooga.

(2) The term “student” means a person admitted, enrolled or registered for study at the University of Tennessee at Chattanooga, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, as well as non-degree students. Persons not officially registered or enrolled for a particular term but who have a continuing relationship with the University also are considered students for purposes of these rules.

(3) The term “student organization” means an organization that is composed solely of University students that has submitted a pending application or has completed the process for registration according to University rules.

(4) The term “University-controlled property” means all land, buildings, facilities, grounds, structures, or any other property owned, leased, used, maintained, or includes computers and network systems owned, maintained, or controlled by the University or funded by the University.

(5) The term “University-affiliated activity” means any activity on or off University-controlled property that is initiated, aided, authorized, sponsored, or supervised by the University.

(6) The term “University official” means an employee of the University, including faculty members and staff, or a University-recognized volunteer. Student employees may be considered University officials when acting in the performance of their duties (e.g., event staff, resident assistants, and teaching assistants).

(7) The term “member of the University community” means any person who is a student, University official, campus visitor, or participant in a University-sponsored or University-affiliated activity.

(8) The term “possession” means actual knowledge of a substance or property and/or being in such close proximity to the substance or property that it is a reasonable presumption that one had knowledge of the substance or property.

(9) The term “weapon” means any device, instrument, or substance that is designed to, or reasonably could be expected to, inflict a wound, incapacitate, or cause serious bodily injury or death, including, but not limited to, firearms (loaded and unloaded, real and replica), ammunition, electronic control devices (such as tasers and stun guns), devices designed to discharge an object (such as bb guns, air guns, pellet guns, potato guns, and slingshots), explosives, dangerous chemicals (such as mace, tear gas, and oleoresin capiscum), martial arts weapons, bows and arrows, artificial knuckles, nightsticks, blackjacks, dirks, daggers, swords, and knives with fixed blades longer than three (3) inches. The term “weapon” does not include chemical repellents available over-the-counter for self-defense; instruments used solely for personal hygiene, preparation of food, maintenance, University-related instruction, or University employment-related duties.

(10) The term “notice” means notice given in writing delivered by regular mail, courier service, or hand delivery to the address the University has on file for the student or student organization, or by e-mail to the student’s or student organization’s University-provided e-mail account.

Jurisdiction

(1) The Standards of Conduct apply to conduct that occurs on University-controlled property.

(2) The University also has the discretion to discipline a student for an act in violation of the Standards of Conduct if the conduct adversely affects the interests of the University, including, but not limited to, conduct which:

(a) Occurs in connection with a University-affiliated activity, including, but not limited to, an overseas study program or a clinical, field, internship, or in-service experience;
The Standards of Conduct have been adopted in furtherance of the University’s interests and serve to supplement, rather than substitute for, the enforcement of the civil and criminal law. Accordingly, University disciplinary action may be instituted against a student charged with conduct that potentially violates both the criminal law and the Standards of Conduct without regard to the pendency of criminal charges or civil litigation. At the discretion of the Vice Chancellor for Student Development, or his/her designee, disciplinary action relating to a violation of the Standards of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings. Students accused of violating the Standards of Conduct may not challenge the University disciplinary proceedings on the grounds that criminal charges, civil litigation, or other University proceedings regarding the same incident are pending or have been terminated, dismissed, reduced, or not yet adjudicated.

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if conduct is not discovered by the University until after a degree is awarded). Should a student withdraw from the University with disciplinary charges pending, the student’s academic record and/or ability to register for classes may be encumbered by the appropriate University office.

Graduate or professional programs within the University may initiate charges against students for alleged violations of professional standards or ethics as a separate issue or as an extension of alleged acts of academic dishonesty or other violations of the Standards of Conduct.

### Standards of Conduct

A student or student organization may be disciplined for the following types of misconduct:

1. Cheating, plagiarism, or any other act of academic dishonesty, including, but not limited to, an act in violation of The Honor Code.

2. Providing false information to a University official.

3. Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.

4. Forging, altering, destroying, falsifying, or misusing records, identification, or documents, whether in print or electronic form.

5. Causing physical harm to any person (including oneself); endangering the health or safety of any person (including oneself); engaging in conduct that causes a reasonable person to fear harm to his/her health or safety; or making an oral or written statement (including electronically) that an objectively reasonable person 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, although the speaker need not mean to carry out the act of unlawful violence in order to constitute a violation of this rule.

6. Harassment, which is defined as unwelcome conduct that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech).

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

8. Invasion of another person’s privacy when that person has a reasonable expectation of privacy, including, but not limited to, using electronic or other means to make a video or photographic record of any person in a location in which the person has a reasonable expectation of privacy, without the person’s knowledge or consent. This includes, but is not limited to, making a video or photographic record of a person in shower/locker rooms or restrooms. The storing, sharing, and/or distributing of such unauthorized recordings by any means is also prohibited.

9. Theft, misappropriation, unauthorized possession, or unauthorized sale of private or public property, including but not limited to University-controlled property.

10. Vandalizing, destroying, damaging, engaging in conduct that reasonably could cause damage to, or misusing private or public property, including but not limited to University-controlled property.

11. Participating in hazing. “Hazing” is defined as any intentional or reckless act, on or off University-controlled property, by one (1) student, acting alone or with others, which is directed...
against any other student, which endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety. “Hazing” does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

(12) Engaging in disorderly, lewd, indecent, or obscene conduct. “Disorderly” conduct means fighting or otherwise violently or threatening conduct; creating a hazardous or physically offensive condition by any act that serves no legitimate purpose; making noise that could unreasonably disturb others who are carrying on lawful activities; or conduct that breaches the peace. “Lewd, indecent, or obscene” conduct includes, but is not limited to, public exposure of one’s sexual organs, public urinating, and public sexual acts.

(13) Engaging in speech, either orally or in writing, which is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

(14) 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.

(15) Possessing, using, or duplicating University keys, access cards, or identification cards without authorization; possessing, using, or entering University-controlled property without authorization.

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(16) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes, including, but not limited to: unauthorized entry into or transfer of a file; using another person’s identification and/ or password without that person’s consent; using information technology facilities or resources to interfere with the work of another student, faculty member, staff member, or other member of the University community; using information technology facilities or resources to interfere with normal operation of a University information technology system or network; circumventing University information technology system or network security; using information technology facilities or resources in violation of copyright laws; falsifying an e-mail header; and conduct that violates the University’s policy on the Acceptable Use of Information Technology Resources.

(17) Possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

(18) 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.

(19) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.

(20) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

(21) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

(22) Failing to pay a University bill, account, or other University financial obligation.

(23) Failing to respond to a request to report to a University administrative office; failing to comply with a lawful directive of a University employee or other public official acting within the scope of his/her duties; or failing to identify oneself to a University employee or other public official acting within the scope of his/her duties when requested to do so.

(24) Failing to appear at a University hearing, including, but not limited to, a hearing of a University judicial board, following a request to appear either as a party or as a witness.

(25) Violating the terms of an interim suspension, a no-contact directive, or a disciplinary penalty imposed by the University.

(26) Obstructing or disrupting teaching, learning, studying, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, or the free flow of pedestrian or vehicular traffic on University-controlled property. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.

(27) Violating a University policy or rule, including but not limited to University policies or rules relating to facilities use, smoking, the acceptable use of information technology resources, research or service misconduct, finder’s fees relating to clinical investigations involving human subjects or access to University data or materials, University libraries, dining services, parking or transportation, University identification card use, sexual harassment, residence halls, and registered student organizations.

(28) Committing an act that is prohibited by local, state, or federal law.

(29) Attempting to commit a violation of a Standard of Conduct or being an accessory to the commission of an act or attempted act in violation of a Standard of Conduct.

Residence Hall Inspections

(1) Entry by University officials into occupied rooms in residence halls will be divided into three categories: inspection, search, and emergency. Inspection is defined as the entry into an occupied room by University officials in order to ascertain the health and safety conditions in the room, or to make repairs on facilities, or to perform cleaning and janitorial operations. Search is defined as the entry into an occupied room
by on-campus authorities for the purpose of investigating suspected violations of campus regulations and/or city, state, or federal law. An emergency situation exists when the delay necessary to obtain search authorization constitutes an apparent danger to persons, property, or the building itself.

(2) Inspection: Scheduled inspections by University officials, with the exception of daily janitorial and maintenance operations, shall be preceded, if possible, by twenty-four (24) hours’ notice to the residents. During the inspection, there will be no search of drawers or closets or personal belongings.

(3) Search: University officials will not enter a room for purposes of a search except in compliance with state law or with the permission of the resident or the permission of the Vice Chancellor for Student Development or his or her designee. University officials shall have, if possible, the Resident Director or his or her designee accompany them on the search.

**Due Process, Student Rights, and Student Organization Rights.**

(1) Due process shall guarantee to the accused student or student organization the following:

(a) The right to be informed of charges in writing prior to the hearing.

(b) The right of reasonable time in which to prepare a defense.

(c) The right to a fair and just hearing.

(d) The right to challenge all charges and testimony used against the accused student or student organization and to question witnesses.

(e) The right to be informed in writing of:

1. The final decision of the case.

2. The proper procedure for appeal.

(f) The right to be accompanied by an advisor he/she/it chooses, at his/her/its own expense.

1. The accused student or student organization is responsible for presenting his/her/its own information, and therefore, advisors are not to speak or participate directly in a University hearing.
2. A student or student organization should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University hearing.

3. Delays will not normally be allowed due to the scheduling conflicts of an advisor.

(2) Any student or student organization shall be formally charged in writing with the alleged offense. The date, time, and place of occurrence of the offense shall be stated on the statement of charges.

(3) The Dean of Students office must keep accurate records of each hearing and the disposition of each case.

(4) In cases involving a complaint of sexual assault or misconduct, the alleged victim shall have the right to:

(a) Notice concerning the process by which the University will handle the complaint and an opportunity to ask questions about the process;

(b) A prompt, thorough, and impartial investigation of the complaint;

(c) The same opportunity as the accused student to present his/her explanation of the facts during the University’s investigation;

(d) Have the investigation of the complaint concluded within sixty (60) days of the University’s receipt of a complaint, unless circumstances make it impracticable for the University to complete its investigation within that timeframe;

(e) Notice of the outcome of the University’s investigation;

(f) Have a disciplinary hearing conducted within thirty (30) days of a University charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the University to conduct a hearing within that timeframe;

(g) Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;

(h) The same access as the accused student to any information or documents that will be used by the University during a disciplinary hearing, unless prohibited by law;

(i) Challenge the seating of any Student Conduct Board member for good cause, which will be determined at the discretion of the University Hearing Officer;

(j) Be accompanied by an advisor of his/her choosing during the University’s investigation or a disciplinary hearing, but the advisor shall not be permitted to speak for the victim during a disciplinary hearing;

(k) The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary hearing;

(l) Testify or remain silent at his/her option; however, choosing to remain silent may result in the University dismissing the charges against the accused student or the Student Conduct Board or University Hearing Officer finding that there is insufficient evidence to find the accused student guilty of the charges against him/her;

(m) Not to be questioned personally by the accused student during the disciplinary hearing;

(n) Submit a written impact statement to the Student Conduct Board or University Hearing Officer for consideration during the sanctioning phase of the disciplinary hearing, if the accused student is found guilty of the charges against him/her;

(o) Notice of the decision of the Student Conduct Board or University Hearing Officer within three (3) business days of the disciplinary hearing; and

(p) Appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for Student Development.

### Student Conduct Hearing Procedures.

(1) Complaints

(a) Any member of the University community may present a complaint to the Dean of Students office against a student or student organization for violations of the Student Code. Any complaint should be submitted as soon as possible after the event takes place. Any charge(s) shall be prepared in writing by the Dean of Students office.

(b) All charges shall be presented to the accused student or student organization in written form.

(2) Hearing Options

(a) An accused student or student organization desiring to contest the charge(s) against them must do so by requesting a hearing within five (5) days of their receipt of written notice of the charge(s).

(b) The accused student or student organization may, at their option, request a hearing before a panel of individuals (Student Conduct Board) or by a University Hearing Officer selected by the Vice Chancellor for Student Development (or his or her designee). A hearing before a Student Conduct Board will be chaired by a Student Conduct Board or University Hearing Officer similarly selected. Board members and hearing officers shall be impartial and anyone lacking such impartiality shall recuse him/herself or may be removed by the Vice Chancellor for Student Development upon request of any party to a University hearing.
A requested hearing shall be scheduled promptly after receipt of the request.

In the absence of a voluntary written waiver of the accused student’s or student organization’s right to a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (T.C.A. § 4-5108, et seq.), a requested hearing will be conducted in accordance with the University’s APA hearing procedures and these procedures shall not apply.

Hearing Procedures – The Student Conduct Board or University Hearing Officer sitting alone will conduct the hearing within the following general guidelines:

(a) All University hearings shall be closed to the public.

IV. Student Rights & Responsibilities

(b) The accused student (and certain “victims” where permitted by law) or student organization, and their advisor, if any, shall be allowed to attend the entire portion of the University Hearing at which information is received (excluding deliberations).

(c) Each party will be afforded a full and fair opportunity to present all evidence, including witnesses, reasonably relating to the charge or action at issue; evidence which is irrelevant, immaterial, repetitious or voluminous may be limited.

(d) All procedural questions are determined by the University Hearing Officer.

(e) The Student Conduct Board or University Hearing Officer sitting alone will consider all evidence presented, giving due consideration to the credibility or weight of each item presented; technical rules of evidence will not apply.

(f) The standard for a finding of responsibility is a preponderance of the evidence.

(g) Following the conclusion of the University hearing, the Student Conduct Board or University Hearing Officer sitting alone will consider the evidence and present written findings.

(h) An appropriate record will be made of the hearing procedures. Deliberations shall not be recorded. Defects in the record will not invalidate the proceedings.

(4) In cases involving an allegation of sexual assault or misconduct, the hearing procedures shall be modified to afford the alleged victim all of the rights described in Chapter 1720-02-05-.06(4).

Penalties.

(1) Disciplinary penalties are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, discourage other students and student organizations from violating the Standards of Conduct, and protect members of the University community. The penalties imposed should be appropriate for the particular case based on the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other members of the University community). Consideration may also be given to the student’s or student organization’s conduct record, the student’s or student organization’s responsiveness to the conduct process, student academic classification, and other aggravating or mitigating factors.

(2) The following penalties may be imposed on any student found to have violated the Standards of Conduct:

(a) Warning. A warning is a notice that the student is violating or has violated the Standards of Conduct.

(b) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Privileges that may be lost include, but are not limited to, scholarships, stipends, participation in extracurricular activities (e.g. intramurals), housing privileges, participation in social activities, and use of certain University-controlled property (e.g., information technology resources).

(e) Educational Sanction. Students may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student Development or his/her designee.

(d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.

(e) Disciplinary Reprimand. A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand indicates that further violations will result in more severe disciplinary actions.

(f) Disciplinary Probation. This penalty permits a student to remain at the University on probationary status but with the understanding that a future violation of the Standards of Conduct may result in suspension. Probation may be for a defined or indefinite period. Other conditions of probation are specific to each individual case and may include a requirement of community service or other requirement or restriction.

(g) Suspension for a Specific Period of Time. Suspension for a specific period of time means that the student is withdrawn from the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may include a requirement of community service or other requirement or restriction. Upon return to the University following a suspension for a specific period of time, the student may be placed on indefinite disciplinary probation.

(h) Permanent Dismissal. Permanent dismissal means that a student is permanently barred from matriculating as a student on the Chattanooga campus. This penalty is used when the violation of one (1) or more of the institution’s Standards of Conduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; or when, by his/her repeated violation of the institution’s Standards of Conduct, a student exhibits blatant disregard for the health and safety of other members of the University community or the University’s right to establish rules of conduct.
(i) Revocation of Admission or Degree. Revocation of admission or degree means revoking a student's admission to the University or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee Board of Trustees.

(3) A disciplinary hold may be placed on a student's account until the completion of the student disciplinary process and/or until the student satisfies the terms and conditions of any penalties imposed. A student who at the time of commencement, is subject to a continuing disciplinary penalty or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of all penalties and/or resolution of all disciplinary charges.

(4) The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:

(a) Warning. A warning is a notice that the student organization is violating or has violated the Standards of Conduct.

(b) Educational Sanction. Representatives of student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee. (c) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.

(d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.

(e) Disciplinary Probation. Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Probation may be for a defined or indefinite period. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious penalties, including revocation of University registration.

(f) Revocation of University Recognition. In cases of serious misconduct, a student organization's University registration may be revoked.

(5) More than one (1) of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.

(6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

No Contact Directive.

In cases involving allegations of assault, injury, sexual abuse, harassment, or where there is reason to believe continued contact between a student/student organization and specific persons, including complainants and witnesses, may interfere with those persons' security, safety or ability to participate effectively in work or studies, the Vice Chancellor for Student Development, or his/her designee, may require that the student/student organization not have verbal, physical, or written contact with specific persons for a definite or indefinite period of time. The student/student organization will receive notice of the no contact directive. Any student, faculty or staff member or other person with a reasonable justification may request a no contact directive. In addition to an internal University no contact directive, complainants are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

Interim Suspension.

(1) When the Vice Chancellor for Student Development or his/her designee has reasonable cause to believe that a student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of the University, the Vice Chancellor for Student Development or his/her designee may impose an interim suspension prior to the conclusion of a full hearing on the alleged misconduct.

(2) An interim suspension shall be confirmed by notice to the student or student organization that explains the basis for the interim suspension and shall remain in effect until the conclusion of a full hearing in accordance with the rules of the University of Tennessee, which shall be held without undue delay.

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(3) Within three (3) business days of the imposition of the suspension, the student or student organization shall be offered an opportunity to appear personally before the Vice Chancellor for Student Development or his/her designee in order to discuss the following issues only: (i) the reliability of the information concerning the student’s or student organization’s conduct; and (ii) whether the conduct and surrounding circumstances reasonably indicate that the student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an imminent threat of disruption of or interference with the normal operations of the University.

(4) During an interim suspension, the student or student organization shall be denied access to University-controlled property, including residence halls, and all other University-affiliated activities or privileges for which the student or student organization might otherwise be eligible, as the Vice Chancellor for Student Development or his/her designee determines in his/ her sole discretion to be appropriate. A student or student organization who receives an interim suspension and violates the terms of the interim suspension shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on University-controlled property or participate in University-affiliated activities may be granted by the Vice Chancellor for Student Development or his/her designee.

Appeals.
(1) Decisions of the Student Conduct Board or University Hearing Officer sitting alone may be appealed to the Vice Chancellor for Student Development by delivering a signed statement containing:

(a) A statement that he/she appeals the decision;

(b) A brief statement of the grounds for the appeal. The appeal shall be submitted within five (5) business days of receiving written notification of the decision. The basis for filing an appeal is limited to the following grounds:

1. The student’s or student organization’s rights were violated in the hearing process;

2. New relevant material evidence or information has been provided that could not have been discovered at the time of the hearing;

3. The information presented did not support the decision by a preponderance of the evidence (more likely than not) standard; or

4. The sanction(s) imposed were not appropriate for the violation.

(2) The Vice Chancellor for Student Development may:

(a) Uphold the decision;

(b) Amend the decision;

(c) Return the case for reconsideration; or

(d) Overturn the decision.

(3) Either party may appeal to the Chancellor of the University. In cases involving a finding that a student is guilty of sexual assault or misconduct, the alleged victim shall have the right to appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for Student Development.
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Withdrawal or Temporary Suspension Due to Physical or Psychological Illness.

(1) When a student is unable to pursue his or her academic work effectively, or when his or her behavior is disruptive to the normal educational processes of the University, or constitutes a threat to members of the University community, due to, among other things, the use of alcohol, drugs, or a physical or mental incapacitating illness or condition, he or she may be withdrawn or temporarily suspended from the University as hereinafter provided.

(a) Withdrawal. A student may be withdrawn from the University only after an evaluation of his or her mental, physical condition, or behavior by a panel of at least three (3) persons appointed by the Vice Chancellor for Student Development. The student shall be notified of the reasons for the evaluation and given an opportunity to present evidence to the committee. He or she shall enjoy the rights of normal due process procedures. The committee’s findings and recommendations shall be forwarded to the Vice Chancellor for Student Development who will notify the student in writing of his or her decision. A student withdrawn under this procedure shall not be readmitted to the University without the approval of the Vice Chancellor for Student Development.

(b) Grades. When a student is suspended or withdrawn from the University for reasons described in this section, he or she will be assigned a grade of “W” or “I”.

(c) Committee Composition and Hearing. The panel referred to herein will include at least one (1) member of the faculty at large and representative of the Counseling Center or a psychologist. The Dean of Students or his or her designee would normally have responsibility for preparing the charges and presenting the case. The student in question would have the right to normal due process provisions.

(2) Temporary Suspension. Whenever a student, because of his or her mental or physical condition, is unable to pursue his or her academic work effectively, or is disruptive to educational processes or constitutes an apparent danger to persons or property, he or she may be suspended from the University for a reasonable period of time by the Vice Chancellor for Student Development. The University will then schedule a hearing within five (5) class days of the beginning of the suspension. If the University does not withdraw the student after the hearing, he or she may return to the University at the end of the suspension period.

Parking Appeals.

Appeals of student parking tickets are reviewed by the Student Parking Appeals Board. Decisions concerning the appeals are based on a majority vote of the Board.

Composition of Student Parking Appeals Board.

(1) The Student Parking Appeals Board shall be composed of six (6) student members plus a Chair and six (6) alternates. Two (2) students will be appointed by the Student Senate from the general student body. Two (2) students will be appointed by the faculty, one (1) appointed by the President of SGA, and one (1) appointed by the Office of Student Development. Each appointing body shall also appoint the alternates. An alternate will serve when a regular member cannot be present or when a member is excused for reasons such as personal friendship with the principals.

(2) All members must have a 2.00 cumulative grade point average and be enrolled as full time students and not be on any form of probation.

(3) The Chair will be elected by the Board and votes in case of a tie.

(4) A temporary chair will be elected by the members of the Board in the event:

(a) The Chair is a party to the case;
(b) The Chair is absent; or
(c) The Chair removes himself/herself from the case.

(5) Once appointed, students remain on the Student Parking Appeals Board until they terminate at the University, cease to be eligible to serve, or resign voluntarily.

Emergency Situations

When in the opinion of the Chancellor, conditions are such that there exists a clear and immediate danger to the physical safety or well-being of the members of the University community or safety of University property, he or she may direct that the accused student or organization be suspended pending initiation (and completion) of normal disciplinary proceedings provided those procedures are offered as soon as can reasonably be accomplished. The Chancellor may delegate this authority to the Vice Chancellor for Student Development.

Residence Hall Security

Guests of apartments are met at the apartment doors or as they inquire at the apartment office. Each residence hall and apartment complex is staffed by a resident director and numerous resident assistants, usually one per floor. The University currently employs two area coordinators, 6 resident directors and 75 resident assistants. Formal training of directors and assistants is conducted through cooperative efforts of the Housing Office and Department of Campus Law Enforcement.

Residents can gain access to the building, to their floor, and to their individual rooms only by a key or keycard issued them by the Housing Office. All apartment doors have deadbolt locks. Residents are urged to keep them closed and deadbolted at all times. Windows are screened, and those windows that are accessible from the ground or roofs are equipped with security bars and/or screen.

Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures or video presentations are presented to student residents covering such topics as date rape, theft prevention, fire safety,
The University maintains smoke and fire alarms in all residence halls. These N.F.P.A. approved alarm systems are monitored 24 hours a day in the Campus Law Enforcement Telecommunications Center as well as in each residence hall. Public safety personnel are trained to assist the Chattanooga Fire Department in building evacuations during fire or other emergencies. During holidays, spring break, or other low-occupancy periods students in apartments are allowed to remain in their designated housing areas. However, resident directors must be notified of their intentions of staying. Both the Housing Staff and the University Police Department make periodic exterior door checks during these low-occupancy periods.

**Special Procedures for Cases Involving Allegations of Sexual Offenses**

The following procedures have been adopted by UTC pursuant to federal legislation entitled Student Right-to-Know and Campus Security Act.

**Reporting a Sexual Offense**

When a rape/sexual offense is reported, the University will make every effort to see that the victim is offered both medical and psychological care as well as information about prosecuting the suspect through both criminal and University disciplinary channels. A University student who is the victim of a sexual offense is encouraged to report the incident to the campus police. Jurisdiction for investigating such cases for the purpose of pursuing criminal charges rests with the Chattanooga Police Department. If the suspect is also a student, the student victim is encouraged to contact the Student Development Office immediately. Student Development staff members, including those from the Vice Chancellor for Student Development’s Office, the Transformation Project/Women’s Center and the Housing Department, can assist the victim in contacting the campus police and the disciplinary dean or the victim can contact those offices directly. A victim of any form of sexual offense is encouraged to seek appropriate medical assistance. If immediate medical attention is warranted, the victim should be transported to a hospital emergency room. If immediate attention is not warranted, the University Student Health Service and the Student Counseling Center should be contacted as soon as possible for appropriate follow-up with the victim. It is important that the victim seek medical attention in order to ensure his/her personal well being and insure that any evidence is preserved as possible proof of criminal sexual assault in the event that criminal charges are pursued.

**Victims’ Rights**

Special rights are allowed the victim if a suspect in a sexual offense case is a student and that suspect is charged with violating the UTC Code of Conduct. Both the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary hearing. The victim, additionally, has the right to have counsel of his/her choice present during hearing. In the event a student defendant elects to have a public hearing, both the accuser and the accused have the right to have counsel, as well as others, present. In addition, both the accuser and the accused shall be

**Maintenance of Ethical & Professional Standards-Nursing**

A student enrolled at The University of Tennessee at Chattanooga in the School of Nursing is subject to disciplinary action up to and including dismissal for engaging in the following acts of misconduct, regardless of whether such misconduct is engaged in on or off University-owned or University-controlled property:

A. Commission of an offense classified as a felony by Tennessee's criminal statues or by Federal criminal statues.
B. Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious.
C. Plagiarism, falsification of records, or other acts which substantially impugns the integrity of the student.
D. Other unprofessional and unethical conduct which would bring disrepute and disgrace upon both student and the nursing profession and which would tend to substantially reduce or eliminate the student's ability to effectively practice that profession.

A student applying for admission to UTC shall also be subject to the above provisions and may be denied admission or continuation on the basis of his or her failure to maintain the aforementioned ethical and professional standards.

The School of Nursing maintains extensive information regarding professional standards for Nursing students in the School of Nursing undergraduate and graduate handbooks.

**IV. Student Rights & Responsibilities**
Statement of a Drug-Free Environment

The University of Tennessee is committed to ensuring that it is safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substances Act, 21 U.S.C. Section 812). To accomplish this, the University has established a student drug abuse prevention program through the Office of Student Development. Further, students are subject to a Code of Conduct pertaining to use or possession of controlled substances, and recipients of certain federal financial assistance such as Pell Grants will be required to certify that they will be drug-free during the pendency of the Grant.

informed of the outcome of any campus disciplinary proceeding brought as a result of these charges. Penalties for the violation of any Code of Conduct are listed in the Student Handbook, e.g. violation may lead to disciplinary action up to and including permanent dismissal from the University. If requested by the victim, and changes are reasonably accommodated, the UTC Housing Office will provide a change in the resident’s room assignment. The Vice Chancellor for Student Development Office will work with the faculty member if a change of classes is requested.

Education Programs

The University provides the following programs aimed at promoting awareness of sex offenses and other crimes:

A. Lectures in the University Center open to all students and employees.
B. Video presentations and speakers available to Freshman Seminar Classes.
C. Dormitory programs with outside speakers.
D. Floor meeting discussions lead by resident assistants in dorms.
E. Presentation at Freshman Orientation programs.
F. Classroom discussions presented by various faculty members.
G. Annual presentations to Fraternity and Sorority Pledges.
H. Posters on campus bulletin boards.

IV. Student Rights & Responsibilities

Discrimination Complaint Procedures:

AFFIRMATIVE ACTION POLICY

A. EEO/AA Non-Discrimination Policy Statement

The University of Tennessee Chattanooga is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA. All qualified applicants will receive equal consideration for employment and will not be discriminated against on the basis of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or protected veteran status.

Eligibility and other terms and conditions of employment benefits at The University of Tennessee Chattanooga 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, 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), 201 Human Resources Center, Dept. 5455, 720 McCallie Ave, Chattanooga, TN 37403-2598, Telephone (423) 425-5468. Requests for accommodation of a disability should be directed to the ADA Coordinator at the Office of Equity and Diversity. Charges of violation of the above policy should also be directed to the Office of Equity and Diversity. The University prohibits any retaliatory action against an employee for opposing a practice which the employee believes to be discriminatory, including the filing of an internal grievance or a charge with a state or federal civil rights enforcement agency.

B. Sexual Harassment Policy

The University of Tennessee at Chattanooga recognizes that harassment in the University on the basis of sex is a violation of Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX). For this reason, the University is adding this statement and the following guidelines to the Faculty Handbook, the University Personnel Policy Manual and the Student Handbook.

Sexual advances by any UTC employee (faculty or staff member) toward another employee or student which become a condition of employment or affect the academic relationship constitute an unlawful practice. Unsolicited or unwelcome physical or verbal behavior of a sexual nature which has the purpose or effect of creating an atmosphere of intimidation is a violation of Title IX.

In the case of such harassment, an employee or student has the right to pursue the EEO grievance. The equity and diversity officer should be contacted for this procedure.

Guidelines: Sexual harassment in the workplace has long been recognized by EEOC as violation of Title IX. Sexual harassment in the workplace is gender-based discrimination which violates Title IX and constitutes an unlawful employment practice. Additional cases involving
issues of sexual harassment are being litigated now both by EEOC and private parties. The question of whether a particular action or incident establishes a purely personal, non-employment related relationship requires a factual determination. In making such a determination, the case record as a whole, as well as the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred, will be examined. The determination of the legality of a particular action will be made from the facts, on a case by case basis, because the same behavior may constitute sexual harassment in one context but not in another.

Sexual harassment, like racial harassment, generates a psychologically harmful atmosphere. Employees and students are guaranteed a working and learning environment free of discriminatory intimidation, whether racial or sexual.

Therefore, UTC has an affirmative duty to maintain an atmosphere free of sexual harassment and intimidation. The best way to achieve such an environment is to prevent sexual harassment from occurring at all, by utilizing all possible methods to alert the employees and students to the problem and to stress that sexual harassment, in any form, will not be tolerated.

C. Complaint Procedures

A civil rights complaint, including a complaint of sexual harassment, may be filed by any present or former employee of the University of Tennessee at Chattanooga or any applicant for employment at UTC, who believes that he/she, has been subjected to discrimination on the basis of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. University policy strictly prohibits retaliation against any person who, in good faith opposes a practice which he/she believes to be discriminatory. Complaints of discrimination should be directed to the Office of Equity and Diversity, 201 Human Resources Center, Dept. 5455, the University of Tennessee at Chattanooga, 720 McCallie Avenue, Chattanooga, TN 37403, (423) 425-5468. If the Director of Equity and Diversity is not available, contact the Executive Vice Chancellor for Finance, Operations and Information Technology (FOIT). The Executive Vice Chancellor for FOIT will direct the matter to the appropriate administrator.

The complaint must be filed within 300 calendar days of the alleged discrimination. In certain circumstances, at the discretion of the affirmative action officer, complaints filed outside of this time limit or that are not put in writing, may be investigated informally.

University Security Policy

To comply with state and federal laws, the UTC Police Department collects and maintains statistics concerning crime on campus and in areas of the University Community, including a public crime log accessible during business hours. UTC Police Department reports on-campus crime to the Tennessee Bureau of Investigation via the Tennessee-Incident Based Reporting System (TIBRS). These statistics are then reported by TBI to the Federal Bureau of Investigation. To comply with the Jeanne Clery Act, the UTC Police Department also sends reports regarding crime on and around campus to the United States Department of Education. Each October, the UTC Police Department publishes the annual Security Handbook which contains statistics for the past three years not including year of production. A free copy of this report may be obtained from the UTC Police Department, 400 Palmetto Street, Dept 3954, Chattanooga, TN 37403-2598. For more current statistics and helpful links for research, please refer to www.utc.edu/administration/departmentofpublicsafety

Access to Student Records

Also known as the “Buckley Amendment,” the Family Educational Rights and Privacy Act (“FERPA”) is a federal law enacted in 1974 that affords students certain rights with respect to their education records. Specifically, FERPA affords students (1) the right to inspect and review their education records, (2) the right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA, (3) the right to provide written consent before the University discloses personally identifiable information from the student’s education records, except to the extent that FERPA authorizes disclosure without consent, and (4) the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with FERPA. The University strives to fully comply with this law by protecting the privacy of education records and judiciously evaluating requests for release of information from those records.

I. Definitions

A. Student. A student is a person who attends or who has previously attended the University of Tennessee at Chattanooga, including attendance in person, by correspondence, by distance (using video conference, satellite, internet, or other technology), or a period during which a person is working under a work study to exceed the University's cost of producing a copy of the education program. This does not include persons who have been admitted to the University but have not registered for classes.

B. Education Record. An education record is a record directly related to a student that is maintained by the University or by a person acting for the University. Excluded from the definition of an education record are:

1. Records that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

2. Law enforcement records created and maintained by the Office of Safety and Security solely for a law enforcement purposes.

3. Records made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional if the records are used only for treatment of a student and made available only to those persons providing the treatment.

4. Records that relate to an individual who is employed by the University and that (i) are made and maintained in the normal course of business, (ii) are not available for use for any other purpose, and (iii) relate exclusively to the individual in that individual’s capacity...
as an employee. This exception does not apply to records that relate to a student in attendance at the University who is employed as a result of his or her status as a student.

5. Peer graded papers before the papers are collected and recorded by faculty.

6. Records created or received by the University after an individual is no longer a student in attendance and which are not directly related to the individual’s attendance as a student (i.e., alumni records).

C. Personally identifiable information. Personally identifiable information includes, but is not limited to:

1. A student’s name;

2. The name of a student’s parent or other family members;

3. The address of a student or a student’s family;

4. A personal identifier, such as a student’s social security number, student number, or biometric record;

5. Other indirect identifiers, such as a student’s date of birth, place of birth, and mother’s maiden name;

6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the University community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

7. Information requested by a person who the University reasonably believes knows the identity of the student to whom the education record relates.

II. Scope of Student Rights to Inspect and Review Education Records

IV. Student Rights & Responsibilities

A. A student shall be permitted to inspect and review his or her education records within 45 days following the date on which the University receives the student’s request for access. To exercise this right, a student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and advise the student of the correct official to whom the request should be addressed.

B. A student shall be provided with a copy of any part or all of his or her education record on request but may be charged a fee not to exceed the University’s cost of producing a copy of the education record as a condition to receiving it, unless the imposition of a fee effectively prevents a student from exercising the right to inspect and review the record. A student shall not be charged a fee to search for or retrieve the student’s education records. C. A student does not have the right to inspect and review:

1. The financial records of the student’s parents.

2. Confidential letters and statements of recommendation which were placed in the University’s records prior to January 1, 1975.

3. Confidential letters and statements of recommendation placed in the student’s education records after January 1, 1975, respecting admission to the University, application for employment, or receipt of an honor or honorary recognition if the student has signed a waiver of access rights. The University shall not require any student to waive access rights. A party from whom a recommendation is sought may require such a waiver. A student who has signed a waiver shall be notified by the University of the names of parties providing confidential letters and statements of recommendation. Confidential letters and statements of recommendation shall be used only for the purpose for which they were solicited.

4. Records that personally identify other students even if the student also is personally identified. In such a case, the student shall simply be informed of the specific information about the student that is contained in the record.

D. Reasonable requests by a student for an explanation or interpretation of records shall be granted.

III. The Right to Seek to Amend Education Records

A. FERPA gives a student the right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. The right to request the amendment of education records does not include a right to question substantive educational judgments that have been correctly recorded. Disputes between the University and the student concerning the content of a student’s education record should be resolved informally, if possible.

B. A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. The University official in charge of the office or department to which the challenge is submitted shall mark the date of the request on the front page of the request.
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C. If the University decides not to amend the record as requested, within ten (10) days of the receipt of the student’s request, the University will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. The written notification to the student shall be reasonably in advance of the hearing and shall notify the student about:

1. When the hearing will be conducted (no later than 30 days from the date on which notification is given or mailed to the student);

2. Where the hearing will be conducted; and

3. Who will conduct the hearing (the official in charge of the office or department or his or her designee may act as hearing examiner).

D. A hearing on a student’s request to amend the student’s education record shall include the following procedures:

1. The hearing examiner should not have a direct interest in the outcome of the hearing.

2. The student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

3. The student shall be provided with a full and fair opportunity to present relevant evidence in support of the challenge including any records, testimony of witnesses, or other evidence which the student reasonably believes to support the challenge. Material which is redundant or immaterial need not be accepted or considered as evidence. The hearing examiner may require that voluminous material be summarized if the examiner deems such action appropriate.

4. The hearing examiner may request the presence of witnesses at the hearing in addition to those called by the student. The student shall be made aware of and have an opportunity to rebut any evidence considered by the hearing examiner which would serve to disprove the student’s challenge.

5. Within thirty (30) days of the conclusion of the hearing, the hearing examiner shall make his or her decision in writing. In reaching a decision, the hearing examiner shall consider only the evidence presented at the hearing and must include in a summary of the evidence and the reasons for the decision in the written decision.

6. A record of the hearing shall be maintained in the office or department to which the challenge was submitted which notes all particulars of the challenge including date received, date of hearing, name of hearing examiner, names of witnesses, decision reached, and the date on which notification of decision was sent. The record shall include a copy of the challenge, the decision, and any written or other tangible evidence submitted.

E. If, as a result of a hearing, the University decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the University shall inform the student of the right to place a statement in the record commenting on the contested information in the record and stating why he or she disagrees with the decision of the University.

IV. Release of Records to Third Parties

A. The University will not disclose personally identifiable information from a student’s education records without the prior written consent of the student, except as authorized by FERPA. FERPA authorizes the University to disclose personally identifiable information from a student’s education records without the prior written consent of the student when the disclosure is:

1. To school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to act or provide a service instead of using University employees or officials (such as an attorney, auditor, consultant, volunteer, or collection agent), the person is under the direct control of the University, and the person is subject to the same conditions governing the use and re-disclosure of education records that apply to other school officials; a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; or a contractor, consultant, volunteer, or other outside party to whom the University has outsourced University services or functions that would otherwise be performed by University employees, the party is under the direct control of the University, and the party is subject to the same conditions governing the use and re-disclosure of education records that apply to other school officials. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. The determination as to whether a school official has a legitimate educational interest will be made by the custodian of records on a case-by-case basis.

2. Upon request, to officials of another school in which a student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer (this includes sending updated or corrected information and sending disciplinary or health records). The student shall be provided with written notification of the disclosure unless the student initiated the disclosure. In addition, the University is not required to obtain the written consent of a student before it responds to the request of an institution to explain the meaning or validity of an education record sent to it in connection with a student’s new enrollment.

3. To authorized federal, state, or local government officials. Specific requests for access by government officials shall be brought to the attention of the Office of General Counsel as soon as possible after receipt of such request and prior to the release of records.

4. To comply with a judicial order or lawfully issued subpoena. Release shall be made only after a reasonable attempt is made to notify the student of such order or subpoena, unless applicable law or the order or subpoena prohibits contacting the student. The University may also refrain from notifying a student if it receives an ex parte order obtained by the United States Attorney General (or designee not lower
that an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. § 2331. The student bears the responsibility for keeping an up-to-date address on file in the Records and Registration Office. The records custodian shall notify the Office of General Counsel upon the receipt of a judicial order or subpoena.

5. To a party who is identified as the provider or creator of an education record (this is not a disclosure under FERPA).

6. To an appropriate party in connection with an emergency if the University determines, based on the totality of the circumstances, that (i) there is an articulable and significant threat to the health or safety of the student or other individuals and (ii) the party’s knowledge of the information is necessary to protect the health or safety of the student or other individuals. Such health or safety emergencies shall be brought to the attention of the Office of the General Counsel. An appropriate party may be a parent of a student even if the student is not a dependent for income tax purposes.

7. To persons or organizations in connection with a student’s application for, or receipt of, financial aid, if the information is necessary for such purposes as to determine eligibility, the amount, conditions or enforce the terms and conditions of the aid. The student shall be provided with written notification of the disclosure.

8. To accrediting organizations in order to carry out their accrediting functions.

9. To a parent of a student who is a dependent for federal tax purposes, as defined by Section 152 of the Internal Revenue Code of 1954. However, FERPA does not require the University to disclose information to parents. The University presumes that students are independent and generally does not release information based on a student’s tax dependency. A student will be presumed to be a non-dependent student.

10. To organizations conducting a study for, or on behalf of, the University for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, if the study is conducted in a manner that does not permit personal identification of students by individuals other than representatives of the organization and the information is destroyed when no longer needed for the purposes for which the study was conducted.

11. Authorized by the student pursuant to a signed and dated written consent that specifies the records to be disclosed, states the purpose of the disclosure, and identifies the party or class of parties to whom the disclosure may be made. Regardless of whether the student is a dependent, a student may give a parent access to his or her educational records by submitting, by mail or personal delivery, a notarized form, which can be obtained in the Records and Registration Office.

12. To Veterans Administration officials pursuant to Title 38, section 3690(c), United States Code.

13. To the court, without a court order or subpoena, those records that are (i) necessary to defend the University when a student initiates legal action against the University or (2) relevant for the University to proceed with a legal action as a plaintiff against a student.

14. To an alleged victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense (or to the alleged victim’s next-of-kin if the alleged victim dies as a result of the crime or offense), but only the final results of the disciplinary proceeding conducted by the University with respect to that alleged crime or offense, regardless of whether the University concluded a violation was committed. This disclosure is required by Tennessee law.

15. The disclosure of information concerning registered sex offenders, provided to the University under the Wetterling Act, including information made available under state sex offender registration and community notification programs.

16. To anyone the disclosure of the final results of a disciplinary proceeding conducted by the University with respect to a student who is an alleged perpetrator of a crime of violence or non-forcible sex offense, if the University has concluded the student committed a violation of the University’s rules or policies. The University may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student. The “final results” are limited to the name of the student being disciplined, a description of the violation committed, and any sanction imposed by the University. Final results of disciplinary

IV. Student Rights & Responsibilities

17. The disclosure to a parent of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if: (i) the University determines that the student has committed a disciplinary violation with respect to that use or possession; and (ii) the student is under the age of 21 at the time of the disclosure to the parent. This disclosure is required by Tennessee law.

18. The disclosure of information the University has designated as “directory information,” unless a student has signed and filed a valid Request to Withhold Directory Information. Directory information is information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. The University has designated the following as directory information: a student’s name, address, telephone listing, UTC email address, major fields of study, college, classification, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, enrollment status (e.g., undergraduate or graduate; full-time or part-time), degrees and awards received, dates of degrees, and the most recent previous educational agency or institution attended by the student. FERPA permits the University to disclose directory information without a student’s consent unless a student signs and files a Request to Withhold Directory Information with the Records Office. In order to restrict directory information from being published in the printed student directory, students must sign and file the Request to Withhold Directory Information by the date designated in the Registrar’s annual email to students regarding their FERPA rights. A student may not
use the right to request that directory information be withheld to prevent disclosure of the student’s name, e-mail address, or other identifiers in a class in which the student is enrolled. The University must continue to honor a request to not release directory information after an individual no longer attends the University if the request was made while the individual was in attendance at the University and the request has not been rescinded. Directory information does not include a student’s social security number or student id number. In addition, a student’s social security number, a student ID number, or other non-directory information will not be used either alone or in combination with other data to identify a student when disclosing or confirming directory information, unless the student has provided written consent. Instead, other directory information will be used to identify a student. When a person submits non-directory information (e.g., social security number) along with a request for directory information, the person will be informed that the University has not used the non-directory information to locate the student’s records and that the University’s response does not confirm the accuracy of the nondirectory information supplied with the request for directory information.

C. The custodian of a student’s education records shall maintain a record of requests for access to and disclosures of information from a student’s education records as long as the education records are maintained. The record shall indicate the name of the party who obtained or requested access, what information, if any, was received, and the legitimate interest the party had in requesting or obtaining the information. The record shall be kept with the student’s records and shall be available only for inspection by the student and University personnel in charge of the particular records concerned. Recordkeeping is not required if the request was from, or the disclosure was to:

1. the student;
2. a school official determined to have a legitimate educational interest;
3. a party with written consent from the student;
proceedings reached prior to October 7, 1998 shall not be released.

D. Whenever records are released to any third party, a written statement shall accompany the records’ release stating that the release is conditional upon the third party not permitting any other party to have access to the records without the student’s written consent. This requirement does not apply to disclosures to parents of dependent students; disclosures made pursuant to court orders, lawfully issued subpoenas, or litigation; disclosures of directory information; disclosures made in connection with a disciplinary proceeding; or disclosures made to parents of a violation of law, rule or policy governing the use or possession of alcohol or a controlled substance, if the student is under age 21 at the time of the disclosure; or a party who is identified as the provider or creator of an education record.

V. Destruction of Education Records

All or part of a student’s education records may at any time be removed from a file and destroyed by University personnel authorized to perform such act. However, once a student requests access to his or her records, such removal and destruction may not occur until access has been granted.

VI. Custodians of Education Records

The Registrar shall serve as custodian of all undergraduate student education records maintained by the Office of Records. The Director of Graduate School shall serve as custodian of graduate student education records. All other student education records shall be in the custody of Student Development. VII. University Resources

Questions related to FERPA or the University’s policies concerning the privacy of students’ education records should be directed to the Records and Registration Office, 109 Race Hall, 615 McCallie Avenue, Chattanooga, TN 37403, (423) 425-4416. Additional information can be found on the website of the Records and Registration Office, http://www.utc.edu/ Administration/Records/.

VIII. Complaints

Complaints concerning alleged failures by the University to comply with the requirements of FERPA may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.

Residency Classification

(Excerpts pertinent to UTC from the regulations for classifying students instate and out-of-state for the purpose of paying college or university fees and tuition and for admission purposes. These regulations have been adopted by the Board of Trustees and approved by the Governor of Tennessee.) Intent. It is the intent that the public institutions of higher education in the State of Tennessee shall apply uniform rules, as described
in these regulations and not otherwise, in determining whether students shall be classified “in-state” or “out-of-state” for fees and tuition purposes and for admission purposes.

Definitions. Wherever Used in These Regulations.
(1) “Public higher educational institution” shall mean a university or community college supported by appropriations made by the Legislature of this state.

(2) “Residence” shall mean continuous physical presence and maintenance of a dwelling place within this state, provided that absence from the state for short periods of time shall not affect the establishment of a residence.

(3) “Domicile” shall mean a person’s true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere.

(4) “Emancipated person” shall mean a person who has attained the age of 18 years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such deemed “emancipated person.”

(5) “Parent” shall mean a person’s father or mother. If there is a non-parental guardian or legal custodian of an unemancipated person, then “parent” shall mean such guardian or legal custodian; provided, that there are not circumstances indicating that such guardianship or custodianship was created primarily for conferring the status of an in-state student on such unemancipated person.

(6) “Continuous enrollment” shall mean enrollment at a public higher educational institution or institutions of this state as a full-time student, as such term is defined by the governing body of said public higher educational institution or institutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such persons need not enroll in summer sessions or other such intersessions beyond the normal academic year in order that his or her enrollment be deemed “continuous.” Enrollment shall be deemed continuous notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the public higher educational institutions in which such person enrolls.

Rules for Determination of Status

(1) Every person having his or her domicile in this state shall be classified “in state” for fee and tuition purposes and for admission purposes.

(2) Every person not having his or her domicile in this state shall be classified “out of state” for said purposes.

(3) The domicile of an unemancipated person is that of his or her parents.

(4) The domicile of a married person shall be determined independent of the domicile of the spouse.

Out-of-State Students Who Are Not Required to Pay Out-of-State Tuition

(1) An unemancipated, currently enrolled student shall be reclassified out of state should his or her parent, having theretofore been domiciled in the state, move from the state. However, such student shall not be required
to pay out of state tuition or be treated as an out of state student for admission purposes so long as his or her enrollment at a higher educational institution or institutions shall be continuous.

(2) An unemancipated person whose parent is not domiciled in this state but is a member of the armed forces and stationed in this state or at Fort Campbell pursuant to military orders shall be classified out-of-state, but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently enrolled, shall not be required to pay out-of-state tuition if his or her parent therefor is transferred on military orders.

(3) A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Austin Peay State University shall be classified out-of-state but shall not be required to pay out-of-state tuition at Austin Peay State University. Provided, however, that there be no teacher college or normal school within the non-resident's own state, of equal distance to said non-resident's bona fide place of residence.

(4) Part-time students who are not domiciled in this state but who are employed full-time in the state, or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(5) Military personnel and their spouses stationed in the State of Tennessee who would be classified out of state in accordance with other provisions of these regulations will be classified out of state but shall not be required to pay out of state tuition. This provision shall not apply to military personnel and their spouses who are stationed in this state primarily for educational purposes.

(6) A person who is domiciled in the Kentucky counties of Fulton, Hickman, or Graves shall be classified out-of-state and shall not be required to pay out-of-state tuition at The University of Tennessee at Martin if qualified for admission. This exemption is on condition that Murray State University in Murray, Kentucky, continue to admit Tennessee residents from selected Tennessee counties to enroll at that institution without payment of out-of-state tuition.

(7) Any dependent child not domiciled in Tennessee but who qualifies and is selected to receive a scholarship under the "Dependent Children Scholarship Act" (T.C.A. 49-4-704) because his or her parent is a law enforcement officer, fireman, or emergency medical service technician who was killed or totally and permanently disabled while performing duties within the scope of employment, shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(8) The spouse of a student classified as "in-state" shall also be classified as "in-state."

(9) Students not domiciled in Tennessee but who are selected to participate in specified institutional undergraduate Honors Programs shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(10) A person whose domicile is in Mississippi County, Arkansas, or either Dunlin County or Pemiscot County, Missouri, and who is admitted to Dyersburg State Community College, shall be classified out-of-state but shall not be required to pay out-of-state tuition.

(11) A person who is not domiciled in Tennessee, but has a bona fide place of residence in a county which is adjacent to the Tennessee state line and which is also within a 30 mile radius (as determined by THEC) of a city containing a two year TBR institution and who is admitted to a two year IV. Student Rights & Responsibilities TBR institution, shall be classified out-of-state, but shall not be required to pay out-of-state tuition. The two-year institution may admit only up to three (3%) of the full-time equivalent attendance of the institution without out-of-state tuition. (THEC may adjust the number of the non-residents admitted pursuant to this section every three (3) years). (See T.C.A. 49-8-102)

Presumption

Unless the contrary appears from clear and convincing evidence, it shall be presumed that an emancipated person does not acquire domicile in this state while enrolled as a full time student at any public or private higher educational institution in this state, as such status is defined by such institution.

Evidence to be Considered for Establishment of Domicile

If a person asserts that he or she has established domicile in this state, he or she has the burden of proving that he or she has done so. Such a person is entitled to provide to the public higher educational institution by which he or she seeks to be classified or reclassified in state, any and all evidence which he or she believes will sustain his or her burden of proof. Said institution will consider any and all evidence provided to it concerning such claim of domicile but will not treat any particular type or item of such evidence as conclusive evidence that domicile has or has not been established.

Residency Appeals Procedure

All residency appeals for a given semester must be submitted along with all necessary supporting evidence to the appropriate admissions office (Undergraduate or Graduate) no later than 5:00 p.m. on the last day to register for classes for each upcoming term or semester. These deadlines also apply to students seeking to pay in-state fees due to their full-time employment in the State of Tennessee. Decisions on appeals made before the deadline will be effective for that semester. Appeals received after the deadline will be effective the following semester.

The Assistant Director of Admissions serves as the primary classification officer for undergraduate students enrolled at The University of Tennessee at Chattanooga. The Dean of the Graduate School serves as the classification officer for graduate students. Residence classification appeals should be made in writing (on the appropriate form which can be obtained from the Admissions Office) to the Assistant Director of Admissions, 101 University Center. Appeals should include appropriate evidence to support the student's establishment of domicile in the state of Tennessee.

The decision of the Assistant Director of Admissions may be appealed to the Chairman of the Residency Appeals Committee by making this
request in writing to the Assistant Director. The chairman of the Committee will schedule a hearing to review the student's request and, following the hearing, the Committee will make a decision on the appeal. The student may be present at the Committee's hearing and may bring to the hearing any materials or other individuals (including legal counsel) that he or she believes will support the appeal. The student may appeal the Committee's decision to the Chancellor of UTC within 5 business days of receiving notice from the Appeals Committee. The decision of the Chancellor may be appealed to the Office of the UT system President.

**Effective Date**

These regulations became effective with the beginning of the fall semester 1986 and superseded all previous regulations. If a student classified out-of-state applies for in-state classification and is subsequently so classified, his or her in-state classification shall be effective as of the date on which reclassification was sought. However, out-of-state tuition will be charged for any quarter or semester during which reclassification is sought and obtained unless application for reclassification is made to the classification officer on or before the last day of regular registration of that quarter or semester. A complete, unexcerpted copy is available in the UTC Admissions Office.

**IV. Student Rights and Responsibilities**

**Classification Officers**

The Undergraduate Admissions office serves as the initial residency classification officer for undergraduate students. All initial requests for classification or reclassification should be submitted in writing to the Office of Undergraduate Admissions, 101 University Center.

The Dean of the Graduate School serves as the residency classification officer for graduate students. All requests for classification or reclassification should be submitted in writing to the Graduate School in Race Hall.

**Assembly Policy**

The right of peaceable assembly is a guaranteed constitutional right and one which this institution does not intend to abrogate. The following regulations are intended to enumerate the essential provisions necessary to reconcile freedom of assembly with responsibility in any campus meeting conducted for the purpose of expressing opinions of the participants.

**A. Peaceable Assembly: Description**

Student gatherings may be conducted in areas which are generally available to the public, provided such gatherings:

1. are conducted in an orderly and peaceful manner;
2. do not obstruct in any way vehicular or pedestrian traffic;
3. do not interfere with classes, scheduled meetings, events, and ceremonies, or with other essential processes of the University;
4. if inside a building, are held in an assigned meeting room.

**B. Advance Approval: Procedures**

1. Only meetings which have been approved in advance through the proper office may be held:
   
   (a) within University buildings;
   
   (b) within University stadia; or
   
   (c) adjacent to residential or academic facilities of the campus.

2. Meetings which would impose an unusual demand upon staff or facilities must have approval regardless of where they are held.

**C. Disciplinary Action**

Violations of the above University policy will result in appropriate disciplinary action.

**Delegations Policy**

Meetings between groups of students and administrative officers are desirable when acute problems affecting student life suddenly arise and the administration should be informed. Similarly, such meetings are necessary when students need fairly immediate access to discuss administrative policy or other critical matters pertaining to their welfare. So that the business of the University may continue to be conducted in an orderly fashion when such meetings between students and the administration are needed, the following rules are applicable to all student groups:

1. Student organizations or groups of students who wish to see the Chancellor or the Vice Chancellors are to choose a group of representatives not to exceed six to conduct their meeting with the appropriate official. Once selected, this group will remain the only delegation from that organization or group to see the official unless the group or organization formally removes one or more members from their delegation, in which case the University official is to be informed in advance.

2. Meetings of the delegation with University officials must be scheduled in advance so as not to interrupt the essential previous business of the University.

3. Meetings of the delegation with University officials will not take place where there are large congregations of students in or immediately adjacent to the building in which the meeting is to take place. Press conferences or communication with members of organizations can be conducted after the meeting and at some other convenient location.

**Tobacco Products Use Policy**

Tobacco smoking has been clearly established as a preventable cause of illness. Current research indicates that tobacco smoke exposure in
confined areas also poses a health hazard to non-smokers. Smoke from cigarettes, cigars and pipes are also irritants to many non-smokers and can exacerbate allergic conditions. In an effort to protect the health of University students, faculty, staff and visitors, as well as to comply with state law (TCA 4-4-121), it is the policy of the University of Tennessee at Chattanooga to restrict tobacco use in all buildings.

TCA 4-4-121 - Smoking shall be prohibited in all buildings that are owned or operated by the State of Tennessee, except for those sleeping rooms in state park inns and cabins that are designated as smoking rooms or cabins. It is the intent of the general assembly that all buildings that are owned or operated by the state other than sleeping rooms in state park inns and cabins designated for smoking shall be completely smoke-free.

This policy shall be interpreted as meaning that the use of smokeless tobacco products will be prohibited in the same areas as tobacco smoking.

Policy

The use of tobacco products is prohibited in all buildings owned or leased by the University, either on or off campus.

Non-Smoking Areas

1. Smoking is prohibited inside any building owned or leased by the University of Tennessee at Chattanooga.

2. Smoking is prohibited in University vehicles.

3. Outdoor areas: Entrances to buildings - Entrances are defined as those doorways to buildings normally used for public ingress/egress and ADA accessible entrances. Smoking within 25 feet of these entrances is prohibited.

   Appropriate signage indicating the prohibition of the use of tobacco shall be installed on all buildings and in areas exterior of buildings where tobacco usage is prohibited.

Permitted Outdoor Smoking Areas

Any outdoor area not specifically designated a non-smoking area. The Facilities Division shall place appropriate tobacco use receptacles in strategic locations outside of selected buildings.

Enforcement

Enforcement of this policy shall be granted, but not limited to, the person responsible for activities carried out within the particular room and/or facility.

Violations

University Faculty and Staff: Violation of the provisions of the Tobacco Use Policy will constitute a violation of the University work rules. Appropriate disciplinary action may be taken by the supervisor.

Students: Violation of the provisions of the Tobacco Use Policy will constitute a violation of the student rules of conduct pursuant to the UTC Student Handbook. Appropriate disciplinary actions may be taken by the Office of Student Development.

Campus Rules Governing Disturbing Noise

A. When registering an event, submit a complete outline of the proposed activities.

B. Loud music should not begin before 8:00 P.M. in order to avoid conflicts with class activities; however, the civil laws must be obeyed at all times.

C. Music at a reasonable sound level can begin earlier. The leaders of the organization are expected to take responsibility to see that other activities are not disturbed.

D. If in the event that the sound level becomes too high and the leaders do not control it by their own actions, it is to be expected that the proper University officials will need to take charge and stop the program if necessary.

Chattanooga Code on Loud or Disturbing Noise

The following laws, taken in part from the Chattanooga Code, refer to loud and disturbing noise in the city.

Same—Enumeration of prohibited acts.

The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this chapter, but this enumeration shall not be deemed to be exclusive:

(a) Horns or other signal devices on vehicles. The sounding of any horn or signal device on any automobile, motorcycle, bike, or other vehicle, while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or while in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of such signal device of any unreasonably loud or harsh sound, and the sounding of such device for any unnecessary and unreasonable period of time.

(b) Musical instruments. The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, in particular during the hours between 11:00 P.M. and 7:00 A.M., so as to annoy or disturb the quiet, comfort or repose of persons in any hospital or in any dwelling, hotel or other type of residence or of any persons in the vicinity.

(c) Yelling, hawking, etc., in streets. Yelling, hawking, shouting, hooting, whistling, or singing on the streets or sidewalks or in public places, particularly between the hours of 11:00 P.M. and 7:00 A.M., in a manner which disturbs the quiet, comfort, or repose of persons in any hospital, dwelling, hotel, or other type of residence in the vicinity.

(d) Noise near schools, courts, churches, or hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church, or court, while the same is in session, or adjacent to any hospital, which unreasonably interferes with the working or sessions thereof.

IV. Student Rights & Responsibilities
Loudspeakers, amplifiers and sound-amplifying devices.
It shall be unlawful to:

(a) Operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) db(A) between 9:00 P.M. and 9:00 A.M., as measured anywhere within the boundary line of the nearest residentially occupied property, hospital, school in session or nursing home, except in accordance with a permit obtained from the chief building official.

(b) As to multifamily structures including apartments, condominiums or other residential arrangements where boundary lines cannot readily be determined, it shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds registering fifty-five (55) db(A) between 9:00 A.M. and 9:00 p.m. or fifty (50) db(A) between 9:00 P.M. and 9:00 A.M., as measured anywhere within the interior of another residential unit in the same complex or within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the chief building official.

(c) As to places of public entertainment having a capacity of one thousand (1000) or more persons, operate or allow the operation of any sound amplification equipment so as to create sounds registering more than sixty-five (65) db(A) between 9:00 A.M. and 9:00 P.M., or fifty (50) db(A) between 9:00 p.m. and 9:00 A.M., as measured anywhere within the boundary line of the nearest residentially occupied property, except in accordance with a permit obtained from the chief building official.

(d) Operate or allow the operation of any sound amplification equipment for advertising purposes or otherwise to attract customers so as to cast sounds which are unreasonably loud and disturbing or which register more than sixty (60) db(A) at or on the boundary of the nearest public right-of-way or park.

(e) Operate or allow the operation for personal use of any sound amplification equipment on the public right-of-way, including streets or sidewalks, or in the public parks so as to produce sounds registering more than sixty (60) db(A) fifty (50) feet or more from any electromechanical speaker between the hours of 9:00 A.M. and 9:00 P.M., or fifty (50) db(A) fifty (50) feet or more from any electromechanical speaker between the hours of 9:00 P.M. and 9:00 A.M.

SOLICITATION OF FUNDS

Both commercial and noncommercial solicitation are prohibited in non-public areas of the University.

Solicitation and sales in public areas of the University are restricted to invitees and registered organizations, faculty, staff, and students of the University and are subject to reasonable restrictions as to time, place and manner. Requests for approval of any form of solicitation must be made in writing to the Dean of Student’s Office no later than seven working days preceding the date of the proposed date of the activity. Request forms are available in the main office of the University Center and on their website.

SOLICITATION OF FUNDS BY STUDENT ORGANIZATIONS

As it pertains to student organizations, “solicitation” is defined as the seeking of funds or support by a registered student organization from sources other than its members including the procurement of supplies, and other forms of support, and the selling and distribution of items, materials or products and services.

Registered student organizations may be authorized to solicit on campus as long as such solicitation is consistent with the aims of the organization and is not for the personal benefit of members. In interpreting the aims or purposes of the registered student organization, the statement in its constitution will be followed.

Prior to approval by the Dean of Students Office, the requesting organization must make appropriate arrangements and scheduling with the administrative office of the facility to be used. Content approval for the project is not a guarantee of the availability of the space.

The Dean of Students Office will assist the organization in scheduling and coordinating outdoor space with the appropriate Facilities Management Office. Ordinarily, the academic buildings and the non-public areas of the Residence Halls will not be used for purposes of solicitation.

Student Expenses

Tuition is free to residents of Tennessee. Out-of-state students must pay the tuition charge. A student’s residence is determined primarily by the residence of the student’s parents. Exceptions, including guardianships, are given special consideration and are determined on the basis of the particular circumstances in each case. Any student who is classified as an out-of-state student may, at any time, request that a residence classification be reconsidered. When additional information concerning a student’s residence classification is available, the student should provide the Director of Admissions with this information in order that a reappraisal of their residence status may be made.

University fees are determined by the Board of Trustees and are subject to change without notice.
The University of Tennessee at Chattanooga

**Fees (maximum)**

<table>
<thead>
<tr>
<th>Fee Type</th>
<th>Undergraduate</th>
<th>Graduate</th>
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<tbody>
<tr>
<td>Maintenance Fee (undergraduates) per semester</td>
<td>$3,215.00</td>
<td>$3,854.00</td>
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<tr>
<td>Tuition (additional for out-of-state students) per semester</td>
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<tr>
<td>Regional Tuition Fee per semester</td>
<td>$2,014.75</td>
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*In addition to Maintenance Fee

In lieu of the above charge for tuition and/or maintenance fee, part-time students may elect to pay fees computed by the semester hour (credit or audit) as follows:

**Undergraduate Students:**
- In-State: $268.00 per semester hour or fraction thereof;
- Out-of-State: $940.00 per semester hour or fraction thereof;
- Regional Tuition and Maintenance Fee: $436.00 per semester hour or fraction thereof;

**Graduate Students:**
- In-State: $428.00 per semester hour or fraction thereof;
- Out-of-State: $1,323.00 per semester hour or fraction thereof;
- Regional Tuition and Maintenance Fee: $651.25 per semester hour or fraction thereof;

The University of Tennessee at Chattanooga accepts credit cards via your MyMocsNet account. There is a convenience fee associated with this service.

The Web site may be accessed by logging on to www.utc.edu, clicking on the Money tab, then click "Go to My Account."

**Athletic Fee**

All students registered will be assessed an athletic fee of $20.00 per hour or a maximum of $240.00 per semester.

**Debt Service Fee**

The UC and ARC bond obligation fee of $13.00 per hour, or a maximum of $150.00, will be assessed to all students, per semester.

**Facilities Fee**

The Facilities Fee provides funding for custodial services, facilities upkeep, grounds maintenance, and campus transportation needs. This student fee is $100.00 per student per semester.

**Transportation Fee Fee**

The Transportation Fee is $2.00 per hour or a maximum of $24 and used for parking improvements for the campus.

**Program and Service Fee**

The program and service fee of $10.00 per credit hour, or a maximum of $120.00, will be assessed to all students, per semester.

**Health Fee**

The Student Health Fee provides funding for the Student Health Center and other Health Initiatives. This student fee is $60.00 per semester.

**Green Fee**

The Green Fee is $10.00 per semester and is used to fund energy efficiency initiatives. The Green Fee is assessed to all students per semester.

**Technology Fee**

Students registered will be assessed a technology fee of $12.00 per semester hour, or a maximum of $125.00 per semester, applied to technological advancements on campus.

**Library Fee**

The Library Fee is $25.00 per semester and is used to support operations, periodicals and data bases for the Library.

**Thesis Binding Fee**

Payable, to the library by students who are required to write a graduate thesis, before the papers are presented to the director of graduate studies for final approval.

**Application Fee**

A nonrefundable fee payable with undergraduate or graduate application, one time only at each level-
- Domestic $30.00
- Graduate International $35.00

**Proficiency or Special Examination Fees**

Payable for each proficiency or validation examination.
- Undergraduate: $64.00 per credit hour
- Graduate: $102.00 per credit hour

**Auditors’ Fees**

Fees for courses being audited are the same as those for courses taken for credit. Auditors do not take examinations, receive credit or grades, and may or may not participate in the class activities as determined by the instructor.

**Installment Plan**

A student in good financial standing with the University, and having an anticipated source of funds, may defer up to 50% of fees. A $20 non-refundable extension fee and 50% of the total fee balance are due at fee payment. The installment balance amount is due on the 45th calendar day of the term. An additional $50 will be assessed if the balance is not paid on or before the due date.

**Prepayment Plan**

A prepayment plan has been developed. Under the plan, students and/or parents choose the academic year expenses they wish to prepay including room, board, tuition, fees, or books. The expenses can be prepaid over a period of eight months with the first installment due by May 10. The remaining seven monthly installments are payable on the tenth of each succeeding month. Students and/or parents wishing to
participate in the prepayment plan should contact the Bursar’s office for details.

**Music Fee**

In addition to the credit hour rate, a fee is assessed for music instructional courses. The fee is due at the regular fee payment dates. The fees are:

- Per one-half hour (1/2) instruction $100.00
- Per one hour (1) instruction $200.00

**Lab Fee/Studio**

- Lab fee (per course) $25.00
- Communication Course Fee $50.00
- Practicum Course Fee $50.00
- Production Course Fee $25.00 per semester
- Safety & First Aid Licensure Fee $15.00

Lab course and Music fees are non-refundable after the 100% refund period ends for the term.

**Differential Fee**

A differential tuition fee will be charged to all students registered for courses in the College of Business, Engineering/Computer Science and Nursing.

- College of Business - $53.00 per hour
- Engineering/Computer Science - $53.00 per hour
- Nursing - $53.00 per hour

**Online Support Fee**

Online Support Fee - $56.00 per hour

**Seat Fee**

- Physical Therapy Doctorate Program - $250.00
- Occupational Therapy Doctorate Program - $250.00
- Nursing Anesthesia Program - $1,000.00

IV. Student Rights & Responsibilities

**Returned Check Fee**

Any check received by the University which fails to clear the bank will incur a service charge of a maximum $30.00 per check. In addition to the service charge, a check written to cover tuition, dorm and fees which fails to clear the bank will incur the appropriate late fee in effect at the time the check is redeemed. Check writing privileges will be revoked for those students writing three or more bad checks to the University.

**Housing**

Room rents vary from $1,850.00 to $3,940.00 per semester according to the accommodations available. A one-time $25.00 non-refundable application fee is required from students applying for housing. In addition, a $225.00 advance payment is required to hold a room. Fees not paid by regular fee payment will incur late fees. Late fees will be $50.00 beginning the first official day of classes.

**Housing Payment Plan**

Housing students may choose to participate in the housing payment plan. Payment equivalent to 50% of rent is due and payable by official fee payment, plus a $20 extension fee charge. The remaining balance is due and payable by the 45th calendar day of the term. A late payment charge of $50 will be assessed if the installment is not paid on or before the due date.

**General**

A student will not be allowed to register with a debt due the University. Upon receipt of full, partial, or incomplete schedule students are registered and responsible for payment of fees. The Registration Office must be notified in writing prior to the first official day of classes that he or she wishes to cancel registration. Those students who withdraw after classes start will be responsible for a percentage of fees plus late fees according to the withdrawal charge under “Refund of Fees and Adjustments.” Students who have not paid fees or confirmed attendance with the Bursar by the official deadline date will be cancelled. This applies to all students regardless of source of funds, including those whose fees are billed, deferred, waived or paid with personal funds.

No student is authorized to attend classes until he or she has properly registered and paid fees.

The University reserves the right to refuse to release to any student his or her transcript or degree for failure to return University property or for failure to pay any accounts due at the University.

**Fall and Spring Semesters and Summer Terms**

Students must pay their fees on the regular dates designated for this purpose. For more detailed information regarding fee payment dates, refund information, etc., refer to the UTC website at www.utc.edu. Students who register after classes begin during final registration will incur a $50.00 late fee.

*The above fees are subject to change.*
IV. Students Rights & Responsibilities

Refund of Fees and Adjustments

General

No refund is due on courses which are dropped unless the charge for the All charges and refunds will be made to the nearest dollar. All charges and remaining course(s) plus the percentage charge for the course(s) dropped refunds are subject to subsequent audit and verification and errors will be less than the maximum semester charge for tuition and/or maintenance be corrected by appropriate additional charges or refunds. A statement of fees. All refund periods are based on the official first day of classes for the account will be sent to students who owe additional amounts. University, as published in the catalog and schedule of classes. Refunds on dropped courses, in accordance with the refund policy.

Fall, Spring and Summer Long Term

Refund for withdrawal or dropped classes during a fall or spring semester as follows:

<table>
<thead>
<tr>
<th>Prior to first day</th>
<th>Calendar days Number of 15-2122-288-141-7*</th>
<th>Charge† Drop604020-0-0-% %</th>
<th>Refund100100406080% %</th>
<th>Percentage of refund1006040800% %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calendar days ** Number of 17 &amp; after 13-169-125-81-4</td>
<td>Percentage of refund1006040800% %</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*NOTE Drop†: Courses dropped which do not result in complete withdrawal.29: Only seven calendar days to drop with no charge. -0- following refunds apply:If the courses dropped do not result in complete withdrawal, then the

<table>
<thead>
<tr>
<th>Prior to first day</th>
<th>Calendar days Number of 22-2815-218-141-7</th>
<th>WithdrawalCharge†† 204060-0-0-% %</th>
<th>Refund100100406080% %</th>
<th>Percentage of refund1006040800% %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calendar days &amp; after 13-169-125-81-4</td>
<td>Percentage of refund1006040800% %</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Withdrawal††: Complete withdrawal from classes. 29 or more 100% -0- **Counted from the first official day of classes. The above dates are subject to change. Academic Calendar 2014-15
For the most up-to-date Academic Calendar for All Terms–Regular Fall Term, Fall Part of Term 1 & 2 and Regular Spring Term, and Spring Part of Term 1 & 2 deadlines see the Academic Calendar at the Records Office web page, http://www.utc.edu/records/calendars-and-schedules/2014-2015.php

**Fall Semester 2014**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 7 (Thursday)</td>
<td>Classes begin</td>
</tr>
<tr>
<td>August 18 (Monday)</td>
<td>Last day to register in day or evening classes</td>
</tr>
<tr>
<td>August 24 (Sunday)</td>
<td>Registration adds for seniors &amp; contract courses only (no new registrations)</td>
</tr>
<tr>
<td>August 25-August 31 (Monday-Sunday)</td>
<td>Last day to change from credit to audit or audit to credit</td>
</tr>
<tr>
<td>August 22 (Friday)</td>
<td>Last day to drop a class before a W (withdrawal) is recorded</td>
</tr>
<tr>
<td>August 31 (Sunday)</td>
<td>Labor Day holiday</td>
</tr>
<tr>
<td>September 1 (Monday)</td>
<td>Rosh Hashanah</td>
</tr>
<tr>
<td>September 25 (Thursday)</td>
<td>Faculty notify undergraduate students of mid-term grades</td>
</tr>
<tr>
<td>September 29-October 3 (Monday-Friday)</td>
<td>Yom Kippur</td>
</tr>
<tr>
<td>October 4 (Saturday)</td>
<td>Deadline for submission of graduation application for May 2015</td>
</tr>
<tr>
<td>October 15 (Wednesday)</td>
<td>Deadline for petitions for December 2014 Graduation Candidates</td>
</tr>
<tr>
<td>October 17 (Friday)</td>
<td>Last day for official withdrawal from any class with a W</td>
</tr>
<tr>
<td>October 19 (Sunday)</td>
<td>Spring and Summer 2015 Course Schedules available for view online</td>
</tr>
<tr>
<td>October 20 (Monday)</td>
<td>Fall Break (no classes)</td>
</tr>
<tr>
<td>October 20-21 (Monday-Tuesday)</td>
<td>Spring 2015 Priority Registration for current UTC students</td>
</tr>
<tr>
<td>November 3-14 (Monday-Friday)</td>
<td>Deadline for faculty to submit grade changes to the Records Office for Spring or Summer incompletes</td>
</tr>
<tr>
<td>November 7 (Friday)</td>
<td>Thanksgiving Holiday Travel Day (no classes)</td>
</tr>
<tr>
<td>November 26 (Wednesday)</td>
<td>Thanksgiving Holiday</td>
</tr>
<tr>
<td>November 27-November 30 (Thursday-Sunday)</td>
<td>Last day of fall semester</td>
</tr>
<tr>
<td>December 1 (Monday)</td>
<td>Reading Day</td>
</tr>
<tr>
<td>December 2 (Tuesday)</td>
<td>Final Examinations</td>
</tr>
<tr>
<td>December 3-8 (Wednesday-Monday)</td>
<td>Grades due from faculty by 3:00 p.m.</td>
</tr>
<tr>
<td>December 11 (Thursday)</td>
<td>Commencement, 9:00 a.m and 1:00 p.m.</td>
</tr>
<tr>
<td>December 13 (Saturday)</td>
<td></td>
</tr>
</tbody>
</table>

**Spring 2015**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 12, 2014</td>
<td>Classes begin</td>
</tr>
<tr>
<td>January 4 (Sunday)</td>
<td>Last day to register in day or evening classes, to add a subject, or to change sections</td>
</tr>
<tr>
<td>January 5 (Monday)</td>
<td>Registration adds for Seniors &amp; contract courses only (no new registrations)</td>
</tr>
<tr>
<td>January 11 (Sunday)</td>
<td>Deadline for submission of degree application for August 2015</td>
</tr>
<tr>
<td>January 12-16 (Monday-Friday)</td>
<td>Last day to drop a class before a W (withdrawal) is recorded</td>
</tr>
<tr>
<td>January 16 (Friday)</td>
<td>Martin Luther King Holiday</td>
</tr>
<tr>
<td>January 16 (Friday)</td>
<td>Faculty notify undergraduate students of mid-term grades</td>
</tr>
<tr>
<td>January 19 (Monday)</td>
<td>Deadline for petitions for May 2015 Graduation Candidates</td>
</tr>
<tr>
<td>February 16-20 (Monday-Friday)</td>
<td>Last day to withdraw online from any class with a W</td>
</tr>
<tr>
<td>March 6 (Friday)</td>
<td>Summer 2015 Registration begins</td>
</tr>
<tr>
<td>March 8 (Sunday)</td>
<td>Fall 2015 Course Schedules available for view online</td>
</tr>
<tr>
<td>March 9 (Monday)</td>
<td>Spring Break (no classes)</td>
</tr>
<tr>
<td>March 9 (Monday)</td>
<td>Deadline for faculty to submit grade changes to the Records Office for Fall incompletes</td>
</tr>
<tr>
<td>March 9-15 (Monday-Sunday)</td>
<td>Fall 2015 Priority Registration for current UTC students</td>
</tr>
<tr>
<td>March 20 (Friday)</td>
<td>Spring Holiday</td>
</tr>
<tr>
<td>March 30 - April 10 (Monday-Friday)</td>
<td>Last day of classes for spring semester</td>
</tr>
<tr>
<td>April 3 (Friday)</td>
<td>Reading Day</td>
</tr>
<tr>
<td>April 20 (Monday)</td>
<td></td>
</tr>
<tr>
<td>April 21 (Tuesday)</td>
<td></td>
</tr>
</tbody>
</table>
April 22-28 (Wednesday-Tuesday)  
May 2 (Saturday)  
May 4 (Monday)  

Final Examinations  
Commencement, 9:00am and 1:00pm  
Grades from faculty by 9:00am  

**Summer Sessions 2015**  

<table>
<thead>
<tr>
<th>Summer I Short Term</th>
<th>Summer II Short Term</th>
<th>Summer Long Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 12 (Tu)</td>
<td>June 23 (Tu)</td>
<td>May 12 (Tu)</td>
</tr>
<tr>
<td>May 13 (W)</td>
<td>June 24 (W)</td>
<td>May 13 (W)</td>
</tr>
<tr>
<td>May 13 (W)</td>
<td>June 24 (W)</td>
<td>May 19 (T)</td>
</tr>
<tr>
<td>May 13 (W)</td>
<td>June 24 (W)</td>
<td>May 19 (T)</td>
</tr>
<tr>
<td>May 15 (F)</td>
<td>June 26 (F)</td>
<td>May 19 (T)</td>
</tr>
<tr>
<td>May 25 (M)</td>
<td>July 3 (Fri)</td>
<td>May 25 (M)</td>
</tr>
<tr>
<td>May 27-June 2(W-Tu)</td>
<td>July 8-14 (W-Tu)</td>
<td>June 17-23 (W-Tu)</td>
</tr>
<tr>
<td>June 5 (F)</td>
<td>July 17 (F)</td>
<td>July 3 (F)</td>
</tr>
<tr>
<td>June 15 (M)</td>
<td>June 15 (M)</td>
<td>June 15 (M)</td>
</tr>
<tr>
<td>Jun 23 (Tu)</td>
<td>Aug 4 (Tu)</td>
<td>Aug 4 (Tu)</td>
</tr>
<tr>
<td>Last Class Period</td>
<td>Last Class Period</td>
<td>Last Class Period</td>
</tr>
</tbody>
</table>

**Deadline to pay Summer 2015 fees before cancellation**

**Last day to withdraw before fee obligation**

**Classes begin**

**Last day to change from credit to audit**

**Last day to register or change registration**

**Last day to drop a class before a W (withdrawal) is recorded**

**Holiday**

Faculty notify undergraduate students of mid-term grades

**Last day to withdraw from any class with a W**

**Holiday**

**Deadline for December 2015 graduation applications**

**Classes End**

**Final Examinations**

Grades Due from faculty by 9:00 a.m.

August Degrees Awarded – No Ceremony

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Appendix B

HR0720 – Drug Free Campus and Workplace

Effective: January 1, 1996
Revision No: 1

Topics:

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<th>Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Screening</td>
<td></td>
</tr>
</tbody>
</table>

Objective:

To encourage and maintain a safe, healthful, and drug-free environment within the University of Tennessee.

Policy:

Drug Free Environment

1. 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.

2. 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.

3. 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.

Drug Screening

4. 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.
5. 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.

6. 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.

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**PROCEDURES**

<table>
<thead>
<tr>
<th>Location</th>
<th>Link</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knoxville</td>
<td>hr.utk.edu/policies/</td>
</tr>
<tr>
<td>Health Science Center</td>
<td>uthsc.edu/policies/w932_document_list.php?app=HR</td>
</tr>
<tr>
<td>Space Institute</td>
<td>personnel.utsi.edu/procedures/index.html</td>
</tr>
<tr>
<td>Institute of Agriculture</td>
<td>ag.tennessee.edu.Pages/UTIApolicies.aspx</td>
</tr>
</tbody>
</table>

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**Policy on a Drug-free Campus and Workplace**

Posted February 10, 2011

To: UT System-wide Faculty and Staff

From: Chief Human Resources Officer Linda B. Hendricks Re: Policy on a Drug-free Campus and Workplace

As described in Human Resources policy 720, the University of Tennessee maintains 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.

Please see the information below for more details on the University policy.

Please contact the Human Resources Call Center at 1-888-444-8847 (within the Knoxville area please call 865-946-8847) or systemhr@tennessee.edu if you have questions.

Thank you.

THE UNIVERSITY OF TENNESSEE POLICY ON A DRUG-FREE CAMPUS AND WORKPLACE

In support of the Drug-Free Workplace Act of 1988 (41 U.S.C. Sec. 701 et seq.) and the Drug-Free Schools and Communities Act of 1989, the University of Tennessee is required to notify all students, faculty, and staff of the following university policy approved by the UT Board of Trustees on June 21, 1990: 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 for 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. 39-17-401 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/alcohol abuse assistance or rehabilitation program. Aside from any university policy considerations, the use of illicit drugs and/or the abuse of alcohol may be harmful to your health. Some of the health risks associated with such use/abuse are described on the back of this page.

As a condition of employment individuals who are paid by the University of Tennessee from federal grants or contracts must abide by the terms of this policy and notify the university in writing of any criminal drug statute conviction, which includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body for a violation occurring in the workplace within five (5) days after such conviction.
The university is in turn required to inform the granting or contracting agency of the conviction within ten (10) days of the university's receipt of actual notice of the conviction.

Employees and their families needing treatment information should call their local Human Resources Office, Employee Assistance Program, or the State of Tennessee Employee Assistance Program (1-800-3084934). Students needing treatment information should contact their campus Student Affairs Office, student health center, or counseling center.

**ALCOHOL ABUSE HEALTH RISKS**
Liver damage -- cirrhosis, alcoholic hepatitis

Heart disease -- enlarged heart, congestive heart failure

Ulcers and gastritis

Malnutrition

Cancer -- of the mouth, esophagus, stomach, liver

Brain damage -- memory loss, hallucinations, psychosis

Damage to fetus if pregnant mother drinks

Death -- 50% of fatal auto accidents involve alcohol 31% of suicides are alcoholics

**DRUG USE HEALTH RISKS**
Overdosing -- psychosis, convulsions, coma, death

Long-term use -- organ damage, mental illness, malnutrition, death

Casual use -- heart attack, stroke, brain damage, death

Needles -- infections, hepatitis, AIDS, death

If a pregnant mother uses drugs, her baby can be born addicted or dead
Appendix C

University of Tennessee at Chattanooga Athletics

DRUG TESTING POLICY

updated November 2013

INTRODUCTION

The University of Tennessee at Chattanooga Department of Athletics is committed to promoting the safety, health and well-being of each and every UTC student-athlete. The use of illegal or banned drugs by student-athletes will not be tolerated. In order to meet this commitment, the Department of Athletics has developed and implemented this Drug Testing Policy to supplement the Department of Athletics’ efforts to educate student-athletes about the effects of substance abuse on one’s safety, health and well-being.

This policy seeks to deter and detect the use of illegal and banned drugs so as to:

1. ensure that UTC’s sports programs adhere to the basic principles of fair play and sportsmanship;
2. protect the health and safety of UTC’s student-athletes, their teammates, and their competitors;
3. provide appropriate assistance, treatment, and support to student-athletes who have been found to have used illegal or banned drugs; and
4. reflect the UTC's high expectations for its student-athletes as representatives and ambassadors of UTC.

DEFINITIONS

“Banned Drug” - as used in this policy, the term “banned drug” means a drug banned by the National Collegiate Athletics Association (“NCAA”) (e.g., within a banned-drug class or a substance chemically related to a banned-drug class, as defined by the NCAA). The current list of drugs banned by the NCAA is contained in Appendix A to this policy.

“Illegal Drug” - as used in this policy, the term “illegal drug” means:

1. a drug, the use or possession of which is illegal under federal, Tennessee, or local law; or
2. a prescription drug not prescribed to a student-athlete by a physician; or
3. a prescription drug prescribed to a student-athlete by a physician but not used in the manner or for a purpose prescribed by the physician.

“Positive Finding” - as used in this policy, the term “positive finding” means:
1. a test conducted and confirmed under this policy or the NCAA’s drug testing program demonstrating evidence of an illegal or banned drug, where no medical exception has been granted for such use (“positive test”);
2. a student-athlete’s failure to appear for testing within 30 minutes of their designated testing time
3. a student-athlete’s evading notification of a drug test;
4. a student-athlete’s refusal to submit to, failure to cooperate with, failure to provide a specimen according to protocol, or failure to provide an adequate specimen will be accepted in a test under this policy or the NCAA’s drug testing program;
5. a student-athlete’s manipulation of or tampering with a test sample or otherwise attempting to sabotage the collection process or to materially affect the test results in a test under this policy or the NCAA’s drug testing program; or
6. a student-athlete has been found guilty or pleads guilty or no contest to a legal, administrative, or student disciplinary offense regarding the use, abuse, possession, manufacture, or distribution of a banned or illegal drug

**SCOPE**

Relationship to NCAA Testing. The NCAA administers its own drug testing program under a separate protocol. As a member of the NCAA, UTC participates in the NCAA’s drug testing program, and student-athletes are required to participate in the NCAA’s drug testing program and comply with all NCAA disciplinary actions. Testing under this policy is independent of NCAA testing, but a positive NCAA drug test will trigger concurrent disciplinary action under this policy. A description of the NCAA’s drug testing program can be found at


Relationship to the UTC Standards of Conduct for all students. UTC’s Standards of Conduct for all students prohibit, among other things, the possession or use of illegal drugs, the unauthorized possession or misuse of prescription drugs, and the possession of drug paraphernalia. Like all other students at UTC, student-athletes remain subject to these prohibitions and related sanctions. To avoid inequitable treatment of student-athletes in relation to other students, however, a positive drug test under NCAA testing or this policy shall not provide the basis for or be considered in connection with disciplinary action for violations of the UTC Standards of Conduct.

**ADMINISTRATION**

This policy will be administered by the UTC Substance Abuse Committee, which is comprised of:

1. Director of Athletics
2. Head Team Physician
3. Director of Sports Medicine
4. Senior Associate Athletic Director / Senior Woman Administrator
5. Assistant Athletic Director for Compliance
6. Representative from Chancellor’s Office
7. Representative from Student Development/UTC Counseling Center
This policy is subject to modification by the Director of Athletics following consultation with the Substance Abuse Committee. Such modifications will be effective following written notice to student-athletes and shall not be applied retroactively.

This policy establishes the minimum consequences for student-athletes concerning disciplinary action for a positive drug test. The Head Coach of each respective sport has the discretion to adopt a more stringent policy concerning the consequences of a positive drug test, but the policy must be communicated in writing to the sport’s student-athletes and shall not be applied retroactively.

**UTC DRUG TESTING PROCEDURES**

**Consent**

All student-athletes must sign two personal consent forms for drug testing as a part of their pre-participation physical. Student-athletes may refuse to sign the consent forms, but signing the consent forms is a condition of participating in athletics at UTC.

One consent form indicates the understanding of this policy and is an agreement to be screened for banned and illegal drugs. The second consent form indicates the understanding of the NCAA drug testing policy and is also an agreement to be screened for banned and illegal drugs designated by the NCAA.

Student-athletes who test positive for marijuana and undergo assessment, evaluation, education and/or counseling sessions must sign a consent form whereby the Team Physician and Director of Sports Medicine are given progress reports related to attendance and participation in treatment protocols.

**Notification**

A student-athlete will be notified of his/her drug test via cell phone, text message, or person-to-person. A student-athlete must confirm the notification of drug testing either verbally or in writing (such as a text message response). The athletic trainer in charge of notifying the student-athlete will give the student-athlete specific instructions for reporting to the drug testing site, which includes:

- Date, time, and location of drug testing
- To bring a photo ID to the collection site.
- To not go to the bathroom prior to the test.
- That they will be held at the collection site until they need to use the restroom or they have class. They will be expected to report back to the collection site after their class.
- If they are more than 30 minutes late to the collection site they will be expected to produce a sample immediately upon arrival. Failure to do so will be treated as a positive finding under this policy.
Approval for Alternative Testing

The Director of Sports Medicine may excuse a student-athlete from a drug test conducted under this policy and arrange alternative testing of the student-athlete in each of the following circumstances: (a) the student-athlete has notified his/her athletic trainer of an academic obligation or athletic competition that conflicts with the scheduled test and the athletic trainer has verified the conflict; and (b) the Director of Sports Medicine, in his or her discretion, determines that the student-athlete has presented a compelling justification for rescheduling the test. In addition, the Director of Sports Medicine may excuse a sick or injured student-athlete from the designated test site even if the student-athlete has not completed the test. In such a case, the Director of Sports Medicine, or his/her designee, before releasing the student-athlete from the site, must document appropriate arrangements for alternative testing of the student-athlete.

Specimen Collection Protocol

UTC has contracted with a certified commercial laboratory to perform the screening of student-athletes. The laboratory's protocol will be followed for collection purposes. No sample of (<1.020) will be accepted.

The student-athlete will always be accompanied by the collector and a verifying witness will be present for the completion of paperwork.

Results

A positive test for marijuana is designated as > or = 5 ng/ml. The results of all drug tests will be delivered to the Director of Sports Medicine for both NCAA and Institutional Testing. In the event of a positive test, the Director of Sports Medicine will notify the Athletic Director and the head coach of the appropriate sport. A meeting will be scheduled with the head coach, student-athlete, Director of Sports Medicine, Sport Administrator, and Athletics Director. At this meeting the Director of Sports Medicine will explain the disciplinary action that is being taken and the procedures to follow.

Student-athletes with previous positive findings may be subject to more frequent drug testing throughout the year as deemed appropriate by the Substance Abuse Committee.

EXCEPTION: Student-athletes who are enrolled in outpatient or inpatient counseling and rehabilitation program will not be subject to more frequent drug testing while successfully participating in counseling. However, once the program is complete, he/she may be subject to more frequent testing at UTC. The duration of the program will be determined by the substance abuse counselor but exclusion from testing shall not exceed sixty (60) days.

DISCIPLINARY ACTION

First Positive Finding
1. Parental notification of a positive finding by your head coach at his/her earliest opportunity
2. Meeting with Director of Sports Medicine, Athletics Director, Sport Administrator, and Head Coach.
3. Full Assessment, evaluation and education with UTC Counseling Center.
4. Treatment as deemed necessary by UTC Counseling Center.
5. Additional disciplinary action as specified by Head Coach.
6. Mandatory meeting with the Athletics Director.
7. Loss of SAF-SAOF Funds
8. Possible loss of athletic summer school aid (determined by Director of Athletics)
9. Possible termination from the team (determined by Director of Athletics)

Second Positive Finding

1. Parental notification of a positive finding by your head coach at his/her earliest opportunity
2. Meeting with Director of Sports Medicine, Athletics Director, Sport Administrator, and Head Coach.
3. Full assessment, evaluation and education with UTC Counseling Center.
4. Treatment as deemed necessary by UTC Counseling Center.
5. Additional disciplinary action as specified by head coach.
6. Loss of SAF-SAOF Funds
7. Possible loss of athletic summer school aid (determined by Director of Athletics)
8. Possible termination from the team (determined by Director of Athletics)
9. Suspension from 10% of intercollegiate competitions.
10. Follow up treatment plan developed (possible in-patient or out-patient program).

Third Positive Finding

1. Cancellation of eligibility to participate in the athletic program.
2. Any athletic grant-in-aid will not be renewed and will automatically be revoked, in accordance with NCAA and conference guidelines.
3. Parent(s), guardian, and/or spouse notified in writing by the Athletics Director.

All offenses are cumulative throughout the student-athlete’s eligibility. However, student-athletes will have an opportunity one time during their intercollegiate athletic career to remove the one level of consequences from a positive finding for marijuana only if he or she maintains a consecutive twelve month time period of having no further positive findings.

**APPEALS**

A student-athlete may appeal a positive finding, or a disciplinary action initiated as a result of a positive finding, to the Director of Athletics. A written appeal must be submitted to the Director of Athletics within one (1) week of notification of the finding or action being appealed. The appeal must contain an explanation of why the positive finding or disciplinary action should not be enacted with supporting information or documentation. The appeal will be considered by the Substance Abuse Committee and the Faculty Athletic Representative who will submit a majority recommendation to the Director of Athletics. The final decision regarding the appeal will be made by the Director of Athletics.

If an intercollegiate athletic competition is scheduled prior to the Substance Abuse Committee ability to consider the appeal, the student-athlete may be suspended (determined by Director of Athletics from that competition in accordance with the designated level of disciplinary action outlined in this Policy and Procedure. The student-athlete may request an expedited meeting of the Substance Abuse Committee to
consider the appeal and the Substance Abuse Committee will reasonably attempt to meet this request. However, the Substance Abuse Committee and/or the Director of Athletics are not obligated to render a decision prior to the next scheduled meeting of the Substance Abuse Committee.

SAFE HARBOR PROGRAM
The Safe Harbor Program allows a student-athlete to refer him/herself once for voluntary evaluation and counseling one time during the student-athlete's career without having the Department of Athletics consider it a positive finding. A student-athlete is not eligible for the Safe Harbor Program after he/she has been informed of an impending drug test or after having received notification of a positive finding. A student-athlete also is not eligible for the Safe Harbor Program if he/she has previously received a positive finding.

The Director of Sports Medicine will arrange for the student-athlete to receive a drug test as soon as practicable following the student’s request to enter the Safe Harbor Program (“Initial Safe Harbor Drug Test”) and work with the student-athlete to prepare a treatment plan which may include confidential banned/illegal drug testing. If the Initial Safe Harbor Drug Test is positive banned/illegal drugs, that positive test will not result in any administrative sanction unless, as described below, the student-athlete tests positive in a subsequent retest or the student-athlete fails to comply with the prescribed treatment plan. (The Director of Sports Medicine may suspend the student-athlete from play or practice if medically justified.) A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed sixty (60) days, as determined by the Director of Sports Medicine. A student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or Conference post-season competition.

If a student-athlete tests positive for any banned or illegal drug after the Initial Safe Harbor Drug Test or fails to comply with the Safe Harbor treatment plan, the Director of Sports Medicine will remove the student-athlete from the Safe Harbor program, and the Initial Safe Harbor Drug Test, if positive, will be treated as a positive finding and a subsequent positive will be treated as an additional positive finding – all subject to the disciplinary actions set forth herein.

Student-athletes in the Safe Harbor Program may be selected for drug testing by the NCAA. If a screening results in a positive test, the student-athlete will be subject to the disciplinary policies and procedures set forth by the NCAA, and the positive test will be treated by UTC as described above. Note: There is no Safe Harbor Program established by the NCAA.

SELECTION OF STUDENT-ATHLETES FOR TESTING
The Department of Athletics’ drug testing program consists of random and unannounced drug tests year-round conducted in accordance with this policy. The substances that may be tested for during drug testing are subject to updates at any time. Unless otherwise notified, testing will be done in the Visitor’s Locker Room located in the first floor of McKenzie Arena. Individuals will be subject to undergo drug testing:

- At random;
- For reasonable suspicion/for cause;
- Along with the entire athletic team; and/or
- For periodic monitoring or aftercare.

Testing based on random selection
- Each week a select number of student-athletes determined by the Athletic Training Drug Testing Coordinator may be selected at random for drug testing. The selection of the student-athletes will be generated by the drug testing company so each student-athlete will have an equal chance at being chosen, regardless of whether they have been previously tested. In addition, entire teams or randomly selected student-athletes on specific teams may be selected for screening.
• The selection list will be delivered to the Director of Sports Medicine at least two days prior to testing. The Director of Sports Medicine will notify the respective athletic trainers who will be responsible for notifying their student-athletes of selection.

• Notification to the selected student-athletes will be the responsibility of the respective athletic trainer the day before testing, not to exceed twenty-four hours. The information will include the location, date, time, and above mentioned instructions.

Testing in response to individualized reasonable suspicion
A student-athlete may be subject to drug testing at any time when the Director of Sports Medicine determines that there is reasonable suspicion to believe that the student-athlete is using banned or illegal drugs. Reasonable suspicion may be based on information presented to the Director of Sports Medicine, including, but not limited to, the following:

• Observed possession or use of substances that reasonably appear to be banned or illegal drugs.
• An arrest or a criminal offense or charge of a violation of UTC’s Standards of Conduct related to the possession, use, manufacture, or distribution of a banned or illegal drug.
• Observed abnormal appearance, conduct, performance, or behavior reasonably interpretable as being caused by the use of banned or illegal drugs. Among the indicators that may be used in evaluating a student-athlete’s appearance, conduct, performance, or behavior are: class attendance; significant GPA changes; athletic practice attendance; increased injury rate or illness; physical appearance changes; academic/athletic motivational level changes; changes in emotional condition; and changes in mood.

Testing for an entire athletic team
There may be times that an entire team is tested for banned or illegal drugs. This may include but is not limited to the following reasons:

• Prior to pre-season or post-season competition.
• Suspected widespread use of/or association with illegal or banned drugs by team members.

Testing individuals who previously received a positive finding
Student-athletes who previously received positive findings may be subject to test during each random, reasonable suspicion and entire athletic team test.

COUNSELING/TREATMENT
As indicated in the disciplinary actions, student-athletes who have a positive drug test or who are involved in a reportable offense involving alcohol, banned or illegal substances will be required to attend an assessment, evaluation and education session at the UTC Counseling Center in accordance with the policies concerning their first offense. In the case of a second offense, student-athletes will be required to attend mandatory assessment, evaluation, education and/or counseling with the UTC Counseling Center or an outpatient treatment program in which expenses incurred with be billed to their respective team. Noncompliance with treatment protocols may result in an additional positive test result and/or further disciplinary action.

Student-athletes are required by UTC Athletics to request that the counseling center send notification that they attended an evaluation session to the Director of Sports Medicine. Student-athletes will be required to comply with all recommendations made by the counselor during the evaluation. Failure to do so may result in termination from the team and loss of financial aid.

FINANCIAL RESPONSIBILITY
Once a student-athlete has tested positive for a banned or illegal drug, he or she will be required to be evaluated by a counselor to determine the extent of their substance abuse problem. The student-athlete will be referred for the appropriate follow-up counseling or treatment, which could include evaluation, short and long-term counseling, and in-patient comprehensive care to help manage their addiction. Financial responsibilities must be determined prior to any form of therapeutic services. The student athlete and/or their parent(s) or guardian may be financially responsible for the services indicated by the evaluation team.

**EDUCATION**

Each UTC Athletics Department student-athlete, coach and staff member will be made aware of this policy at the beginning of the academic year in conjunction with required compliance meetings, as well as throughout the remainder of the academic year. In addition, special mandatory meetings may be held at the discretion of the Director of Athletics, the Director of Sports Medicine, or a Head Coach.

**PRESCRIBED MEDICATIONS**

The University of Tennessee at Chattanooga Sports Medicine Staff must have a record of a student-athlete being prescribed medication by a team physician. If another physician prescribed the student-athlete medication, the individual must ensure that the prescribing physician supplies medical documentation for the use of that prescription. Medications being taken must be on file with the Sports Medicine Department. Additionally, the individual should list any medications being taken on the medication notification form given to them at the time of testing.

**CONFIDENTIALITY**

The Athletics Department make reasonable efforts to maintain the confidentiality of information and records associated with this policy, including drug test results, disciplinary actions, and/or any counseling and treatment services that a student-athlete may receive. Unless otherwise required by law, drug test results and related records may be disclosed to the Director of Sports Medicine, the Assistant Athletic Director for Compliance, the Sport Administrator, and the Head Coach.

**APPENDIX A**

**2013-14 NCAA Banned Drugs**

It is your responsibility to check with the appropriate or designated athletics staff before using any substance.

The NCAA bans the following classes of drugs:

**Stimulants**
Anabolic Agents
- Alcohol and Beta Blockers (banned for rifle only)
- Diuretics and Other Masking Agents
- Street Drugs
- Peptide Hormones and Analogues
- Anti-estrogens
- Beta-2 Agonists

Note: Any substance chemically related to these classes is also banned.

The institution and the student-athlete shall be held accountable for all drugs within the banned drug class regardless of whether they have been specifically identified.

Drugs and Procedures Subject to Restrictions
- Blood Doping
- Local Anesthetics (under some conditions)
- Manipulation of Urine Samples
- Beta-2 Agonists permitted only by prescription and inhalation
- Caffeine if concentrations in urine exceed 15 micrograms/ml

NCAA Nutritional/Dietary Supplements Warning

Before consuming any nutritional/dietary supplement product, review the product with the appropriate or designated athletics department staff!

- Dietary supplements are not well regulated and may cause a positive drug test result.
- Student-athletes have tested positive and lost their eligibility using dietary supplements.
- Many dietary supplements are contaminated with banned drugs not listed on the label.
- Any product containing a dietary supplement ingredient is taken at your own risk.

Note to Student-Athletes: There is no complete list of banned substances. Do not rely on this list to rule out any supplement ingredient.

Check with your athletics department staff prior to using a supplement.

Some Examples of NCAA Banned Substances in Each Drug Class

Stimulants
Amphetamine (Adderall); caffeine (guarana); cocaine; ephedrine; fenfluramine (Fen); methamphetamine;
methylphenidate (Ritalin); phentermine (Phen); synephrine (bitter orange); methylhexaneamine, “bath salts” (mephedrone) etc.

exceptions: phenylephrine and pseudoephedrine are not banned.

Anabolic Agents (sometimes listed as a chemical formula, such as 3,6,17-androstenetrione)
Androstenedione; boldenone; clenbuterol; DHEA (7-Keto); epi-trenbolone; etiocholanolone; methasterone; methandienone; nandrolone; norandrostenedione; stanozolol; stenbolone; testosterone; trenbolone; etc.

Alcohol and Beta Blockers (banned for rifle only)
Alcohol; atenolol; metoprolol; nadolol; pindolol; propranolol; timolol; etc.

Diuretics (water pills) and Other Masking Agents
Bumetanide; chlorothiazide; furosemide; hydrochlorothiazide; probenecid; spironolactone (canrenone); triameterene; trichlormethiazide; etc.

Street Drugs
Heroin; marijuana; tetrahydrocannabinol (THC); synthetic cannabinoids (eg. spice, K2, JWH-018, JWH-073)

Peptide Hormones and Analogues
Growth hormone(hGH); human chorionic gonadotropin (hCG); erythropoietin (EPO); etc.

Anti-Estrogens
Anastrozole; tamoxifen; formestane; 3,17-dioxo-etiochol-1,4,6-triene(ATD), etc.

Beta-2 Agonists
Bambuterol; formoterol; salbutamol; salmeterol; etc.

Additional examples of banned drugs can be found at www.ncaa.org/drugtesting. Any substance that is chemically related to the class, even if it is not listed as an example, is also banned!
Information about ingredients in medications and nutritional/dietary supplements can be obtained by contacting the Resource Exchange Center, REC, 877-202-0769 or [www.drugfreesport.com/rec](http://www.drugfreesport.com/rec) password ncaa1, ncaa2 or ncaa3.

It is your responsibility to check with the appropriate or designated athletics staff before using any substance.
Appendix D

University of Tennessee at Chattanooga (online)

CORE ALCOHOL AND DRUG SURVEY LONG FORM - FORM 194

EXECUTIVE SUMMARY

The Core Alcohol and Drug Survey was developed to measure alcohol and other drug usage, attitudes, and perceptions among college students at two and four-year institutions. Development of this survey was funded by the U.S. Department of Education. The survey includes several types of items about drugs and alcohol. One type deals with the students' attitudes, perceptions, and opinions about alcohol and other drugs, and the other deals with the students' own use and consequences of use. There are also several items on students' demographic and background characteristics as well as perception of campus climate issues and policy.

Key Findings from students at University of Tennessee at Chattanooga (online)

Following are some key findings on the use of alcohol:

77.6% of the students consumed alcohol in the past year ("annual prevalence").

64.9% of the students consumed alcohol in the past 30 days ("30-day prevalence").

47.7% of underage students (younger than 21) consumed alcohol in the previous 30 days.

35.1% of students reported binge drinking in the previous two weeks. A binge is defined as consuming 5 or more drinks in one sitting.

Following are some key findings on the use of illegal drugs:

27.2% of the students have used marijuana in the past year ("annual prevalence").

15.2% of the students are current marijuana users ("30-day prevalence").

11.3% of the students have used an illegal drug other than marijuana in the past year ("annual prevalence").

5.7% of the students are current users of illegal drugs other than marijuana ("30-day prevalence").
The most frequently reported illegal drugs used in the past 30 days were:

15.2% Marijuana (pot, hash, hash oil)
3.3% Amphetamines (diet pills, speed)
1.4% Sedatives (downers, ludes)

Following are some key findings on the consequences of alcohol and drug use:

23.8% reported some form of public misconduct (such as trouble with police, fighting/argument, DWI/DUI, vandalism) at least once during the past year as a result of drinking or drug use.

17.7% reported experiencing some kind of serious personal problems (such as suicidality, being hurt or injured, trying unsuccessfully to stop using, sexual assault) at least once during the past year as a result of drinking or drug use.

Following are some key findings on opinions about the campus environment:

88.3% of students said the campus has alcohol and drug policies;
11.3% said they "don't know"; and
0.4% said there wasn't a policy.

46.1% of students said the campus has an alcohol and drug prevention program;
52.4% said they "don't know"; and
1.5% said there wasn't a program.

73.1% of students said the campus is concerned about the prevention of drug and alcohol use;
16.8% said they "don't know"; and
10.1% said the campus is not concerned.

With regard to students' perceptions of other students' use:
88.1% of students believe the average student on campus uses alcohol once a week or more.

65.9% of students believe the average student on this campus uses some form of illegal drug at least once a week.

38.8% of students indicated they would prefer not to have alcohol available at parties they attend.

86.4% of students indicated they would prefer not to have drugs available at parties they attend.

The following percentages of survey respondents said they saw drinking as a central part of the social life of the following groups:

- 78.2% of the respondents said they saw drinking as central in the social life of male students.
- 65.2% of the respondents said they saw drinking as central in the social life of female students.
- 18.1% of the respondents said they saw drinking as central in the social life of faculty/staff.
- 38.5% of the respondents said they saw drinking as central in the social life of alumni.
- 57.5% of the respondents said they saw drinking as central in the social life of athletes.
- 88.0% of the respondents said they saw drinking as central in the social life of fraternities.
- 79.1% of the respondents said they saw drinking as central in the social life of sororities.
- 37.4% of the students said they believe the social atmosphere on campus promotes alcohol use.

20.0% of the students said they believe the social atmosphere on campus promotes drug use.

7.8% of the students said they do not feel safe on campus.

Compared to other campuses...

- 7.5% feel that alcohol use is greater
- 34.3% feel that alcohol use is less
- 58.3% feel alcohol use is about the same

On the Core Alcohol and Drug Survey, respondents were asked to report whether students on this campus cared about a number of campus climate issues (with the response options being "not at all", "slightly", "somewhat", and "very much"). The following percentages of respondents on this campus indicated that their fellow students cared "somewhat" or "very much" about the following issues:
84.4% said students cared about sexual assault
77.0% said students cared about assaults that are non-sexual
76.9% said students cared about harassment because of race or ethnicity
73.2% said students cared about harassment because of gender
73.2% said students cared about harassment because of sexual orientation
64.9% said students cared about harassment because of religion
60.3% said students cared about campus vandalism
43.7% said students cared about alcohol and other drug use

Table 1 shows the percentage of students who reported having experienced any of the following within the last year and, if so, the percentage who reported consuming alcohol or other drugs shortly before these incidents.

<table>
<thead>
<tr>
<th>Experience</th>
<th>Used Alcohol or Drugs</th>
<th>Incident</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.9%ethnic or racial harassment</td>
<td>9.1%</td>
<td></td>
</tr>
<tr>
<td>7.0%threats of physical violence</td>
<td>12.1%</td>
<td></td>
</tr>
<tr>
<td>2.6%actual physical violence</td>
<td>33.3%</td>
<td></td>
</tr>
<tr>
<td>2.2%theft involving force or threat of force</td>
<td>22.2%</td>
<td></td>
</tr>
<tr>
<td>3.0%forged sexual touching or fondling</td>
<td>53.8%</td>
<td></td>
</tr>
<tr>
<td>2.0%unwanted sexual intercourse</td>
<td>87.5%</td>
<td></td>
</tr>
</tbody>
</table>

On the Core Alcohol and Drug Survey, students were asked to rate the degree of risk people take when they act in certain ways, listed below. The response options were, "no risk", "slight risk", "moderate risk", "great risk", and "can't say". The numbers listed below indicate the percentage of respondents who felt there was "great risk" associated with the following behaviors:

7.8% try marijuana once or twice
11.2% smoke marijuana occasionally
28.2% smoke marijuana regularly
40.4% try cocaine once or twice
77.4% take cocaine regularly
44.1% try LSD once or twice
74.4% take LSD regularly
43.6% try amphetamines once or twice
72.6% take amphetamines regularly
14.7% take one or two drinks of an alcoholic beverage (beer, wine, liquor) nearly every day
57.5% take four or five drinks nearly every day
56.3% have five or more drinks in one sitting
54.0% take steroids for body building or improved athletic performance
37.8% consume alcohol prior to being sexually active
41.9% regularly engage in unprotected sexual activity with a single partner
85.3% regularly engage in unprotected sexual activity with multiple partners

Sexual Behavior:
62.4% of the students reported engaging in sexual intercourse within the past year. Of these,
16.4% used alcohol the last time they had intercourse and 5.2% used drugs.

In the last 30 days, the following percentages of students engaged in the behaviors described below:
55.3% refused an offer of alcohol or other drugs
9.4% bragged about alcohol or other drug use
64.5% heard someone else brag about alcohol or other drug use
17.6% carried a weapon such as a gun, knife, etc. (not hunting or job related)
23.7% experienced peer pressure to drink or use drugs
6.3% held a drink to have people stop bothering you about why you weren't drinking
17.2% thought a sexual partner was not attractive because he/she was drunk
10.5% told a sexual partner that he/she was not attractive because he/she was drunk
The following data describes how students say their friends would feel if they...

- Tried marijuana once or twice - 46.8% of their friends would disapprove
- Smoked marijuana occasionally - 57.5% of their friends would disapprove
- Smoked marijuana regularly - 75.0% of their friends would disapprove
- Tried cocaine once or twice - 86.0% of their friends would disapprove
- Took cocaine regularly - 97.6% of their friends would disapprove
- Tried LSD once or twice - 84.7% of their friends would disapprove
- Took LSD regularly - 97.2% of their friends would disapprove
- Took one or two drinks every day - 52.1% of their friends would disapprove
- Took four or five drinks every day - 88.6% of their friends would disapprove
- Had five or more drinks at one sitting - 67.3% of their friends would disapprove

The following are some key findings on the perceived effects of alcohol:

- 72.6% say it breaks the ice
- 72.1% say it enhances social activity
- 49.6% say it makes it easier to deal with stress
- 55.1% say it facilitates a connection with peers
- 62.0% say it gives people something to talk about
- 58.0% say it facilitates male bonding
- 49.8% say it facilitates female bonding
- 57.7% say it allows people to have more fun
- 67.2% say it gives people something to do
- 22.2% say it makes food taste better
- 22.2% say it makes women sexier
- 14.6% say it makes men sexier
- 17.5% say it makes me sexier
- 42.8% say it facilitates sexual opportunity

**Use of Drugs**

The following tables provide additional details about students’ reported use of drugs at this institution. Unless otherwise indicated, percentages are based on the total number of students responding validly to a given item.
For comparison purposes some figures are included from a reference group of 143191 students from 312 institutions from the 2011 to 2013 National Data.

In general, substantial proportions of students report having used alcohol, tobacco, and marijuana in response to the question, "At what age did you first use ______?" whereas comparatively few report having used each of the other substances. This question examines "lifetime prevalence" as opposed to annual prevalence and 30-day prevalence.

Table 2 describes lifetime prevalence, annual prevalence, 30-day prevalence, and high frequency use (3 times a week or more). **Table 2 - Substance Use**

<table>
<thead>
<tr>
<th>Substance</th>
<th>Lifetime Prevalence</th>
<th>Annual Prevalence</th>
<th>30-Day Prevalence</th>
<th>3X/Week or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tobacco</td>
<td>44.2 43.1</td>
<td>30.4 33.2</td>
<td>19.9 21.9</td>
<td>12.5 11.3</td>
</tr>
<tr>
<td>Alcohol</td>
<td>81.7 84.4</td>
<td>77.6 81.4</td>
<td>64.9 68.7</td>
<td>20.5 20.3</td>
</tr>
<tr>
<td>Marijuana</td>
<td>41.5 44.9</td>
<td>27.2 32.4</td>
<td>15.2 19.0</td>
<td>6.8 7.7</td>
</tr>
<tr>
<td>Cocaine</td>
<td>8.4 7.4</td>
<td>3.3 4.2</td>
<td>1.2 1.8</td>
<td>0.0 0.3</td>
</tr>
<tr>
<td>Amphetamines</td>
<td>13.3 10.1</td>
<td>4.9 5.5</td>
<td>3.3 3.1</td>
<td>1.9 1.5</td>
</tr>
<tr>
<td>Sedatives</td>
<td>7.1 6.4</td>
<td>2.3 3.3</td>
<td>1.4 1.6</td>
<td>0.2 0.5</td>
</tr>
<tr>
<td>Hallucinogens</td>
<td>8.6 7.5</td>
<td>3.3 4.3</td>
<td>1.2 1.3</td>
<td>0.0 0.2</td>
</tr>
<tr>
<td>Opiates</td>
<td>2.3 2.5</td>
<td>0.8 1.4</td>
<td>0.2 0.8</td>
<td>0.0 0.3</td>
</tr>
<tr>
<td>Inhalants</td>
<td>2.7 2.8</td>
<td>0.2 1.0</td>
<td>0.6 0.6</td>
<td>0.0 0.2</td>
</tr>
<tr>
<td>Designer drugs</td>
<td>6.8 8.5</td>
<td>1.6 5.2</td>
<td>0.6 1.8</td>
<td>0.0 0.2</td>
</tr>
<tr>
<td>Steroids</td>
<td>1.2 1.1</td>
<td>0.4 0.7</td>
<td>0.4 0.5</td>
<td>0.2 0.3</td>
</tr>
<tr>
<td>Other drugs</td>
<td>3.7 3.7</td>
<td>0.8 1.9</td>
<td>0.2 0.8</td>
<td>0.0 0.2</td>
</tr>
</tbody>
</table>

Notes:

Coll. = University of Tennessee at Chattanooga (online)

Ref. = Reference group of 143191 college students

The average number of drinks consumed per week at this institution is 2.8 drinks. The national average is 4.4 drinks (based on a sample of 143191). The percentage of students who report having binged in the last two weeks at this institution is 35.1% compared to the national average of 43.9%.

**Consequences of Alcohol and Drug Use**

The proportion of students who report having had problems as a result of drinking or drug use is another indicator of the level of substance abuse. The percentages of students who reported that
within the past year they had various problematic experiences are given in Table 3. The top group of items represents public misconduct or behaviors that involve actual or potential harm to others. The second group represents possibly serious personal problems. The last group may consist of less serious (and more common) experiences which nevertheless may indicate excessive use.

### Table 3 - Problematic Experiences

<table>
<thead>
<tr>
<th>This Institution</th>
<th>Reference Group</th>
<th>Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td></td>
<td>Been arrested for DWI/DUI</td>
</tr>
<tr>
<td>5.7</td>
<td></td>
<td>Been in trouble with police, residence hall, or other college authorities</td>
</tr>
<tr>
<td>2.4</td>
<td></td>
<td>Damaged property, pulled fire alarms, etc.</td>
</tr>
<tr>
<td>15.8</td>
<td></td>
<td>Driven a car while under the influence</td>
</tr>
<tr>
<td>19.4</td>
<td></td>
<td>Got into an argument or fight</td>
</tr>
<tr>
<td>1.0</td>
<td></td>
<td>Tried to commit suicide</td>
</tr>
<tr>
<td>4.2</td>
<td></td>
<td>Seriously thought about suicide</td>
</tr>
<tr>
<td>8.7</td>
<td></td>
<td>Been hurt or injured</td>
</tr>
<tr>
<td>4.4</td>
<td></td>
<td>Been taken advantage sexually</td>
</tr>
<tr>
<td>0.6</td>
<td></td>
<td>Taken advantage of another sexually</td>
</tr>
<tr>
<td>5.1</td>
<td></td>
<td>Tried unsuccessfully to stop using</td>
</tr>
<tr>
<td>7.9</td>
<td></td>
<td>Thought I might have a drinking or other drug problem</td>
</tr>
<tr>
<td>13.0</td>
<td></td>
<td>Performed poorly on a test or important project</td>
</tr>
<tr>
<td>23.5</td>
<td></td>
<td>Done something I later regretted</td>
</tr>
<tr>
<td>17.8</td>
<td></td>
<td>Missed a class</td>
</tr>
<tr>
<td>21.7</td>
<td></td>
<td>Been criticized by someone I know</td>
</tr>
<tr>
<td>23.5</td>
<td></td>
<td>Had a memory loss</td>
</tr>
<tr>
<td>42.4</td>
<td></td>
<td>Got nauseated or vomited</td>
</tr>
<tr>
<td>50.0</td>
<td></td>
<td>Had a hangover</td>
</tr>
</tbody>
</table>

### Differences among Student Groups

Table 4 compares substance use patterns and consequences of several campus groups: males and females, younger and older, academically more and less successful, and on and off-campus residents.

### Table 4 - Differences among Student Groups
Sample Sizes:

<table>
<thead>
<tr>
<th></th>
<th>Female</th>
<th>Male</th>
<th>16-20</th>
<th>21+</th>
<th>A-B</th>
<th>C-F</th>
<th>On</th>
<th>Off</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently use (in the past 30 days) alcohol</td>
<td>281</td>
<td>237</td>
<td>177</td>
<td>343</td>
<td>462</td>
<td>58</td>
<td>152</td>
<td>368</td>
</tr>
<tr>
<td>Currently use (in the past 30 days) marijuana</td>
<td>13.8</td>
<td>17.0</td>
<td>14.9</td>
<td>15.3</td>
<td>13.8</td>
<td>26.8</td>
<td>16.1</td>
<td>14.8</td>
</tr>
<tr>
<td>Currently use (in the past 30 days) illegal drugs other than marijuana</td>
<td>3.3</td>
<td>8.5</td>
<td>5.2</td>
<td>5.9</td>
<td>4.8</td>
<td>12.5</td>
<td>4.0</td>
<td>6.3</td>
</tr>
<tr>
<td>Had 6 or more binges in the past 2 weeks</td>
<td>2.5</td>
<td>5.9</td>
<td>4.0</td>
<td>4.1</td>
<td>3.5</td>
<td>8.8</td>
<td>4.6</td>
<td>3.8</td>
</tr>
<tr>
<td>Have driven a car while under the influence during past year</td>
<td>12.2</td>
<td>20.2</td>
<td>12.2</td>
<td>17.7</td>
<td>15.1</td>
<td>21.4</td>
<td>12.9</td>
<td>17.0</td>
</tr>
<tr>
<td>Have been taken advantage of sexually during past year</td>
<td>4.8</td>
<td>3.8</td>
<td>4.7</td>
<td>4.2</td>
<td>3.8</td>
<td>8.9</td>
<td>4.1</td>
<td>4.5</td>
</tr>
<tr>
<td>Have taken advantage of another sexually during past year</td>
<td>0.4</td>
<td>0.9</td>
<td>0.0</td>
<td>0.9</td>
<td>0.7</td>
<td>0.0</td>
<td>0.0</td>
<td>0.8</td>
</tr>
</tbody>
</table>

**Sample Demographics**

Following are some summary characteristics of the students who completed and returned the questionnaire.

- 16.6% were freshmen
- 62.7% were in the "typical" college age range of 18-22.
- 13.3% were sophomores
- 54.2% were female.
- 20.8% were juniors
- 70.8% lived off campus.
- 33.9% were seniors
- 66.6% worked part-time or full-time.
- 14.6% were graduates
- 85.5% were full-time students.
- 0.8% were other
- 28.2% reported spending at least 5 hours per month in volunteer work.
THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA

Department of Public Safety

2014

Annual Security Report
And
Annual Fire Safety Report

General Information on Campus Police and Safety

INFORMATION ABOUT POLICIES
AND
PROCEDURES AND CRIME STATISTICS
This information is being provided to you as part of UTC's commitment to safety and security on campus and is in compliance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, Tennessee's College and University Information Act T.C.A. Section 49-7-2201, et seq., and the Federal Crime Awareness and Campus Security Act of 1990.

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Department of Public Safety Mission and Core Values Statement

The mission of the UTCPD is to provide professional police services, reduce criminal opportunity and community anxiety while working with faculty, staff, students, and visitors. Our department is committed to treating all people fairly while supporting an environment where diverse social, cultural, and academic values are allowed to develop.

We embrace the values of professionalism, respect, integrity, dedication, and excellence.

Our Role

As a full-service law enforcement agency, with limitation on jurisdiction, our Campus Police officers have necessary and complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. While the department would rather prevent crime, state law defines "Campus police officer" as a person commissioned by an employing institution and rendered an oath to provide police services, enforce law, exercise arrest authority and carry firearms, and thus is subject to the provisions of the Tennessee peace officer standards and training commission.

We enjoy a great working relationship with local, state, and federal law enforcement agencies for mutual aid in meeting our mission of service.

With minor offenses involving University rules and regulations, committed by a University student, the campus police may refer the individual to the Judicial Affairs officer within Student Development.

Major offenses are jointly investigated with Chattanooga Police, as established by state law. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at General Sessions, Criminal, or Federal Courts of Hamilton County.
MESSAGE FROM VICE CHANCELLOR BROWN

"We at The University of Tennessee at Chattanooga care deeply about the safety and well-being of everyone on campus, and we have hundreds of people involved in keeping this campus safe and secure. However, a truly safe campus can only be achieved through the cooperation of the entire University community: students, faculty, and staff. This brochure is a part of our effort to insure that this collaborative endeavor is effective. We hope that you will read it carefully and use the information to help foster a safe environment for yourself and others on the University campus."

Richard L. Brown, Jr.

Executive Vice Chancellor for Finance and Operations

The University of Tennessee at Chattanooga does not discriminate on the basis of race, sex, color, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. The University does not discriminate on the basis of sex or handicap in the education programs and activities which it operates, pursuant to the requirements of Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972, Public Law 92-318; Section 504 of the Rehabilitation Act of 1973, Public Law 93-112; the Americans with Disabilities Act (ADA) of 1990, Public Law 101-336; and the Age Discrimination in Employment Act. This policy extends to both employment by and admission to the university.

Inquiries concerning Title VI, Title IX, Section 504, the Americans with Disabilities Act, and the Age Discrimination in Employment should be directed to the Office of Equity and Diversity Dept. 5455 720 McCallie Ave. Chattanooga, TN 37403 (423) 425-5670.

Charges of violation of the above policy should also be directed to the Office of the Director for of Equity and Diversity. If you have any questions or if you require accommodations, please call the Office of Human Resources (423) 425-4221.

General Information

**Emergency Numbers:**

<table>
<thead>
<tr>
<th>Service</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>UTC Police Department</td>
<td>(423) 425-4357</td>
</tr>
<tr>
<td>Chattanooga Police Dept.</td>
<td>911 or (423) 698-2525</td>
</tr>
</tbody>
</table>
Resource Numbers:

Calls to the following resources are typically answered Monday through Friday, 8:00 AM – 5:00 PM, during normal business hours:

UTC Counseling Center (423) 425-4438
UTC Safety and Risk Management (423) 425-5209
UTC Student Health Services (423) 425-4453
UTC Women’s Center (423) 425-5648

Calls to the above resources are typically answered Monday through Friday, 8:00 AM – 4:30 PM, when the University is open.

The Clery Act Requirements:

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires that colleges and universities:

- Publish an annual report by October 1 that contains three (3) years of campus crime and fire safety statistics and certain campus security policy statements;

- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other university officials who have “significant responsibility for student and campus activities”;

- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees;

- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;

- Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”; and
Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

Preparation of the Annual Disclosure of Crime Statistics

Crime statistics which are provided in UTC’s Annual Security Report are based upon incidents reported by campus security authorities and local law enforcement agencies. The University shall annually report statistics for the three (3) most recent calendar years concerning the occurrence of crime on campus, in or on non-campus buildings or property, and on public property (as those terms are defined and interpreted for purposes of the Clery Act) for occurrences of Murder, Manslaughter, Sexual Assault (Forcible and Non-forcible), Robbery, Arson, Aggravated Assault, Burglary, and Motor Vehicle Theft; statistics on arrests for Liquor Law and/or Drug Abuse Violations as well as Weapons Violations; statistics on disciplinary referrals for Liquor Law and/or Drug Abuse Violations as well as Weapons Violations; and statistics on Hate Crimes. MTSU Public Safety will make the determination as to whether a reportable offense has occurred. These reports will be compiled to prepare the annual Campus Crime and Security Survey for submission to the United States Department of Education, Office of Postsecondary Education. This survey may be viewed online at:

http://ope.ed.gov/security/

UTC’s Annual Security Report will be made available online to the public by October 1 of each year. This report will be posted to the UTC Public Safety website:

http://www.utc.edu/public-safety/

Daily Crime Logs

**Media Log:** The Media Log is required by the Tennessee College and University Security Information Act and is a recording in chronological order of all crimes reported to the police that include the name, address, and criminal charges of all persons arrested. The Media Log is made available to the general public at the University of Tennessee at Chattanooga Police Department which can be found within the Administration Building located at 400 Palmetto Street, Chattanooga, TN 37403

All crimes reported to UTC Police Department are posted to the media log within two (2) business days of the report unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. UTC Police Department may also withhold information from the media log when there is
clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence.

Law Enforcement on Campus

University of Tennessee at Chattanooga Police Department

The personnel of the UTC Public Safety Office are divided into the following groups:

**Full-Time personnel include:**
- 17 Sworn Officers (which includes the Administrative staff)
- 4 Non-Sworn Security Officers
- 7 Non-Sworn Communication / Security Officers

**Part-time personnel include:** 20 Sworn Officers
- 65 Non-Sworn Security Officers
- 3 Civilian Dispatchers

All full-time sworn officers are state certified by the Peace Officers Standards and Training Commission and receive a minimum of 420 hours of formal training in an approved law enforcement academy. Upon successful completion of police academy training, officers are placed on a six months probationary period. Each new officer is assigned to a senior level field training supervisor and periodic progress reviews are completed.

Enforcement powers are obtained from the State of Tennessee as each campus police officer receives his or her commission in accordance with the provisions set forth by TCA 49-7-118.

All sworn officers, full and part-time, receive a minimum of 40 hours of in-service training each year. Training includes but is not limited to legal updates; crime prevention strategies; firearms instruction and re-qualification; defensive tactics and baton re-certification; safety, fire and evacuation response; ethnic and cultural sensitivity; stress management; suicide prevention; CPR and first aid.

Our University Police Officers are trained to follow relevant policy and state law in order to exercise every precaution when utilizing firearms in their day-to-day work assignments. Should an occasion arise whereby an officer has to present a weapon before the public or discharge a firearm, an immediate Internal Affairs investigation is conducted.

Each University Police Officer fully understands the statutory, moral, and ethical considerations involving the exercise of lethal force. Every effort is made to ensure that any use of deadly force is the officer’s final alternative.
University Police Officers are also trained in defensive tactics, pepper spray, police batons, and Electronic Restraint Devices as less than lethal form of force.

To ensure professional training standards are maintained in the use of firearms by University police personnel, the UTC Police Department maintains state certified use of force instructors to provide departmental training.

UTC Campus Police have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus.

If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the disciplinary division of Student Development.

Major offenses such as rape, murder, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from UTC and the city police are deployed to solve these serious felony crimes.

The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at Municipal, General Sessions, or Federal Court of Hamilton County.

**Association with local, state, and federal authorities**

Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the Chattanooga Police Department through the shared communications network. The University Police Department is also a part of the Hamilton County 911 Emergency System.

By mutual agreement with state and federal agencies, The University Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system police personnel can access the National Crime Information Computer system as well as the Tennessee Information Enforcement System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Per agreement with the Chattanooga Police Department, the University Police Department's jurisdiction extends west bounded by Houston Street with the additional parking areas extending to Lindsay at Vine Street, east to Central Avenue with the adjacent addition of Engel Stadium and the Intramural Soccer Field located at 1130 O’Neal Street, south to M. L. King Boulevard, and north to 3rd Street with the addition of Scrappy Moore Field. Any University owned or leased property in outlying areas may be patrolled jointly by both University and City Police.
Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required.

**Monitoring Off-Campus Crime**

Monitoring of crime off-campus is done by the Chattanooga Police Department or other local law enforcement agencies with jurisdiction where the crime took place. Local law enforcement agencies have been requested to forward UTC Public Safety copies of their reports of all criminal activity occurring on any off-campus properties owned, leased or controlled by officially recognized student organizations of UTC.

The University relies on its working relationships with local law enforcement agencies to receive information about incidents involving students off campus. UTC Public Safety will cooperate with local law enforcement to investigate any crime information received concerning and/or involving a member of the campus community. UTC Public Safety will also supply information regarding the incident as needed or required to local, state or federal law enforcement authorities.

**Off-Campus Housing**

No UTC office or department provides supervision for off-campus housing, apartments, or individual homes, unless these are controlled by the University as official residential housing. Contracted off campus housing is patrolled by off campus private security, and the Chattanooga Police Department has primary responsibility for criminal investigation and incident response. Where appropriate, UTC Public Safety will assist with these tasks.

Students, whether they live on or off campus, are encouraged to report all crimes to the appropriate law enforcement agency. If community members report crimes or serious incidents to other University administrators, those administrators should notify UTC Public Safety or the appropriate local law enforcement agency. Crime awareness information is made available to all students via this report, the UTC Crime Log, and Crime Prevention Bulletins.

**OFFICES RESPONSIBLE FOR CAMPUS SECURITY**

UTC Department of Public Safety is the administrative office responsible for law enforcement and security for campus. The UTC Police Department is located in the Administrative Services Building, 400
Palmetto Street, Chattanooga, Tennessee. Full-time, uniformed officers patrol the campus on foot and in vehicles 24 hours a day year round to ensure safety and protect the property of the University, its students, staff, and faculty.

The Department of Public Safety reports to the Office of Executive Vice Chancellor for Finance & Operations, who maintains overall responsibility for this service related function.

If you have any questions about the services provided, or the content of this report, please contact Chief Robert Ratchford or any staff member (423) 425-4357. Please feel free to stop by anytime for any assistance you may need. More information is located at our website: http://www.utc.edu/public-safety/

The personnel of the UTC Public Safety Office are divided into the following groups:

**Full-Time personnel include:**
- 17 Sworn Officers (which includes the Administrative staff)
- 4 Non-Sworn Security Officers
- 7 Non-Sworn Communication / Security Officers

**Part-time personnel include:** 30
- Sworn Officers
  - 45 Non-Sworn Security Officers
  - 3 Civilian Dispatchers

All full-time sworn officers are state certified by the Peace Officers Standards and Training Commission and receive a minimum of 420 hours of formal training in an approved law enforcement academy. Upon successful completion of police academy training, officers are placed on a six months probationary period. Each new officer is assigned to a senior level field training supervisor and periodic progress reviews are completed.

Enforcement powers are obtained from the State of Tennessee as each campus police officer receives his or her commission in accordance with the provisions set forth by TCA 49-7-118.

All sworn officers, full and part-time, receive a minimum of 40 hours of in-service training each year. Training includes but is not limited to legal updates; crime prevention strategies; firearms instruction and re-qualification; defensive tactics and baton re-certification; safety, fire and evacuation response; ethnic and cultural sensitivity; stress management; suicide prevention; CPR and first aid.

**CAMPUS POLICE AUTHORITY AND JURISDICTION**

UTC Campus Police have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the disciplinary division of Student Development.
Major offenses such as rape, murder, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from UTC and the city police are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at Municipal, General Sessions, or Federal Court of Hamilton County.

Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the City Police Department on the city police radio network. The University Police Department is also a part of the Hamilton County 911 Emergency System.

By mutual agreement with state and federal agencies, The University Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system police personnel can access the National Crime Information Computer system as well as the Tennessee Information Enforcement System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Memorandum of Understanding

Per the current Memorandum of Understanding (MOU) with the Chattanooga Police Department, the University Police Department's jurisdiction extends west bounded by Houston Street with the additional parking areas extending to Lindsay at Vine Street, east to Central Avenue with the adjacent addition of Engel Stadium and the Intramural Soccer Field located at 1130 O'Neal Street, south to M. L. King Boulevard, and north to 3rd Street with the addition of Scrappy Moore Field. Any University owned or leased property in outlying areas may be patrolled jointly by both University and City Police.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required. The Chief of Police and staff routinely participate in regional meetings to ensure that effective communications exist between law enforcement agencies. The constant interaction with Chattanooga Police Department occurs through the Onion Bottom Precinct, with special investigations, and through mutual cooperation in resolution of common crime problems. The University Police Department facilitates or assists in presentation of specialized law enforcement training on a regional basis, which has included Domestic Violence and Sexual Assault investigations, Crisis Intervention Team (Mental Health) training, School Resource Officer training, Law Enforcement Instructor Development, and other areas of law enforcement training which benefit the region.

**HOW TO REPORT A CRIME OR SUSPICIOUS ACTIVITY**

You may report suspicious or criminal activity or other emergencies by dialing the Campus Police at ext. 4357 or HELP (when off-campus dial 425-4357). Additionally, the University has instituted an emergency 911 system campus wide. In an emergency situation you can reach the Campus Police by dialing 911 from any campus telephone. Your location automatically registers on a computer console at the dispatcher's desk so that help can be dispatched immediately.
For your safety there are also 79 Emergency “Blue Light” non-elevator telephones and emergency call boxes scattered throughout the campus, as well as 44 emergency phones located in each elevator that also call directly into the Campus Police Telecommunications Center. These phones automatically register your location when you pick up the receiver.

Understanding that emergencies can occur at any time, there are now 119 emergency red phones located in classrooms around the university. These phones only operate for calling 911. Like the Blue Light phones they automatically register your location when you dial 911 UTC Police.

The UTC Department of Public Safety understands that sometimes a witness may feel the need to remain confidential. If you have witnessed a crime, we offer you the ability to report that crime confidentially using our Confidential Crime Reporting Form located on our website (http://www.utc.edu/Administration/DepartmentOfPublicSafety/tips). Please remember this is not for a crime in progress. All crimes in progress should be reported at 4357 or 911.

The UTC Department of Public Safety encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the UTC Department of Public Safety cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other University campus security authorities as identified below.

**CAMPUS SECURITY AUTHORITIES**

The Clery Act mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to Campus Security Authorities (CSA’s). The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals and students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

The Clery Act regulations define a campus security authority (CSA) as:

- A member of a campus police department or a campus security department of an institution.

- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property)

- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An
official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of an institution.

At the University of Tennessee, Chattanooga, the following positions are considered Campus Security Authorities:

- Chancellor
- Provost, Associate, and Assistant Provost
- All Executive Vice, Vice & Associate Vice Chancellors
- Dean, Associate Deans, and Assistant Deans of Students
- Director Housing & Residence Life
- Director Career & Student Employment Center
- Housing & Residence Life Professional Staff
- Counseling Center Director
- Director Student Health Services
- University Center Director & Assistant Director
- Disability Resource Center Director & Assistant Directors
- Sorority & Fraternity Life Advisors
- Office of Enrollment Services Director
- Director, Assistant Director, and Coordinators of Campus Recreation
- Center for Leadership & Service Director & Coordinator
- Education, Health, & Human Sciences Advising Director
- Parking Services – Director, Assistant Director
- Safety and Risk Management - Manager, Inspectors, and Specialists
- International Study Abroad Program Leaders
- Director of Undergraduate Admissions
- Associate & Assistant Directors of Undergraduate Admissions
- Vice Chancellor/Director of Athletics
- Assistant Athletic Director
- Associate Athletic Directors
- Head / Co-Head, & Assistant Athletic Coaches
- Director of Sports Medicine
- Director of Strength and Conditioning
- UTC Police all staff

**Professional Counseling Staff exception to Campus Security Authority status**

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the
procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

*Pastoral Counselor*
An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

*Professional Counselor*
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

For a current roster of professional counselors, please contact the University of Tennessee at Chattanooga Counseling Center at (423)425-4438.

**REPORTING OF CRIME STATISTICS**

With the passage of both The Tennessee College and University Security Information Act (T.C.A. Section 49-7-2201, et seq.) and the Federal Crime Awareness & Campus Security Act of 1990, The Department of Public Safety will report all crimes reported to our police agency to the Tennessee Bureau of Investigation. This monthly statistical data will be recorded for use in the F.B.I.’s Uniform Crime Report. In turn, all information is supplied to the United States Secretary of Education in compliance with all applicable federal laws.

The UTC Department of Public Safety is a proactive department that continually interacts with the University community. Security and Crime Prevention Seminars are presented in the residence halls each semester. Security training sessions are available to the entire campus community via regularly scheduled presentations in conjunction with the UTC Personnel Office. UTC Department of Public Safety website

[http://www.utc.edu/public-safety/](http://www.utc.edu/public-safety/) circulars, pamphlets, brochures and the university student newspaper are other means by which valuable public safety information is distributed throughout the University environment.
Security Awareness Programs for Students and Employees

During Freshman and Transfer Orientation, students and parents are informed of services offered by the University Police Department. Video and PowerPoint presentations outline ways to maintain personal safety and residence hall security. Students are told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis.

Periodically during the academic year the UTC Police Department, in cooperation with Housing and other university organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), alcohol as a gateway, Rohypnol abuse, theft, and vandalism, as well as educational sessions on personal safety and residence hall security.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles and advertisements in university and student newspapers.

When time is of the essence, information is released to the university community through security alerts posted prominently throughout campus, through computer memos sent over the university's electronic mail system and a voice mail broadcasting system.

Crime Prevention Programs for Students and Employees

University Police personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, community organizations, in addition to quarterly programs for Housing Services Resident Advisers and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Starting in the fall we will be offering Rape Aggression Defense System (RAD) training. It is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. Certified RAD instructors will teach the courses provided.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well, or call the UTC Police Department for an escort.
ACCESS TO CAMPUS AND USE OF FACILITIES

During normal business hours, the University will generally be open to students, parents, employees, contractors, guests, and invitees. Regular business hours are recognized to be Monday - Friday, from 8 a.m. to 5 p.m.

During non-business hours access to all College facilities is by key or key card (MOCS ID) if issued, or by admittance via the UTC Police Department or Residence Life staff. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

University policy prescribes that all persons must report any entry into administrative buildings after 10 P.M. to the Campus Police. Visitors, as a general rule, are not authorized in buildings after normal business hours unless faculty, staff, or a University official escorts them. Students are admitted into buildings after normal business hours only when there is an authorized access list from the department head or his designee.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Aquatics and Recreation Center (ARC), the Library, and the University Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Public

Safety staff conducts scheduled evaluations of campus lighting, emergency phones, Blue Light phones, and access. Daily, while on patrol, Department of Public Safety staff observes, correct, and/or report any safety or environmental issue that would impact safety or convenience of persons.

Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean’s Office, Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications.

The policy concerning the use of University facilities was developed under the auspices of the Facilities Use Committee. Any outside group must submit proper application materials to the committee for review. On-campus groups and co-sponsored requests must also have review and approval by the Facilities Use Committee. Security considerations are reviewed prior to approval of any request. Any "special" use of University facilities must have approval of the Vice Chancellor of Student Development.

Pursuant to Tennessee Statutory Law, trespassing on University property is strictly prohibited. University Police routinely inquire as to the visitation status of individuals suspected of violating the trespass law. A field inquiry form is completed on the violator, and the information is retained for future use. Subsequent violations may subject the violator to arrest and prosecution.
SEXUAL OFFENSES Policy, Response, & Educational Programs

The University of Tennessee at Chattanooga is a recipient of federal financial assistance for education activities, and in accordance with provisions of the Education Amendments Act of 1972, all of its education programs and activities are subject to the prohibition of Title IX of that act against discrimination on the basis of gender. University policy prohibits discrimination on the basis of sex in any education program or activity and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, the University of Tennessee at Chattanooga issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, The University of Tennessee at Chattanooga prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of University of Tennessee at Chattanooga’s policy governing sexual misconduct, visit [http://www.utc.edu/equity-diversity/](http://www.utc.edu/equity-diversity/)

A. Definitions

There are numerous terms used by the University of Tennessee at Chattanooga in our policy and procedures.

**Consent** is defined in Tennessee under 39-11-106. **Title definitions** as:

(9) "Effective consent" means assent in fact, whether express or apparent, including assent by one legally authorized to act for another. Consent is not effective when:
(A) Induced by deception or coercion;

(B) Given by a person the defendant knows is not authorized to act as an agent;

(C) Given by a person who, by reason of youth, mental disease or defect, or intoxication, is known by the defendant to be unable to make reasonable decisions regarding the subject matter; or

(D) Given solely to detect the commission of an offense;

**Sexual Assault:** “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as 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.

Fondling is defined as the touching of the private parts of another person for the purposes 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 is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as a non-forcible sexual intercourse with a person who is under the statutory age of consent.

State of Tennessee criminal statute for Statutory Rape is:


(a) Mitigated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim.

(b) Statutory rape is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:
(1) The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or

(2) The victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is more than five (5) but less than ten (10) years older than the victim.

(c) Aggravated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least thirteen (13) but less than eighteen (18) years of age and the defendant is at least ten (10) years older than the victim.

(d) (1) Mitigated statutory rape is a Class E felony.

(2) (A) Statutory rape is a Class E felony.

(B) In addition to the punishment provided for a person who commits statutory rape for the first time, the trial judge may order, after taking into account the facts and circumstances surrounding the offense, including the offense for which the person was originally charged and whether the conviction was the result of a plea bargain agreement, that the person be required to register as a sexual offender pursuant to title 40, chapter 39, part 2.

(3) Aggravated statutory rape is a Class D felony.

Domestic Violence: The term “domestic violence” means 1) Felony or misdemeanor crimes of violence committed –

(i) By a current or former spouse or intimate partner of the victim;
(ii) By a person with whom the victim shares a child in common;
(iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
(iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (v) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of Tennessee criminal statute for Domestic Assault is:

(a) As used in this section, "domestic abuse victim" means 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 (2) 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 (a)(1) - (5).

(b) A person commits domestic assault who commits an assault as defined in § 39-13101 against a domestic abuse victim.

**Dating Violence:**

The term “dating violence” means violence committed by a person

1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and;

2) The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

(i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(ii) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of Tennessee does not have dating violence defined within Tennessee Code Annotated currently.

**Stalking:** The term “stalking” means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
(i) fear for the person’s safety or the safety of others; or (ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

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

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of Tennessee criminal statute for Domestic Assault is:

39-17-315. Stalking, aggravated stalking, and especially aggravated stalking.

(a) As used in this section, unless the context otherwise requires:

(1) “Course of conduct” means a pattern of conduct composed of a series of two (2) or more separate non-continuous acts evidencing a continuity of purpose;

(2) “Emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;

(3) “Harassment” means conduct directed toward a victim that includes, but is not limited to, repeated or continuing un-consented 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;

(4) “Stalking” means 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;
"Un-consented 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. Un-consented 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 mail or electronic communications to that person; or

(G) Placing an object on, or delivering an object to, property owned, leased, or occupied by that person; and

(6) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

(b) (1) A person commits an offense who intentionally engages in stalking.

(2) Stalking is a Class A misdemeanor.

(3) Stalking is a Class E felony if the defendant, at the time of the offense, was required to or was registered with the Tennessee bureau of investigation as a sexual offender, violent sexual offender or violent juvenile sexual offender, as defined in § 4039-202.

(c) (1) A person commits aggravated stalking who commits the offense of stalking as prohibited by subsection (b), and:

(A) In the course and furtherance of stalking, displays a deadly weapon;

(B) The victim of the offense was less than eighteen (18) years of age at any time during the person's course of conduct, and the person is five (5) or more years older than the victim;

(C) Has previously been convicted of stalking within seven (7) years of the instant offense;

(D) Makes a credible threat to the victim, the victim's child, sibling, spouse, parent or dependents with the intent to place any such person in reasonable fear of death or bodily injury; or
At the time of the offense, was prohibited from making contact with the victim under a restraining order or injunction for protection, an order of protection, or any other court-imposed prohibition of conduct toward the victim or the victim's property, and the person knowingly violates the injunction, order or court-imposed prohibition.

Aggravated stalking is a Class E felony.

A person commits especially aggravated stalking who:

(A) Commits the offense of stalking or aggravated stalking, and has previously been convicted of stalking or aggravated stalking involving the same victim of the instant offense; or

(B) Commits the offense of aggravated stalking, and intentionally or recklessly causes serious bodily injury to the victim of the offense or to the victim's child, sibling, spouse, parent or dependent.

Especially aggravated stalking is a Class C felony.

Notwithstanding any other law, if the court grants probation to a person convicted of stalking, aggravated stalking or especially aggravated stalking, the court may keep the person on probation for a period not to exceed the maximum punishment for the appropriate classification of offense. Regardless of whether a term of probation is ordered, the court may, in addition to any other punishment otherwise authorized by law, order the defendant to do the following:

(1) Refrain from stalking any individual during the term of probation;

(2) Refrain from having any contact with the victim of the offense or the victim's child, sibling, spouse, parent or dependent;

(3) Be evaluated to determine the need for psychiatric, psychological, or social counseling, and, if determined appropriate by the court, to receive psychiatric, psychological or social counseling at the defendant's own expense;

(4) If, as the result of such treatment or otherwise, the defendant is required to take medication, order that the defendant submit to drug testing or some other method by which the court can monitor whether the defendant is taking the required medication; and

(5) Submit to the use of an electronic tracking device, with the cost of the device and monitoring the defendant's whereabouts, to be paid by the defendant.

In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated un-consented contact with the victim after having been requested by the victim to discontinue the conduct or a different form of un-consented contact, and to refrain from any further un-consented contact with the victim, is prima facie evidence that the
continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(g) (1) If a person is convicted of aggravated or especially aggravated stalking, or another felony offense arising out of a charge based on this section, the court may order an independent professional mental health assessment of the defendant’s need for mental health treatment. The court may waive the assessment, if an adequate assessment was conducted prior to the conviction.

(2) If the assessment indicates that the defendant is in need of and amenable to mental health treatment, the court may include in the sentence a requirement that the offender undergo treatment, and that the drug intake of the defendant be monitored in the manner best suited to the particular situation. Monitoring may include periodic determinations as to whether the defendant is ingesting any illegal controlled substances or controlled substance analogues, as well as determinations as to whether the defendant is complying with any required or recommended course of treatment that includes the taking of medications.

(3) The court shall order the offender to pay the costs of assessment under this subsection (g), unless the offender is indigent under § 40-14-202.

(h) Any person who reasonably believes they are a victim of an offense under this section, regardless of whether the alleged perpetrator has been arrested, charged or convicted of a stalking-related offense, shall be entitled to seek and obtain an order of protection in the same manner, and under the same circumstances, as is provided for victims of domestic abuse by title 36, chapter 3, part 6.

(i) When a person is charged and arrested for the offense of stalking, aggravated stalking or especially aggravated stalking, the arresting law enforcement officer shall inform the victim that the person arrested may be eligible to post bail for the offense and to be released until the date of trial for the offense.

(j) If a law enforcement officer or district attorney general believes that the life of a possible victim of stalking is in immediate danger, unless and until sufficient evidence can be processed linking a particular person to the offense, the district attorney general may petition the judge of a court of record having criminal jurisdiction in that district to enter an order expediting the processing of any evidence in a particular stalking case. If, after hearing the petition, the court is of the opinion that the life of the victim may be in immediate danger if the alleged perpetrator is not apprehended, the court may enter such an order, directed to the Tennessee bureau of investigation, or any other agency or laboratory that may be in the process of analyzing evidence for that particular investigation.

(k) (1) For purposes of determining if a course of conduct amounting to stalking is a single offense or multiple offenses, the occurrence of any of the following events breaks the continuous course of conduct, with respect to the same victim, that constitutes the offense:

(A) The defendant is arrested and charged with stalking, aggravated stalking or especially aggravated stalking:
(B) The defendant is found by a court of competent jurisdiction to have violated an order of protection issued to prohibit the defendant from engaging in the conduct of stalking; or

(C) The defendant is convicted of the offense of stalking, aggravated stalking or especially aggravated stalking.

(2) If a continuing course of conduct amounting to stalking engaged in by a defendant against the same victim is broken by any of the events set out in subdivision (k)(1), any such conduct that occurs after that event commences a new and separate offense.

**B. Education and Prevention Programs**

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are 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
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The University of Tennessee at Chattanooga is developing educational programming consisting of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

1) Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2) Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3) Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee and;
4) Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate
violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

5) Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.


The University is in the process of developing an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in ongoing awareness and prevention programs for students and employees in 2014.

C. Procedures for Reporting a Complaint

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the CAMPUS POLICE or local law enforcement. Students and employees should contact The UTC Women’s Center at 423-425-5468

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Erlanger Hospital located at 978 East 3rd Street, Chattanooga, Tennessee 37403 or at the Partnership located at 1800 McCallie Avenue, Chattanooga, Tennessee 37404. In Tennessee, evidence may be collected even if you chose not to make a report to law enforcement you may go directly to one of the aforementioned providers.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the university strongly encourages all
members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police.

The University will assist any victim with notifying local police if they so desire. University of Tennessee at Chattanooga Police Department may also be reached directly by calling 423-425-4357, in person at 400 Palmetto Street, Chattanooga, Tennessee 37403. Additional information about the University of Tennessee at Chattanooga Police department may be found online at: http://www.utc.edu/publicsafety/ If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Dr. Bryan Samuel phone number 423-425-5648 located at 720 McCallie Avenue, Second Floor, Chattanooga Tennessee 37403 by calling, writing or coming into the office to report in person and Campus Police (if the victim so desires.) The University will provide resources, on campus, off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

How to File a University Complaint Against a Student

In addition to or in lieu of filing a criminal complaint, students who feel they have been the victim of sexual harassment, including sexual assault or misconduct, have the right to file a Title IX even if police conclude they do not have sufficient evidence of criminal violation. A complaint of sexual harassment against another student may be filed with the Office of Student Judicial Affairs, 399 University Center, 425-4534, and will be handled in accordance with the University’s student disciplinary regulations and procedures, which can be found at Student Development. Students may be suspended or permanently dismissed as a penalty for sexual harassment.

In a case involving a complaint against another student of sexual assault or misconduct, the alleged victim shall have the right to:

1) Notice concerning the process by which the university will handle the complaint and an opportunity to ask questions about the process;
2) A prompt, thorough, and impartial investigation of the complaint;
3) The same opportunity as the accused student to present his/her explanation of the facts during the university’s investigation;
4) Have the investigation of the complaint concluded within sixty (60) days of the university’s receipt of a complaint, unless circumstances make it impracticable for the university to complete its investigation within that timeframe;
5) Notice of the outcome of the university’s investigation;
6) Have a disciplinary hearing conducted within thirty (30) days of a university charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the university to conduct a hearing within that timeframe;
7) Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
8) The same access as the accused student to any information or documents that will be used by the university during the disciplinary hearing, unless prohibited by law;
9) Challenge the seating of any disciplinary board member for good cause, which will be determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board;
10) Be accompanied by a person, other than a Student Judicial Advisor, of his/ her choosing during the university’s investigation or a disciplinary hearing, but the person shall not be permitted to speak for the victim during a disciplinary hearing;
11) The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence through a Student Judicial Advisor, challenge the admissibility of evidence through a Student Judicial Advisor, and cross-examine adverse witnesses through a Student Judicial Advisor during the disciplinary hearing;
12) Testify or remain silent in a hearing at his/her option;
13) Not to be questioned directly by the accused student during the disciplinary hearing;
14) Submit a written impact statement to the Student Disciplinary Board for consideration of the sanctioning phase of the disciplinary hearing, if the student is found guilty of the charges against him/her, or to the Office of Student Judicial Affairs for consideration during the sanctioning phase of the administrative hearing, if accused student pleads guilty to the charges against him/her;
15) Notice of the decision of the Student Disciplinary Board or the outcome of an administrative hearing within three (3) business days of the hearing; and
16) Appeal the decision of a university disciplinary board in accordance with university procedures.

Standards of Conduct for University Employees

Federal regulations define sexual harassment in employment to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effort of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. For more information, please refer to the complete policy: UTHR 0280.

How to File a University Complaint against a University Employee
A complaint of sexual harassment against a University employee or other non-student should be filed with the Office of Equity and Diversity, 615 McCallie Avenue, 425-5468, and will be handled in accordance with the University’s discrimination complaint procedures.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim changes her/his minds at a later date.

**Confidentiality**

A victim’s report of sexual harassment to the University will be treated confidentially to the maximum extent possible. However, University employees have an affirmative obligation to respond to reports of sexual harassment, even if the individual making the report requests that no action be taken. An individual’s request regarding the confidentiality of a report of sexual harassment will be considered in the dual contexts of the university’s legal obligation to ensure a working and learning environment free from sexual harassment and the due process rights of the accused to be informed of the allegations and their source. In addition, some level of disclosure may be necessary to ensure a complete and fair investigation. The University is required by federal law to report the occurrence on campus of certain crimes, including sex offenses, in an annual report of crime statistics, but the report does not contain any personally identifiable information.

If a victim wants to discuss his/her situation confidentially with a University employee, he/she should contact a licensed counselor in the Student Counseling Center at 423425-4438.

**D. Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Tennessee, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

**40-38-103. Rights of crime victims -- Generally.**

**(a)** All victims of crime shall, upon their request, have the right to:

**(1)** Be fully informed orally, in writing or by video tape by the office of the district attorney general, acting through the appropriate victim-witness coordinator, of the following:
(A) The various steps and procedures involved in the criminal justice system;

(B) The procedure and basis for continuances in the proceedings;

(C) The procedure involved in the plea-bargaining process and how to request input into the process;

(D) The times, dates and locations of all pertinent stages in the proceedings following presentment or indictment by the grand jury;

(E) The methods by which the victim may have input into a convicted defendant's sentence, including the presentence report and the sentencing hearing;

(F) The stages in the appellate process and how to obtain information concerning appellate action that has an effect on the defendant's conviction or sentence and the date a defendant's sentence becomes final;

(G) How to obtain pertinent information relating to the possible release of an appropriate inmate, including notification of any department of correction decision permitting the inmate's release into the community or any scheduled hearing by the board of parole concerning the inmate's parole or application for executive clemency;

(H) The methods by which the victim may obtain restitution directly from the defendant and information about obtaining assistance in obtaining restitution; and

(I) The methods by which the victim may obtain a monetary award or other benefits from the criminal injuries compensation fund and information about obtaining assistance in securing the award or benefits;

(2) Whenever possible, be advised and informed of plea bargaining discussions and agreements prior to the entry of any plea agreement where the victim is a victim of violent crime involving death of a family member or serious bodily injury, speak at parole hearings, submit a victim impact statement to the courts and the board of parole and give impact testimony at court sentencing hearings;

(3) Be informed that § 41-21-240 requires the department to notify them, upon their request, at least ninety (90) days prior to the date an inmate with a sentence of two (2) years or more is scheduled to be released by reason of expiration of the inmate's sentence and be informed how the request of the department is made; and

(4) Be compensated for expenses actually and reasonably incurred as the result of traveling to and from the trial of the defendant or defendants and traveling to and from appellate, postconviction or habeas corpus proceedings resulting from the trial of the defendant or defendants alleged to have committed a compensable offense subject to the provisions of title 29, chapter 13, part 1, and the availability of funds in the criminal injuries compensation fund.
(b) Upon the request of a victim of violent crime involving serious bodily injury or death of a relative, the victim shall be supplied information and a request form by the law enforcement agency responsible for the investigation of the crime or the arrest of the defendant, the sheriff or other custodian of the defendant or the victim-witness coordinator as to how the victim or relative of a victim may request and secure notification of the release from custody of an offender from a jail or detention facility prior to trial. The jailer, sheriff or other custodian of criminal offenders shall maintain a record or file of the request forms and, prior to the release of an offender about whom a notification request has been made, give immediate and prompt notice of the release to the requesting victim or family member of a victim by the most direct means available, including telephone, messenger or telegram. Any identifying information contained in the request forms shall be confidential. For purposes of this subsection (b), "identifying information" means the name, home and work addresses, telephone numbers and social security number of the person being notified or requesting that notification be provided.

Further, the University Tennessee at Chattanooga complies with Tennessee law in recognizing orders of protection. Any person who obtains an order of protection from Tennessee should provide a copy to Campus Police and the Office of the Title IX Coordinator. A complainant may then meet with Campus Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services through Hamilton County General Sessions Court. The victim can make an initial report with the law enforcement agency having jurisdiction where the initial offense occurred. The victim will be assisted with the initial report to the law enforcement agency having jurisdiction by the University of Tennessee at Chattanooga Police Department at the victim’s request. Once the initial report is filed with the law enforcement agency having jurisdiction, the victim may seek any of these orders through Hamilton County General Sessions Court. At anytime during this process, the University of Tennessee at Chattanooga Police Department will assist the victim if requested to do so. The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, university offices will work cooperatively to ensure that the complainant’s health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and
disclosures will be made without inclusion of identifying information about the victim, as defined in 42
USC 1395 (a) (20). Further, the institution will maintain as confidential, any accommodations or
protective measures provided to the victim to the extent that maintaining such confidentiality would
not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information
regarding victims in the campus police departments Daily Crime Log or online. Victims may request
that directory information on file be removed from public sources by contacting the Dean of Students
Office if you are a student or contacting Human Resources if you are an employee.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking (On-Campus)

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<tr>
<th>Resources</th>
<th>Contact</th>
<th>Phone</th>
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<tr>
<td>Counseling</td>
<td>Counseling Center</td>
<td>423-425-4438</td>
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<tr>
<td>Victim Advocacy</td>
<td>Women’s Center</td>
<td>423-425-5648</td>
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<tr>
<td>Health</td>
<td>Student Health Services</td>
<td>423-425-2266</td>
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<tr>
<td>Mental Health</td>
<td>Counseling Center</td>
<td>423-425-4438</td>
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<tr>
<td>Visa and Immigration Assistance</td>
<td>International and National</td>
<td>423-425-4735</td>
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<td>Exchange Programs</td>
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Off Campus Resources

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<tr>
<td>Counseling</td>
<td>Cadas</td>
<td>423-756-7644</td>
</tr>
<tr>
<td>Health</td>
<td>Erlanger Hospital</td>
<td>423-778-1000</td>
</tr>
<tr>
<td>Mental Health</td>
<td>Joe Johnsons</td>
<td>423-634-8884</td>
</tr>
<tr>
<td>Victim Advocacy</td>
<td>The Partnership</td>
<td>423-755-2822</td>
</tr>
<tr>
<td>Legal Assistance</td>
<td>Southeast Tennessee Legal Services</td>
<td>423-756-0128</td>
</tr>
<tr>
<td>Visa and Immigration Assistance</td>
<td>The Partnership</td>
<td>423-755-2822</td>
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Other resources available to persons who report being the victim of sexual assault, domestic violence,
dating violence, or stalking, include:

http://www.rainn.org – Rape, Abuse and Incest National Network
http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice

http://www2.ed.gov/about/offices/list/ocr/index.html Department of Education, Office of Civil
Rights

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are
“individuals who observe violence or witness the conditions that perpetuate
violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

**Risk Reduction**

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.

12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.

13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.

14. **If you suspect you or a friend has been drugged, contact law enforcement immediately** (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
   a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
   b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
   c. **Have a code word with your friends or family** so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
   d. **Lie.** If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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**E. Adjudication of Violations**

Whether or not criminal charges are filed, the university or a person may file a complaint under the Student Code of Conduct for a student and through the Office of Equity and Diversity for an employee alleging that a student or employee violated the University's policy on Sexual Offenses.

**Standards of Conduct for Students**

*The Standards of Conduct that are relevant to public safety concerns include, but are not limited to:*
(1) Providing false information to a University official.

(2) Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.

(3) Forging, altering, destroying, falsifying, or misusing records, identification, or documents, whether in print or electronic form.

(4) Causing physical harm to any person (including oneself); endangering the health or safety of any person (including oneself); engaging in conduct that causes a reasonable person to fear harm to his/her health or safety; or making an oral or written statement (including electronically) that an objectively reasonable person 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, although the speaker need not mean to carry out the act of unlawful violence in order to constitute a violation of this rule.

(5) Harassment, which is defined as unwelcome conduct that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University.

(6) Sexual assault or misconduct.

(7) Invasion of another person’s privacy when that person has a reasonable expectation of privacy.

(8) Theft, misappropriation, unauthorized possession, or unauthorized sale of private or public property, including but not limited to University-controlled property.

(9) Vandalizing, destroying, damaging, engaging in conduct that reasonably could cause damage to, or misusing private or public property, including but not limited to University-controlled property.

(10) Participating in hazing. “Hazing” is defined as any intentional or reckless act, on or off University-controlled property, by one (1) student, acting alone or with others, which is directed against any other student, which endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety. “Hazing” does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

(11) Engaging in disorderly, lewd, indecent, or obscene conduct.

(12) Engaging in speech, either orally or in writing, which is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

(13) Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency;
(14) Possessing, using, or duplicating University keys, access cards, or identification cards without authorization; or entering University-controlled property without authorization.

(15) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes;

(16) Possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

(17) 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.

(18) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.

(19) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

(20) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

(21) Obstructing or disrupting teaching, learning, studying, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, or the free flow of pedestrian or vehicular traffic on University-controlled property. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.

Due Process, Student Rights, and Student Organization Rights.
(1) Due process shall guarantee to the accused student or student organization the following:

(a) The right to be informed of charges in writing prior to the hearing.
(b) The right of reasonable time in which to prepare a defense.
(c) The right to a fair and just hearing.
(d) The right to challenge all charges and testimony used against the accused student or student organization and to question witnesses. (e) The right to be informed in writing of:
   1. The final decision of the case.
   2. The proper procedure for appeal.
(f) The right to be accompanied by an advisor he/she/it chooses, at his/her/its own expense.
1. The accused student or student organization is responsible for presenting his/her/its own information, and therefore, advisors are not to speak or participate directly in a University hearing.

(2) A student or student organization should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University hearing.

(3) Delays will not normally be allowed due to the scheduling conflicts of an advisor.

a. Any student or student organization shall be formally charged in writing with the alleged offense.

b. The date, time, and place of occurrence of the offense shall be stated on the statement of charges.

c. The Dean of Students office must keep accurate records of each hearing and the disposition of each case.

d. In cases involving a complaint of sexual assault or misconduct, the alleged victim shall have the right to:

   i. Notice concerning the process by which the University will handle the complaint and an opportunity to ask questions about the process;

   ii. prompt, thorough, and impartial investigation of the complaint;

   iii. The same opportunity as the accused student to present his/her explanation of the facts during the University’s investigation;

   iv. Have the investigation of the complaint concluded within sixty (60) days of the university’s receipt of a complaint, unless circumstances make it impracticable for the University to complete its investigation within that timeframe;

   v. Notice of the outcome of the University’s investigation;

   vi. Have a disciplinary hearing conducted within thirty (30) days of a University charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the University to conduct a hearing within that timeframe;

   vii. Notice of the date, time, and location of the disciplinary hearing, the right to have the Disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;

   viii. The same access as the accused student to any information or documents that will be used by the University during a disciplinary hearing, unless prohibited by law;

   ix. Challenge the seating of any Student Conduct Board member for good cause, which will be determined at the discretion of the University Hearing Officer;

   x. Be accompanied by an advisor of his/her choosing during the University’s investigation or a disciplinary hearing, but the advisor shall not be permitted to speak for the victim during a disciplinary hearing;

   xi. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence, challenge the admissibility of
evidence, and cross-examine adverse witnesses during the disciplinary hearing;

xii. Testify or remain silent at his/her option; however, choosing to remain silent may result in the University dismissing the charges against the accused student or the Student Conduct Board or University Hearing Officer finding that there is insufficient evidence to find the accused student guilty of the charges against him/her;

xiii. Not to be questioned personally by the accused student during the disciplinary hearing;

xiv. Submit a written impact statement to the Student Conduct Board or University Hearing Officer for consideration during the sanctioning phase of the disciplinary hearing, if the accused student is found guilty of the charges against him/her;

xv. Notice of the decision of the Student Conduct Board or University Hearing Officer within three (3) business days of the disciplinary hearing; and

xvi. Appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for Student Development.

**Student Conduct Hearing Procedures.**

(1) Complaints

(a) Any member of the University community may present a complaint to the Dean of Students office against a student or student organization for violations of the Student Code. Any complaint should be submitted as soon as possible after the event takes place. Any charge(s) shall be prepared in writing by the Dean of Students office.

(b) All charges shall be presented to the accused student or student organization in written form.

(2) Hearing Options

(a) An accused student or student organization desiring to contest the charge(s) against them must do so by requesting a hearing within five (5) days of their receipt of written notice of the charge(s).

(b) The accused student or student organization may, at their option, request a hearing before a Panel of individuals (Student Conduct Board) or by a University Hearing Officer selected by the Vice Chancellor for Student Development (or his or her designee). A hearing before a Student Conduct Board will be chaired by a University Hearing Officer similarly selected. Board members and hearing officers shall be impartial and anyone lacking such impartiality shall recuse him/herself or may be removed by the Vice Chancellor for Student Development upon request of any party to a University hearing.

(c) A requested hearing shall be scheduled promptly after receipt of the request. (d) In the absence of a voluntary written waiver of the accused student’s or student organization’s right to a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (T.C.A. § 4-5-108, et seq.), a requested hearing will be conducted in accordance with the University’s APA hearing procedures and these procedures shall not apply.

(3) Hearing Procedures – The Student Conduct Board or University Hearing Officer sitting alone will conduct the hearing within the following general guidelines:

(a) All University hearings shall be closed to the public.
(b) The accused student (and certain “victims” where permitted by law) or student Organization, and their advisor, if any, shall be allowed to attend the entire portion of the university Hearing at which information is received (excluding deliberations).

(c) Each party will be afforded a full and fair opportunity to present all evidence, including witnesses, reasonably relating to the charge or action at issue; evidence which is irrelevant, immaterial, repetitious or voluminous may be limited.

(d) All procedural questions are determined by the University Hearing Officer.

(e) The Student Conduct Board or University Hearing Officer sitting alone will consider all Evidence presented, giving due consideration to the credibility or weight of each item presented; technical rules of evidence will not apply.

(f) The standard for a finding of responsibility is a preponderance of the evidence.

(g) Following the conclusion of the University hearing, the Student Conduct Board or University Hearing Officer sitting alone will consider the evidence and present written findings.

(h) An appropriate record will be made of the hearing procedures. Deliberations shall not be recorded. Defects in the record will not invalidate the proceedings.

(4) In cases involving an allegation of sexual assault or misconduct, the hearing procedures shall be modified to afford the alleged victim all of the rights described in Chapter 1720-02-05-06(4).

Penalties.

1) Disciplinary penalties are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, discourage other students and student organizations from violating the Standards of Conduct, and protect members of the University community. The penalties imposed should be appropriate for the particular case based on the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other members of the University community). Consideration may also be given to the student’s or student organization’s conduct record, the student’s or student organization’s responsiveness to the conduct process, student academic classification, and other aggravating or mitigating factors.

2) The following penalties may be imposed on any student found to have violated the Standards of Conduct:

a) Warning. A warning is a notice that the student is violating or has violated the Standards of Conduct.

b) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Privileges that may be lost include, but are not limited to, scholarships, stipends, participation in extracurricular activities (e.g. intramurals), housing privileges, participation in social activities, and use of certain University-controlled property (e.g., information technology resources).

c) Educational Sanction. Students may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student Development or his/her designee.

d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.
Disciplinary Reprimand. A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand indicates that further violations will result in more severe disciplinary actions.

Disciplinary Probation. This penalty permits a student to remain at the University on probationary status but with the understanding that a future violation of the Standards of Conduct may result in suspension. Probation may be for a defined or indefinite period. Other conditions of probation are specific to each individual case and may include a requirement of community service or other requirement or restriction.

Suspension for a Specific Period of Time. Suspension for a specific period of time means that the student is withdrawn from the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may include a requirement of community service or other requirement or restriction. Upon return to the University following a suspension for a specific period of time, the student may be placed on indefinite disciplinary probation.

Permanent Dismissal. Permanent dismissal means that a student is permanently barred from matriculating as a student on the Chattanooga campus. This penalty is used when the violation of one (1) or more of the institution’s Standards of Conduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; or when, by his/her repeated violation of the institution’s Standards of Conduct, a student exhibits blatant disregard for the health and safety of other members of the University community or the University’s right to establish rules of conduct.

Revocation of Admission or Degree. Revocation of admission or degree means revoking a student’s admission to the University or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee Board of Trustees.

A disciplinary hold may be placed on a student’s account until the completion of the student disciplinary process and/or until the student satisfies the terms and conditions of any penalties imposed. A student who at the time of commencement, is subject to a continuing disciplinary penalty or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of all penalties and/or resolution of all disciplinary charges.

The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:

a. Warning. A warning is a notice that the student organization is violating or has violated the Standards of Conduct.

b. Educational Sanction. Representatives of student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee.

c. Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.

d. Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.
e. Disciplinary Probation. Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Probation may be for a defined or indefinite period. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious penalties, including revocation of University registration.

f. Revocation of University Recognition. In cases of serious misconduct, a student organization’s University registration may be revoked.

5) More than one (1) of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.

6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

No Contact Directive.

In cases involving allegations of assault, injury, sexual abuse, harassment, or where there is reason to believe continued contact between a student/student organization and specific persons, including complainants and witnesses, may interfere with those persons’ security, safety or ability to participate effectively in work or studies, the Vice Chancellor for Student Development, or his/her designee, may require that the student/student organization not have verbal, physical, or written contact with specific persons for a definite or indefinite period of time. The student/student organization will receive notice of the no contact directive. Any student, faculty or staff member or other person with a reasonable justification may request a no contact directive. In addition to an internal University no contact directive, complainants are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

Interim Suspension.

(1) When the Vice Chancellor for Student Development or his/her designee has reasonable cause to believe that a student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of the University, the Vice Chancellor for Student Development or his/her designee may impose an interim suspension prior to the conclusion of a full hearing on the alleged misconduct.

(2) An interim suspension shall be confirmed by notice to the student or student organization that explains the basis for the interim suspension and shall remain in effect until the conclusion of a full hearing in accordance with the rules of the University of Tennessee, which shall be held without undue delay.

(3) Within three (3) business days of the imposition of the suspension, the student or student organization shall be offered an opportunity to appear personally before the Vice Chancellor for Student Development or his/her designee in order to discuss the following issues only: (i) the reliability of the information concerning the student’s or student organization’s conduct; and (ii) whether the conduct and surrounding circumstances reasonably indicate that the student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a
significant risk of substantial harm to the health or safety of others or to property or poses an imminent threat of disruption of or interference with the normal operations of the University.

(4) During an interim suspension, the student or student organization shall be denied access to University-controlled property, including residence halls, and all other University-affiliated activities or privileges for which the student or student organization might otherwise be eligible, as the Vice Chancellor for Student Development or his/her designee determines in his/her sole discretion to be appropriate. A student or student organization who receives an interim suspension and violates the terms of the interim suspension shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on University-controlled property or participate in University-affiliated activities may be granted by the Vice Chancellor for Student Development or his/her designee.

SEXUAL HARASSMENT

The University of Tennessee at Chattanooga is committed to providing an environment free of sexual harassment, including sexual assault and other sexual misconduct. Sexual harassment is a violation of law, including Title IX of the Education Amendments of 1972, and University policy. The University will not tolerate sexual harassment. More information about sexual harassment and resources for victims of sexual harassment can be found below.

Title IX

“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.” Title IX of the education Amendments of 1972, 20 U.S.C. 1681, and its implementing regulation at 34 C.F.R. Part 106 (Title IX).

The University of Tennessee is a recipient of federal financial assistance for education activities, and in accordance with provisions of the Education Amendments Act of 1972, all of its education programs and activities are subject to the prohibition of Title IX of that act against discrimination on the basis of gender. University policy prohibits discrimination on the basis of gender in any education program or activity. Additionally, in compliance with state law, the University develops a Title IX implementation plan annually and submits it to the state Comptroller’s office. This plan reflects the guidelines set forth in the document, “Without Regard to Gender,” produced by the Office of Education Accountability. The University’s state required Title IX plan is produced by the Office of Equity and Diversity.

The Title IX Coordinator monitors the University’s compliance with Title IX. Individuals with questions or concerns about Title IX, and/ or those who wish to file a complaint of non-compliance with Title IX, may contact the University’s Title IX Coordinator:

Dr. Bryan Samuel
Office of Equity and Diversity Dept.
5455
720 McCallie Ave.
Chattanooga, TN 37403
Any University employee to whom sexual harassment is reported shall notify the Title IX Coordinator as soon as possible after initial contact with person reporting sexual harassment.

More information about University’s policies and resources relating to sexual harassment, sexual assault, and sexual misconduct by students, including on- and offcampus resources for victims and the University’s procedures for handling complaints against students, can be found at Student Development.

More information about the University’s policies against sex discrimination by employees, including the University’s procedures for filing and handling complaints of sex discrimination against University employees, can be found by visiting the Office of Equity and Diversity.

The University’s policy on consenting romantic or sexual relationships can be found in Chapter 55.1.2 of the UTC Faculty handbook.

The University’s Code of Conduct for employees can be found at http://hr.utk.edu/policies/code-of-conduct-procedure/.

The U.S. Department of Education’s Office for Civil Rights (OCR) is the division of the federal government charged with enforcing compliance with Title IX. Information regarding OCR can be found at www.ed.gov/about/offices/list/ocr/index.html.

**SEXUAL HARASSMENT, SEXUAL ASSAULT, AND SEXUAL MISCONDUCT**

The University of Tennessee, Chattanooga is committed to providing an environment free of sexual harassment, including sexual assault and sexual misconduct. Sexual harassment by any member of the university community (faculty, staff, students, applicants) is a violation of law, including Title IX of Education Amendments of 1972 and University policy. The University will not tolerate sexual harassment.

**How to File a University Complaint against a Student**

In addition to or in lieu of filing a criminal complaint, students who feel they have been the victim of sexual harassment, including sexual assault or misconduct, have the right to file a Title IX even if police conclude they do not have sufficient evidence of criminal violation.

A complaint of sexual harassment against another student may be filed with the Office of Student Judicial Affairs, 399 University Center, 425-4534, and will be handled in accordance with the University’s student disciplinary regulations and procedures, which can be found at Student Development.
**Development.** Students may be suspended or permanently dismissed as a penalty for sexual harassment.

In a case involving a complaint against another student of sexual assault or misconduct, the alleged victim shall have the right to:

1. Notice concerning the process by which the university will handle the complaint and an opportunity to ask questions about the process;
2. A prompt, thorough, and impartial investigation of the complaint;
3. The same opportunity as the accused student to present his/her explanation of the facts during the university’s investigation;
4. Have the investigation of the complaint concluded within sixty (60) days of the university’s receipt of a complaint, unless circumstances make it impracticable for the university to complete its investigation within that timeframe;
5. Notice of the outcome of the university’s investigation;
6. Have a disciplinary hearing conducted within thirty (30) days of a university charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the university to conduct a hearing within that timeframe;
7. Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
8. The same access as the accused student to any information or documents that will be used by the university during the disciplinary hearing, unless prohibited by law;
9. Challenge the seating of any disciplinary board member for good cause, which will be determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board;
10. Be accompanied by a person, other than a Student Judicial Advisor, of his/her choosing during the university’s investigation or a disciplinary hearing, but the person shall not be permitted to speak for the victim during a disciplinary hearing;
11. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence through a Student Judicial Advisor, challenge the admissibility of evidence through a Student Judicial Advisor, and cross-examine adverse witnesses through a Student Judicial Advisor during the disciplinary hearing;
12. Testify or remain silent in a hearing at his/her option;
13. Not to be questioned directly by the accused student during the disciplinary hearing;

14. Submit a written impact statement to the Student Disciplinary Board for consideration of the sanctioning phase of the disciplinary hearing, if the student is found guilty of the charges against him/her, or to the Office of Student Judicial Affairs for consideration during the sanctioning phase of the administrative hearing, if accused student pleads guilty to the charges against him/her;

15. Notice of the decision of the Student Disciplinary Board or the outcome of an administrative hearing within three (3) business days of the hearing; and

16. Appeal the decision of a university disciplinary board in accordance with university procedures.

Standards of Conduct for University Employees

Federal regulations define sexual harassment in employment to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. For more information, please refer to the complete policy: UTHR 0280.

Objective:

To establish and define the university policy against sexual harassment of its employees.

Policy:

1. The University of Tennessee unequivocally opposes the sexual harassment of its employees. Sexual harassment will not be tolerated and will be grounds for disciplinary action. In accordance with federal regulations, sexual harassment is defined as follows:

   Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.
2. The university prohibits any retaliatory action against an employee for opposing an action that he or she believes to be sexual harassment, including the filing of an internal complaint or grievance or a charge with a state or federal civil rights enforcement agency.

3. Each unit will provide training for its employees on what constitutes sexual harassment and will provide a procedure to handle complaints of sexual harassment and other complaints of discrimination.

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

In addition to or in lieu of filing a criminal complaint, students who feel they have been the victim of sexual harassment, including sexual assault or misconduct, have the right to file a Title IX even if police conclude they do not have sufficient evidence of criminal violation.

A complaint of sexual harassment against another student may be filed with the Office of Student Judicial Affairs, 399 University Center, 425-4534, and will be handled in accordance with the University’s student disciplinary regulations and procedures, which can be found at Student Development. Students may be suspended or permanently dismissed as a penalty for sexual harassment.

In a case involving a complaint against another student of sexual assault or misconduct, the alleged victim shall have the right to:

1. Notice concerning the process by which the university will handle the complaint and an opportunity to ask questions about the process;
2. A prompt, thorough, and impartial investigation of the complaint;
3. The same opportunity as the accused student to present his/her explanation of the facts during the university’s investigation;
4. Have the investigation of the complaint concluded within sixty (60) days of the university’s receipt of a complaint, unless circumstances make it impracticable for the university to complete its investigation within that timeframe;
5. Notice of the outcome of the university’s investigation;
6. Have a disciplinary hearing conducted within thirty (30) days of a university charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the university to conduct a hearing within that timeframe;
7. Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
8. The same access as the accused student to any information or documents that will be used by the university during the disciplinary hearing, unless prohibited by law;

9. Challenge the seating of any disciplinary board member for good cause, which will be determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board;

10. Be accompanied by a person, other than a Student Judicial Advisor, of his/ her choosing during the university’s investigation or a disciplinary hearing, but the person shall not be permitted to speak for the victim during a disciplinary hearing;

11. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence through a Student Judicial Advisor, challenge the admissibility of evidence through a Student Judicial Advisor, and cross-examine adverse witnesses through a Student Judicial Advisor during the disciplinary hearing;

12. Testify or remain silent in a hearing at his/her option;

13. Not to be questioned directly by the accused student during the disciplinary hearing;

14. Submit a written impact statement to the Student Disciplinary Board for consideration of the sanctioning phase of the disciplinary hearing, if the student is found guilty of the charges against him/her, or to the Office of Student Judicial Affairs for consideration during the sanctioning phase of the administrative hearing, if accused student pleads guilty to the charges against him/her;

15. Notice of the decision of the Student Disciplinary Board or the outcome of an administrative hearing within three (3) business days of the hearing; and

16. Appeal the decision of a university disciplinary board in accordance with university procedures.

How to File a University Complaint against a University Employee

A complaint of sexual harassment against a University employee or other non-student should be filed with the Office of Equity and Diversity, 615 McCallie Avenue, 425-5468, and will be handled in accordance with the University’s discrimination complaint procedures.

How to File a Criminal Complaint against University Employee or Student

Victims of sexual assault or misconduct have the right to file criminal complaint by contacting the University of Tennessee at Chattanooga Police Department, 400 Palmetto St., 423-425-4357, or the Chattanooga Police Department, 3410 Amnicola Highway, 423-643-5000. Victims may file criminal complaint before, during, or after the university’s investigation of sexual assault or misconduct.

Confidentiality

A victim’s report of sexual harassment to the University will be treated confidentially to the maximum extent possible. However, University employees have an affirmative obligation to respond to reports of sexual harassment, even if the individual making the report requests that no action be taken. An individual’s request regarding the confidentiality of a report of sexual harassment will be considered in the dual contexts of the university’s legal obligation to ensure a working and learning environment.
free from sexual harassment and the due process rights of the accused to be informed of the allegations and their source. In addition, some level of disclosure may be necessary to ensure a complete and fair investigation. The University is required by federal law to report the occurrence on campus of certain crimes, including sex offenses, in an annual report of crime statistics, but the report does not contain any personally identifiable information.

If a victim wants to discuss his/her situation confidentially with a University employee, he/she should contact a licensed counselor in the Student Counseling Center at 423425-4438.

Retaliation

Retaliation against anyone who reports sexual harassment is strictly prohibited. Anyone responsible for retaliation, including the accused party or someone affiliated with the accused party, will be subject to disciplinary action by the University.

No Contact Directives

In cases involving allegations of sexual harassment, the Vice Chancellor for Student Life, or his/her designee, may require that a student accused of harassing another student not have verbal, physical, or written contact with the alleged victim for a definite or indefinite period of time. The accused student will receive written notice of the no contact directive. In addition to an internal University no contact directive, victims are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

What to do if You are a Victim of Sexual Assault or Misconduct

1. Get to a safe place.

2. Talk to someone you trust. As soon as you are in a safe place, tell someone you can trust about the incident – a roommate, friend, resident advisor or resident director, minister, or counselor – someone who can provide emotional support and objectively help you to make a plan.

3. Preserve all physical evidence. Do not change your clothing, bathe, shower, use the bathroom, brush your teeth, wash your hands, or comb your hair. If you change clothes, you should place all of your clothing that was worn at the time of the incident in a paper (not plastic) bag.

4. Seek medical attention. You may seek medical care at any time after unwanted sexual activity without reporting a crime or notifying the police. If you think you might want to prosecute, you are strongly encouraged to have a rape examination for the collection of evidence. A medical professional will examine you, provide appropriate medical treatment, and talk with you about prevention of venereal disease and pregnancy. UTC Police are available to take you to the hospital or
Women’s Center at UTC for a medical examination. A description of The Women’s Center at UTC can be found at the Women’s Center.

5. Seek counseling. Victims who wish to speak confidentially with someone about the incident may call the UTC Counseling & Career Planning Center (423-425 4438, 8a – 5p or Campus Security after hours at 423-425-4357). A counselor or specially trained staff member can help a victim explore options, provide information, and provide emotional support. Whether you seek immediate assistance or choose to wait for a period of time after the assault, counseling can help you deal with the psychological residue and begin the healing process.

6. Report the incident. You are encouraged to report the incident to a University official trained to assist victims of sexual assault or misconduct.

1. To the Victim’s Advocate. You may report the incident to the University’s Victim’s Advocate in the Office of the Dean of Students at 423-425-4534. The Victim’s Advocate can assist you in:

   a) Obtaining medical and/or psychological care;

   b) Reporting the incident to the police;

   c) Reporting the incident to the University’s Office of Student Judicial Affairs or the Title IX Coordinator;

   d) Contacting off-campus resources such as rape crisis centers or support groups;

   e) Addressing academic concerns; and

2. Exploring interim and remedial measures, such as requesting a no-contact order and changes in housing and academic schedules.

   a) To the University’s Title IX Coordinator. You may report the incident to the University’s Title IX Coordinator, Dr. Bryan Samuel, Office of Equity and Diversity, 720 McCallie Ave, Chattanooga TN 37403. Phone: 423-425-5670, Fax: 423-425-5761, E-mail: bryan-samuel@utc.edu.

   b) To Law Enforcement. You are encouraged to report the incident to the University of Tennessee Police Department, by calling 423-425-4357. If the incident occurred off campus, then call 911.
Why should you report the incident to UTC Police? Reporting an incident to UTC Police helps:

- Apprehend the alleged assailant;
- Preserve future options regarding criminal prosecution, University disciplinary action, and/or civil action against the perpetrator; and
- Protect you and others from future sexual assaults or misconduct by the same person

What happens when you report the incident to UTC Police? When an incident is reported, a UTC Police officer will inform you about University and external resources that are available to you, including information concerning the preservation of evidence, obtaining medical care, and contacting the University’s Victim’s Advocate. The officer will also complete an Incident Report. Primary responsibility for the investigation of sexual offense cases rests with the UTC Police Department. UTC Police will make arrangements for a victim to meet with an officer for the City of Chattanooga who will prepare a written report. The report will be important to you in case you wish to bring charges, immediately or at a later date. You may be asked questions about the scene of the crime, witnesses, and what happened before and after the incident. You should be aware that the Incident Report registered with UTC Police and the report made available to any Tennessee citizen upon request. It is always your option whether to notify the UTC or Chattanooga police 423-425-4357.

EDUCATION PROGRAMS

The University provides the following programs aimed at promoting awareness of sex offenses:

- Video presentations and speakers available to Freshmen Seminar Classes.
- Residence life programs with relevant speakers.
- Floor meeting discussions led by resident assistants in Housing.
- Presentations at Freshman Orientation Programs.
- Classroom discussions presented by various staff members as requested by faculty.
- Open programs provided by Campus Law Enforcement Officers.

LINK TO TBI SEXUAL OFFENDER REGISTRY

Tennessee Sexual Offender Registry

WOMEN’S CENTER – TRANSFORMATION PROJECT

- CREATING COMMUNITY, EMPOWERING WOMEN
- THE WOMEN’S CENTER AT UTC IS COMMITTED TO CREATING A COMMUNITY OF
DIVERSE AND EMPOWERED STUDENTS THROUGH THE FOLLOWING CORE VALUES:

- AWARENESS: EDUCATING OUR COMMUNITY ON GENDER AND SOCIAL INJUSTICES
- ACTIVISM/ADVOCACY: ENGAGING OUR COMMUNITY IN ADDRESSING ISSUES OF GENDER EQUITY AND SOCIAL JUSTICE
- COLLABORATION: FACILITATING EDUCATION AND ACTIVIST EFFORTS IN OUR COMMUNITY BY SUPPORTING OTHER SOCIAL JUSTICE ORGANIZATIONS AND CAUSES
- LEADERSHIP: DEVELOPING AND EMPOWERING STUDENTS TO ENGAGE IN ETHICAL BEHAVIOR BASED ON FEMINIST PRINCIPLES OF LEADERSHIP
- COMMUNITY: CREATING A COMMUNITY OF ACCEPTANCE AND CELEBRATION OF DIVERSITY

THE TRANSFORMATION PROJECT STRIVES TO REDUCE THE IMPACT OF POWER-BASED VIOLENCE ON THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA CAMPUS AND THE CHATTANOOGA COMMUNITY THROUGH EDUCATION ENCOURAGING CULTURAL TRANSFORMATION AND ADVOCACY TO SUPPORT SURVIVORS OF RELATIONSHIP VIOLENCE, SEXUAL ASSAULT, STALKING, AND SEXUAL HARASSMENT.

- FOR CONFIDENTIAL HELP CONTACT MS. SARA PETERS, PRIMARY VICTIM ADVOCATE, AT 423-425-5605 OR SARA-PETERS@UTC.EDU. ADVOCATES ARE AVAILABLE 24/7 BY CONTACTING THE UTC POLICE DEPARTMENT (423-425-4357) AND ASKING TO SPEAK WITH THE ADVOCATE ON CALL.

- IF THERE IS AN IMMEDIATE THREAT, CALL 911 (OFF-CAMPUS) OR 423-425-4357 (ON-CAMPUS).

ILLEGAL DRUG POLICY

As mandated by the Drug-Free Work Place Act of 1988 (Public Law 100-690), The University of Tennessee is committed to maintaining a drug-free working environment. *Personnel Policy 720, Safety and Health*, specifies, "The University of Tennessee at Chattanooga will ensure that all of its work places are safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substance Act, 21, U.S.C. Section 812) by employees."
The **UTC Student Handbook** strictly prohibits the possession, use, or distribution of drugs or narcotics, including stimulants and depressants, on University owned or controlled property, except as allowed by the law (**UTC Student Handbook** p. 40, "Student Rights and Responsibilities: Statement of a Drug-Free Environment).

**Illegal Drug Policy**

A statement of policy related to illegal drugs is contained in the UT Personnel Policies and Procedures Manual and is published each year in the UTC student handbook. In support of the Drug Free Workplace Act of 1988 (41 U.S.C. 701 et seq), and the Drug Free Schools and Communities Act of 1989, UT annually notifies all students, faculty, and staff of the university policy approved by the UT Board of Trustees on June 21, 1990.

“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. These acts are violations of the Standards of Conduct as defined in the UTC student handbook.

Violation of this policy is grounds for disciplinary action—up to and including immediate discharge for an employee and permanent dismissal for 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. 39-17-401 et seq.). Local ordinances also specify 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/alcohol abuse assistance or rehabilitation program.

Aside from any university policy considerations, the use of illicit drugs and/or the abuse of alcohol may be harmful to your health. Some of the health risks associated with such use/abuse are described at the end of this section.

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

Employees and their families needing treatment information should call their local Human Resources Office or the State of Tennessee Employee Assistance Program http://www.here4tn.com/ (1-855-437-3486).

Students seeking treatment information should contact:
The Counseling and Personal Development Center at (423) 425-4438, University Center Room 338. Counselors are on call 24-7, and may be reached after hours by contacting the UTC Police Dispatch center at (423) 425-4357.

Additional information is available @ http://www.utc.edu/counseling-personaldevelopment-center/

HAZING POLICY

Participation of students in hazing activities is prohibited. Hazing means any intentional or reckless act, on or off university property, by one student, acting alone or with others, which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety, and includes treatment of a violent, abusive, shameful, insulting, or humiliating nature. Such action is prohibited when connected with initiation into or affiliation with an organization and does not include participation in customary athletic events or similar competition. A student or student organization involved in an act of hazing is subject to disciplinary action in accordance with the Code of Student Conduct.

ALCOHOLIC BEVERAGE POLICY

The University of Tennessee at Chattanooga seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety, and welfare of its students, faculty, and staff. In keeping with these objectives, the University has established guidelines and policies governing the possession and consumption of alcoholic beverages on University property.

“Drinking or being under the influence of alcohol or illegal drugs while on the job” or “the use, possession, or distribution of alcohol on university property” is a violation of the university work rules, as stated in the UT Personnel Policies and Procedures Manual. Violation of work rules may be cause for disciplinary action including possible termination of employment.

As stated in the 2013-2014 Student Handbook, university regulations prohibit “all student organizations from serving or permitting the consumption, possession or display of any alcoholic beverage or containers at any time, or by anyone on university premises.”

Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law, is a violation of the Standards of Conduct as defined in the Student Handbook.

http://www.utc.edu/dean-students/student-handbook.php
Because there are many misconceptions, myths, and misunderstandings related to substance use, students are encouraged to visit the Alcohol & Other Drug Education home for the most up to date information regarding alcohol and drug awareness, prevention, and education website. This site contains the required information for completion of the AlcoholEdu course, which became mandatory for all incoming freshmen. http://www.utc.edu/alcohol-drug-education/

In partnership with the Counseling Center and the Dean of Students, the UTC Police Department assists in raising students’ awareness of state laws concerning underage drinking.

The law prohibits any resident, owner, or occupant of property from allowing an underage adult to consume alcohol on their property. “Underage adults” is defined as individuals who are at least 18 years old, but younger than 21.

A resident may face criminal prosecution and university sanction if an underage adult consumes alcohol on his or her property which includes, but is not limited to, a residence hall room or apartment, fraternity- or sorority-affiliated housing, an offcampus house or apartment, or any other property owned or occupied by the individual. Students are encouraged to learn more about campus rules and regulations at http://www.utc.edu/dean-students/pdfs/rights.pdf

Tennessee has several relevant laws that may be enforced by the UTC Police Department, by referral, citation, or arrest. These laws include:

- Underage Consumption or Possession of Alcohol
- Driving Under the Influence (DUI);
- Implied Consent Law;
- Adult Driving While Impaired;
- Underage Driving While Impaired;
- Open Container Law.

Full current text of these laws may be found as Appendix B of this report.

WEAPONS POLICY
As explained in the student handbook, UTC policy prohibits “possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.”

Weapons that are brought to campus by students for sporting purposes must be checked in and stored at the UTC Police Department. Students must contact the UTC Police Department prior to arrival with such weapon. As referenced in the Student Handbook (Section IV, the university’s Standards of Conduct prohibits students from “possessing, using, storing, or manufacturing any weapon or facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.”
Recent changes have been made to certain weapons laws, providing exceptions to criminal prosecution under the amendments to the existing weapons laws. There is no exception to University policy created by these amendments to existing state law.

Pursuant to T.C.A. 49-7-118, all campus police officers and their supervisors carry regulation firearms while on duty. These weapons may be used only when there is a serious, imminent, identifiable threat to life or a threat of great bodily harm.

Duly sworn law enforcement officers and agents of the state and federal governments are also permitted to follow their departmental guidelines and state laws regarding possession and use of weapons, as described in T.C.A. No one other than duly sworn law enforcement personnel may carry or possess firearms on campus.

Notification of the Felony Provisions of T.C.A. 39-17-1309 are posted throughout various buildings. Signs are prominently displayed with the following language: FELONY.

STATE LAW PRESCRIBES A MAXIMUM PENALTY OF SIX (6) YEARS IMPRISONMENT AND A FINE NOT TO EXCEED $3,000 FOR CARRYING WEAPONS ON SCHOOL PROPERTY.

Incidents of Bias / Discrimination Complaint Procedure

The University of Tennessee, Chattanooga, welcomes and honors people of all races, creeds, cultures, and sexual orientations. The University values intellectual curiosity, pursuit of knowledge, and academic freedom and integrity. In keeping with those values, the policies of UT Chattanooga and its UT Area Units expressly prohibit the following:

- discrimination against employees, students, or applicants for employment or admission, on the basis of race, color, religion, sex (including sexual harassment, sexual orientation, gender identity, marital status, parental status), national origin, age, disability, or protected veteran status;
- discrimination against other participants in educational programs and activities (which includes certain individuals who are not employees, students, or applicants for employment or admission) on the basis of race, color, national origin, sex, or disability; and
- retaliation against any person who in good faith reports a practice that he/she believes violates non-discrimination policies.

If you are an employee, student, applicant for employment, applicant for admission, or are otherwise a participant in a UT Chattanooga program or activity, and you believe you have been discriminated against in violation of the policies outlined above, the process below is designed to help you resolve your complaint.
Where and when to file a complaint

Complaints of discrimination should be directed to the UT Chattanooga Office of Equity and Diversity, 720 McCallie Avenue, Second Floor, Dept. 5455, 615 McCallie Avenue, Chattanooga, Tennessee 37403-2598, Telephone (423) 425-5670. **Complaints must be in writing and filed within 300 days of the alleged discriminatory action.** In certain circumstances, at the discretion of the Diversity Officer, complaints filed outside that time limit, or not submitted in writing, may be investigated.

**ENVIRONMENTAL SECURITY CONSIDERATIONS ON CAMPUS**

The part-time sworn and non-sworn officers, along with the crowd control personnel, work all events in our 12,000 seat arena. These events include all basketball games, concerts and other events such as circuses, rodeos, tractor pulls, and commencement exercises. These officers also provide VIP escort service and provide security for oncampus sorority and fraternity functions.

Each semester a team of Safety and Security Officers makes every effort to check every building on campus. This check includes a close inspection of landscaping, groundskeeping, indoor and outdoor lighting, fire code compliance, and door and window locks. The Public Safety Office is also consulted prior to new construction projects in regard to security measures. In addition to these inspections and consultations, a monthly lighting survey is made of all exterior lighting including parking lots. The Campus "BlueLight" Emergency Phones and classroom emergency “red phones” are also checked monthly to ensure that they are in proper working condition.

Full-time, uniformed officers patrol the campus on foot and in vehicles 24 hours a day, 7 days a week, 365 days a year, to ensure safety and protect the property of the University, its students, staff, and faculty.

The Campus is divided into 3 patrol areas. Each area has a major housing unit within its boundaries. On all shifts, every attempt is made to staff at least 3 officers on foot and vehicle patrol, providing ample coverage of the housing areas. At any given time, an officer is no more than minutes away from a residence hall or student apartment complex. Every effort is made to provide a minimum of 2 checks per area per shift of the student housing areas.

**Escort Service and Emergency Phones**
A form of assistance offered by Campus Law Enforcement is the Escort Service whereby an individual can be escorted from one on-campus location to another. In order to obtain an escort, one can either contact an officer in person, or by contacting the UTCPD dispatcher on the telephone or by means of an Emergency "Blue-Light" telephone. All services are available on a twenty-four hour basis. For your safety there are also 79 Emergency “Blue Light” non-elevator telephones and emergency call boxes scattered throughout the campus, as well as 46 emergency phones located in each elevator that also call directly into the Campus Police Telecommunications Center. These phones automatically register your location when you pick up the receiver.

**COMMUNICATIONS AND EMERGENCY NOTIFICATION**

The University currently uses an emergency messaging system known as UTC- ALERT. This system allows campus officials to send messages via the following methods: These messages contain critical information in the event of an emergency on campus

- Text messages to cell phones and other portable communications devices using push technology.
- Alerting devices installed in the most heavily used classrooms.
- Building fire alarms
- E-mail via multiple list serves
- Direct connections to common social media sites.

UTC-ALERTS will be used on a very limited basis for dissemination of emergency messages, timely warnings or information vital to the safety of the campus. These might include a shooting on campus, a severe weather threat, or a chemical spill. The exact pathways used to push out information depend on the nature and criticality of the incident in question.

UTC-ALERTS recognize the following types of messages:

| Emergency Message | 1) A message triggered by an event that is currently occurring on or imminently threatening the campus which can reasonably be expected to cause death or injury.  
2) A message sent in response to any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.  
Examples include active shooter or tornado warnings which affect the campus. |
|-------------------|----------------------------------------------------------------------------------------------------------|
| Safety Warning Message | 1) A message intended to provide the campus population with information needed to avoid a hazard which does not pose a direct or imminent threat.  
2) A message which provides information about a hazard which may cause death or injury but which does not pose an immediate possibility of doing so.  
Examples include notification of a serious crime on campus when the possibility exists that others may become involved or building evacuations due to a credible threat against the building. |
|---|---|
| Safety Information Message | 1) Messages issued in response to issues of concern.  
2) A message sent when a threat or hazard exists but there is no immediate threat to life or safety.  
3) A message sent to address an issue of concern or potential threat.  
4) A message intended to provide information on a non-specific threat or hazard.  
Examples include notices to avoid an area due to emergency operations, such as a fire, infection control information during a flu outbreak, or information related to criminal activity for which the campus population can take precautions. |

Due to their critical nature, messages which fall into the EMERGENCY MESSAGE category may be sent by any authorized authority without additional consultation with any other party or agency.

Other messages are developed by the Emergency Assessment Team members in cooperation with other subject matter experts as needed. For more information on the Emergency Assessment Team, see the section on Responsible Individuals below.

At this time there are eleven individuals on campus who are recognized as authorized authorities.

- Assistant Vice Chancellor for University Relations + 3 alternates
- UT Chattanooga Chief of Police + 2 alternates
- Director of Safety and Risk Management + 3 alternates

While they are not currently authorized to initiate alerts over all pathways, the campus police dispatchers can activate campus fire alarms remotely to order evacuations when it is appropriate to do so.

While the text messaging portion of the UTC-ALERTS system is provided free to all students, faculty, and staff who wish to receive the messages charges may be imposed by the receiving carrier. Enrolling in the text messaging portion of this system is accomplished by going to the registration portal found on the UTC website at https://www.getrave.com/login/utc or by going to the main University web page, www.utc.edu and clicking the link for Emergency Preparedness.

All campus housing units currently have cable television capability and the University operates cable channel 98. This public information channel provides another method for distribution of information during an emergency.

**Policy Statement:**
The University maintains a policy of proactively identifying and responding to potential emergencies.

Process: The University recognizes a spectrum of potential threats which face the campus. These threats range in significance from issues which will have a minor or a delayed affect to the campus to acute emergencies requiring the immediate deployment of significant emergency response forces. To manage this diverse spectrum of information, a system has been put in place which allows for immediate assignment of emergency responders to those situations which require them and for further evaluation of those situations which do not. The evaluation element of this process consists of an Emergency Assessment Team charged with collecting information and reaching a decision on the correct course of action.

Testing and Additional Information:

The altering system for the campus is tested and verified as follows.

- Within the first 30 days of each semester the individuals authorized as messaging authorities meet for training and a system test. Campus wide e-mails are sent out at least 24 hours prior to the test. Those e-mails are sent to list serves which reach all campus e-mail addresses. During the actual test information is included in the e-mail portion informing the campus population of how to obtain additional information about UTC-ALERTS
- All messaging authorities are required to initiate a monthly test message. This message will be transparent to the campus and will provide each individual authorized to initiate messages an opportunity to review and practice the procedure

Responsible Persons: The following persons are part of the process for ensuring appropriate actions are taken in the event of an emergency:

Campus Police Dispatch Personnel – Immediately assign the proper emergency response personnel to all incidents requiring their presence. The Campus Police Dispatcher notifies fire department, EMS and any other outside response agency as the situation dictates. The police dispatcher also notifies the Emergency Assessment Team of any situation which falls outside the parameters of normal operations or are in any way unusual.

The Emergency Assessment Team is charged with assessing any situation which may pose a threat to the health, safety, or efficient operation of the campus and consists of the following individuals:

- The Vice Chancellor for Finance and Administration – Chairman, the final arbiter of all issues not clearly designated as an acute emergency.
- The Director of Safety and Risk Management (or designee) – Subject matter expert on all issues involving personal emergency management, safety, hazardous materials, fire protection and life safety systems (including alarms) and regulatory compliance (TOSHA and TDEC, etc).
- The Assistant Vice Chancellor for Operations (or designee) – Subject matter expert on all issues involving facilities, structural integrity, utilities and utilities safety, and campus operations.
• The Chief of Campus Police (or designee) – Subject matter expert on all issues involving law enforcement, crimes and crimes in progress, violent situations, terrorist threats against the campus, and intelligence of issues which may affect the campus.

• The Associate Vice Chancellor for University Relations (or designee) – Subject matter expert on all issues involving public alert and warning message content, dissemination of information, and operation of public warning systems. This office also serves as the primary focal point for originating all alert and warning messages.

Each of these individuals appoints one or more alternates in the event that they are unavailable or incapacitated.

**Community Notification:** In the event of an emergency requiring notification of the larger community the designated Incident Commander for the campus will notify the City of Chattanooga and Hamilton County emergency response forces. A Unified Command will be established consistent with the principles of the National Incident Management System. The Public Information Officer of the Unified Command will then take responsibility for notifications of off campus populations.

Tests of Alerting Systems: All UTC fire alarm systems are tested on an annual basis in accordance with NFPA Standards. The UTC - ALERT text messaging system is tested on a semi-annual basis and the current campus emergency plan calls for a campus wide table top exercise to be conducted at least annually. The exercise is conducted and documented using the protocols of the Homeland Security Exercise Evaluation Program (HSEEP)

**General Crime Information & Crime Log**

The Echo, the University school newspaper, publishes all reported incidents occurring on campus in the "Campus Crime Log" in an effort to heighten the University community's awareness of the possibility of these events occurring.

A crime log (covering at minimum the last 60 days of incidents in paper format) is also available on a 24 hour basis at the UTC Police Department. There is no need for a written request, and this information is readily available for public inspection. However, crime and incident reports/logs that are more than 60 days old may require up to two business days to make available.

**SECURITY CAMERAS**

UTC has more than 300 security cameras throughout the campus, which includes most residence halls. Many streets and all garages currently have security cameras in place. These cameras are beneficial to law enforcement during to the entire campus throughout the year. University Housing has upgraded the existing video surveillance systems in many residence life areas.
UNIVERSITY POPULATION – 2013-2014
FALL TERM

STUDENT POPULATION 2013-2014

<table>
<thead>
<tr>
<th>Category</th>
<th>Headcount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate</td>
<td>10,666</td>
</tr>
<tr>
<td>Graduate</td>
<td>1,377</td>
</tr>
<tr>
<td>Total</td>
<td>12,043</td>
</tr>
</tbody>
</table>

STAFF POPULATION 2013-2014

<table>
<thead>
<tr>
<th>Category</th>
<th>Headcount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive/Administrative</td>
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</tr>
<tr>
<td>Faculty</td>
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</tr>
<tr>
<td>Professional/Technical</td>
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</tr>
<tr>
<td>Skilled Craft/Service</td>
<td>347</td>
</tr>
<tr>
<td>Graduate Assistants</td>
<td>202</td>
</tr>
</tbody>
</table>

Source UTC Planning, Evaluation, and Institutional Research 2012 Facebook Tables

UNIVERSITY HOUSING

For the Fall 2014, semester, the University of Tennessee at Chattanooga will have a normal housing capacity of 3,144 students. For the Fall 2012 semester, 3,146 students were in residence on campus. All student housing at UTC is located on campus in nine separate complexes. Overflow housing was addressed through contract with a local hotel. These consist of apartment and suite style complexes. Freshmen residents will live in designated sections of the building based upon gender. A new suite style complex named Stagmaier Hall came on-line and made available for occupancy in Fall 2012.

APARTMENT COMPLEX OCCUPANCY (Fall 2013):

NORTH CAMPUS APARTMENTS

- Lockmiller Apartments: 173 male occupants 234 female occupants
- Stagmaier Hall: 61 male occupants 81 female occupants
- Boling Apartments: 248 male occupants 163 female occupants
- Johnson-Obear Apartments: 131 male occupants 318 female occupants

SOUTH CAMPUS APARTMENTS

- Guerry Building 1000 - 53 male occupants 161 female occupants
- Decosimso Building 2000 – 130 male occupants 215 female occupants
RESIDENCE HALL SECURITY

Since apartments in each of the complexes on campus are entered directly from the outside, a check-in desk is not possible. Guests and visitors to these areas are met at the apartment doors or as they inquire at the apartment office.

Each apartment complex is staffed by a Resident Director and numerous Resident Assistants, usually one per floor. The University currently employs 1 Assistant Vice Chancellor for Residence Life, 1 Director for Resident Life, 2 Assistant Directors for Residence Life, 8 Resident Directors, 8 Senior Resident Assistants and 67 Resident Assistants. Formal training of Directors and Assistants is conducted through cooperative efforts of the Housing Office and Campus Law Enforcement.

Residents can gain access to the buildings at the UTC Place Apartments by use of their individually coded University ID card. Access to their individual rooms at this complex is made only by a key issued them by the UTC Place Housing Office at the complex. At the Boling, Johnson Village, and Lockmiller Apartment complexes, access to their apartment and individual rooms at each of these is made only by a key issued them by the UTC Housing Office. All apartments have deadbolt locks on the doors. Residents are urged to keep them closed and deadbolted at all times.

If a student loses an apartment key, they need to notify the Housing Department of their loss in order to keep accurate records and obtain a replacement. The Campus Police Department needs to be contacted as well in case the University keys have been turned in to the Lost and Found Division of the department. Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures and/or video presentations are presented to student residents covering such topics as date rape, theft prevention, and fire safety.

The University maintains smoke and fire alarms in all residence halls. These N.F.P.A. approved alarm systems are monitored 24 hours a day in the Campus Law Enforcement Telecommunications office as well as in each residence hall. Public Safety personnel are trained to assist the Chattanooga Fire Department in building evacuations during fire or other emergencies.

During holidays, spring break, or other low-occupancy periods, students are allowed to remain in their designated housing areas. However, Resident Directors must be notified of their intent to stay. Both the Housing Staff and the Campus Police Department make periodic exterior door checks during these low-occupancy periods.

<table>
<thead>
<tr>
<th>Stophel Building 3000 -</th>
<th>216 male occupants</th>
<th>384 female occupants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walker Building 4000-</td>
<td>92 male occupants</td>
<td>128 female occupants</td>
</tr>
<tr>
<td>UC Foundation Building 5000-</td>
<td>116 male occupants</td>
<td>240 female occupants</td>
</tr>
</tbody>
</table>
UNIVERSITY HOUSING POLICIES

The following are excerpts of housing policies. All housing policies can be found in the student handbook.

FIRE ALARMS
Any time a fire alarm is sounded in a University building, every occupant must evacuate immediately. No one will be allowed to reenter the building until a campus police officer evaluates the situation. Anyone who is responsible for a false alarm may be subject to disciplinary action as well as arrest and other fines and penalties. Tampering with fire safety equipment is a violation of the state and local fire safety code and subjects violators to all penalties under the code.

Housing & Residence Life Evacuation Procedures

• When an alarm sounds, immediately evacuate your residents (whether on duty or not). Knock on each door as you pass by, moving quickly. Assist any disabled persons in evacuating by informing campus police where they are located. Do not stay in the building if there is an actual fire or heavy smoke; it is the responsibility of each resident to evacuate the building when the alarm sounds.

• Once evacuated, residents should move 500 feet from the building and should keep streets and entrances clear. In case of inclement weather, evacuate to the nearest building lobbies.

• Resident Directors (RD) will strategically place Resident Assistants (RA) to watch for students re-entering the building before instructed to do so by Campus Police or the Fire Department.

• In going through the building, do not open doors that feel warm or have smoke coming from under them. Use the back of your hand to feel the temperature of doors. If you do open any doors, do so slowly, staying behind the door.

• After the section is evacuated, RDs will meet RAs at a designated location to give you further instructions.

• Call the Assistant Director of Housing if alarm proves to be the result of an actual fire.

• Do not reenter the building until you are instructed to do so by a Campus Police Officer.

RDs will assign each RA to an area of responsibility during evacuation. The RA should advise the residents that they will not be able to re-enter the building until instructed by Campus Police.
Evacuation Locations – evacuation locations have been established for each housing complex. These locations are described in the housing evacuation procedure maintained by the University Housing office.

PROCEDURE FOR EVACUATION OF STUDENTS WITH DISABILITIES:

All Resident Assistants should lend whatever assistance is needed to ensure the safe evacuation of all residents. The Resident Assistants who have residents with physical disabilities residing in their sections or floor, should notify the Campus Police and/or Fire Department as to the apartment number of these residents so that proper assistance can be provided for them.

FIRE HAZARDS

Candles, incense, halogen lamps, and potpourri are a fire hazard and are not allowed in residence halls or apartments. Violators will be subject to disciplinary action. Due to fire regulations, hot plates, microwaves, and other cooking appliances may not be used in bedrooms. Students should instead use the kitchen area provided.

HOUSING HEALTH & SAFETY REGULATIONS

The following steps must be taken to ensure the health and well being of the on-campus community.

1. Fire extinguishers should be in proper working order and should not be blocked by any items. Exits and hallways should be unobstructed.

2. All trash must be properly disposed of in a timely manner.

3. Percolators, hotplates, immersion heaters, grills, popcorn poppers, and halogen lamps should not be used in the student’s room or apartment.

4. Small amounts of supplies such as paint thinner and rubber cement may be kept in rooms, but only in metal containers and away from heat sources.

5. Extension cords must be Underwriter Laboratory approved. Do not put cords under rugs, clothing, trash, books, or near heat sources.

6. Storage of gasoline, fuels, or vehicles containing them is prohibited.

7. Students should take extra care to insure that their entrance doors are secured/locked at all times and that common doors are not propped.

8. Residents are responsible for following all safety rules promulgated by the Department of Public Safety and Housing Department. Damaging or interfering with smoke and fire
detection equipment and failure to follow fire evacuation procedures and directives from safety officers or residence life staff are also violations of safety rules.

HOUSING INCIDENT REPORTS

Incident reports are used by an RA to communicate the facts of an incident to the Resident Director and the Housing Office. Incident reports are used to document rule violations, theft, damage, or other emergencies. If you are named in an incident report, you may be asked to speak with your Resident Director or someone from Student Development. Students found to be responsible for the behavior described in a report will be assigned sanctions.

SMOKING POLICY

Smoking is prohibited inside all residence halls including bedroom, common area, and kitchen. Smoking is permitted outside 25 feet away from entrances.

ALCOHOL AND DRUG POLICY

UTC is a DRY campus. The official alcohol and drug policy of the university is as follows: “The possession or use of alcoholic beverages or other illegal drugs or intoxicants of any kind are strictly prohibited on campus.” This includes alcohol containers whether empty or decorative.

THE DISABILITY RESOURCE CENTER (DRC) - 110 FRIST HALL - 425-4006

The DRC is committed to providing equal access to all facilities, programs and services of UTC. DRC reviews each student’s documentation under the guidelines of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. ADA mandates that accommodations and adjustments be made in programs and activities in order to provide equal access to qualified persons with disabilities. DRC examines the documentation of each student’s disability claim to avoid discriminations and to protect the civil rights of the student. Individual determination of appropriate and reasonable accommodations is made specific to the functional limitation of the disability. The Director of Affirmative Action holds the responsibility of ensuring University compliance with ADA.

MISSING STUDENT PROTOCOL

Purpose:
The purpose of this document is to set forth university policy with regard to responding to reports of missing students, as required under the Higher Education Opportunity Act of 2008 (20 U.S.C.S. §1092; 42 U.S.C.S. §5579).

Policy Statement:

1. This policy only applies to students who reside in on-campus residential facilities operated by University Housing or in housing facilities contracted by the University of Tennessee at Chattanooga.

2. Upon checking in, all students will have the opportunity to identify and provide confidential emergency contact information for the University’s use when the University has officially determined that a student is missing.

3. Unless there is evidence to the contrary, a student living on-campus will not necessarily be considered missing if the student made his/her intended whereabouts known to others or if the student is absent during recognized University holidays or breaks.

4. If a University official reasonably believes a student has been missing for more than twenty-four (24) hours, the official will immediately report his/her belief to the UTC Police Department ("UTCPD"), the Director of Housing (or his/her designee), and the Dean of Students (or his/her designee). Those individuals will contact other University officials who have a need to know about the missing student report. (Please note that University officials may report a student missing at any time, there is no requirement for the official to wait until they believe the student has been missing for more than twenty-four (24) hours.)

Procedures:

Once a student has been reported as being missing then UTC Housing and Residence Life staff will conduct a preliminary investigation in order to verify the situation and to determine the circumstances which exist relating to the reported missing student.

1. A staff member will attempt to contact the student via his or her telephone by using the number(s) provided.

2. If the student cannot be reached by telephone, two staff members will visit the room of the student in question to verify the student’s whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for the student.

3. If there is no response when the staff members knock on the door of the room or there are occupants who do not know of the student’s whereabouts, the Residence Life staff will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff members will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residence hall.

4. If the student is not found in the room, the Residence Life staff will attempt to gain information on the student’s whereabouts from roommates, other members of the
residential community, or other friends. The Residence Life staff also will attempt to acquire additional contact information for the student (if not already on file) and use it to initiate contact.

5. Staff members, at any step in the process, immediately will report any suspicious findings to the UTC Police Department.

6. If these steps provide Residence Life staff with an opportunity to speak with the missing Residential Student, verification of the student’s state of health and intention of returning to campus should be made. A referral, if needed, will be made to the Counseling Center. In addition, Residence Life will update those offices that need to know as well as the university official who made the initial report.

7. If all of these steps do not provide residential staff with an opportunity to speak with the missing student or to learn his or her whereabouts, UTC Police will be contacted to investigate further.

8. If the missing student is determined to be under the age of eighteen, Residence Life and/or UTCPD will report the student to the Dean of Students office. The Dean of Student (or his/her designee) will contact the parents or guardians within 24 hours. If the missing student is determined to be over the age of eighteen, the Office of the Dean of Students will contact the student’s confidential contact within 24 hours.

University of Tennessee at Chattanooga’s

ANNUAL FIRE SAFETY REPORT

Published September 2014

The following report outlines the University of Tennessee at Chattanooga’s fire safety systems, policies and fire statistics as required under the Higher Education Opportunity Act of 2008

UNIVERSITY HOUSING COMPLEXES AND SYSTEMS

All UTC housing complex fire alarm systems report to the Campus Police Department where they are monitored 24 hours a day, 7 days a week, year round.
Johnson Obear Apartments – 501 Oak Street – Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, pull stations and horn strobes.

Boling Apartments – 541 Vine Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

Lockmiller Apartments – 742 Oak Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

Guerry Apartments – 805 Douglas Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Decosimo Apartments - 815 University Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Stophel Apartments – 818 University Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Walker Apartments – 801 E. 8th Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

UC Foundation Apartments – 718 McCallie Ave - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Stagmaier Hall – 705 McCallie Ave – interior entrance to all apartments, masonry construction, fire wall separation between apartments, smoke detectors, duct detectors, pull stations, horn strobes and sprinkler system.

**FIRE LOG:**

A fire log is maintained by the UTC Office of Safety and Risk Management and is updated daily. It is available for review in the Office of Safety and Risk Management during normal business hours.

The 2009 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockmiller Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
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<td>Boling Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
<td>1</td>
<td>grease / cooking</td>
<td>0</td>
<td>0</td>
<td>$0-$99</td>
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<tr>
<td>Guerry Apartments</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decosimo Apartments</td>
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<td></td>
</tr>
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</table>

119 | Page
The **2010** fire statistics are as follows:

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<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockmiller Apartments</td>
<td>0</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guerry Apartments</td>
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<td>cooking</td>
<td>0</td>
<td>0</td>
<td>$0-$99</td>
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<tr>
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</tr>
<tr>
<td>Stophel Apartments</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Walker Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UC Foundation Apts</td>
<td>0</td>
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</tbody>
</table>

The **2011** fire statistics are as follows:

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<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
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<th>Deaths</th>
<th>$ Damage</th>
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<tbody>
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<td>Hookah Pipe</td>
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<tr>
<td>Johnson Obear Apts</td>
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<tr>
<td>Guerry Apartments</td>
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<td>0</td>
<td>$0-$99</td>
</tr>
<tr>
<td>Walker Apartments</td>
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The **2012** fire statistics are as follows:

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<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockmiller Apartments</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling Apartments</td>
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<td>Incense caught paper on fire</td>
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<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
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<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Building</td>
<td># of Fires</td>
<td>Cause</td>
<td>Injuries</td>
<td>Deaths</td>
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</tr>
<tr>
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<td>Boling Apartments</td>
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<td></td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
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<td></td>
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</tr>
<tr>
<td>Guerry Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decosimo Apartments</td>
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<td></td>
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<td></td>
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<td>Stophel Apartments</td>
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<tr>
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</table>

The **2013** fire statistics are as follows:

**FIRE DRILLS** – Fire drills in university housing buildings are conducted four times per year as required by International Fire Code. The drills are conducted as a collaborative effort between the Housing staff, Campus Police and the University’s Office of Safety and Risk Management.

**FIRE TRAINING**

Fire training is provided to all UTC Housing staff once a year by the UTC Office of Safety and Risk Management and the Chattanooga Fire Department. This is a four hour training block that includes lecture and hands-on fire extinguisher training on live fires. This training is also open to other university employees.

Fire education and evacuation training is made available to all UTC students, faculty and staff at various times during the year.

**EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

**Procedures:** UTC maintains and is currently strengthening its emergency response and evacuations procedures. A key component of that is the ability to provide warning and notification in the event of an emergency. In addition to the fire alarms discussed elsewhere in this report, UTC also maintains the ability to provide information on other types of emergencies.
The following procedures are distributed campus-wide to all faculty and staff by way of an ‘Abnormal Conditions Preparedness Guide’ booklet. The guide can also be found at the UTC web page:

**FIRE**

If you smell smoke or other unusual odors suggesting a possible fire, immediately call the Campus Police at 911.

If you discover an actual fire situation, you should:

1. Alert other building occupants by immediately sounding the building fire alarm. To do this pull a wall-mounted fire alarm pull station, located near all exit ways.

2. Contact Campus Police by dialing 911 and give them the location of the fire.

3. Evacuate the building. Do not use the elevators. Most stairways are protected from smoke and are the safest way out of the building.

If needed, fire extinguishers are located in all public corridors approximately every 75 feet.

Never assume a fire alarm is false. If you hear a fire alarm sounding, exit the building immediately.

Do not re-enter the building until told it is safe to do so by either the police or the fire department.

**EMERGENCY EVACUATION**

In the event of an emergency situation it may be necessary to evacuate the building. Causes for evacuation may be fire, hazardous chemical incidents, explosion, severe weather or other conditions.

UTC campus buildings are equipped with fire evacuation alarm systems that include smoke and heat alarms, sprinkler water-flow alarms and wall-mounted pull stations. If you hear a fire / evacuation alarm, you should evacuate the building immediately.

Physically impaired individuals should be identified for assistance by fellow building occupants. Mobility impaired individuals on upper floors should proceed to the nearest exit stairwell or designated area of refuge for assistance by emergency response personnel. Once outside the building, co-workers should immediately notify emergency response personnel of the location of mobility impaired individuals.
Anyone discovering a fire, witnessing an explosion or being made aware of a hazardous chemical incident should immediately activate the building evacuation alarm by pulling a pull station located at the exit ways and then notifying the Campus Police by dialing 911.

Any questions concerning this evacuation procedure should be referred to the UTC Office of Safety & Risk Management at extension 5209 or 2145.

CRIME STATISTICS

The following crime statistics are to inform the public about the probable exposure of the University population to each crime category. As one can determine from the data, exposure to crime on the UTC campus is minimal at best. The data also indicate that ongoing crime prevention and awareness programs are having a positive effect toward reducing overall crime rates.

We believe an informed public is a safety conscious public. The following statistics, provided in compliance with Tennessee's College and University Security Information Act, as well as the Federal Crime Awareness and Campus Security Act of 1990, are for your information as part of UTC’s overall safety and security program. If you have any questions, contact the UTC Department of Public Safety at 425-4357. For clarification purposes, definitions of the subcategories in the statistical data are as follows:

Term:  On Campus

(1) 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 (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, 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).

Term:  On-Campus Student Housing Facility

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Term:  Non-campus building or property

(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the Institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
Term: 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.

THE UNIVERSITY OF TENNESSEE
AT CHATTANOOGA
Campus Crime Statistics

<table>
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<tr>
<th>CATEGORY</th>
<th>VENUE</th>
<th>2011</th>
<th>2012</th>
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</tbody>
</table>

* This category includes all on-campus incidents, including those listed in the category labeled, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.

KEY TO HATE CRIME NOTATIONS:
Type of Bias or Prejudice
Race = ra
Gender = g
Religion = re
Sexual Orientation = s
Ethnicity = e
Disability = d
There were no reported hate crimes for the years 2011, 2012 or 2013.

Each statistic, resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. Numbers in superscripted parenthesis indicate the number out of the total number of incidents that were motivated by each type of bias.

TOTAL STUDENTS (FTE) AND EMPLOYEES (HC) EQUAL:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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<td></td>
<td>11,210</td>
<td>11,660</td>
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The total number of incidents reported to the University Police Department for the years 2009, 2010, and 2011 are as follows:

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<tr>
<th></th>
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<th>2012</th>
<th>2013</th>
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<tbody>
<tr>
<td></td>
<td>1,779</td>
<td>1955</td>
<td>1825</td>
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</table>

____________________________________________________________

TIPS FOR A SAFE CAMPUS

Learn and follow all University security policies. These policies were created out of a concern for your welfare and consideration for the rights of others.

When walking or jogging:

- Go with someone.
- Stay away from isolated areas.
- Try and stay near street lights.
- Hold your purse or briefcase tightly, close to your body.
- A front pocket is safer for a wallet than a back one.
- Dress sensibly. Tight pants, clogs, or heels make movement difficult.

If you're being followed:

- Cross the street or change directions.
- Keep looking back so the person knows you can't be surprised. Go to a well lighted area. Enter a store, house, residence hall, classroom, or library - anywhere there are people.
- Notice and remember as much as possible about the person so you can give a good description later.

If you're held up:


- Don't resist. No amount of money is worth taking chances with your life.
- Notify the campus police or local police immediately. Try to give a description that includes approximate age, height, weight, and details on hair, clothing, jewelry, scars, tattoos - anything that is noticeable.

Where you live:

- Keep your doors and windows locked day and night.
- Don't let strangers in.
- Don't leave a door unlocked for someone planning to come back later.

Protect personal and University property:

- Lock your door every time you leave
- Engrave expensive equipment and valuables with an I.D. number. Engraving tools are available for your use at the Campus Law Enforcement Office.
- Don't store your purse in an unlocked desk drawer.
- Don't leave your belongings unattended in libraries, hallways, locker rooms, or classrooms.

If you are working late:

- Keep your office door locked.
- Lock all doors behind you when entering or exiting at night.
- Contact the Campus Police Department if you want an escort to or from your car.

In a car:

- Keep doors locked while driving.
- Don't pick up hitchhikers.
- Check the back seat before getting into a car.
- If you have car trouble, raise the hood, put on emergency flashers, and tie a white cloth to your antenna or outside mirror.

Protect your car:

- Always lock your car and take the keys.
- Lock valuables in the trunk.
- Park in well lighted areas.

Avoid being ripped off or taken advantage of by a scam:
- Watch out for credit card scams. Never give your credit card number over the phone unless you have made the call to a reputable business.
- Retain all carbons and charge slips when shopping, eating out, etc.
- Check your monthly statements for unauthorized charges.
- Remember the Better Business Bureau can always be contacted to verify the credentials of a particular company or business.
- Be sure to look closely at any deal that sounds too good to be true (it probably is).

Don't hitchhike.

IMPORTANT TELEPHONE NUMBERS AND ADDRESSES

On Campus

UTC Police Department

*Physical Address:*  400 Palmetto Street, Chattanooga, TN

*Mailing Address:*  Dept. 3954, 615 McCallie Avenue, Chattanooga, TN 37403-2598

FAX Number: (423) 425-2308

UTC Police Dispatcher .................................................................4357 (HELP)

Sr. Vice Chancellor for Finance and Operations, Richard L. Brown, Jr. ...........4393

Director, Chief Robert Ratchford .....................................................4004

Deputy Chief Craig Hamilton ..........................................................5290

University Safety Officer, Jim Pulliam .............................................5209

Student Development.................................................................4534

Housing Office..............................................................................4304
University Health Services..............................................................(423) 778-9303

University Center Director, Shannon Smith ..............................................4455

Counseling Center ..............................................................................4438 UTC Women’s Center – Transformation Project, Sara Peters......................5605

Chattanooga Police Department / Police Services Center
3300 Amnicola Highway, Chattanooga, TN 37406

Chattanooga Police Dispatcher ...............................................................698-2525

Emergency ..........................................................................................911

UTC Police Department ........................................................................(423) 425-4357

To Report a Crime, Fire or Request an Ambulance

On Campus ..........911 / 4357 / HELP Off Campus ...............911
Appendix F
STAY INFORMED

This document contains information about policies, procedures, and crime & fire statistics for calendar years 2012 – 2014. The information provided can help you make informed decisions about your safety, the safety of others within the community, and what to do should you or someone you know ever become a victim of a crime.

2015 Annual Security & Fire Safety Report
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University of Tennessee at Chattanooga Police Department’s Role 0

University of Tennessee at Chattanooga Discrimination Disclaimer 0

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Campus Law Enforcement Responsibility 3

Campus Law Enforcement Personnel 4

Campus Law Enforcement Authority 5

Relationships with Surrounding Agencies 5

Jurisdictional Boundaries and Geographic Areas 5

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Hazing Policy

Alcoholic Beverage Policy

Weapons Policy

Incident of Bias / Discrimination Complaint Procedure

Environmental Security Considerations on Campus

Timely Warning Policy

Emergency Notification

Campus Population

University Housing

The Disability Resource Center (DRC) - 110 Frist Hall - (423) 425-4357

Missing Student Policy

Annual Fire Safety Report

Fire Statistics

Emergency Response and Evacuation Procedures

Crime Statistics

Crime Statistics Chart

Tips for a Safe Campus

Important Numbers and Addresses
University of Tennessee at Chattanooga Police Mission & Value Statement

The mission of the UTCPD is to provide professional police services, reduce criminal opportunity and community anxiety while working with faculty, staff, students, and visitors. Our department is committed to treating all people fairly while supporting an environment where diverse social, cultural, and academic values are allowed to develop.

We embrace the values of professionalism, respect, integrity, dedication, and excellence.

University of Tennessee at Chattanooga Police Department’s Role

As a full-service law enforcement agency, with limitation on jurisdiction, our Campus Police officers have necessary and complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. While the department would rather prevent crime, state law defines "Campus police officer" as a person commissioned by an employing institution and rendered an oath to provide police services, enforce law, exercise arrest authority and carry firearms, and thus is subject to the provisions of the Tennessee peace officer standards and training commission.

We enjoy a great working relationship with local, state, and federal law enforcement agencies for mutual aid in meeting our mission of service.

With minor offenses involving University rules and regulations, committed by a University student, the campus police may refer the individual to the Judicial Affairs officer within Student Development.

Major offenses are jointly investigated with Chattanooga Police, as established by state law. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at General Sessions, Criminal, or Federal Courts of Hamilton County.

University of Tennessee at Chattanooga Discrimination Disclaimer

The University of Tennessee at Chattanooga does not discriminate on the basis of race, sex, color, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. The University does not discriminate on the basis of sex or handicap in the education programs and activities which it operates, pursuant to the requirements of Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972, Public Law 92-318; Section 504 of the Rehabilitation Act of 1973, Public Law 93-112; the Americans with Disabilities Act (ADA) of 1990, Public Law 101-336; and the Age Discrimination in Employment Act. This policy extends to both employment by and admission to the university.
Inquiries concerning Title VI, Title IX, Section 504, the Americans with Disabilities Act, and the Age Discrimination in Employment should be directed to the Office of Equity and Diversity Dept. 5455 720 McCallie Ave. Chattanooga, TN 37403 (423) 425-5670.

Charges of violation of the above policy should also be directed to the Office of the Director for of Equity and Diversity. If you have any questions or if you require accommodations, please call the Office of Human Resources (423) 425-4221.

General Information

Emergency Numbers:

- UTC Police Department (423) 425-4357
- Chattanooga Police Department 911 or (423) 698-2525
- Hamilton County Sheriff's Office 911 or (423) 622-0022
- Erlanger Hospital (423) 778-7000

Resource Numbers:
Calls to the following resources are typically answered Monday through Friday, 8:00 AM – 5:00 PM, during normal business hours:
UTC Counseling Center (423) 425-4438
UTC Safety and Risk Management (423) 425-5209
UTC Student Health Services (423) 425-4453
UTC Women’s Center (423) 425-5648

Calls to the above resources are typically answered Monday through Friday, 8:00 AM – 4:30 PM, when the University is open.

Clery Act Requirements

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires that colleges and universities

- Publish an annual report by October 1 that contains three (3) years of campus crime and fire safety statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other university officials who have “significant responsibility for student and campus activities”;
- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees;
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”; and
- Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

Preparation of the Annual Disclosure of Crime Statistics

Crime statistics which are provided in UTC’s Annual Security Report are based upon incidents reported by campus security authorities and local law enforcement agencies. The University shall annually report statistics for the three (3) most recent calendar years concerning the occurrence of crime on campus, in or on non-campus buildings or property, and on public property (as those
terms are defined and interpreted for purposes of the *Clery Act* for occurrences of **Murder, Manslaughter, Sexual Assault (Forcible and Non-forcible), Robbery, Arson, Aggravated Assault, Burglary, and Motor Vehicle Theft**; statistics on *arrests* for Liquor Law and/or Drug Abuse Violations as well as Weapons Violations; statistics on *disciplinary referrals* for Liquor Law and/or Drug Abuse Violations as well as Weapons Violations; and statistics on Hate Crimes. Beginning the 2014 calendar year, UTC will include Stalking, Domestic Violence, and Dating Violence within its statistical categories. UTC Public Safety will make the determination as to whether a reportable offense has occurred. These reports will be compiled to prepare the annual *Campus Crime and Security Survey* for submission to the United States Department of Education, Office of Postsecondary Education. This survey may be viewed online at: 

http://ope.ed.gov/security/

UTC’s *Annual Security Report* will be made available online to the public by October 1 of each year. This report will be posted to the UTC Public Safety website:

http://www.utc.edu/public-safety/
**Clery Act Requirements**

**Daily Logs**

**Crime Log:**

The University of Tennessee at Chattanooga Police Department is required by the Jeanne Clery Act to maintain a daily crime. The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported to the campus police department. The University of Tennessee at Chattanooga Police department enters all criminal incidents reported to the police department with all calls for service. The daily crime log is updated within two business days, and is available for the general public 24 hours a day. The daily crime log can be found within the Administration Building located at 400 Palmetto Street, Chattanooga, TN 37403.

**Media Log:**

The Media Log is required by the Tennessee College and University Security Information Act and is a recording in chronological order of all crimes reported to the police that include the name, address, and criminal charges of all persons arrested. The Media Log is made available to the general public at the University of Tennessee at Chattanooga Police Department which can be found within the Administration Building located at 400 Palmetto Street, Chattanooga, TN 37403.

All crimes reported to UTC Police Department are posted to the media log within two (2) business days of the report unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. UTC Police Department may also withhold information from the media log when there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence.

**Campus Law Enforcement Responsibility**

University of Tennessee at Chattanooga Police Department is the administrative office responsible for law enforcement and security for campus. The UTC Police Department is located in the Administrative Services Building, 400 Palmetto Street, Chattanooga, Tennessee.

Full-time, uniformed officers patrol the campus on foot and in vehicles 24 hours a day to ensure the safety of its students, staff, faculty, and visitors while protecting the property of the University.

University of Tennessee at Chattanooga Police Department reports to the Office of Executive Vice Chancellor for Finance & Operations, who maintains overall responsibility for this service related function.
If you have any questions about the services provided, or the content of this report, please contact Chief Robert Ratchford or any staff member (423) 425-4357. Please feel free to stop by anytime for any assistance you may need. More information is located at our website: http://www.utc.edu/public-safety/

Campus Law Enforcement Personnel

The personnel of the UTC Public Safety Office are divided into the following groups:

**Full-Time personnel include:**
- 17 Sworn Officers (which includes the Administrative staff)
- 4 Non-Sworn Security Officers
- 7 Non-Sworn Communication / Security Officers

**Part-time personnel include:**
- 20 Sworn Officers
- 65 Non-Sworn Security Officers □ 3 Civilian Dispatchers

All full-time sworn officers are state certified by the Peace Officers Standards and Training Commission and receive a minimum of 420 hours of formal training in an approved law enforcement academy. Upon successful completion of police academy training, officers are placed on a six months probationary period. Each new officer is assigned to a senior level field training supervisor and periodic progress reviews are completed.

Enforcement powers are obtained from the State of Tennessee as each campus police officer receives his or her commission in accordance with the provisions set forth by TCA 49-7-118.

All sworn officers, full and part-time, receive a minimum of 40 hours of in-service training each year. Training includes but is not limited to legal updates; crime prevention strategies; firearms instruction and re-qualification; defensive tactics and Baton re-certification; safety, fire and evacuation response; ethnic and cultural sensitivity; stress management; suicide prevention; CPR and first aid.

Our University Police Officers are trained to follow relevant policy and state law in order to exercise every precaution when utilizing firearms in their day-to-day work assignments. If there is an occasion where an officer has to present a weapon before the public or discharge a firearm, an immediate Internal Affairs investigation is conducted.

Each University Police Officer fully understands the statutory, moral, and ethical considerations involving the exercise of lethal force. Every effort is made to ensure that any use of deadly force is the officer's final alternative.

University Police Officers are also trained in defensive tactics, pepper spray, police batons, and Electronic Restraint Devices as less than lethal form of force.
To ensure professional training standards are maintained in the use of firearms by University police personnel, the UTC Police Department maintains state certified use of force instructors to provide departmental training.

UTC Campus Police have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus.

If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the disciplinary division of Student Development.

Major offenses such as rape, murder, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from UTC and the city police are deployed to solve these serious felony crimes.

**Campus Law Enforcement Authority**

The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at Municipal, General Sessions, or Federal Court of Hamilton County.

**CAMPUS POLICE AUTHORITY AND JURISDICTION**

UTC Campus Police have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the disciplinary division of Student Development.

Major offenses such as rape, murder, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from UTC and the city police are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at Municipal, General Sessions, or Federal Court of Hamilton County.

Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the City Police Department on the city police radio network. The University Police Department is also a part of the Hamilton County 911 Emergency System.

By mutual agreement with state and federal agencies, The University Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system police personnel can access the National Crime Information Computer system as well as the Tennessee Information Enforcement System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.
**Relationships with Surrounding Agencies**

**Memorandum of Understanding**

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required. The Chief of Police and staff routinely participate in regional meetings to ensure that effective communications exist between law enforcement agencies. The constant interaction with Chattanooga Police Department occurs through the Onion Bottom Precinct, with special investigations, and through mutual cooperation in resolution of common crime problems. The University Police Department facilitates or assists in presentation of specialized law enforcement training on a regional basis, which has included Domestic Violence and Sexual Assault investigations, Crisis Intervention Team (Mental Health) training, School Resource Officer training, Law Enforcement Instructor Development, and other areas of law enforcement training which benefit the region.

**Monitoring Off-Campus Crime**

Monitoring of crime off-campus is done by the Chattanooga Police Department or other local law enforcement agencies with jurisdiction where the crime took place. Local law enforcement agencies have been requested to forward UTC Public Safety copies of their reports of all criminal activity occurring on any off-campus properties owned, leased or controlled by officially recognized student organizations of UTC.

**Relationships with Surrounding Agencies**

The University relies on its working relationships with local law enforcement agencies to receive information about incidents involving students off campus. UTC Public Safety will cooperate with local law enforcement to investigate any crime information received concerning and/or involving a member of the campus community. UTC Public Safety will also supply information regarding the incident as needed or required to local, state or federal law enforcement authorities.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required. The Chief of Police and staff routinely participate in regional meetings to ensure that effective communications exist between law enforcement agencies. The constant interaction with Chattanooga Police Department occurs through the Onion Bottom Precinct, with special investigations, and through mutual cooperation in resolution of common crime problems. The University Police Department facilitates or assists in presentation of specialized law enforcement training on a regional basis, which has included Domestic Violence and Sexual Assault investigations, Crisis Intervention Team (Mental Health) training, School Resource Officer training, Law Enforcement Instructor Development, and other areas of law enforcement training which benefit the region.

**Association with local, state, and federal authorities**
Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the Chattanooga Police Department through the shared communications network. The University Police Department is also a part of the Hamilton County 911 Emergency System.

By mutual agreement with state and federal agencies, The University Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system police personnel can access the National Crime Information Computer system as well as the Tennessee Information Enforcement System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required.

**Off-Campus Housing**

No UTC office or department provides supervision for off-campus housing, apartments, or individual homes, unless these are controlled by the University as official residential housing. Contracted off campus housing is patrolled by off campus private security, and the Chattanooga Police Department has primary responsibility for criminal investigation and incident response. Where appropriate, UTC Public Safety will assist with these tasks.

Students, whether they live on or off campus, are encouraged to report all crimes to the appropriate law enforcement agency. If community members report crimes or serious incidents to other University administrators, those administrators should notify UTC Public Safety or the appropriate local law enforcement agency. Crime awareness information is made available to all students via this report, the UTC Crime Log, and Crime Prevention Bulletins.
Jurisdictional Boundaries and Geographic Areas

Defined Jurisdiction

Per the current Memorandum of Understanding (MOU) with the Chattanooga Police Department, the University Police Department's jurisdiction extends west bounded by Houston Street with the additional parking areas extending to Lindsay at Vine Street, east to Central Avenue with the adjacent addition of Engel Stadium and the Intramural Soccer Field located at 1130 O'Neal Street, south to M. L. King Boulevard, and north to 3rd Street with the addition of Scrappy Moore Field. Any University owned or leased property in outlying areas may be patrolled jointly by both University and City Police.

Clery Geographic Area Map
How to Report a Crime or Suspicious Activity

You may report suspicious or criminal activity or other emergencies by dialing the Campus Police at ext. 4357 or HELP (when off-campus dial 423-425-4357). Additionally, the University has instituted an emergency 911 system campus wide. In an emergency situation you can reach the Campus Police by dialing 911 from any campus telephone. Your location automatically registers on a computer console at the dispatcher's desk so that help can be dispatched immediately.

For your safety there are also 79 Emergency “Blue Light” non-elevator telephones and emergency call boxes scattered throughout the campus, as well as 44 emergency phones located in each elevator that also call directly into the Campus Police Telecommunications Center. These phones automatically register your location when you pick up the receiver.

Understanding that emergencies can occur at any time, there are now 119 emergency red phones located in classrooms around the university. These phones only operate for calling 911. Like the Blue Light phones they automatically register your location with the UTC Police Department when you dial 911.

The UTC Police Department understands that sometimes a witness may feel the need to remain confidential. If you have witnessed a crime, we offer you the ability to report that crime confidentially using our Confidential Crime Reporting Form located on our website [http://www.utc.edu/Administration/DepartmentOfPublicSafety/tips](http://www.utc.edu/Administration/DepartmentOfPublicSafety/tips). Please remember this is not for a crime in progress. All crimes in progress should be reported at 4357 or 911.

The UTC Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the UTC Police Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other University campus security authorities as identified below.

Campus Security Authorities

The Clery Act mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to Campus Security Authorities (CSA’s). The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals and students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

The Clery Act regulations define a campus security authority (CSA) as:

- A member of a campus police department or a campus security department of an institution.

- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property)
• Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

• An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of an institution.

Campus Security Authorities

At the University of Tennessee, Chattanooga, the following positions are considered examples of Campus Security Authorities:

• Provost, Associate, and Assistant Provost
• All Executive Vice, Vice & Associate Vice Chancellors
• Dean, Associate Deans, and Assistant Deans of Students
• Title IX Coordinator
• Director Housing & Residence Life
• Director Career & Student Employment Center
• Housing & Residence Life Professional Staff
• Counseling Center Director
• Director Student Health Services
• University Center Director & Assistant Director
• Disability Resource Center Director & Assistant Directors
• Sorority & Fraternity Life Advisors
• Office of Enrollment Services Director
• Director, Assistant Director, and Coordinators of Campus Recreation
• Center for Leadership & Service Director & Coordinator
• Education, Health, & Human Sciences Advising Director
• Parking Services – Director, Assistant Director
• Safety and Risk Management - Manager, Inspectors, and Specialists
• International Study Abroad Program Leaders
• Director of Undergraduate Admissions
• Associate & Assistant Directors of Undergraduate Admissions
• Vice Chancellor/Director of Athletics
• Assistant Athletic Director
• Associate Athletic Directors
• Head / Co-Head, & Assistant Athletic Coaches
• Director of Sports Medicine
• Director of Strength and Conditioning
• UTC Police all staff
REPORTING OF CRIME STATISTICS

With the passage of both The Tennessee College and University Security Information Act (T.C.A. Section 49-7-2201, et seq.) and the Federal Crime Awareness & Campus Security Act of 1990, The Department of Public Safety will report all crimes reported to our police agency to the Tennessee Bureau of Investigation. This monthly statistical data will be recorded for use in the F.B.I.’s Uniform Crime Report. In turn, all information is supplied to the United States Secretary of Education in compliance with all applicable federal laws.

The UTC Department of Public Safety is a proactive department that continually interacts with the University community. Security and Crime Prevention Seminars are presented in the residence halls each semester. Security training sessions are available to the entire campus community via regularly scheduled presentations in conjunction with the UTC Personnel Office. UTC Department of Public Safety website (http://www.utc.edu/publicsafety/) circulars, pamphlets, brochures and the university student newspaper are other means by which valuable public safety information is distributed throughout the University environment.


Campus Security Authorities

Professional Counseling Staff exception to Campus Security Authority status

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C.

Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

**Pastoral Counselor**
An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor**
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

For a current roster of professional counselors, please contact the University of Tennessee at Chattanooga Counseling Center at (423)425-4438.

The Tennessee College and Security Act

The Tennessee "College and University Security Act" of 1989 (Tennessee Code Annotated 49-7-2201 through 49-7-2207) describes the means by which colleges and universities in the State of Tennessee must publish particularly pertinent campus information along with reporting campus crimes to the Tennessee Bureau of Investigation. Each year University of Tennessee at Chattanooga Police Department publishes this information online as the Annual Crime Report. An additional requirement is the publication of a Media Log which describes certain incidents that are reported to UTC Police.

Security Awareness Programs

Security Awareness Programs for Students and Employees

During Freshman and Transfer Orientation, students and parents are informed of services offered by the University Police Department. Video and PowerPoint presentations outline ways to maintain personal safety and residence hall security. Students are
told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis.

Periodically during the academic year the UTC Police Department, in cooperation with Housing and other university organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), alcohol as a gateway, Rohypnol abuse, theft, and vandalism, as well as educational sessions on personal safety and residence hall security.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

**Security Awareness & Crime Prevention**

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles and advertisements in university and student newspapers.

When time is of the essence, information is released to the university community through security alerts posted prominently throughout campus, through computer memos sent over the university's electronic mail system and a voice mail broadcasting system.

**Crime Prevention Programs for Students and Employees**

University Police personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, community organizations, in addition to quarterly programs for Housing Services Resident Advisers and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Starting in the fall we will be offering Rape Aggression Defense System (RAD) training. It is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. Certified RAD instructors will teach the courses provided.

**Tip:** To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well, or call the UTC Police Department for an escort.

**Access to Campus**

During normal business hours, the University will generally be open to students, parents, employees, contractors, guests, and invitees. Regular business hours are recognized to be Monday - Friday, from 8 a.m. to 5 p.m.
During non-business hours access to all College facilities is by key or key card (MOCS ID) if issued, or by admittance via the UTC Police Department or Residence Life staff. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

University policy prescribes that all persons must report any entry into administrative buildings after 10 P.M. to the Campus Police. Visitors, as a general rule, are not authorized in buildings after normal business hours unless faculty, staff, or a University official escorts them. Students are admitted into buildings after normal business hours only when there is an authorized access list from the department head or his designee.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Aquatics and Recreation Center (ARC), the Library, and the University Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Public Safety staff conducts scheduled evaluations of campus lighting, emergency phones, Blue Light phones, and access. Daily, while on patrol, Department of Public Safety staff observes, correct, and/or report any safety or environmental issue that would impact safety or convenience of persons.

Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean's Office, Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications.

**Use of Facilities**

The policy concerning the use of University facilities was developed under the auspices of the Facilities Use Committee. Any outside group must submit proper application materials to the committee for review. On-campus groups and co-sponsored requests must also have review and approval by the Facilities Use Committee. Security considerations are reviewed prior to approval of any request. Any "special" use of University facilities must have approval of the Vice Chancellor of Student Development.

*Pursuant to Tennessee Statutory Law, trespassing on University property is strictly prohibited. University Police routinely inquire as to the visitation status of individuals suspected of violating the trespass law. A field inquiry form is completed on the violator, and the information is retained for future use. Subsequent violations may subject the violator to arrest and prosecution.*

**Sexual Offenses**

The University of Tennessee at Chattanooga is a recipient of federal financial assistance for education activities, and in accordance with provisions of the Education Amendments Act of 1972, all of its education programs and activities are subject to the prohibition of Title IX of that act against discrimination on the basis of gender. University policy prohibits discrimination on the basis of sex in any education program or activity and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic
violence, and stalking. As a result, the University of Tennessee at Chattanooga issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, The University of Tennessee at Chattanooga prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

University of Tennessee at Chattanooga’s Sexual Misconduct Policy

For a complete copy of University of Tennessee at Chattanooga’s policy governing sexual misconduct, visit:


Link to TBI Sex Offender Registry

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency 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, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In Tennessee, convicted sex offenders must register with the Tennessee Bureau of Investigation. You can link to this information, which appears on the Tennessee Bureau of Investigation website, by accessing the link below:

Tennessee Sexual Offender Registry
Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act, As Amended by the Violence Against Women Reauthorization Act of 2013

The University of Tennessee at Chattanooga prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, the University of Tennessee at Chattanooga issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
  
  i. A Felony or misdemeanor crime of violence committed—
     A) By a current or former spouse or intimate partner of the victim;
     B) By a person with whom the victim shares a child in common;
     C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
     D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
     E) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

  ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **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.

  i. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

  ii. For the purposes of this definition—
     A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
     B) Dating violence does not include acts covered under the definition of domestic violence.

  iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program,
Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

**Assault and Stalking**

A sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.”

- **Rape** is defined as 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.

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Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act, As Amended by the Violence Against Women Reauthorization Act of 2013

- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

**Stalking:**

i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

   A) Fear for the person’s safety or the safety of others; or

   B) Suffer substantial emotional distress.

ii. For the purposes of this definition—

   A) **Course of conduct** means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

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

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

iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

**Assault and Stalking**

**Domestic Violence:** The state of Tennessee defines domestic violence as follows:

(a) As used in this section, "domestic abuse victim" means 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 (2) 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 (a)(1)-(5).

(b) A person commits domestic assault who commits an assault as defined in § 39-13-101 against a domestic abuse victim.

Dating Violence: The state of Tennessee does not have a definition of dating violence.

Sexual Assault: The state of Tennessee defines sexual assault as follows:


(a) Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual contact is accomplished by fraud.

(b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.
(c) Sexual battery is a Class E felony.


(a) Aggravated sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

1. Force or coercion is used to accomplish the act and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;

2. The defendant causes bodily injury to the victim;

3. The defendant is aided or abetted by one (1) or more other persons; and

(A) Force or coercion is used to accomplish the act; or

(B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or
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(4) The victim is less than thirteen (13) years of age.

(b) Aggravated sexual battery is a Class B felony


(a) Rape is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual penetration is accomplished by fraud.

(b) Rape is a Class B felony.


(a) Aggravated rape is unlawful sexual penetration of 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 and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;

(2) The defendant causes bodily injury to the victim;

(3) The defendant is aided or abetted by one (1) or more other persons; and

(A) Force or coercion is used to accomplish the act; or

(B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(b) Aggravated rape is a Class A felony.
Mitigated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim.

Statutory rape is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

1. The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or
2. The victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is more than five (5) but less than ten (10) years older than the victim.

Aggravated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least thirteen (13) but less than eighteen (18) years of age and the defendant is at least ten (10) years older than the victim.

(d) Mitigated statutory rape is a Class E felony.

(2) (A) Statutory rape is a Class E felony.

(B) In addition to the punishment provided for a person who commits statutory rape for the first time, the trial judge may order, after taking into account the facts and circumstances surrounding the offense, including the offense for which the person was originally charged and whether the conviction was the result of a plea bargain agreement, that the person be required to register as a sexual offender pursuant to title 40, chapter 39, part 2.

(3) Aggravated statutory rape is a Class D felony.

Statutory rape by an authority figure.

(a) Statutory rape by an authority figure is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

1. The victim is at least thirteen (13) but less than eighteen (18) years of age;
2. The defendant is at least four (4) years older than the victim; and
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(3) The defendant was, at the time of the offense, in a position of trust, or had supervisory or disciplinary power over the victim by virtue of the defendant's legal, professional, or occupational status and used the position of trust or power to accomplish the sexual penetration; or

(4) The defendant had, at the time of the offense, parental or custodial authority over the victim and used the authority to accomplish the sexual penetration.

(b) Statutory rape by an authority figure is a Class C felony and no person who is found guilty of or pleads guilty to the offense shall be eligible for probation pursuant to § 40-35-303 or judicial diversion pursuant to § 40-35-313.


(a) A person commits incest 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.

(b) Incest is a Class C felony.

39-17-315. Stalking, aggravated stalking, and especially aggravated stalking.

(a) As used in this section, unless the context otherwise requires:

(1) "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate non-continuous acts evidencing a continuity of purpose;

(2) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;

(3) "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

(4) "Stalking" means 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;
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(5) "Un-consented 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. Un-consented 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 mail or electronic communications to that person; or

(G) Placing an object on, or delivering an object to, property owned, leased, or occupied by that person; and

(6) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

(b) (1) A person commits an offense who intentionally engages in stalking.

(2) Stalking is a Class A misdemeanor.

(3) Stalking is a Class E felony if the defendant, at the time of the offense, was required to or was registered with the Tennessee bureau of investigation as a sexual offender, violent sexual offender or violent juvenile sexual offender, as defined in § 40-39-202.

(c) (1) A person commits aggravated stalking who commits the offense of stalking as prohibited by subsection (b), and:

(A) In the course and furtherance of stalking, displays a deadly weapon;

(B) The victim of the offense was less than eighteen (18) years of age at any time during the person's course of conduct, and the person is five (5) or more years older than the victim;

(C) Has previously been convicted of stalking within seven (7) years of the instant offense;

(D) Makes a credible threat to the victim, the victim's child, sibling, spouse, parent or dependents with the intent to place any such person in reasonable fear of death or bodily injury; or
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(E) At the time of the offense, was prohibited from making contact with the victim under a restraining order or injunction for protection, an order of protection, or any other court-imposed prohibition of conduct toward the victim or the victim's property, and the person knowingly violates the injunction, order or court-imposed prohibition.

(2) Aggravated stalking is a Class E felony.

(d) (1) A person commits especially aggravated stalking who:

(A) Commits the offense of stalking or aggravated stalking, and has previously been convicted of stalking or aggravated stalking involving the same victim of the instant offense; or

(B) Commits the offense of aggravated stalking, and intentionally or recklessly causes serious bodily injury to the victim of the offense or to the victim's child, sibling, spouse, parent or dependent.

(2) Especially aggravated stalking is a Class C felony.

(e) Notwithstanding any other law, if the court grants probation to a person convicted of stalking, aggravated stalking or especially aggravated stalking, the court may keep the person on probation for a period not to exceed the maximum punishment for the appropriate classification of offense. Regardless of whether a term of probation is ordered, the court may, in addition to any other punishment otherwise authorized by law, order the defendant to do the following:

(1) Refrain from stalking any individual during the term of probation;

(2) Refrain from having any contact with the victim of the offense or the victim's child, sibling, spouse, parent or dependent;

(3) Be evaluated to determine the need for psychiatric, psychological, or social counseling, and, if determined appropriate by the court, to receive psychiatric, psychological or social counseling at the defendant's own expense;

(4) If, as the result of such treatment or otherwise, the defendant is required to take medication, order that the defendant submit to drug testing or some other method by which the court can monitor whether the defendant is taking the required medication; and

(5) Submit to the use of an electronic tracking device, with the cost of the device and monitoring the defendant’s whereabouts, to be paid by the defendant.

(f) In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated un-consented contact with the victim after having been requested by the victim to discontinue the conduct or a different form of un-consented contact, and to refrain from any further un-consented contact with the victim, is prima facie evidence that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
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**(g)** (1) If a person is convicted of aggravated or especially aggravated stalking, or another felony offense arising out of a charge based on this section, the court may order an independent professional mental health assessment of the defendant's need for mental health treatment. The court may waive the assessment, if an adequate assessment was conducted prior to the conviction.

(2) If the assessment indicates that the defendant is in need of and amenable to mental health treatment, the court may include in the sentence a requirement that the offender undergo treatment, and that the drug intake of the defendant be monitored in the manner best suited to the particular situation. Monitoring may include periodic determinations as to whether the defendant is ingesting any illegal controlled substances or controlled substance analogues, as well as determinations as to whether the defendant is complying with any required or recommended course of treatment that includes the taking of medications.

(3) The court shall order the offender to pay the costs of assessment under this subsection (g), unless the offender is indigent under § 40-14-202.

**(h)** Any person who reasonably believes they are a victim of an offense under this section, regardless of whether the alleged perpetrator has been arrested, charged or convicted of a stalking-related offense, shall be entitled to seek and obtain an order of protection in the same manner, and under the same circumstances, as is provided for victims of domestic abuse by title 36, chapter 3, part 6.

***(i)** When a person is charged and arrested for the offense of stalking, aggravated stalking or especially aggravated stalking, the arresting law enforcement officer shall inform the victim that the person arrested may be eligible to post bail for the offense and to be released until the date of trial for the offense.

***(j)** If a law enforcement officer or district attorney general believes that the life of a possible victim of stalking is in immediate danger, unless and until sufficient evidence can be processed linking a particular person to the offense, the district attorney general may petition the judge of a court of record having criminal jurisdiction in that district to enter an order expediting the processing of any evidence in a particular stalking case. If, after hearing the petition, the court is of the opinion that the life of the victim may be in immediate danger if the alleged perpetrator is not apprehended, the court may enter such an order, directed to the Tennessee bureau of investigation, or any other agency or laboratory that may be in the process of analyzing evidence for that particular investigation.

**(k)** (1) For purposes of determining if a course of conduct amounting to stalking is a single offense or multiple offenses, the occurrence of any of the following events breaks the continuous course of conduct, with respect to the same victim, that constitutes the offense:

(A) The defendant is arrested and charged with stalking, aggravated stalking or especially aggravated stalking;

(B) The defendant is found by a court of competent jurisdiction to have violated an order of protection issued to prohibit the defendant from engaging in the conduct of stalking; or
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(C) The defendant is convicted of the offense of stalking, aggravated stalking or especially aggravated stalking.

(2) If a continuing course of conduct amounting to stalking engaged in by a defendant against the same victim is broken by any of the events set out in subdivision (k)(1), any such conduct that occurs after that event commences a new and separate offense.

Consent is defined in Tennessee under 39-11-106. Title definitions as:

(9) "Effective consent" means assent in fact, whether express or apparent, including assent by one legally authorized to act for another. Consent is not effective when:

(A) Induced by deception or coercion;

(B) Given by a person the defendant knows is not authorized to act as an agent;

(C) Given by a person who, by reason of youth, mental disease or defect, or intoxication, is known by the defendant to be unable to make reasonable decisions regarding the subject matter; or

(D) Given solely to detect the commission of an offense;
1. **Consent (or Consensual):** Consent is an affirmative and voluntary agreement by a person to engage in a specific sexual act.

**Consent must Be Obtained**
Consent must be obtained, and the responsibility for obtaining Consent rests with the individual who voluntarily and physically initiates a specific sexual act, even if the other person initiated the sexual encounter. One’s own use of alcohol, drugs, or other substances does not diminish one’s responsibility to obtain Consent from the other person. Moreover, the other person’s use of alcohol, drugs, or other substances does not diminish one’s responsibility to obtain Consent from that person.

**Consent must Be Affirmative**
Consent must be affirmative, which means that Consent is communicated only through words and/or non-verbal actions that convey a clear agreement to engage in a specific sexual act. Whether person has communicated an agreement to engage in a specific sexual act generally is evaluated from the perspective of what a reasonable person who perceived the individual’s words and/or non-verbal actions would have understood; however, in the context of a long-term relationship between persons that has involved sexual activity and a pattern of communicating consent, whether consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the specific sexual act conclude?). A verbal “no” (or words equivalent to “no”) or the nonverbal communication of “no,” even if it sounds or appears insincere or indecisive, always means that consent has not been communicated, or if previously communicated has been withdrawn. The absence of a verbal “no” or the absence of a nonverbal communication of “no” does not necessarily mean that consent has been communicated. Because interpreting non-verbal actions may lead to misunderstanding and a violation of this policy, students are strongly encouraged to err on the side of caution and not rely solely on the non-verbal actions of another person in concluding that the other person has communicated consent. The University urges students to communicate with one another before engaging in a sexual act to ensure that they both wish to engage in the same sexual act.

**Consent cannot be obtained by or inferred from:**
- Silence that is not accompanied by non-verbal actions conveying a clear agreement to engage in a particular sexual act;
- Consent communicated by the other person on a previous occasion;
- Consent communicated to another person;
- The other person’s failure to resist physical force (however, for purposes of this policy, the other person’s resistance to physical force will be viewed as a clear demonstration that the person has not communicated Consent);
- The sexual arousal of the other person;  
- A current or previous dating, romantic, intimate, or sexual relationship with the other person;
- Currently or previously cohabitating with the other person;
- The other person’s attire;
- The other person’s reputation;
- The other person’s giving or acceptance of gifts; or
- The other person’s extension or acceptance of an invitation to go to a private residence, room, or another location.
Consent must be Voluntary

Consent is not voluntary if it is obtained by Coercion. Nor is Consent voluntary if it is obtained from a person who is incapacitated if one knows (or a Reasonable Person would know) that the other person is incapacitated. Because the Incapacitation of another person may be difficult for one to discern, persons subject to this policy are strongly encouraged to err on the side of caution (i.e., when in doubt, assume that the other person is Incapacitated and therefore unable to give Consent.)

Consent must be Continual

Consent must be continual, which means that consent must exist from the beginning to the end of each sexual encounter and for each specific sexual act that occurs during a sexual encounter. A person has a right to change his/her mind; thus, Consent to engage in a specific sexual act may be withdrawn by a person at any time. A withdrawal of Consent is communicated through clear words and/or clear non-verbal actions that indicate that a person no longer agrees to engage in a specific sexual act. Once a person’s withdrawal of Consent has been communicated, the other person must cease the specific sexual act and must obtain Consent before reinitiating the specific sexual act or any other sexual act. Consent is automatically withdrawn when a person becomes incapacitated. Consent to one type of Sexual Contact or Sexual Intercourse (e.g., oral intercourse) does not constitute or imply Consent for another type of Sexual Contact or Sexual Intercourse (e.g., vaginal intercourse), whether during a sexual encounter or during a previous sexual encounter. The University urges persons subject to this policy to communicate with one another throughout a sexual encounter to ensure that any progression of sexual activity is done with Consent.

2. Coercion: Words and/or conduct that, viewed from the perspective of a Reasonable Person, substantially impair(s) a person’s ability to voluntarily choose whether to engage in a particular sexual act (e.g., Sexual Contact or Sexual Intercourse). Coercion is something more than mere seduction or persuasion.

Coercion includes, without limitation:

- physical force;

and

- words and/or conduct that would cause a Reasonable Person to fear imminent: harm to the person’s health, safety, or property or that of a third person; threat of the loss or impairment of a job benefit; threat of the loss or impairment of an academic benefit; kidnapping of the person or a third person; or disclosure of sensitive personal information (e.g., disclosure of a person’s sexual orientation, gender identity, or gender expression).

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

Incapacitation may result from: sleep; unconsciousness; intermittent consciousness; temporary or permanent physical or mental disability; involuntary physical restraint; or the influence of alcohol, drugs, or other substances, including, without limitation, substances used to facilitate Sexual Assault (e.g., Rohypnol, Ketamine, GHB, and Burundanga).

Alcohol and drugs are common causes of Incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication. The impact of alcohol and drugs varies from person to person; however, warning signs of Incapacitation may include, without limitation: lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; vomiting; unresponsiveness; and inability to communicate coherently.

A person who is under the age of eighteen (18) (i.e., a minor) is incapable of giving Consent; however, a person who is at least the age of thirteen (13) and less than the age of eighteen (18) is capable of giving Consent to sexual acts with another person who is less than four (4) years older than them.

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

5. **Reasonable Person:** A sober, objectively reasonable person in the same situation, and with the same sex, gender identity, and sexual orientation as the person whose words and/or conduct are being evaluated.

**Discipline for Prohibited Conduct**

Prohibited Conduct committed by students violates UTC’s Standards of Conduct for students, which can be found in the UTC Student Handbook. The disciplinary penalties that may be imposed on students who violate the Standards of Conduct also can be found in the UTC Student Handbook.

Prohibited Conduct committed by employees violates standards of conduct that have been established in existing University policies, including without limitation, the University’s Nondiscrimination Statement (http://oed.utk.edu/statements/), University of Tennessee Human Resources Policy 0280 (Sexual Harassment) (http://policy.tennessee.edu/hr_policy/hr0280/), and University of Tennessee System Human Resources Policy 0580 (Code of Conduct) (http://policy.tennessee.edu/hr_policy/hr0580/). This policy supplements existing University standards of conduct in order to be more specific concerning the University’s prohibition of Sexual Misconduct, Relationship Violence, Stalking, and Retaliation. Employees who violate this policy will be subject to disciplinary action, up to, and including, termination of employment, in accordance with University policies, including, without limitation, University of Tennessee System Human Resources Policy 0525 (Disciplinary Action), University of Tennessee System Human Resources Policy 0640 (Grievances), and the University of Tennessee at Chattanooga Faculty Handbook.
Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

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2 Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse
Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)).

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
12. **Don’t accept drinks from people you don’t know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately** (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
   a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
   b. Be true to yourself. Don’t feel obligated to do anything you don’t want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
   c. Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
   d. Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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**Education and Prevention Programs**

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are 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
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The University of Tennessee at Chattanooga is developing educational programming consisting of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:
The University of Tennessee at Chattanooga is dedicated to providing students, faculty, and staff primary prevention and awareness programs that will increase their cognizance about sexual assault, domestic violence, dating violence, and stalking. These efforts include bystander intervention campaigns, information about Title IX, and the Jeanne Clery Act.

The following programs were offered to incoming students in 2014

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior* Covered?</th>
</tr>
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<tbody>
<tr>
<td>Freshman Orientation</td>
<td>06/02/14</td>
<td>UC Auditorium</td>
<td>DoV, DaV, SA, S</td>
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<tr>
<td>Freshman Orientation</td>
<td>06/12/14</td>
<td>UC Auditorium</td>
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<td>Freshman Orientation</td>
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<td>UC Auditorium</td>
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<td>Freshman Orientation</td>
<td>07/28/14</td>
<td>UC Auditorium</td>
<td>DoV, DaV, SA, S</td>
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</tbody>
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*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking
Primary prevention and awareness programs were not provided to new employees in 2014. The University of Tennessee at Chattanooga has developed an onboarding process for new employees to address this deficiency for future new hires.

1) Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2) Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3) Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee and;
4) Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
5) Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Primary Prevention and Awareness Programs

Ongoing Prevention andAwareness Programs

The University of Tennessee at Chattanooga is dedicated to providing students, faculty, and staff ongoing prevention and awareness programs that will provide continuing education about sexual assault, domestic violence, dating violence, and stalking. These efforts include bystander intervention campaigns, information about Title IX, and the Jeanne Clery Act.
The following programs were offered to incoming students in 2014:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior* Covered?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rape Aggression Defense</td>
<td>02/02/14</td>
<td>Gamma Phi Beta House</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>02/26/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>02/27/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>02/28/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>04/01/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>04/02/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>04/03/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/17/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/18/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/19/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/24/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/25/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/26/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>08/26/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>08/27/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>09/23/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>09/24/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>11/04/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>11/05/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following ongoing awareness and prevention programs for employees in 2014:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior* Covered?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Assault Awareness (DOE)</td>
<td>04/03/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/24/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/25/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/26/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/24/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/25/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>06/26/14</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking
How to Report Sexual Misconduct and Relationship Violence

UTC encourages Complainants and others who are aware of Prohibited Conduct to promptly report the incident to UTC and/or to law enforcement.

This policy describes three options for informing someone about Prohibited Conduct:

1. Report Prohibited Conduct to the Title IX Coordinator, a Deputy Title IX Coordinator, or another UTC “Mandatory Reporter” (described in Section III.A);

2. Report Prohibited Conduct to UTCPD or local law enforcement (described in Section III.B); and/or

3. Confide in a UTC “Confidential Employee” and/or a confidential resource external to UTC (described in Section IV.A).

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

A. How to Report to UTC (Other than to UTCPD)

Complainants are not required to report Prohibited Conduct to UTC if they do not want UTC to respond to the incident or assist with Interim Measures. However, reporting a violation of this policy to UTC empowers Complainants to obtain the support they need and enables UTC to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, taking disciplinary action against a Respondent. If a person reports an incident of Prohibited Conduct to UTC, 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 UTC, a Complainant does not have to decide whether to request any particular course of action.

This policy requires certain University employees, called Mandatory Reporters, to report information they receive concerning Prohibited Conduct to UTC in accordance with Section VI. Not all UTC employees are Mandatory Reporters. Some University employees are encouraged but are not obligated to disclose Prohibited Conduct to UTC. Other University employees, called Confidential Employees (Section IV.A.1), are legally or ethically prohibited from disclosing Prohibited Conduct to UTC.

The only way for a Complainant (or any other person) to provide notice to UTC of an incident of Prohibited Conduct is to report the incident to a Mandatory Reporter. A Complainant may opt to report an incident of Prohibited Conduct to a Mandatory Reporter but decline to disclose the identity of the Respondent; in that case, UTC will offer Complainant Interim Measures, but UTC’s ability to investigate the incident and pursue disciplinary action against the Respondent or take other remedial action will be limited. If an incident is not reported to a Mandatory Reporter, then UTC 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 UTC community.
4 Mandatory Reporters are required to report information they receive about Prohibited Conduct. UTC strongly encourages employees and students who are not Mandatory Reporters to report information about Prohibited Conduct to one of the reporting options described in Section III.A.

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

6 However, all employees are required to report suspected child abuse or child sexual abuse (Section VI.A).

7 UTC Confidential Employees (Section IV.A.1) should be able to provide information on Interim Measures.

Because Mandatory Reporters have an obligation to report information they receive about Prohibited Conduct (and take other responsive actions), one of the purposes of this Section III.A is to inform students, employees and other persons about which University employees are Mandatory Reporters so that students, employees and other persons can make informed decisions about whether to disclose information to those University employees. Whether an employee is a Mandatory Reporter will vary based on factors such as the status of the Complainant and the Respondent (i.e., whether they are students, employees, and/or persons who are neither students nor employees) and the employee’s authority to address violations of this policy. In addition to this Section III.A, Appendix B and Appendix C identify Mandatory Reporters. Questions concerning whether a particular employee is a Mandatory Reporter should be directed to the Title IX Coordinator.

Mandatory Reporters are not confidential University resources like the Confidential Employees identified in Section IV.A.1. However, subject to a Complainant’s request for confidentiality (Section III.A.5) and applicable legal disclosure obligations (Section III.E), information communicated to a Mandatory Reporter will initially be shared only within the limited circle of those University employees whom UTC reasonably needs to involve in UTC’s response to an incident of Prohibited Conduct. Subsequently, information about the report will be shared only as reasonably necessary with investigators, witnesses, and the Respondent, subject to a Complainant’s request for confidentiality and applicable legal disclosure obligations. In accordance with FERPA, Mandatory Reporters who are not employees of UTCPD will not share information with UTCPD or any other law enforcement agency without a Complainant’s written consent or unless required by law.

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

1. Mandatory Reporters When the Complainant is a Student

This Section III.A.1 describes the non-law enforcement options for a Complainant who is a UTC student to report Prohibited Conduct to UTC.
How to Report Sexual Misconduct and Relationship Violence

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

- Title IX Coordinator (Section IV.B)
- Deputy Title IX Coordinators (Section IV.B)
- Office of Student Conduct (Section IV.B)

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

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

2. Mandatory Reporters When the Complainant is an Employee

This Section III.A.2 describes the non-law enforcement options for a Complainant who is a University employee to report Prohibited Conduct to the University.

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

- Title IX Coordinator or the Office of Equity & Diversity
- The Director of Human Resources, Assistant Director of Human Resources, or Human Resources Generalist
- The immediate supervisor of the Complainant
- The immediate supervisor of the Respondent (if the Respondent is a University employee)

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

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

3. Mandatory Reporters When the Complainant is Neither a UTC Student Nor a UTC Employee

For a Complainant who is neither a UTC student nor a UTC employee, the Title IX Coordinator is the only non-law enforcement option to report a violation of this policy to UTC.

4. What to Expect after Reporting Prohibited Conduct to a Mandatory Reporter

After receiving a report of Prohibited Conduct (either directly from a Reporter or indirectly from a Mandatory Reporter), the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development will initiate immediate
How to Report Sexual Misconduct and Relationship Violence

and appropriate steps by UTC to: have an appropriate UTC employee meet with or otherwise communicate with the Complainant; in cases of Sexual Assault, Relationship Violence, or Stalking, provide a Complainant with a copy of this policy and/or another written publication approved by the Title IX Coordinator to inform the

Complainant of the Complainant’s rights under this policy (if that has not already been done by a Mandatory Reporter); evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant’s request for confidentiality (Section III.A.5), initiate the investigation and resolution procedures outlined in Section V of this policy if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct. Upon request, the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development also can assist a Complainant in reporting the incident to law enforcement.

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

If a Complainant discloses an incident of Prohibited Conduct to a Mandatory Reporter but wishes to maintain confidentiality or requests that no investigation or discipline be pursued, UTC will seriously weigh that request against UTC’s obligation to provide a safe, non-discriminatory environment for UTC students and employees, including the Complainant.

UTC has designated the Title IX Coordinator to evaluate requests by Complainants for confidentiality. When weighing a Complainant’s request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the Respondent will commit additional acts of Prohibited Conduct, such as:
  - Whether there have been other reports of Prohibited Conduct about the same Respondent;
  - Whether the Respondent has a history of Prohibited Conduct, whether at UTC or prior to enrollment at UTC;
  - Whether the Respondent threatened further Prohibited Conduct 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 Complainant is a minor and the Title IX Coordinator is required by Tennessee law to report the incident;
- Whether UTC can pursue an investigation and/or resolution 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., via illicit use of drugs or alcohol) at a given location or by a particular group; and
- UTC’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.
How to Report Sexual Misconduct and Relationship Violence

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

If UTC determines that it cannot maintain a Complainant’s confidentiality, then UTC will inform the Complainant prior to starting an investigation and will, to the extent possible and unless otherwise required by law, only share information with people responsible for handling UTC’s response. If UTC determines that it must disclose the Complainant’s identity to the Respondent, then UTC will inform the Complainant of that determination prior to the disclosure. UTC will honor a request by the Complainant that UTC inform the Respondent that the Complainant asked UTC not to investigate or seek discipline. UTC will take ongoing steps that it determines are reasonable and appropriate to protect the Complainant from Retaliation or harm and may work with the Complainant to create a safety plan. Retaliation against the Complainant, whether by students or UTC employees, will not be tolerated. UTC will also assist the Complainant to access the support resources identified in Section IV, 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).

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

Because UTC 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 UTC 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.
How to Report Sexual Misconduct and Relationship Violence

6. Amnesty for Students Who Report Prohibited Conduct to UTC

UTC recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident may be hesitant to report an incident to UTC because of a fear of UTC disciplinary sanctions for student’s own violation of the Standards of Conduct. Because of the importance to UTC of responding to incidents of Prohibited Conduct, a student who reports Prohibited Conduct to UTC or testifies or provides information in a University investigation into alleged Prohibited Conduct will not be subject to disciplinary action by UTC 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.

B. Reporting to Law Enforcement

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

A Complainant has the right to decline to report the incident to law enforcement. Even if a Complainant does not report the incident to law enforcement, the Complainant may still request Interim Measures from UTC by reporting the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, or another Mandatory Reporter.

1. Contact Information for Campus and Local Law Enforcement

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

<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regardless of where incident occurred</td>
<td>Call 911 in an emergency</td>
</tr>
<tr>
<td></td>
<td>Or</td>
</tr>
<tr>
<td></td>
<td>UTCPD</td>
</tr>
<tr>
<td></td>
<td>400 Palmetto Street, Chattanooga, TN</td>
</tr>
<tr>
<td></td>
<td>37403</td>
</tr>
<tr>
<td></td>
<td>423-425-4357</td>
</tr>
<tr>
<td></td>
<td>utc.edu/public-safety/</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
How to Report Sexual Misconduct and Relationship Violence

<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the City of Chattanooga</td>
<td>Chattanooga Police Dept. (CPD) (423-298-2525) 3410</td>
</tr>
<tr>
<td></td>
<td>Amnicola Hwy. Chattanooga, TN 37406</td>
</tr>
<tr>
<td></td>
<td>chattanooga.gov/police-department or UTCPD</td>
</tr>
<tr>
<td>In Hamilton County but outside of the City of Chattanooga</td>
<td>Hamilton County Sheriff</td>
</tr>
<tr>
<td></td>
<td>600 Market St. G10 Chattanooga, TN 37402</td>
</tr>
<tr>
<td></td>
<td>423-209-7000 hcsheriff.gov or UTCPD</td>
</tr>
</tbody>
</table>

Upon the Complainant’s request, the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development will assist a Complainant in contacting UTCPD or the appropriate local law enforcement agency.

Employees of UTCPD are also Mandatory Reporters. Accordingly, if a person reports an incident to UTCPD, and the incident has not been previously reported to a Mandatory Reporter outside of UTCPD, then UTCPD will contact the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development who has been designated to receive such reports. The Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development will contact the Complainant regarding UTC’s response to the report (Section III.A.4). In contrast, if a Complainant reports the incident to CPD or another law enforcement agency other than UTCPD, then the Complainant also will need to report the incident to a Mandatory Reporter if the Complainant wants UTC to take any action under this policy.

2. What to Expect after Reporting Prohibited Conduct to Law Enforcement

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

Items of evidentiary value. A law enforcement officer also will conduct a thorough interview to record as many details as possible and as precisely as possible.

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

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

UTC will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process, to the extent permitted by law. However, UTC’s policies and procedures relating to Prohibited Conduct (e.g., this policy) may differ in significant respects from Tennessee criminal law. A Complainant may seek resolution through UTC’s procedures outlined in this policy, may pursue criminal action, may choose one but not the other, may choose both, or may choose neither. Neither law enforcement’s determination whether to prosecute a Respondent nor the outcome of any criminal prosecution are determinative of whether Prohibited Conduct has occurred in violation of this policy. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. UTC normally does not wait until a criminal investigation or proceeding is concluded before conducting its own investigation, implementing Interim Measures, or taking other appropriate action. Although UTC may need to delay temporarily the fact-finding portion of its investigation while law enforcement is gathering evidence, UTC will take Interim Measures to support the Complainant during such a delay. Decisions made or sanctions imposed by UTC are not affected as 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 UTC’s discretion, be used by UTC in a UTC disciplinary proceeding.

C. Reporting Anonymously

Persons may report Prohibited Conduct anonymously through the following methods:

1. To report an incident anonymously to UTCPD, fill out the Silent Witness Confidential Crime Reporting Form at utc.edu/public-safety/forms/silent-witness.php. UTCPD generally will respond as described in Section III.B; however, the amount and level of detail of the information provided to UTCPD will affect how thoroughly UTCPD is able to respond to the report.

2. To report an incident anonymously to the Dean of Students Office and the Behavioral Intervention Team, complete the Public Incident Report form, which can be accessed through the Dean of Students Office’s website: https://publicdocs.maxient.com/incidentreport.php?UTChattanooga
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3. To report an incident anonymously to the Survivor Advocacy Program, complete the form at: http://www.utc.edu/womens-center/transformation-project/report.php

Persons also may report a crime anonymously to the Chattanooga Police Department or the Hamilton County Sheriff’s Department by calling the Crime Stoppers Hotline, (423) 698-3333.

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

D. Confidential Resources

Section labeled Care and Support describes options to communicate confidentially with someone regarding an incident of Prohibited Conduct.

E. UTC’s Disclosure Obligations under Federal and Tennessee Law Relating to Reports of Prohibited Conduct

1. Clery Act

Certain UTC employees, called Campus Security Authorities, have a duty to report certain incidents of Prohibited Conduct to UTCPD to comply with the Clery Act. Campus Security Authorities are not required to report personally identifiable information, but statistical information must be sent to UTCPD regarding the type of incident that occurred and its general location (e.g., on or off-campus, in the surrounding area, but no addresses are given to UTCPD) for publication in an annual report of crime statistics, called the Annual Security Report. A copy of the Annual Security Report can be found on the website of the Department of Public Safety, utc.edu/public-safety/. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not Complainants of Prohibited Conduct also should be aware that the Clery Act requires UTC to issue timely warnings for crimes reported to UTCPD or Campus Security Authorities that pose a substantial threat of bodily harm or danger to members of the campus community. UTC will undertake reasonable efforts to avoid disclosing a Complainant’s name and other identifying information, while still providing enough information for community members to make safety decisions in light of the potential danger.

2. FERPA

In accordance with FERPA, personally identifiable information about a Complainant, Respondent, or Reporter who is a student that has been communicated to a Mandatory Reporter regarding Prohibited Conduct will be shared within UTC only with the Title IX Coordinator and those UTC employees who “need to know” in order to assist with UTC’s response to the Prohibited Conduct.
How to Report Sexual Misconduct and Relationship Violence

Personally identifiable information concerning a Complainant who is a student or a Respondent who is a student will not be disclosed by UTC to third parties unaffiliated with UTC without the consent of the student except in response to a lawfully issued subpoena, court order, or as otherwise required or allowed by law. If, during UTC’s investigation or resolution of Prohibited Conduct, a Respondent who is a student makes a request to review documents concerning the investigation, UTC will be required by FERPA to grant the Respondent’s request to inspect and review records that relate specifically to him/her, but UTC will redact the Complainant’s name and any other identifying information to the maximum extent allowed by law.

3. Tennessee Public Records Act

Incident reports prepared by UTCPD for law enforcement purposes are generally considered public records under the Tennessee Public Records Act and are not protected by FERPA, which means UTC 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 UTC officials (e.g., the Office of Equity & Diversity) that do not contain personally identifiable student information also are generally considered public records under the Tennessee Public Records Act.

Upon request by a citizen of Tennessee, the Tennessee Public Records Act requires UTC to disclose the final results of any disciplinary proceeding conducted by UTC against a student who is an alleged perpetrator of any crime of violence, as that term is defined in 18 U.S.C. § 16, or a non-forcible sex offense, if UTC determines as a result of that disciplinary proceeding that the student committed a violation of UTC’s rules or policies with respect to such crime or offense. “Final results” includes only the name of the student who committed the violation, the violation committed, and any sanction imposed by UTC on the student. The names of other students, such as a Complainant, are not disclosed.

4. Robert (Robbie) Nottingham Campus Crime Scene Investigation Act

The Robert (Robbie) Nottingham Campus Crime Scene Investigation Act (Nottingham Act), Tennessee Code Annotated § 49-7-129, requires UTCPD to notify the Chattanooga Police Department upon UTCPD’s receipt of a report from a victim alleging that any degree of rape has occurred on University property. The Nottingham Act requires UTCPD and the Chattanooga Police Department to participate in a joint investigation of the rape, with UTCPD leading the investigation. The Nottingham Act also requires sexual assault programs and services on campus to report annually to UTCPD 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 UTCPD in connection with that report.

5. Due Process
How to Report Sexual Misconduct and Relationship Violence

After UTC has formally accused a student or employee with violating University policy, the accused student or employee may have a constitutionally-protected due process right to be informed of the nature of the allegations against him/her, including the identity of the person who accused him/her of misconduct.

F. Take Back the Night and Other Public Awareness Initiatives; Research-Based Disclosures

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

Disclosures of incidents of alleged Prohibited Conduct made by a University student during such student’s participation as a subject in an Institutional Review Board-approved human subjects research protocol are not considered notice to UTC of Prohibited Conduct for purposes of triggering its obligation to investigate any particular incident(s).

G. False Reporting

An accusation of Prohibited Conduct may have severe consequences for a Respondent. A Reporter who makes a report that is later found to have not been made in Good Faith may be subject to disciplinary action, up to and including termination of employment or dismissal from UTC. Similarly, a Respondent or other person who is later proven to have intentionally given false information during the course of a UTC investigation or disciplinary proceeding action may be subject to disciplinary action, up to and including termination of employment or dismissal from UTC.

Care and Support

A. Confidential Resources

The persons identified below are able to keep information communicated to them by a Complainant completely confidential and will not communicate personally identifiable information to UTC, law enforcement, or any other third party, unless required by law in the limited circumstances described in Appendix D or except as otherwise described in this Section labeled Care and Support.
Information communicated to a person identified as a confidential resource in this Section labeled Care and Support 1 does not constitute notice or a report to UTC of an incident of Sexual Misconduct or Relationship Violence. In other words, a disclosure of Sexual Misconduct or Relationship Violence to a person identified in this Section labeled Care and Support A1. (including a person supervised by them (e.g., nurses, assistants, and front-desk staff)) will not trigger a University response to an incident because the people identified in this Section labeled Care and Support A1. are not Mandatory Reporters and do not report any information about an incident to the Title IX Coordinator, a Deputy Title IX Coordinator, UTCPD, or another Mandatory Reporter without the Complainant’s permission. As a result, UTC generally will be unable to investigate the incident or pursue disciplinary action against the Respondent, or provide Interim Measures to the Complainant.
The persons identified in Section labeled Care and Support A1. can, however, help a Complainant explore options, provide information, including information on Interim Measures, and provide emotional support. A Complainant who at first requests confidentiality may later decide to report the incident to UTC and/or to law enforcement and have the incident fully investigated. The persons identified in Section labeled Care and Support A1. can provide the Complainant with assistance in making such reports if the Complainant asks them to do so.

Complainants may pursue the communication options outlined in this Section labeled Care and Support A1. regardless of whether or not they choose to report the incident to UTC or law enforcement. In other words, the resources described in this policy are not mutually exclusive.

1. UTC “Confidential Employees”

If a Complainant does not desire action by UTC and would like the details of the incident to be kept confidential, but desires to confide in someone employed by UTC, the Complainant may speak with the following persons, who are called “Confidential Employees” for purposes of this policy.

- An advocate in UTC’s Survivor Advocacy Program. The Survivor Advocacy Program is part of the UTC Transformation Project’s efforts to address Prohibited Conduct on campus. A Confidential Employee in the Survivor Advocacy Program may be contacted 24 hours a day, seven days a week by calling UTPD at (423) 425HELP (4357) and requesting the advocate on-call. Confidential Employees in the Survivor Advocacy Program:
  - Utilize a survivor-centered approach to create a support network for survivors and focus on minimizing the trauma experienced by survivors in a sensitive and proficient manner;
  - Provide information to survivors regarding Interim Measures and assist in coordinating Interim Measures for survivors (however, the Survivor Advocacy Program may be limited in what Interim Measures it can facilitate if the Complainant wants to maintain confidentiality);
  - Inform survivors of the right to report a crime to campus or local law enforcement and provide the survivor with assistance if the survivor wishes to do so;
  - Collaborate with the Title IX Coordinator and/or a Deputy Title IX Coordinator (with the permission of the survivor) after a report of Prohibited Conduct to ensure contact with and support of the survivor;
  - Coordinate and implement safety plans for survivors;
  - Answer survivors’ questions about UTC’s policies, procedures, or programs concerning Prohibited Conduct; and
  - Advocate for the survivor during any law enforcement investigation and ensuing criminal proceeding.

- A licensed psychologist, professional counselor or social worker in UTC’s Counseling and Personal Development Center (423-425-4438, from 8-5 on a normal weekday or contacting the on call counselor after hours);
- A licensed medical professional in Student Health Services (423-425-2266 from 8-5 on a normal weekday);
- Physicians or psychiatrists who are contracted through UTC’s Counseling and Personal Development Center or Student Health Services;
- A counselor with the Employee Assistance Program managed by Magellan Health Services (855-Here4TN (855437-3486)) (option for employees); or
- A sports team physician, sports team psychologist, or sports team psychiatrist (resource options for intercollegiate student-athletes only) (team physicians, psychiatrists and psychologists are UTC contractors, not employees).

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

Confidential Employees may be required to report to the Title IX Coordinator and/or Deputy Title IX Coordinator(s) general information about incidents of Prohibited Conduct such as the nature, date, time, and general location of the incident and will take care to avoid reporting personally identifiable information about a Complainant. Confidential Employees may consult with the Complainant regarding what information needs to be withheld to protect the Complainant’s identity.

2. Confidential Resources Outside of UTC

Complainants of Prohibited Conduct also have options to communicate confidentially with someone who is not affiliated with UTC or law enforcement.

Complainants who desire to speak confidentially with someone not affiliated with UTC or law enforcement may contact one of the following:

- RAINN National Sexual Assault Crisis Hotline 800-656-HOPE (4673) https://rainn.org/get-help/national-sexual-assault-hotline
- National Domestic Violence Hotline 800-799-SAFE (7233) http://www.thehotline.org/
- Love is Respect – National Dating Abuse Hotline 866-331-9474 http://www.loveisrespect.org/
- A personal attorney;
- A clergy member;
- A physician or Qualified Mental Health Professional who is not an employee or contractor of UTC; or
- A licensed marital or family therapist, licensed professional counselor, or certified clinical pastoral therapist.

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

B. Non-Confidential UTC Resources

UTC employees/units identified below are trained to support Complainants. While not bound by confidentiality (i.e., they are Mandatory Reporters who are required to report knowledge of incidents of Prohibited Conduct to UTC and/or take other responsive action), these UTC employees/units will maintain the privacy of information shared by a Complainant within the limited circle of those UTC employees involved in UTC’s response to an incident of Prohibited Conduct. When speaking with one of the resources below, Complainants are free to limit the details they share while they decide whether to report an incident to UTC.
The following UTC employees/units are generally available Monday-Friday from 8:00 a.m. to 5:00 p.m. on UTC business days:

- **Title IX Coordinator**  
  Stephanie Rowland  
  Office of the Chancellor  
  Department 5605  
  615 McCallie Ave., 101 Founders Hall  
  Chattanooga, TN 37403  
  Fax:  
  423-756-5559  
  stephanie-rowland@utc.edu  
  [http://www.utc.edu/sexual-misconduct/](http://www.utc.edu/sexual-misconduct/)

- **Deputy Title IX Coordinator for Employees**  
  Bryan Samuel  
  Office of Equity and Diversity  
  Department 5455  
  720 McCallie Ave.  
  Chattanooga, TN 37403  
  Bryan-Samuel@utc.edu  
  [http://www.utc.edu/equity-diversity/](http://www.utc.edu/equity-diversity/)

- **Deputy Title IX Coordinator for Students**  
  James S. Hicks, Dean of Students  
  Office of the Dean of Students  
  Department 1951  
  615 McCallie Ave.  
  Chattanooga, TN 37403  
  jim-hicks@utc.edu

- **Deputy Title IX Coordinator for Athletics**  
  Laura Herron  
  Senior Associate Athletics Director/Senior Woman Administrator UTC  
  Department 3503  
  615 McCallie Ave.  
  Chattanooga, TN 37403  
  Laura-Herron@utc.edu

- **Office of Student Conduct**  
  399 University Center  
  [http://www.utc.edu/dean-students/conduct/index.php](http://www.utc.edu/dean-students/conduct/index.php)

The Office of Student Conduct investigates and resolves allegations of Sexual Misconduct, Relationship Violence, and Retaliation against students. Reports of Sexual Misconduct, Relationship Violence, and Retaliation concerning students may be filed with the Office of Student Conduct. The Dean of Students and the Associate Dean of Students for Student Conduct are Mandatory Reporters.
Care and Support

Reports of Prohibited Conduct concerning students may be reported online at: http://www.utc.edu/dean-students/conduct/index.php.
6. Medical Care

A Complainant may seek medical care at any time following Prohibited Conduct. The resources described in this Section labeled Care and Support C. are confidential resources, as described in Section labeled Care and Support A.

Medical Care may be obtained from the following:

- Rape Crisis Center, 423-755-2700 (24 hours a day, seven days a week);
- UTC Student Health Services, 423-425-2337 (except for evenings, weekends, and holidays); or
- A local hospital (24 hours a day, seven days a week).

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

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

7. Interim Measures

Upon receipt of a report of Prohibited Conduct, UTC will implement Interim Measures designed to eliminate the reported Prohibited Conduct and protect the persons involved in the matter (e.g., Complainant, Reporter, potential witnesses).

a) Availability of Interim Measures

Interim Measures are available:

- Even if a Complainant does not want to report the incident to UTCPD, the Chattanooga Police Department, or any other law enforcement agency;
- Even if the Complainant has requested confidentiality or that UTC not pursue an investigation or discipline and UTC has determined that it can respect a Complainant’s request for confidentiality (Section III.A.5), in which case UTC may be able to take measures to protect the Complainant while keeping the identity of the Complainant confidential, such as: providing support services to the Complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the Prohibited Conduct occurred;
- Prior to or during an investigation of Prohibited Conduct; and
- Prior to a final determination that Prohibited Conduct occurred.

b) Examples of Interim Measures

The following are examples of Interim Measures:

- Informing the Complainant of the Complainant’s rights under UTC’s procedures for complaints against students or procedures for complaints against employees or other non-students;
- Informing the Complainant of the Complainant’s right to report the incident to law enforcement for criminal investigation and prosecution and assisting the Complainant in reporting an incident to law enforcement, if the Complainant wants to report the incident;
- Issuing a no-contact directive to the Respondent, which prohibits the Respondent from having verbal, physical, or written contact with the Complainant for a definite or indefinite period of time (the Complainant may also receive a directive to not contact the Respondent);
- Issuing an interim suspension to the Respondent (if a student) prior to the conclusion of the investigation and resolution of a complaint of Prohibited Conduct (an interim suspension may be issued when the Vice Chancellor for Student Development (or designee) has reasonable cause to believe that a student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of UTC);
- Putting a Respondent (if an employee) on leave, in accordance with other applicable University policies, prior to the conclusion of the investigation and resolution of a report of Prohibited Conduct;
- Providing medical and counseling services (for students);
- Exploring changes in living, transportation, dining, and working arrangements for the Complainant and the Respondent;
Care and Support

- Providing an escort to ensure that a Complainant who is a student can move safely between classes and activities;
- Arranging appointments for follow-up on-campus support services (if a student) or off-campus support services, such as those identified in Section IV;
- Exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes (if both the Complainant and the Respondent are students);
- Assisting in communicating with faculty (for students);
- Reviewing any disciplinary action(s) taken against the Complainant to see if there is a causal connection between the Respondent’s misconduct and the misconduct that may have resulted in the Complainant being disciplined;
- Providing academic support, including tutoring (for students); and

- Exploring the options of re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty (for students).

c) Determination of Interim Measures

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

d) Subsequent Communications with UTC Concerning Interim Measures

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

8. Orders of Protection and Other Legal Remedies

For assistance in pursuing orders of protection in Hamilton County Circuit Court and other legal remedies, a person may contact:
A member of UTC’s Survivor Advocacy Program can assist a Complainant with pursuing an order of protection and other legal remedies.

The Tennessee District Attorneys General Conference provides information for victims of Sexual Assault and Relationship Violence on multiple pages of its website:

- www.tndagc.org/dv.htm (FAQ on orders of protection);
- www.tndagc.org/vwh.htm (resource describing the criminal justice system written specifically for those who need to understand how the system relates to them as victims/survivors and how perpetrators interact with the system); and

UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

A. Summary of Student and Employee Procedures

UTC has specific procedures for investigating and resolving reports of Prohibited Conduct based on the relationship of the Respondent to UTC and the type of Prohibited Conduct that was reported. Appendix E contains a chart that summarizes which complaint procedures will be used to resolve reports of Prohibited Conduct.
B. Standards Applicable to All Procedures

The standards in this Section V.B apply to all procedures under this policy (i.e., Section labeled UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct C and Section labeled UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct D) for investigating and resolving reports of Prohibited Conduct, regardless of whether the Complainant or Respondent is a UTC student, UTC employee, or a person who is neither a student nor an employee.

1. Determining the Appropriate Procedure

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

2. Selecting an Investigator

For each report of Prohibited Conduct to be investigated, UTC may select an investigator(s) of its choosing, provided that the investigator has specific training and experience investigating allegations of Prohibited Conduct. Any investigator(s) chosen to conduct the investigation must be impartial and free of any conflict of interest. The investigator(s) may be a UTC employee, a team of UTC employees, an external investigator(s) engaged to assist UTC in its fact-gathering, or a team of investigators that pairs an external investigator(s) with a UTC employee. Investigations of reports of Prohibited Conduct are usually performed by the Office of Equity and Diversity (if the Respondent is an employee or other non-student) or the Office of Student Conduct (if the Respondent is a student). A separate law enforcement investigation may be conducted by UTCPD.
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

3. Preponderance of the Evidence Standard

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

4. Advisors and Support Persons

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

5. Training

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

6. Complainants’ Rights

In addition to rights for Complainants described in other parts of this Section labeled UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct and other sections of this policy, Complainants have the following rights in cases involving Prohibited Conduct:

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

7. Notice to Complainants and Respondents

Unless prohibited by federal law, with respect to any UTC disciplinary hearing that arises from an allegation of Prohibited Conduct, UTC will provide simultaneous written notification to the Complainant and the Respondent of:

- The results of the hearing;
- UTC’s procedures for the Complainant and the Respondent to appeal the results of UTC disciplinary hearing, if such procedures are available (any such procedures shall be available to both the Complainant and the Respondent);
- Any change to the results of the hearing before the results are final; and
- When the results of the hearing become final.
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

8. Time Frames
UTC will strive to meet the time frames described in this Section labeled UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct. In each case, however, UTC will balance the need to complete a prompt investigation and resolution with the need to conduct a thorough investigation and a resolution that complies with due process. Thus, the actual time to complete an investigation and resolution may require a reasonable adjustment of the time frames in this policy depending on many factors, including, without limitation: the complexity of the allegations; the complexity of the investigation and resolution; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, witnesses, and evidence (e.g., forensic evidence); a request by a Complainant to conduct an investigation or resolution at a slower pace; the effect of a concurrent criminal investigation; any intervening UTC holidays, breaks, or other closures; and/or other unforeseen circumstances. In the event that the need arises to significantly adjust the time frames in this policy or those previously communicated to the Complainant and the Respondent for good cause, UTC will notify the Complainant and the Respondent in writing of the reason for the delay and the expected adjustment in time frames.

9. Prior Conduct, Including Sexual History
In general, neither the Complainant’s nor the Respondent’s prior sexual history is relevant to the issue of whether Prohibited Conduct occurred and will not be considered as evidence during an investigation or hearing. However, when the Respondent contends that the Complainant gave Consent for a particular sexual act, the prior sexual history between the Complainant and the Respondent may be relevant to assess the manner and nature of communications between the parties. As noted in Section II.B.1, however, the mere existence of a current or previous dating, romantic, intimate, or sexual relationship with the other person does not allow a Respondent to imply or infer Consent. The Complainant’s and the Respondent’s prior sexual history may also be relevant in other limited circumstances, such as to show intent, motive, absence of mistake, or to explain an injury or physical finding.

10. Prompt, Fair, and Impartial Proceedings
All activities related to a non-criminal resolution of a UTC disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings conducted by UTC under this policy shall be prompt, fair, and impartial. Those activities shall be conducted in a manner that: (1) is consistent with UTC’s policies and transparent to the Complainant and the Respondent; (2) includes timely notice of meetings at which the Complainant or the Respondent, or both, may be present; and (3)
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

provides timely access to the Complainant, the Respondent, and appropriate officials to any information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings. Decision makers concerning appeals shall not have a conflict of interest or bias for or against the Complainant or the Respondent.

C. Procedures for Investigating and Resolving Reports Involving a Respondent Who is a UTC Employee or Other Non-Student

This Section V.C describes procedures for investigating and resolving a report of Sexual Assault, a Sex Offense Crime, Relationship Violence, a Relationship Violence Crime, or Stalking involving a Respondent who is an employee or other non-student. A report of Sex Discrimination (e.g., Sexual Harassment) that does not include Sexual Assault, a Sex Offense Crime, a Relationship Violence Crime, Relationship Violence, or Stalking involving a Respondent who is an employee or other non-student generally will be resolved by the Office of Equity & Diversity in accordance with UTC’s Discrimination Complaint Procedure.

1. Meeting (Communication) with the Complainant

After receiving a report of Prohibited Conduct from a Reporter or a Mandatory Reporter, the Title IX Coordinator will initiate immediate and appropriate steps by UTC to: inform the Complainant about this policy, including the Complainant’s rights, and give the Complainant an opportunity to ask questions; implement Interim Measures; and, subject to a Complainant’s request for confidentiality (Section III.A.5), investigate and resolve the matter promptly, thoroughly, and equitably in accordance with the procedures outlined in this section if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct. Subject to UTC’s legal disclosure obligations, information about the report will be shared only as reasonably necessary with investigators, witnesses and the Respondent. The Title IX Coordinator will designate one or more persons to investigate the report, which most often will be an employee in the Office of Equity and Diversity.

2. Investigation and Resolution

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

UTC’s investigator will make written findings and recommendations (including a statement outlining the basis for them) and transmit the findings and recommendations to the appropriate UTC administrator. The findings and recommendations will be made available
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

3. Investigation and Resolution

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

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

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

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

4. Disciplinary or Other Corrective Actions

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

D. Procedure for Investigating and Resolving a Report Involving a Respondent Who is a UTC Student
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

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

1. Meeting (Communication) with the Complainant

After receiving a report of Prohibited Conduct from a Reporter or a Mandatory Reporter, the Title IX Coordinator, a Deputy Title IX Coordinator, or an employee of the Division of Student Development will initiate immediate and appropriate steps by UTC to: have an appropriate UTC employee meet with or otherwise communicate with the Complainant; in cases of Sexual Assault, Relationship Violence, or Stalking, provide a Complainant with a copy of this policy and/or another written publication approved by the Title IX Coordinator to inform the Complainant of the Complainant’s rights under this policy (if that has not already been done by a Mandatory Reporter); evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a Complainant’s request for confidentiality (Section III.A.5), initiate the investigation and resolution procedures outlined in this section if, based on an initial assessment, the alleged conduct meets the definition of Prohibited Conduct. The Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee of the Division of Student Development also can assist a Complainant in reporting the incident to law enforcement.

2. Investigation

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

The investigator(s) will provide simultaneous written notice of the outcome of the investigation to the Complainant and the Respondent. UTC strives to complete the procedures in this Section V.D.2 within 60 calendar days of the receipt of a report of Prohibited Conduct.

3. Resolution

If UTC determines after an investigation that a student has engaged in Prohibited Conduct, then UTC will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. One of those steps likely will involve the Office of Student Conduct charging the Respondent with a violation of the Standards of Conduct for students and resolve the matter in accordance with Section V.B and UTC’s student disciplinary regulations and procedures, a
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

A complete copy of which can be found in the UTC Student Handbook. A Respondent accused of committing Prohibited Conduct may accept responsibility for the disciplinary charge(s) and accept the proposed disciplinary penalty(s), or the Respondent may contest the accusation(s) and/or disciplinary penalty(s) either through a hearing before the Student Conduct Board or a University hearing officer, following the procedures set forth in the UTC Student Handbook, or a TUAPA Hearing.

UTC strives to conduct disciplinary hearings concerning Prohibited Conduct within ten (10) calendar days of the notice to the Complainant and Respondent of the outcome of UTC’s investigation. UTC strives to provide notice of the decision of the Student Conduct Board or an administrative judge or hearing officer/examiner within ten (10) calendar days after the hearing.

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

4. Appeals

Appeal by the Complainant of a Decision of the Office of Student Conduct to Not Charge a Respondent with Violating the Standards of Conduct. A Complainant may appeal a decision of the Office of Student Conduct to not charge a Respondent with violating UTC’s Standards of Conduct to the Vice Chancellor for Student Development by filing a written request for appeal within fifteen (15) calendar days after receipt of the decision of the Office of Student Conduct. The Vice Chancellor for Student Development may affirm the decision of the Office of Student Conduct, reverse the decision and direct the Office of Student Conduct to charge the Respondent with violating the Standards of Conduct, or remand the matter for additional investigation or consideration. The Vice Chancellor for Student Development will issue a decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the appeal. The decision of the Vice Chancellor for Student Development is final.

Appeal by the Complainant of a Proposed Disciplinary Penalty. In a case in which the Respondent has indicated a willingness to accept responsibility for violating a Standard of Conduct, but the Complainant is not satisfied with the disciplinary penalty proposed by the Office of Student Conduct for the Respondent’s violation of the Standard of Conduct, the Complainant will have the opportunity to appeal to the Vice Chancellor for Student Development by filing a written request for appeal within fifteen (15) calendar days after notification of the proposed disciplinary penalty by UTC. The Vice Chancellor for Student Development may affirm the disciplinary penalty proposed by the Office of Student Conduct, modify the disciplinary penalty proposed by the Office of Student Conduct, or remand the matter for additional consideration by the Office of Student Conduct. The Vice Chancellor for Student Development will issue a decision in writing, sent to the Complainant and the Respondent simultaneously, within ten (10) calendar days of receipt of the request for review. The decision of the Vice Chancellor for Student Development is final.

Appeal by either the Complainant or the Respondent of a Decision of a Student Conduct Board or University Hearing Officer. In cases involving Sexual Assault or Relationship Violence heard by a Student Conduct Board or a University hearing officer, the timeframes for appeals shall be modified in order to accomplish the goal of resolving all appeals within thirty (30) calendar days of the written
UTC Procedures for Investigating & Resolving Reports of Prohibitive Conduct

Decision of the Student Conduct Board or University hearing officer. To accomplish that goal, appeals of decisions of a Student Conduct Board or a University hearing officer to the Vice Chancellor for Student Development shall be submitted in writing to the Office of Student Conduct within five (5) calendar days of the written decision of the Student Conduct Board or UTC hearing officer. The Vice Chancellor for Student Development shall issue a written decision within ten (10) calendar days of the Office of Student Conduct’s receipt of the appeal. The decision of the Vice Chancellor for Student Development is final.

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

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

5. Disciplinary Sanctions and Other Remedial and Protective Measures

Following a final determination under UTC procedures that a student committed Prohibited Conduct (e.g., after all appeals have been exhausted), UTC will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. Such steps likely will include imposing one or more of the following disciplinary sanctions: permanent dismissal, indefinite suspension, suspension for a specific period of time, disciplinary probation, disciplinary reprimand, restitution, education, loss of privilege, and/or warning. In addition to imposing disciplinary sanctions, UTC may implement other remedial and protective actions, including: issuing a no-contact directive to the Respondent; providing medical and counseling services to the Complainant (for a student Complainant); exploring changes in living, transportation, dining, and working arrangements for the Complainant and the Respondent; providing an escort to ensure that the Complainant can move safely between classes and activities (for a student Complainant); exploring changes in class and extracurricular schedules, including adjustments so that the Complainant and the Respondent do not share the same classes (for a student Complainant); assisting the Complainant in communicating with faculty (for a student Complainant); providing academic support for the Complainant, including tutoring (for a student Complainant); and exploring options for re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty (for a student Complainant). UTC will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects.
A. Required Actions

A Mandatory Reporter who receives information concerning an incident of Prohibited Conduct shall:\(^8\)

1. Assist the Complainant with obtaining medical assistance (if needed or requested) or accessing other on- or off-campus resources (if requested);

2. Encourage the Complainant to report the incident to law enforcement and assist the Complainant in contacting law enforcement if requested by the Complainant; and

3. Report the incident to UTC:
   - Evaluate whether University Safety Policy 0575 applies because the incident involves suspected child abuse or child sexual abuse (if so, comply with the reporting requirements of that policy); or
   - If University Safety Policy 0575 does not apply, report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator promptly after receiving notice of the incident (no later than 48 hours after receiving the report)\(^9\). The Mandatory Reporter shall communicate: (1) details known about the alleged incident that UTC will need to determine what happened — including the names of the Complainant, Reporter, and Respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident; and (2) if applicable, communicate to the Title IX Coordinator or a Deputy Title IX Coordinator that a Complainant has requested that UTC maintain confidentiality (Section III.A.5).

Deputy Title IX Coordinators must inform the Title IX Coordinator of all reports of Prohibited Conduct. In a case involving Sexual Assault, Relationship Violence, or Stalking, the Title IX Coordinator must ensure that a copy of this policy or another written publication approved by the Title IX Coordinator has been provided to the Complainant to inform the Complainant of their rights under this policy.

Complainants who are Mandatory Reporters are not required to report or take any other action identified in this section with respect to Prohibited Conduct to which they have been subjected.

\(^8\) In addition to the responsibilities of a Mandatory Reporter described in this Section VI, the Title IX Coordinator, Deputy Title IX Coordinators, certain employees in the Division of Student Development, and UTCPD also are responsible for carrying out responsibilities described in other sections of this policy. The Title IX Coordinator, Deputy Title IX Coordinators, the Division of Student Development, and/or UTCPD may develop internal procedures for the purposes of implementing this policy, as long as the procedures do not conflict with this policy.

\(^9\) 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.

\(^10\) 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 Sexual Misconduct or Relationship Violence to his/her supervisor or other designee within the unit, who, in lieu of the Mandatory Reporter who received notice of the incident, shall promptly report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator.

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

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

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

3. A Complainant’s option under this policy to request that UTC maintain confidentiality (Section III.A.5), if the person indicates that he/she wants to disclose information to the Mandatory Reporter but wishes to maintain confidentiality;

4. If the person indicates hesitancy to report an incident to UTC, inform the person that UTC prohibits Retaliation and will not only take steps to prevent Retaliation but also take strong responsive action if Retaliation occurs.

A Mandatory Reporter who receives information from a Complainant concerning an incident of Prohibited Conduct should:

1. Provide emotional support to the Complainant;

2. Encourage the Complainant to preserve any physical evidence (e.g., if possible, the Complainant should not shower, bathe, douche, change clothes, brush his/her teeth, or comb his/her hair);

3. Inform the Complainant that the Mandatory Reporter will be reporting the incident to the Title IX Coordinator or a Deputy Title IX Coordinator, one of whom (or their designee) will be contacting the Complainant to provide further guidance and assistance; and

4. Provide a Complainant with a copy of this policy or another written publication approved by the Title IX Coordinator, if available, to inform the Complainant of the Complainant’s rights under this policy.

C. Prohibited Actions

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

1. Guarantee to a Complainant that the Mandatory Reporter will keep information confidential;

2. Share information about the incident with a person who does not have a UTC-related need to know;

3. Share personally identifiable information about the incident with law enforcement (including UTCPD) without the Complainant’s consent; and/or

4. Investigate or otherwise attempt to resolve reports of Prohibited Conduct without the approval of the Title IX Coordinator (this provision does not apply to UTCPD), other than taking an action required or recommended in Section VI.A-B.
D. UTCPD

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

When UTC’s non-law enforcement investigation of a report of Prohibited Conduct occurs concurrently with a law enforcement investigation of the same incident, UTCPD shall not cause UTC’s non-law enforcement investigation to be delayed pending the outcome of UTCPD’s law enforcement investigation, except for the collection of evidence.

Other University Policies/Procedures; Due Process; Academic Freedom & First Amendment Rights

A. Child Abuse and Child Sexual Abuse

University of Tennessee System Safety Policy 0575 (“Programs for Minors”) takes precedence over this policy with respect to reporting suspected child abuse and child sexual abuse. Except for Safety Policy 0575 and as otherwise provided in this policy, this policy takes precedence over other University policies and procedures concerning Prohibited Conduct in the event of a conflict.

B. Student Policies and Procedures

The Standards of Conduct for students can be found in the UTC Student Handbook. The Standards of Conduct for students prohibits students from engaging in sexual misconduct, relationship violence, stalking, and retaliation. In the event of a conflict between this policy and the UTC Student Handbook, this policy shall control. If this policy does not supply a substantive or procedural rule relating to an issue, then the UTC Student Handbook shall supply the rule.

C. Employee Policies and Procedures

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

- University of Tennessee Board of Trustees Policy 0006 (Policies Governing Academic Freedom, Responsibility, and Tenure)
- University of Tennessee, Chattanooga Faculty Handbook
Requirements & Guidelines for Mandatory Reporters

- University of Tennessee System Human Resources Policy 0160 (Termination of Employment)
- University of Tennessee System Human Resources Policy 0220 (Equal Employment Opportunity and Affirmative Action)
- University of Tennessee System Human Resources Policy 0355 (Leave of Absence)
- University of Tennessee System Human Resources Policy 0525 (Disciplinary Action)
- University of Tennessee System Human Resources Policy 0580 (Code of Conduct)
- University of Tennessee System Human Resources Policy 0640 (Grievances)
Other University Policies/Procedures; Due Process; Academic Freedom & First Amendment Rights

D. Tennessee Uniform Administrative Procedures Act

Chapter 1720-1-5 of the Rules of the University of Tennessee sets forth the University’s procedures for conducting a contested case hearing pursuant to the Tennessee Uniform Administrative Procedures Act, Tennessee Code Annotated, § 45-301 et seq. In a case involving alleged Sexual Misconduct, Relationship Violence, or Stalking, the administrative judge or hearing examiner shall modify those procedures when required to comply with federal law, including without limitation, Title IX and the Clery Act.

E. Consensual Relationships

Consensual romantic or sexual relationships between members of the UTC community are subject to other University policies. For example, UTC’s policy on consenting romantic or sexual relationships between faculty and students can be found in Section 5.12 of the UTC Faculty Handbook. Even if a romantic or sexual relationship between members of the UTC community may begin as consensual, the relationship may evolve into a situation that leads 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”), 0280 (“Sexual Harassment”), and 0580 (“Code of Conduct”).

F. 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.

G. Due Process

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

Due Process and Adjudication of Violations

Adjudication of Violations
Due Process and Adjudication of Violations

Whether or not criminal charges are filed, the university or a person may file a complaint under the Student Code of Conduct for a student and through the Office of Equity and Diversity for an employee alleging that a student or employee violated the University’s policy on Sexual Offenses.

Standards of Conduct for Students

*The Standards of Conduct that are relevant to public safety concerns include, but are not limited to:*

1. Providing false information to a University official.
2. Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.
3. Forging, altering, destroying, falsifying, or misusing records, identification, or documents, whether in print or electronic form.
4. Causing physical harm to any person (including oneself); endangering the health or safety of any person (including oneself); engaging in conduct that causes a reasonable person to fear harm to his/her health or safety; or making an oral or written statement (including electronically) that an objectively reasonable person 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, although the speaker need not mean to carry out the act of unlawful violence in order to constitute a violation of this rule.
5. Harassment, which is defined as unwelcome conduct that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University.
6. Sexual assault or misconduct.
7. Invasion of another person’s privacy when that person has a reasonable expectation of privacy.
8. Theft, misappropriation, unauthorized possession, or unauthorized sale of private or public property, including but not limited to University-controlled property.
9. Vandalizing, destroying, damaging, engaging in conduct that reasonably could cause damage to, or misusing private or public property, including but not limited to University-controlled property.
10. Participating in hazing. “Hazing” is defined as any intentional or reckless act, on or off University-controlled property, by one (1) student, acting alone or with others, which is directed against any other student, which endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety. “Hazing” does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.
11. Engaging in disorderly, lewd, indecent, or obscene conduct.
12. Engaging in speech, either orally or in writing, which is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
13. Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency;
Due Process and Adjudication of Violations

(14) Possessing, using, or duplicating University keys, access cards, or identification cards without authorization; or entering University-controlled property without authorization.

(15) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes;

(16) Possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

(17) 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.

(18) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.

(19) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

(20) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

(21) Obstructing or disrupting teaching, learning, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, or the free flow of pedestrian or vehicular traffic on University-controlled property. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.

Due Process, Student Rights, and Student Organization Rights.

(1) Due process shall guarantee to the accused student or student organization the following:

(a) The right to be informed of charges in writing prior to the hearing.

(b) The right of reasonable time in which to prepare a defense.

(c) The right to a fair and just hearing.

(d) The right to challenge all charges and testimony used against the accused student or student organization and to question witnesses.

(e) The right to be informed in writing of:
   1. The final decision of the case.
   2. The proper procedure for appeal.

(f) The right to be accompanied by an advisor he/she/it chooses, at his/her/its own expense.
   1. The accused student or student organization is responsible for presenting his/her/its own information, and therefore, advisors are not to speak or participate directly in a University hearing
Due Process and Adjudication of Violations

(2) A student or student organization should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University hearing.

(3) Delays will not normally be allowed due to the scheduling conflicts of an advisor.
   a. Any student or student organization shall be formally charged in writing with the alleged offense.
   b. The date, time, and place of occurrence of the offense shall be stated on the statement of charges.
   c. The Dean of Students office must keep accurate records of each hearing and the disposition of each case.
   d. In cases involving a complaint of sexual assault or misconduct, the alleged victim shall have the right to:
      i. Notice concerning the process by which the University will handle the complaint and an opportunity to ask questions about the process;
      ii. prompt, thorough, and impartial investigation of the complaint;
      iii. The same opportunity as the accused student to present his/her explanation of the facts during the Universities investigation; iv. Have the investigation of the complaint concluded within sixty (60) days of the university’s receipt of a complaint, unless circumstances make it impracticable for the University to complete its investigation within that timeframe;
      v. Notice of the outcome of the University’s investigation;
      vi. Have a disciplinary hearing conducted within thirty (30) days of a University charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the University to conduct a hearing within that timeframe;
      vii. Notice of the date, time, and location of the disciplinary hearing, the right to have the Disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause; viii. The same access as the accused student to any information or documents that will be used by the University during a disciplinary hearing, unless prohibited by law;
      ix. Challenge the seating of any Student Conduct Board member for good cause, which will be determined at the discretion of the University Hearing Officer;
      x. Be accompanied by an advisor of his/her choosing during the University’s investigation or a disciplinary hearing, but the advisor shall not be permitted to speak for the victim during a disciplinary hearing;
      xi. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary hearing; xii. Testify or remain silent at his/her option; however, choosing to remain silent may result in the University dismissing the charges against the accused student or the Student Conduct Board or University Hearing Officer finding that there is insufficient evidence to find the accused student guilty of the charges against him/her;
      xiii. Not to be questioned personally by the accused student during the disciplinary hearing; xiv. Submit a written impact statement to the Student Conduct Board or University Hearing Officer for consideration during the sanctioning phase of the disciplinary Hearing, if the accused student is found guilty of the charges against him/her; xlv. Notice of the decision of the Student Conduct Board or University Hearing Officer within three (3) business days of the disciplinary hearing; and xvi. Appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for Student Development.

Student Conduct Hearing Procedures.

(1) Complaints
Due Process and Adjudication of Violations

(a) Any member of the University community may present a complaint to the Dean of Students office against a student or student organization for violations of the Student Code. Any complaint should be submitted as soon as possible after the event takes place. Any charge(s) shall be prepared in writing by the Dean of Students office.

(b) All charges shall be presented to the accused student or student organization in written form.

(2) Hearing Options

(a) An accused student or student organization desiring to contest the charge(s) against them must do so by requesting a hearing within five (5) days of their receipt of written notice of the charge(s).

(b) The accused student or student organization may, at their option, request a hearing before a Panel of individuals (Student Conduct Board) or by a University Hearing Officer selected by the Vice Chancellor for Student Development (or his or her designee). A hearing before a Student Conduct Board will be chaired by a University Hearing Officer similarly selected. Board members and hearing officers shall be impartial and anyone lacking such impartiality shall recuse him/herself or may be removed by the Vice Chancellor for Student Development upon request of any party to a University hearing.

(c) A requested hearing shall be scheduled promptly after receipt of the request.

(d) In the absence of a voluntary written waiver of the accused student’s or student organization’s right to a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (T.C.A. § 4-5-108, et seq.), a requested hearing will be conducted in accordance with the University’s APA hearing procedures and these procedures shall not apply.

(3) Hearing Procedures – The Student Conduct Board or University Hearing Officer sitting alone will conduct the hearing within the following general guidelines:

(a) All University hearings shall be closed to the public.

(b) The accused student (and certain “victims” where permitted by law) or student Organization, and their advisor, if any, shall be allowed to attend the entire portion of the university Hearing at which information is received (excluding deliberations).

(c) Each party will be afforded a full and fair opportunity to present all evidence, including witnesses, reasonably relating to the charge or action at issue; evidence which is irrelevant, immaterial, repetitious or voluminous may be limited.

(d) All procedural questions are determined by the University Hearing Officer.

(e) The Student Conduct Board or University Hearing Officer sitting alone will consider all Evidence presented, giving due consideration to the credibility or weight of each item presented; technical rules of evidence will not apply.

(f) The standard for a finding of responsibility is a preponderance of the evidence.

(g) Following the conclusion of the University hearing, the Student Conduct Board or University Hearing Officer sitting alone will consider the evidence and present written findings.

(h) An appropriate record will be made of the hearing procedures. Deliberations shall not be recorded. Defects in the record will not invalidate the proceedings.

(4) In cases involving an allegation of sexual assault or misconduct, the hearing procedures shall be modified to afford the alleged victim all of the rights described in Chapter 1720-02-05-.06(4).

Penalties.

1) Disciplinary penalties are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, discourage other students, and student organizations from violating the Standards of Conduct, and protect members of the University community. The penalties imposed should be appropriate for the particular case based on the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other members of the University community). Consideration may also be given to the student’s or student organization’s conduct record, the student’s or student organization’s responsiveness to the conduct process, student academic classification, and other aggravating or mitigating factors.
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2) The following penalties may be imposed on any student found to have violated the Standards of Conduct:

a) Warning. A warning is a notice that the student is violating or has violated the Standards of Conduct.

b) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Privileges that may be lost include, but are not limited to, scholarships, stipends, participation in extracurricular activities (e.g., intramurals), housing privileges, participation in social activities, and use of certain University-controlled property (e.g., information technology resources).

c) Educational Sanction. Students may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student Development or his/her designee.

d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.

e) Disciplinary Reprimand. A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand indicates that further violations will result in more severe disciplinary actions.

f) Disciplinary Probation. This penalty permits a student to remain at the University on probationary status but with the understanding that a future violation of the Standards of Conduct may result in suspension. Probation may be for a defined or indefinite period. Other conditions of probation are specific to each individual case and may include a requirement of community service or other requirement or restriction.

g) Suspension for a Specific Period of Time. Suspension for a specific period of time means that the student is withdrawn from the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may include a requirement of community service or other requirement or restriction. Upon return to the University following a suspension for a specific period of time, the student may be placed on indefinite disciplinary probation.

h) Permanent Dismissal. Permanent dismissal means that a student is permanently barred from matriculating as a student on the Chattanooga campus. This penalty is used when the violation of one (1) or more of the institution’s Standards of Conduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; or when, by his/her repeated violation of the institution’s Standards of Conduct, a student exhibits blatant disregard for the health and safety of other members of the University community or the University’s right to establish rules of conduct.

i) Revocation of Admission or Degree. Revocation of admission or degree means revoking a student’s admission to the University or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee Board of Trustees.

3) A disciplinary hold may be placed on a student's account until the completion of the student disciplinary process and/or until the student satisfies the terms and conditions of any penalties imposed. A student who at the time of commencement, is subject to a continuing disciplinary penalty or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of all penalties and/or resolution of all disciplinary charges.

4) The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:

a) Warning. A warning is a notice that the student organization is violating or has violated the Standards of Conduct.

b) Educational Sanction. Representatives of student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee.

c) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.
Due Process and Adjudication of Violations

d. Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.

e. Disciplinary Probation. Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Probation may be for a defined or indefinite period. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious penalties, including revocation of University registration.

f. Revocation of University Recognition. In cases of serious misconduct, a student organization’s University registration may be revoked.

5) Revocation of University Recognition. In cases of serious misconduct, a student organization’s University registration may be revoked. More than one (1) of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.

6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

No Contact Directive.

In cases involving allegations of assault, injury, sexual abuse, harassment, or where there is reason to believe continued contact between a student/student organization and specific persons, including complainants and witnesses, may interfere with those persons’ security, safety or ability to participate effectively in work or studies, the Vice Chancellor for Student Development, or his/her designee, may require that the student/student organization not have verbal, physical, or written contact with specific persons for a definite or indefinite period of time. The student/student organization will receive notice of the no contact directive. Any student, faculty or staff member or other person with a reasonable justification may request a no contact directive. In addition to an internal University no contact directive, complainants are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

Interim Suspension.

(1) When the Vice Chancellor for Student Development or his/her designee has reasonable cause to believe that a student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of the University, the Vice Chancellor for Student Development or his/her designee may impose an interim suspension prior to the conclusion of a full hearing on the alleged misconduct.

(2) An interim suspension shall be confirmed by notice to the student or student organization that explains the basis for the interim suspension and shall remain in effect until the conclusion of a full hearing in accordance with the rules of the University of Tennessee, which shall be held without undue delay.

(3) Within three (3) business days of the imposition of the suspension, the student or student organization shall be offered an opportunity to appear personally before the Vice Chancellor for Student Development or his/her designee in order to discuss the following issues only: (i) the reliability of the information concerning the student’s or student organization’s conduct; and (ii) whether the conduct and surrounding circumstances reasonably indicate that the student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial
Due Process and Adjudication of Violations

harm to the health or safety of others or to property or poses an imminent threat of disruption of or interference with the normal operations of the University.

(4) During an interim suspension, the student or student organization shall be denied access to University-controlled property, including residence halls, and all other University-affiliated activities or privileges for which the student or student organization might otherwise be eligible, as the Vice Chancellor for Student Development or his/her designee determines in his/her sole discretion to be appropriate. A student or student organization who receives an interim suspension and violates the terms of the interim suspension shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on University-controlled property or participate in University-affiliated activities may be granted by the Vice Chancellor for Student Development or his/her designee.
WOMEN’S CENTER – TRANSFORMATION PROJECT

CREATING COMMUNITY, EMPOWERING WOMEN

THE WOMEN’S CENTER AT UTC IS COMMITTED TO CREATING A COMMUNITY OF DIVERSE AND EMPOWERED STUDENTS THROUGH THE FOLLOWING CORE VALUES:

- AWARENESS: EDUCATING OUR COMMUNITY ON GENDER AND SOCIAL INJUSTICES
- ACTIVISM/ADVOCACY: ENGAGING OUR COMMUNITY IN ADDRESSING ISSUES OF GENDER EQUITY AND SOCIAL JUSTICE
- COLLABORATION: FACILITATING EDUCATION AND ACTIVIST EFFORTS IN OUR COMMUNITY BY SUPPORTING OTHER SOCIAL JUSTICE ORGANIZATIONS AND CAUSES
- LEADERSHIP: DEVELOPING AND EMPOWERING STUDENTS TO ENGAGE IN ETHICAL BEHAVIOR BASED ON FEMINIST PRINCIPLES OF LEADERSHIP
- COMMUNITY: CREATING A COMMUNITY OF ACCEPTANCE AND CELEBRATION OF DIVERSITY

THE TRANSFORMATION PROJECT STRIVES TO REDUCE THE IMPACT OF POWER-BASED VIOLENCE ON THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA CAMPUS AND THE CHATTANOOGA COMMUNITY THROUGH EDUCATION ENCOURAGING CULTURAL TRANSFORMATION AND ADVOCACY TO SUPPORT SURVIVORS OF RELATIONSHIP VIOLENCE, SEXUAL ASSAULT, STALKING, AND SEXUAL HARASSMENT.

FOR CONFIDENTIAL HELP CONTACT MS. SARA PETERS, PRIMARY VICTIM ADVOCATE, AT 423-425-5605 OR SARA-PETERS@UTC.EDU. ADVOCATES ARE AVAILABLE 24/7 BY CONTACTING THE UTC POLICE DEPARTMENT (423-425-4357) AND ASKING TO SPEAK WITH THE ADVOCATE ON CALL.

IF THERE IS AN IMMEDIATE THREAT, CALL 911 (OFF-CAMPUS) OR 423-425-4357 (ON-CAMPUS).
Illegal Drug Policy

As mandated by the Drug-Free Work Place Act of 1988 (Public Law 100-690), The University of Tennessee is committed to maintaining a drug-free working environment. Personnel Policy 720, Safety and Health, specifies, "The University of Tennessee at Chattanooga will ensure that all of its work places are safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substance Act, 21, U.S.C. Section 812) by employees."

The UTC Student Handbook strictly prohibits the possession, use, or distribution of drugs or narcotics, including stimulants and depressants, on University owned or controlled property, except as allowed by the law (UTC Student Handbook p. 40, "Student Rights and Responsibilities: Statement of a Drug-Free Environment").

Illegal Drug Policy

A statement of policy related to illegal drugs is contained in the UT Personnel Policies and Procedures Manual and is published each year in the UTC student handbook. In support of the Drug Free Workplace Act of 1988 (41 U.S.C. 701 et seq), and the Drug Free Schools and Communities Act of 1989, UT annually notifies all students, faculty, and staff of the university policy approved by the UT Board of Trustees on June 21, 1990.

“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. These acts are violations of the Standards of Conduct as defined in the UTC student handbook.

Violation of this policy is grounds for disciplinary action—up to and including immediate discharge for an employee and permanent dismissal for 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. 39-17-401 et seq.). Local ordinances also specify 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/alcohol abuse assistance or rehabilitation program.

Aside from any university policy considerations, the use of illicit drugs and/or the abuse of alcohol may be harmful to your health. Some of the health risks associated with such use/abuse are described at the end of this section.

Individuals who are paid by UT through federal grants or contracts must abide by this policy and notify the university in writing of any criminal drug statute conviction which includes a finding of guilt, a plea of nolo contendere, or a sentence by any state or federal judicial body for a violation occurring in the workplace within five days after such conviction. The university is, in turn, required to inform the granting or contracting agency of such a violation within 10 days of the university’s receipt of notification.
Employees and their families needing treatment information should call their local Human Resources Office or the State of Tennessee Employee Assistance Program http://www.here4tn.com/ (1-855-437-3486).

**Illegal Drug Policy**

Students seeking treatment information should contact:

The Counseling and Personal Development Center at (423) 425-4438, University Center Room 338. Counselors are on call 24-7, and may be reached after hours by contacting the UTC Police Dispatch center at (423) 425-4357.

Additional information is available @ [http://www.utc.edu/counseling-personal-development-center/](http://www.utc.edu/counseling-personal-development-center/)

**Hazing Policy**

Participation of students in hazing activities is prohibited. Hazing means any intentional or reckless act, on or off university property, by one student, acting alone or with others, which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety, and includes treatment of a violent, abusive, shameful, insulting, or humiliating nature. Such action is prohibited when connected with initiation into or affiliation with an organization and does not include participation in customary athletic events or similar competition. A student or student organization involved in an act of hazing is subject to disciplinary action in accordance with the Code of Student Conduct.

**Alcoholic Beverage Policy**

The University of Tennessee at Chattanooga seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety, and welfare of its students, faculty, and staff. In keeping with these objectives, the University has established guidelines and policies governing the possession and consumption of alcoholic beverages on University property.

“Drinking or being under the influence of alcohol or illegal drugs while on the job” or “the use, possession, or distribution of alcohol on university property” is a violation of the university work rules, as stated in the UT Personnel Policies and Procedures Manual. Violation of work rules may be cause for disciplinary action including possible termination of employment.

As stated in the 2013-2014 Student Handbook, university regulations prohibit “all student organizations from serving or permitting the consumption, possession or display of any alcoholic beverage or containers at any time, or by anyone on university premises.”
Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law, is a violation of the Standards of Conduct as defined in the Student Handbook.

http://www.utc.edu/dean-students/student-handbook.php

Because there are many misconceptions, myths, and misunderstandings related to substance use, students are encouraged to visit the Alcohol & Other Drug Education home for the most up to date information regarding alcohol and drug awareness, prevention, and education website. This site contains the required information for completion of the AlcoholEdu course, which became mandatory for all incoming freshmen. http://www.utc.edu/alcohol-drug-education/

In partnership with the Counseling Center and the Dean of Students, the UTC Police Department assists in raising students’ awareness of state laws concerning underage drinking.

**Alcoholic Beverage Policy**

The law prohibits any resident, owner, or occupant of property from allowing an underage adult to consume alcohol on their property. “Underage adults” is defined as individuals who are at least 18 years old, but younger than 21.

A resident may face criminal prosecution and university sanction if an underage adult consumes alcohol on his or her property which includes, but is not limited to, a residence hall room or apartment, fraternity- or sorority-affiliated housing, an offcampus house or apartment, or any other property owned or occupied by the individual. Students are encouraged to learn more about campus rules and regulations at http://www.utc.edu/dean-students/pdfs/rights.pdf

Tennessee has several relevant laws that may be enforced by the UTC Police Department, by referral, citation, or arrest. These laws include:

- Underage Consumption or Possession of Alcohol
- Driving Under the Influence (DUI);
- Implied Consent Law;
- Adult Driving While Impaired;
- Underage Driving While Impaired;
- Open Container Law.

Full current text of these laws may be found as Appendix B of this report.

**Weapons Policy**
WEAPONS POLICY

As explained in the student handbook, UTC policy prohibits “possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.”

Weapons that are brought to campus by students for sporting purposes must be checked in and stored at the UTC Police Department. Students must contact the UTC Police Department prior to arrival with such weapon. As referenced in the Student Handbook (Section IV, the university’s Standards of Conduct prohibits students from “possessing, using, storing, or manufacturing any weapon or facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

Recent changes have been made to certain weapons laws, providing exceptions to criminal prosecution under the amendments to the existing weapons laws. There is no exception to University policy created by these amendments to existing state law.

Pursuant to T.C.A. 49-7-118, all campus police officers and their supervisors carry regulation firearms while on duty. These weapons may be used only when there is a serious, imminent, identifiable threat to life or a threat of great bodily harm.

Duly sworn law enforcement officers and agents of the state and federal governments are also permitted to follow their departmental guidelines and state laws regarding possession and use of weapons, as described in T.C.A. No one other than duly sworn law enforcement personnel may carry or possess firearms on campus.

Weapons Policy

Notification of the Felony Provisions of T.C.A. 39-17-1309 are posted throughout various buildings. Signs are prominently displayed with the following language: FELONY. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF SIX (6) YEARS IMPRISONMENT AND A FINE NOT TO EXCEED $3,000 FOR CARRYING WEAPONS ON SCHOOL PROPERTY.

Incident of Bias / Discrimination Complaint Procedure

The University of Tennessee, Chattanooga, welcomes and honors people of all races, creeds, cultures, and sexual orientations. The University values intellectual curiosity, pursuit of knowledge, and academic freedom and integrity. In keeping with those values, the policies of UT Chattanooga and its UT Area Units expressly prohibit the following:
Discrimination against employees, students, or applicants for employment or admission, on the basis of race, color, religion, sex (including sexual harassment, sexual orientation, gender identity, marital status, parental status), national origin, age, disability, or protected veteran status;

• Discrimination against other participants in educational programs and activities (which includes certain individuals who are not employees, students, or applicants for employment or admission) on the basis of race, color, national origin, sex, or disability; and

• Retaliation against any person who in good faith reports a practice that he/she believes violates non-discrimination policies.

If you are an employee, student, applicant for employment, applicant for admission, or are otherwise a participant in a UT Chattanooga program or activity, and you believe you have been discriminated against in violation of the policies outlined above, the process below is designed to help you resolve your complaint.

Where and when to file a complaint

Complaints of discrimination should be directed to the UT Chattanooga Office of Equity and Diversity, 720 McCallie Avenue, Second Floor, Dept. 5455, 615 McCallie Avenue, Chattanooga, Tennessee 37403-2598, Telephone (423) 425-5670. Complaints must be in writing and filed within 300 days of the alleged discriminatory action. In certain circumstances, at the discretion of the Diversity Officer, complaints filed outside that time limit, or not submitted in writing, may be investigated.

Environmental Security Considerations on Campus

The part-time sworn and non-sworn officers, along with the crowd control personnel, work all events in our 12,000 seat arena. These events include all basketball games, concerts and other events such as circuses, rodeos, tractor pulls, and commencement exercises. These officers also provide VIP escort service and provide security for on-campus sorority and fraternity functions.

Each semester a team of Safety and Security Officers makes every effort to check every building on campus. This check includes a close inspection of landscaping, grounds-keeping, indoor and outdoor lighting, fire code compliance, and door and window locks. The Public Safety Office is also consulted prior to new construction projects in regard to security measures. In addition to these inspections and consultations, a monthly lighting survey is made of all exterior lighting including parking lots. The Campus "Blue-Light" Emergency Phones and classroom emergency “red phones” are also checked monthly to ensure that they are in proper working condition.

Full-time, uniformed officers patrol the campus on foot and in vehicles 24 hours a day, 7 days a week, 365 days a year, to ensure safety and protect the property of the University, its students, staff, and faculty.

The Campus is divided into 3 patrol areas. Each area has a major housing unit within its boundaries. On all shifts, every attempt is made to staff at least 3 officers on foot and vehicle patrol, providing ample coverage of the housing areas. At any given time, an officer is no more than minutes away from a residence hall or student apartment complex. Every effort is made to provide a minimum of 2 checks per area per shift of the student housing areas.
SECURITY CAMERAS

UTC has more than 300 security cameras throughout the campus, which includes most residence halls. Many streets and all garages currently have security cameras in place. These cameras are beneficial to law enforcement during to the entire campus throughout the year. University Housing has upgraded the existing video surveillance systems in many residence life areas.

Escort Service and Emergency Phones

A form of assistance offered by Campus Law Enforcement is the Escort Service whereby an individual can be escorted from one on-campus location to another. In order to obtain an escort, one can either contact an officer in person, or by contacting the UTCPD dispatcher on the telephone or by means of an Emergency "Blue-Light" telephone. All services are available on a twenty-four hour basis. For your safety there are also 79 Emergency “Blue Light” non-elevator telephones and emergency call boxes scattered throughout the campus, as well as 46 emergency phones located in each elevator that also call directly into the Campus Police Telecommunications Center. These phones automatically register your location when you pick up the receiver.
Timely Warning Policy

I. Purpose:
Timely Warnings are provided to heighten safety awareness by giving students, faculty and staff notification of crimes that occur on campus property, non-campus property, or on public property immediately adjacent to and accessible from campus and are considered by The University of Tennessee at Chattanooga to present a serious or continuing threat to students and employees.

II. Responsibility:
The University of Tennessee at Chattanooga Police Department (UTCPD) is responsible for preparing a Timely Warning when a crime is reported to or brought to the attention of the UTCPD and that crime represents a continuing threat to the safety of students and employees.

III. Information Review:
A. Information about criminal incidents is reviewed on a case-by-case basis to determine whether those incidents represent a serious or continuing threat to students and employees. Incidents will be reviewed based on:
   1. The nature of the crime;
   2. The facts of the case; and
   3. The information known to the UTCPD.

UTCPD may, within its discretion, consult with appropriate individuals or offices to determine whether an incident represents a serious or continuing threat or to determine the appropriate content of a Timely Warning.

B. Criminal suspects are often unknown to the victims. However, in the instance of a violent crime occurring between two individuals who know each other, UTCPD will look at each instance to determine if the suspect poses a continued threat to the campus community and issue a warning when necessary.

C. The UTCPD may not include some known information in a Timely Warning if providing that information could risk compromising law enforcement efforts. Additionally, Timely Warnings may be updated if new or more accurate information becomes available to UTCPD.

IV. Timeliness and Message Content:
A. Information for alerts may come from direct UTCPD interactions and/or from other law enforcement agencies or other offices. While every attempt will be made to distribute the alert as soon as possible after an incident or series of incidents is reported, the release will occur after a determination is made that the crime(s) represents a continuing threat to students and employees and is subject to the availability of accurate facts concerning the incident(s).
B. UTCPD makes every effort to properly classify a criminal incident when issuing a Timely Warning. However, upon further analysis and investigation, it may be determined that incidents for which Timely Warnings are issued do not fall within the definitions of reportable crimes included in this report, and therefore, some incidents for which Timely Warnings are issued may not be included in the University’s crime statistics.

Timely Warning Policy

C. UTCPD will prepare a Timely Warning when a report is received of a violent crime against a person or a particularly threatening crime against property that represents a continuing threat to the safety of students, faculty and staff. Notices may be issued for such crimes that occur on campus property, non-campus property, or on public property immediately adjacent to an accessible from campus. Timely Warnings provide details of the crime, a description of the suspect if known, and information on whom to contact about the investigation, and often, crime prevention tips.

D. Information That May Be Included in Timely Warnings:
   1. A succinct statement of the incident.
   2. Possible connection to previous incidents, if applicable.
   3. Physical description of the suspect, if available.
   4. Photo or composite drawing of the suspect, if available.
   5. Date and time the bulletin was released.
   6. Other relevant and important information about the crime(s).
   7. Actions taken by UTCPD in response to the crime(s).
   8. Information on crime prevention, personal safety or other community safety resources.

V. Timely Warning Distribution:

Timely Warnings are distributed via text for all subscribers and/or e-mails sent to all UTC email addresses, which are accessible and available to all students, faculty, and staff. In some circumstances, UTCPD may distribute fliers to appropriate university departments to be posted in affected areas of campus. After distribution, all Timely Warnings are posted to the UTCPD website at http://blog.utc.edu/safe-secure/.

Emergency Notification

The University currently uses an emergency messaging system known as UTC- ALERT. This system allows campus officials to send messages via the following methods: These message contain critical information in the event of an emergency on campus

- Text messages to cell phones and other portable communications devices using push technology.
- Alerting devices installed in the most heavily used classrooms.
- Building fire alarms
- E-mail via multiple list serves
UTC-ALERTS will be used on a very limited basis for dissemination of emergency messages, timely warnings or information vital to the safety of the campus. These might include a shooting on campus, a severe weather threat, or a chemical spill. The exact pathways used to push out information depend on the nature and criticality of the incident in question.

UTC-ALERTS recognize the following types of messages:

| Emergency Message                                                                 | 1) A message triggered by an event that is currently occurring on or imminently threatening the campus which can reasonably be expected to cause death or injury.  
|                                                                                  | 2) A message sent in response to any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.  
|                                                                                  | Examples include active shooter or tornado warnings which affect the campus. |
| Safety Warning Message                                                           | 1) A message intended to provide the campus population with information needed to avoid a hazard which does not pose a direct or imminent threat.  
|                                                                                  | 2) A message which provides information about a hazard which may cause death or injury but which does not pose an immediate possibility of doing so.  
|                                                                                  | Examples include notification of a serious crime on campus when the possibility exists that others may become involved or building evacuations due to a credible threat against the building. |
| Safety Information Message                                                       | 1) Messages issued in response to issues of concern.  
|                                                                                  | 2) A message sent when a threat or hazard exists but there is no immediate threat to life or safety.  
|                                                                                  | 3) A message sent to address an issue of concern or potential threat.  
|                                                                                  | 4) A message intended to provide information on a non-specific threat or hazard.  
|                                                                                  | Examples include notices to avoid an area due to emergency operations, such as a fire, infection control information during a flu outbreak, or information related to criminal activity for which the campus population can take precautions. |

Due to their critical nature, messages which fall into the EMERGENCY MESSAGE category may be sent by any authorized authority without additional consultation with any other party or agency.

Other messages are developed by the Emergency Assessment Team members in cooperation with other subject matter experts as needed. For more information on the Emergency Assessment Team, see the section on Responsible Individuals below.

At this time there are eleven individuals on campus who are recognized as authorized authorities.

- Assistant Vice Chancellor for University Relations + 3 alternates
Emergency Notification

- UT Chattanooga Chief of Police + 2 alternates
- Director of Safety and Risk Management + 3 alternates

While they are not currently authorized to initiate alerts over all pathways, the campus police dispatchers can activate campus fire alarms remotely to order evacuations when it is appropriate to do so.
Emergency Notification

While the text messaging portion of the UTC-ALERTS system is provided free to all students, faculty, and staff who wish to receive the messages charges may be imposed by the receiving carrier. Enrolling in the text messaging portion of this system is accomplished by going to the registration portal found on the UTC website at https://www.getrave.com/login/utc or by going to the main University web page, www.utc.edu and clicking the link for Emergency Preparedness.

All campus housing units currently have cable television capability and the University operates cable channel 98. This public information channel provides another method for distribution of information during an emergency.

Policy Statement:

The University maintains a policy of proactively identifying and responding to potential emergencies.

Process: The University recognizes a spectrum of potential threats which face the campus. These threats range in significance from issues which will have a minor or a delayed affect to the campus to acute emergencies requiring the immediate deployment of significant emergency response forces. To manage this diverse spectrum of information, a system has been put in place which allows for immediate assignment of emergency responders to those situations which require them and for further evaluation of those situations which do not. The evaluation element of this process consists of an Emergency Assessment Team charged with collecting information and reaching a decision on the correct course of action.

Testing and Additional Information:

The altering system for the campus is tested and verified as follows.

• Within the first 30 days of each semester the individuals authorized as messaging authorities meet for training and a system test. Campus wide e-mails are sent out at least 24 hours prior to the test. Those e-mails are sent to list serves which reach all campus e-mail addresses. During the actual test information is included in the e-mail portion informing the campus population of how to obtain additional information about UTC-ALERTS

• All messaging authorities are required to initiate a monthly test message. This message will be transparent to the campus and will provide each individual authorized to initiate messages an opportunity to review and practice the procedure

Responsible Persons:

The following persons are part of the process for ensuring appropriate actions are taken in the event of an emergency:

Campus Police Dispatch Personnel – Immediately assign the proper emergency response personnel to all incidents requiring their presence. The Campus Police Dispatcher notifies fire department, EMS and any other outside response agency as the situation dictates. The police dispatcher also notifies the Emergency Assessment Team of any situation which falls outside the parameters of normal operations or are in any way unusual.

The Emergency Assessment Team is charged with assessing any situation which may pose a threat to the health, safety, or efficient operation of the campus and consists of the following individuals:

• The Vice Chancellor for Finance and Administration – Chairman, the final arbiter of all issues not clearly designated as an acute emergency.

• The Director of Safety and Risk Management (or designee) – Subject matter expert on all issues involving personal emergency management, safety, hazardous materials, fire protection and life safety systems (including alarms) and regulatory compliance (TOSHA and TDEC, etc).
Emergency Notification

• The Assistant Vice Chancellor for Operations (or designee) – Subject matter expert on all issues involving facilities, structural integrity, utilities and utilities safety, and campus operations.

• The Chief of Campus Police (or designee) – Subject matter expert on all issues involving law enforcement, crimes and crimes in progress, violent situations, terrorist threats against the campus, and intelligence of issues which may affect the campus.

• The Associate Vice Chancellor for University Relations (or designee) – Subject matter expert on all issues involving public alert and warning message content, dissemination of information, and operation of public warning systems. This office also serves as the primary focal point for originating all alert and warning messages.

Each of these individuals appoints one or more alternates in the event that they are unavailable or incapacitated.

Community Notification: In the event of an emergency requiring notification of the larger community the designated Incident Commander for the campus will notify the City of Chattanooga and Hamilton County emergency response forces. A Unified Command will be established consistent with the principles of the National Incident Management System. The Public Information Officer of the Unified Command will then take responsibility for notifications of off campus populations.

Tests of Alerting Systems: All UTC fire alarm systems are tested on an annual basis in accordance with NFPA Standards. The UTC - ALERT text messaging system is tested on a semi-annual basis and the current campus emergency plan calls for a campus wide table top exercise to be conducted at least annually. The exercise is conducted and documented using the protocols of the Homeland Security Exercise Evaluation Program (HSEEP)

Campus Population

UNIVERSITY POPULATION – 2014-2015
FALL TERM

STUDENT POPULATION 2014-2015

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<tr>
<th>Category</th>
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STAFF POPULATION 2013-2014

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<tr>
<td>Graduate Assistants</td>
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Source UTC Planning, Evaluation, and Institutional Research 2014 Factbook Tables
For the Fall 2014, semester, the University of Tennessee at Chattanooga will have a normal housing capacity of 3,144 students. For the Fall 2012 semester, 3,146 students were in residence on campus. All student housing at UTC is located on campus in nine separate complexes. Overflow housing was addressed through contract with a local hotel. These consist of apartment and suite style complexes. Freshmen residents will live in designated sections of the building based upon gender.

**APARTMENT COMPLEX OCCUPANCY (Fall 2013):**

**NORTH CAMPUS APARTMENTS**

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<tr>
<th>Apartment Complex</th>
<th>Male Occupants</th>
<th>Female Occupants</th>
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<tr>
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<td>Boling Apartments</td>
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<td>Johnson-Obear Apartments</td>
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**SOUTH CAMPUS APARTMENTS**

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<td>Walker Building</td>
<td>88</td>
<td>132</td>
</tr>
<tr>
<td>UC Foundation Building</td>
<td>119</td>
<td>236</td>
</tr>
</tbody>
</table>

**RESIDENCE HALL SECURITY**

Since apartments in each of the complexes on campus are entered directly from the outside, a check-in desk is not possible. Guests and visitors to these areas are met at the apartment doors or as they inquire at the apartment office.

Each apartment complex is staffed by a Resident Director and numerous Resident Assistants, usually one per floor. The University currently employs 1 Assistant Vice Chancellor for Residence Life, 1 Director for Resident Life, 2 Assistant Directors for Residence Life, 8 Resident Directors, 8 Senior Resident Assistants and 67 Resident Assistants. Formal training of Directors and Assistants is conducted through cooperative efforts of the Housing Office and Campus Law Enforcement.

Residents can gain access to the buildings at the UTC Place Apartments by use of their individually coded University ID card. Access to their individual rooms at this complex is made only by a key issued them by the UTC Place Housing Office at the complex. At the Boling, Johnson Village, and Lockmiller Apartment complexes, access to their apartment and individual rooms at each of these is made only by a key issued them by the UTC Housing Office. All apartments have deadbolt locks on the doors. Residents are urged to keep them closed and dead-bolted at all times.

If a student loses an apartment key, they need to notify the Housing Department of their loss in order to keep accurate records and obtain a replacement. The Campus Police Department needs to be contacted as well in case the University keys have been turned in to the Lost and Found Division of the department. Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures and/or video presentations are presented to student residents covering such topics as date rape, theft prevention, and fire safety.
The University maintains smoke and fire alarms in all residence halls. These N.F.P.A. approved alarm systems are monitored 24 hours a day in the Campus Law Enforcement Telecommunications office as well as in each residence hall. Public Safety personnel are trained to assist the Chattanooga Fire Department in building evacuations during fire or other emergencies.

During holidays, spring break, or other low-occupancy periods, students are allowed to remain in their designated housing areas. However, Resident Directors must be notified of their intent to stay. Both the Housing Staff and the Campus Police Department make periodic exterior door checks during these low-occupancy periods.

UNIVERSITY HOUSING POLICIES

The following are excerpts of housing policies. All housing policies can be found in the student handbook.

FIRE ALARMS

Any time a fire alarm is sounded in a University building, every occupant must evacuate immediately. No one will be allowed to reenter the building until a campus police officer evaluates the situation. Anyone who is responsible for a false alarm may be subject to disciplinary action as well as arrest and other fines and penalties. Tampering with fire safety equipment is a violation of the state and local fire safety code and subjects violators to all penalties under the code.

Housing & Residence Life Evacuation Procedures

- When an alarm sounds, immediately evacuate your residents (whether on duty or not). Knock on each door as you pass by, moving quickly. Assist any disabled persons in evacuating by informing campus police where they are located. Do not stay in the building if there is an actual fire or heavy smoke; it is the responsibility of each resident to evacuate the building when the alarm sounds.

- Once evacuated, residents should move 500 feet from the building and should keep streets and entrances clear. In case of inclement weather, evacuate to the nearest building lobbies.

- Resident Directors (RD) will strategically place Resident Assistants (RA) to watch for students re-entering the building before instructed to do so by Campus Police or the Fire Department.

- In going through the building, do not open doors that feel warm or have smoke coming from under them. Use the back of your hand to feel the temperature of doors. If you do open any doors, do so slowly, staying behind the door.

- After the section is evacuated, RDs will meet RAs at a designated location to give you further instructions.

- Call the Assistant Director of Housing if alarm proves to be the result of an actual fire.

- Do not reenter the building until you are instructed to do so by a Campus Police Officer.
RDs will assign each RA to an area of responsibility during evacuation. The RA should advise the residents that they will not be able to re-enter the building until instructed by Campus Police.

Evacuation Locations – evacuation locations have been established for each housing complex. These locations are described in the housing evacuation procedure maintained by the University Housing office.

PROCEDURE FOR EVACUATION OF STUDENTS WITH DISABILITIES:

All Resident Assistants should lend whatever assistance is needed to ensure the safe evacuation of all residents. The Resident Assistants who have residents with physical disabilities residing in their sections or floor, should notify the Campus Police and/or Fire Department as to the apartment number of these residents so that proper assistance can be provided for them.

FIRE HAZARDS

Candles, incense, halogen lamps, and potpourri are a fire hazard and are not allowed in residence halls or apartments. Violators will be subject to disciplinary action. Due to fire regulations, hot plates, microwaves, and other cooking appliances may not be used in bedrooms. Students should instead use the kitchen area in their apartment.

HOUSING HEALTH & SAFETY REGULATIONS

The following steps must be taken to ensure the health and well-being of the on-campus community.

1. Fire extinguishers should be in proper working order and should not be blocked by any items. Exits and hallways should be unobstructed.

2. All trash must be properly disposed of in a timely manner.

3. Percolators, hotplates, immersion heaters, grills, popcorn poppers, and halogen lamps should not be used in the student’s room or apartment.

4. Small amounts of supplies such as paint thinner and rubber cement may be kept in rooms, but only in metal containers and away from heat sources.

5. Extension cords must be Underwriter Laboratory approved. Do not put cords under rugs, clothing, trash, books, or near heat sources.

6. Storage of gasoline, fuels, or vehicles containing them is prohibited.

7. Students should take extra care to insure that their entrance doors are secured/locked at all times and that common doors are not propped.
8. Residents are responsible for following all safety rules promulgated by the Department of Public Safety and Housing Department. Damaging or interfering with smoke and fire detection equipment and failure to follow fire evacuation procedures and directives from safety officers or residence life staff are also violations of safety rules.

HOUSING INCIDENT REPORTS

Incident reports are used by an RA to communicate the facts of an incident to the Resident Director and the Housing Office. Incident reports are used to document rule violations, theft, damage, or other emergencies. If you are named in an incident report, you may be asked to speak with your Resident Director or someone from Student Development. Students found to be responsible for the behavior described in a report will be assigned sanctions.

SMOKING POLICY

Smoking is prohibited inside all residence halls including bedroom, common area, and kitchen. Smoking is permitted outside 25 feet away from entrances.

ALCOHOL AND DRUG POLICY

UTC is a DRY campus. The official alcohol and drug policy of the university is as follows: “The possession or use of alcoholic beverages or other illegal drugs or intoxicants of any kind are strictly prohibited on campus.” This includes alcohol containers whether empty or decorative.

The Disability Resource Center (DRC) - 110 Frist Hall - (423) 425-4357

The DRC is committed to providing equal access to all facilities, programs and services of UTC. DRC reviews each student’s documentation under the guidelines of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. ADA mandates that accommodations and adjustments be made in programs and activities in order to provide equal access to qualified persons with disabilities. DRC examines the documentation of each student’s disability claim to avoid discriminations and to protect the civil rights of the student. Individual determination of appropriate and reasonable accommodations is made specific to the functional limitation of the disability. The Director of Affirmative Action holds the responsibility of ensuring University compliance with ADA.
Missing Student Policy

Purpose:
The purpose of this document is to set forth university policy with regard to responding to reports of missing students, as required under the Higher Education Opportunity Act of 2008 (20 U.S.C.S. §1092; 42 U.S.C.S. §5579).

Policy Statement:
1. This policy only applies to students who reside in on-campus residential facilities operated by University Housing or in housing facilities contracted by the University of Tennessee at Chattanooga.
2. Upon checking in, all students will have the opportunity to identify and provide confidential emergency contact information for the University's use when the University has officially determined that a student is missing.
3. Unless there is evidence to the contrary, a student living on-campus will not necessarily be considered missing if the student made his/her intended whereabouts known to others or if the student is absent during recognized University holidays or breaks.
4. If a University official reasonably believes a student has been missing for more than twenty-four (24) hours, the official will immediately report his/her belief to the UTC Police Department ("UTCPD"), the Director of Housing (or his/her designee), and the Dean of Students (or his/her designee). Those individuals will contact other University officials who have a need to know about the missing student report. (Please note that University officials may report a student missing at any time, there is no requirement for the official to wait until they believe the student has been missing for more than twenty-four (24) hours.)

Procedures:
Once a student has been reported as being missing then UTC Housing and Residence Life staff will conduct a preliminary investigation in order to verify the situation and to determine the circumstances which exist relating to the reported missing student.

1. A staff member will attempt to contact the student via his or her telephone by using the number(s) provided.
2. If the student cannot be reached by telephone, two staff members will visit the room of the student in question to verify the student’s whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for the student.
3. If there is no response when the staff members knock on the door of the room or there are occupants who do not know of the student’s whereabouts, the Residence Life staff will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff members will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residence hall.
4. If the student is not found in the room, the Residence Life staff will attempt to gain information on the student’s whereabouts from roommates, other members of the residential community, or other friends. The Residence Life staff also will attempt to acquire additional contact information for the student (if not already on file) and use it to initiate contact.
Missing Student Policy

5. Staff members, at any step in the process, immediately will report any suspicious findings to the UTC Police Department.

6. If these steps provide Residence Life staff with an opportunity to speak with the missing Residential Student, verification of the student’s state of health and intention of returning to campus should be made. A referral, if needed, will be made to the Counseling Center. In addition, Residence Life will update those offices that need to know as well as the university official who made the initial report.

7. If all of these steps do not provide residential staff with an opportunity to speak with the missing student or to learn his or her whereabouts, UTC Police will be contacted to investigate further.

8. If the missing student is determined to be under the age of eighteen, Residence Life and/or UTCPD will report the student to the Dean of Students office. The Dean of Student (or his/her designee) will contact the parents or guardians within 24 hours. If the missing student is determined to be over the age of eighteen, the Office of the Dean of Students will contact the student’s confidential contact within 24 hours.
Annual Fire Safety Report

Published September 2014

The following report outlines the University of Tennessee at Chattanooga’s fire safety systems, policies and fire statistics as required under the Higher Education Opportunity Act of 2008

UNIVERSITY HOUSING COMPLEXES AND SYSTEMS

All UTC housing complex fire alarm systems report to the Campus Police Department where they are monitored 24 hours a day, 7 days a week, year round.

Johnson Obear Apartments – 501 Oak Street – Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, pull stations and horn strobes.

Boling Apartments – 541 Vine Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

Lockmiller Apartments – 742 Oak Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

Guerry Apartments – 805 Douglas Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Decosimo Apartments - 815 University Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Stophel Apartments – 818 University Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Walker Apartments – 801 E. 8th Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

UC Foundation Apartments – 718 McCallie Ave - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

Stagmaier Hall – 705 McCallie Ave – interior entrance to all apartments, masonry construction, fire wall separation between apartments, smoke detectors, duct detectors, pull stations, horn strobes and sprinkler system.

FIRE LOG:
A fire log is maintained by the UTC Office of Safety and Risk Management and is updated daily. It is available for review in the Office of Safety and Risk Management during normal business hours.

Fire Statistics

The 2010 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockmiller Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guerry Apartments</td>
<td>1</td>
<td>cooking</td>
<td>0</td>
<td>0</td>
<td>$0-$99</td>
</tr>
<tr>
<td>Decosimo Apartments</td>
<td>1</td>
<td>Outside mulch</td>
<td>0</td>
<td>0</td>
<td>$0-$99</td>
</tr>
</tbody>
</table>

The 2011 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockmiller Apartments</td>
<td>1</td>
<td>Hookah Pipe</td>
<td>0</td>
<td>0</td>
<td>$100,000</td>
</tr>
<tr>
<td>Boling Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guerry Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stophel Apartments</td>
<td>2</td>
<td>Garbage chute</td>
<td>0</td>
<td>0</td>
<td>$0-$99</td>
</tr>
<tr>
<td>Walker Apartments</td>
<td>0</td>
<td>incense</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The 2012 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockmiller Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Fire Statistics

The 2013 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stagmaier Hall</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lockmiller Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling Apartments</td>
<td>0</td>
<td>Incense caught paper on fire</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guerry Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decosimo Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stophel Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walker Apartments</td>
<td>1</td>
<td>mulch fire</td>
<td>0</td>
<td>0</td>
<td>$0-$99</td>
</tr>
<tr>
<td>UC Foundation Apts</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The 2014 fire statistics are as follows:

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<tr>
<th>Building</th>
<th># of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>$ Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stagmaier Hall</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lockmiller Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boling Apartments</td>
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<td>Dish Cloth</td>
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<td>0</td>
<td>$1.00</td>
</tr>
<tr>
<td>Johnson Obear Apts</td>
<td>0</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Guerry Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decosimo Apartments</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
FIRE DRILLS

Fire drills in university housing buildings are conducted four times per year as required by International Fire Code. The drills are conducted as a collaborative effort between the Housing staff, Campus Police and the University’s Office of Safety and Risk Management.

FIRE TRAINING

Fire training is provided to all UTC Housing staff once a year by the UTC Office of Safety and Risk Management and the Chattanooga Fire Department. This is a four hour training block that includes lecture and hands-on fire extinguisher training on live fires. This training is also open to other university employees.

Fire education and evacuation training is made available to all UTC students, faculty and staff at various times during the year.
Emergency Response and Evacuation Procedures

Procedures:

UTC maintains and is currently strengthening its emergency response and evacuations procedures. A key component of that is the ability to provide warning and notification in the event of an emergency. In addition to the fire alarms discussed elsewhere in this report, UTC also maintains the ability to provide information on other types of emergencies.

The following procedures are distributed campus-wide to all faculty and staff by way of an ‘Abnormal Conditions Preparedness Guide’ booklet. The guide can also be found at the UTC web page:

**FIRE**

If you smell smoke or other unusual odors suggesting a possible fire, immediately call the Campus Police at 911.

If you discover an actual fire situation, you should:

1. Alert other building occupants by immediately sounding the building fire alarm. To do this pull a wall-mounted fire alarm pull station, located near all exit ways.

2. Contact Campus Police by dialing 911 and give them the location of the fire.

3. Evacuate the building. Do not use the elevators. Most stairways are protected from smoke and are the safest way out of the building.

If needed, fire extinguishers are located in all public corridors approximately every 75 feet.

Never assume a fire alarm is false. If you hear a fire alarm sounding, exit the building immediately.

Do not re-enter the building until told it is safe to do so by either the police or the fire department.

**EMERGENCY EVACUATION**

In the event of an emergency situation it may be necessary to evacuate the building. Causes for evacuation may be fire, hazardous chemical incidents, explosion, severe weather or other conditions.
Crime Statistics

UTC campus buildings are equipped with fire evacuation alarm systems that include smoke and heat alarms, sprinkler water-flow alarms and wall-mounted pull stations. If you hear a fire / evacuation alarm, you should evacuate the building immediately.

Emergency Response and Evacuation Procedures

Physically impaired individuals should be identified for assistance by fellow building occupants. Mobility impaired individuals on upper floors should proceed to the nearest exit stairwell or designated area of refuge for assistance by emergency response personnel. Once outside the building, co-workers should immediately notify emergency response personnel of the location of mobility impaired individuals.

Anyone discovering a fire, witnessing an explosion or being made aware of a hazardous chemical incident should immediately activate the building evacuation alarm by pulling a pull station located at the exit ways and then notifying the Campus Police by dialing 911.

Any questions concerning this evacuation procedure should be referred to the UTC Office of Safety & Risk Management at extension 5209 or 2145.
The following crime statistics are to inform the public about the probable exposure of the University population to each crime category. As one can determine from the data, exposure to crime on the UTC campus is minimal at best. The data also indicate that ongoing crime prevention and awareness programs are having a positive effect toward reducing overall crime rates.

We believe an informed public is a safety conscious public. The following statistics, provided in compliance with Tennessee's College and University Security Information Act, as well as the Federal Crime Awareness and Campus Security Act of 1990, are for your information as part of UTC's overall safety and security program. If you have any questions, contact the UTC Department of Public Safety at 425-4357. For clarification purposes, definitions of the subcategories in the statistical data are as follows:

**Term: On Campus**

(1) 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

(2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, 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).

**Term: On-Campus Student Housing Facility**

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**Term: Non-campus building or property**
Crime Statistics

(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the Institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Term: 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.
<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>VENUE</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRIMINAL HOMICIDE: Murder and Non-Negligent</td>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter</td>
<td>In on-campus student housing facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Criminal Homicide:</td>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter</td>
<td>In on-campus student housing facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SEX OFFENSES:</td>
<td>On Campus*</td>
<td>1</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Forcible - Forcible Rape, Sodomy / Sexual</td>
<td>In on-campus student housing facilities</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Assault w. object / Forcible Fondling</td>
<td>In or on a non-campus building or property</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SEX OFFENSES:</td>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Non-Forcible – Incest / Statutory Rape</td>
<td>In on-campus student housing facilities</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>ROBBERY</td>
<td>On Campus*</td>
<td>1</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>In on-campus student housing facilities</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>In or on a non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>On public property</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>AGGRAVATED ASSAULT</td>
<td>On Campus*</td>
<td>3</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>In on-campus student housing facilities</td>
<td>3</td>
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<tr>
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<tr>
<td></td>
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<td>0</td>
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<tr>
<td>BURGLARY</td>
<td>On Campus*</td>
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<td>15</td>
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<td>ARSON</td>
<td>On Campus*</td>
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<tr>
<td>MOTOR VEHICLE THEFT</td>
<td>On Campus*</td>
<td>0</td>
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<td>3</td>
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<td></td>
<td>On public property</td>
<td>1</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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### Crime Statistics

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>VENUE</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<tbody>
<tr>
<td><strong>Datting Violence</strong></td>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>In on-campus student housing facilities</td>
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<td><strong>ARREST: Liquor Law</strong></td>
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<td>19</td>
<td>9</td>
<td>1</td>
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<td></td>
<td>In on-campus student housing facilities</td>
<td>14</td>
<td>9</td>
<td>1</td>
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<tr>
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<tr>
<td></td>
<td>On public property</td>
<td>11</td>
<td>5</td>
<td>1</td>
</tr>
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</table>

* This category includes all on-campus incidents, including those listed in the category labeled, “In dormitories or other residential facilities.” Therefore, the two categories are not cumulative, but duplicative.

**KEY TO HATE CRIME NOTATIONS:**

Type of Bias or Prejudice

- Race = ra
- Gender = g
- Religion = re
- Sexual Orientation = s
- Ethnicity = e
- Disability = d

There were no reported hate crimes for the years 2012, 2013 or 2014.

Each statistic, resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. Numbers in superscripted parenthesis indicate the number out of the total number of incidents that were motivated by each type of bias.

TOTAL STUDENTS (FTE) AND EMPLOYEES (HC) EQUAL:
## Crime Statistics

<table>
<thead>
<tr>
<th>Year</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<tr>
<td></td>
<td>11,660</td>
<td>11,674</td>
<td>11,067</td>
</tr>
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</table>

The total number of incidents reported to the University Police Department for the years 2012, 2013, and 2014 are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>1,955</td>
</tr>
<tr>
<td>2013</td>
<td>1,825</td>
</tr>
<tr>
<td>2014</td>
<td>1,781</td>
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</table>

## Tips for a Safe Campus

**TIPS FOR A SAFE CAMPUS**

Learn and follow all University security policies. These policies were created out of a concern for your welfare and consideration for the rights of others.

### When walking or jogging:
- Go with someone.
- Stay away from isolated areas.
- Try and stay near street lights.
- Hold your purse or briefcase tightly, close to your body.
- A front pocket is safer for a wallet than a back one.
- Dress sensibly. Tight pants, clogs, or heels make movement difficult.

### If you're being followed:
- Cross the street or change directions.
- Keep looking back so the person knows you can't be surprised. Go to a well lighted area. Enter a store, house, residence hall, classroom, or library - anywhere there are people.
- Notice and remember as much as possible about the person so you can give a good description later.

### If you're held up:
- Don't resist. No amount of money is worth taking chances with your life.
- Notify the campus police or local police immediately. Try to give a description that includes approximate age, height, weight, and details on hair, clothing, jewelry, scars, tattoos - anything that is noticeable.

### Where you live:
- Keep your doors and windows locked day and night.
- Don't let strangers in.
- Don't leave a door unlocked for someone planning to come back later.

**Protect personal and University property:**

- Lock your door every time you leave
- Engrave expensive equipment and valuables with an I.D. number. Engraving tools are available for your use at the Campus Law Enforcement Office.
- Don't store your purse in an unlocked desk drawer.
- Don't leave your belongings unattended in libraries, hallways, locker rooms, or classrooms.

**If you are working late:**

- Keep your office door locked.
- Lock all doors behind you when entering or exiting at night.
- Contact the Campus Police Department if you want an escort to or from your car.
**Important Tips for a Safe Numbers Campus and Addresses**

**In a Con Campus r:**

UTC Police Department - Keep doors locked while driving.

*Physical Address:* - Don't pick up hitchhikers. 400 Palmetto Street, Chattanooga, TN

*Mailing Address:* - Check the back seat before getting into a car. Dept. 3954, 615 McCallie Avenue, Chattanooga, TN 37403-2598

FAX Number: (423) 425-2308 - If you have car trouble, raise the hood, put on emergency flashers, and tie a white cloth to your antenna or outside mirror.

UTC Police Dispatcher

.................................................................4357 (HELP)

**Protect your car:**

Sr. Vice Chancellor for Finance and Operations, Richard L. Brown, Jr. ............4393

- Always lock your car and take the keys.

Director, Chief Robert Ratchford .................................................................................4004 - Lock valuables in the trunk.

- Park in well lighted areas.

Deputy Chief Craig Hamilton

.................................................................5290

**Avoid being ripped off or taken advantage of by a scam:**

University Safety Officer, Jim Pulliam

.................................................................5209

Student Development....................................................................................................4534 - Watch out for credit card scams. Never give your credit card number over the phone unless you have made the call to a reputable business.
University Health
Services......................................................(423) 778-9303 -
Retain all carbons and charge slips when shopping, eating out, etc.

University Center Director, Shannon Smith
..............................................................4455 - Check your
monthly statements for unauthorized charges.

Counseling Center
..............................................................4438
- Remember the Better Business Bureau can always be contacted to verify the credentials of a
particular company UTC Women’s Center – Transformation Project, Sara
Peters........................................5605 or business.

Chattanooga Police Department / Police Services Center - Be sure to look closely at any deal that
sounds too good to be true (it probably is).

3300 Amnicola Highway,
Chattanooga, TN 37406 Don’t ever hitchhike!

Chattanooga Police Dispatcher
..............................................................698-2525

Emergency
..............................................................911

UTC Police Department
..............................................................(423) 425-4357

To Report a Crime, Fire or Request an Ambulance

On Campus ..........911 / 4357 / HELP Off Campus..........911
Appendix G

THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA
Department of Public Safety

2016 Annual Security and Fire Safety Report

October 1, 2016
“Right to Know”

This information is being provided to you as part of UTC’s commitment to safety and security on campus and is in compliance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (formerly the Crime Awareness and Campus Security Act of 1990). This document contains information about crime & fire statistics for calendar years 2013 – 2015. It also contains policies and procedures at the University. The information provided can help you make informed decisions about your safety, the safety of others within the community, and provide information about what to do should you or someone you know ever become a victim of a crime.

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UTC Police Department’s Role 4

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<th>Page</th>
</tr>
</thead>
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<td>Voluntary Confidential Reporting</td>
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<td>Campus Security Authorities</td>
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<td>Residence Halls</td>
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<td>Maintenance of Campus Facilities</td>
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<td>HEOA Victim Notification</td>
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"We at The University of Tennessee at Chattanooga care deeply about the safety and well-being of everyone on campus, and we have hundreds of people involved in keeping this campus safe and secure. However, a truly safe campus can only be achieved through the cooperation of the entire University community: students, faculty, and staff. This brochure is a part of our effort to insure that this collaborative endeavor is effective. We hope that you will read it carefully and use the information to help foster a safe environment for yourself and others on the University campus."

Richard L. Brown, Jr.
Executive Vice Chancellor for Finance and Operations

Appendix A: Mandatory Reporters When the Complainant Is a UTC Student

Appendix B: Mandatory Reporters When the Complainant Is a UTC Employee

Appendix C: Confidentiality Exceptions

Appendix D: Consent Under Tennessee Criminal Law

Message from Executive Vice Chancellor Dr. Richard Brown

General Information

Emergency Numbers:
UTC Police Department (423) 425-4357
Chattanooga Police Department (423) 698-2525 or 911
Hamilton County Sheriff’s Office (423) 622-0022 or 911
Erlanger Hospital (423) 778-7000
**Resource Numbers:**

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>UTC Counseling &amp; Personal Development Center</td>
<td>(423) 425-4438</td>
</tr>
<tr>
<td>UTC Safety and Risk Management</td>
<td>(423) 425-5741</td>
</tr>
<tr>
<td>UTC Student Health Services</td>
<td>(423) 425-2266</td>
</tr>
<tr>
<td>UTC Women’s Center’s Survivor Advocacy Services</td>
<td>(423) 425-5648</td>
</tr>
</tbody>
</table>
UTC Police Department Mission & Value Statement

The mission of the University of Tennessee at Chattanooga Police Department (UTCPD) is to provide professional police services, reduce criminal opportunity and community anxiety while working with faculty, staff, students, and visitors. Our department is committed to treating all people fairly while supporting an environment where diverse social, cultural, and academic values are allowed to develop.

UTC Police Department’s Role

As a full-service law enforcement agency, with limited jurisdiction, our campus police officers have necessary and complete police authority to apprehend and arrest anyone involved in illegal activity on campus and areas immediately adjacent to the campus. Tennessee Code Annotated (TCA) § 49-7-117, defines "campus police officer" as a person commissioned by an employing institution and rendered an oath to provide police services, enforce law, exercise arrest authority and carry firearms, and thus is subject to the provisions of the Tennessee peace officer standards and training commission. We enjoy a great working relationship with local, state, and federal law enforcement agencies for mutual aid in meeting our mission of service.

For minor offenses involving violations of University rules and regulations, committed by a University student, the campus police may refer the individual to the Judicial Affairs officer within Student Development. Major criminal offenses such as rape, murder, robbery, and auto theft are also reported to local law enforcement. Major offenses are jointly investigated with the Chattanooga Police Department (CPD), as established by state law. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at the General Sessions, Criminal, or Federal Courts of Hamilton County.

The UTCPD is located in the Administrative Services Building, at 400 Palmetto Street Chattanooga, Tennessee. The UTCPD reports to the Office of Executive Vice Chancellor for Finance & Operations, who maintains overall responsibility for this service related function. If you have any questions about the services provided, or the content of this report, please contact Chief Robert Ratchford or any UTCPD staff member at (423) 425-4357. Please feel free to stop by anytime for any assistance you may need. Additional information is also located on our website: http://www.utc.edu/public-safety/.

EEO/AA Non-Discrimination Policy Statement

The University of Tennessee at Chattanooga is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA. All qualified applicants will receive equal consideration for employment and will not be discriminated against on the basis of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or protected veteran status.

Eligibility and other terms and conditions of employment benefits at The University of Tennessee at Chattanooga 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 (ADA) of 1990, UTC 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.

**EEO/AA Non-Discrimination Policy Statement (cont.)**

Inquiries and charges of violation of Title VI (race, color, 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 ADA Coordinator, Dr. Bryan Samuel, in the Office of Equity and Diversity (OED), 201 Human Resources Center, Dept. 5455, 720 McCallie Avenue, Chattanooga, Tennessee 37403-2598, Telephone (423) 425-5468.

Requests for accommodation of a disability should be directed to the Disability Resources Center. Charges of violation of the above policy should also be directed to the ADA Coordinator in the Office of Equity and Diversity. The University prohibits any retaliatory action against an employee for opposing a practice which the employee believes to be discriminatory, including the filing of an internal grievance or a charge with a state or federal civil rights enforcement agency. (Personal Policies and Procedures Manual; Section 220).

**Summary of the Clery Act**

The federal “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998”, commonly referred to as the “Clery Act”, requires colleges and universities, both public and private, receiving federal financial aid to disclose certain timely and annual information concerning campus crime and safety. Each year the updated report must be distributed to current students and employees. Prospective students and employees must also be made aware of the availability of the report.

The Clery Act requires the collection and reporting of annual crime, arrest and referral statistics reflecting reports of specified crimes that occur on and adjacent to, a university campus and certain properties associated with the campus. This statistical compilation must be broken down by specified types of crimes and campus disciplinary referrals, and must indicate if a specified crime is a hate crime. Campuses must also provide a geographic breakdown of the crime statistics reported according to the following defined geographic areas: “on campus” (including further breakdown of the number of crimes that occurred in campus student residential facilities), “in or on a non-campus building or property,” and “on public property.” This data must be disseminated to the campus community and submitted to the U.S. Department of Education.

In addition to the disclosure of campus crime statistics, the Clery Act requires higher education institutions to give timely warnings of criminal activity that represents a threat to the safety of the campus community, and to make public their campus security policies. The Clery Act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions.

The Clery Act requires colleges and universities to:

- Publish an annual report every year by October 1st containing the last three years of campus crime statistics and fire safety statistics as well as certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police, law enforcement agencies, and other University officials who have “significant responsibility for student and campus activities”;
• Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”;
• Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;

Summary of the Clery Act (cont.)

• Disclose in a public crime log “any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”; and
• Maintain a public fire log, which is a record of any fire that occurred in an on campus student housing facility.

Daily Crime Log

Campuses that maintain a police department are required to maintain a daily crime log that contains specified information about all crimes that occur within the patrol jurisdiction of the campus police and that are reported to the campus police department. The UTCPD enters information in the daily crime log regarding all criminal incidents reported to the police department from calls for service that are received through dispatch, local law enforcement agencies, and from reports received from campus security authorities. The crime log contains information regarding the date and time the crime was reported, the nature of the crime (offense), the complaint number, general location of the crime, the date and time the crime occurred, and the disposition of the complaint, if known. All crimes reported to UTCPD are entered into the daily crime log within two (2) business days of the report. A business day is Monday through Friday, except for days when the University is closed. The only exceptions to this rule are if the disclosure is prohibited by law or if the disclosure would jeopardize the confidentiality of the victim. UTCPD may also temporarily withhold information from the daily crime log when there is clear and convincing evidence that the release of the information would jeopardize an ongoing investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence.

The UTC daily crime log is available for inspection, during normal business hours, at the UTCPD dispatch window located within the Administration Building at 400 Palmetto Street, Chattanooga, TN 37403. The University must make the daily crime log for the most recent 60-day period open to public inspection, free of charge, upon request, during normal business hours. Any portion of the daily crime log that is older than 60 days must be made available within two business days of a request for public inspection. Both electronic and hard copies of the daily crime log are maintained.

Reportable Crimes

The Clery Act was amended to add new crimes to those that must be reported and to add new categories of crimes as hate crimes. In addition, institutions are now required to provide primary prevention and awareness programs to all incoming students and new employees. Institutions must also include certain requirements in the grievance procedures associated with sexual assault,
domestic violence, dating violence, and stalking and provide written information to students and employees who are victims of certain crimes.

Definitions of Reportable Crimes

**Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Includes any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime. **Negligent Manslaughter:** The killing of another person through gross negligence.

Definitions of Reportable Crimes (cont.)

**Sexual Assault:** Any sexual act directed against another person, without 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 consent of the victim. 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 capacity.

**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.

**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.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Includes assaults with intent to kill and attempts to murder.

**Burglary:** The unlawful entry of a structure to commit a felony or a 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 at these offenses.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

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

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, not 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.

**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 physical attack.

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

**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 (1) the reporting party’s statement and with consideration of (2) the length of the relationship, (3) the type of relationship, and (4) the frequency of interaction between the persons involved in the relationship.

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

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**Definitions of Reportable Crimes (cont.)**

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person’s safety or the safety of others, or (2) suffer substantial emotional distress. (e.g., following, monitoring, threatening, communicating to or about the victim, or interfering with a victim’s property.)

**Weapons Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; manufacture, sale, or possession of deadly weapons; all attempts to commit any of the aforementioned. **Drug Law Violations:** The violation of laws prohibiting (1) the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use (2) the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance, or (3) arrests for violation 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, morphine, heroin, codeine, marijuana, synthetic narcotics (manufactured narcotics that can cause addiction such as Demerol and Methadone), non-narcotic drugs such as barbiturates and Benzedrine, and all illegally obtained prescription drugs.

**Liquor Law Violations:** The violation of state or local 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; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned.

The University is also required to report statistics for hate (bias) related crimes by the type of bias, as defined below, for the following classifications: murder/non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. **Hate Crimes:** Crime motivated by the perpetrator’s bias or against the victim and the bias is based on the following categories: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

- **Race:** A performed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion:** A performed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g. Catholics, Jews, Protestants, atheists.
- **Sexual Orientation:** A performed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Gender:** A performed 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 performed negative opinion or attitude toward a person group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- **Ethnicity:** A performed 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 performed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability:** A performed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**The Annual Disclosure**

The Department of Public Safety at The University of Tennessee at Chattanooga is responsible for preparing and distributing this report to comply with the Clery Act. This report is prepared in cooperation with many other campus departments and outside agencies, such as local law enforcement agencies surrounding the UTC campus, the Office of Student Development, and Housing and Residence Life. Members of the campus community are encouraged to use this report as a guide for safe practices on and off
UTC's Annual Security Report will be made available online to the public by October 1 of each year. This report will be posted to the UTC Department of Public Safety website: http://www.utc.edu/public-safety/.

Authority of the Department of Public Safety

The University of Tennessee at Chattanooga Department of Public Safety is the administrative office which has the responsibility to enforce applicable city, county, state and federal criminal laws on the UTC campus. The UTC Police Department is a commissioned police department within the State of Tennessee and has police power and authority including authority to investigate crimes, enforce laws, make arrests, and carry firearms. Department police officers investigate all reports of criminal activity that occur within the jurisdiction of the UTC campus.

UTCPD employs both full-time and part-time sworn police officers. Enforcement powers are obtained from the State of Tennessee as each police officer receives his or her commission in accordance with the provisions set forth by TCA §497-118. Officers meet state-mandated requirements for selection and training, including completion of either the Tennessee Law Enforcement Training Academy or the Cleveland State Law Enforcement Training Academy.

UTC Department of Public Safety personnel are divided into the following groups:

**Full-Time personnel include:**
- 17 Sworn Officers (which includes the Administrative staff)
- 4 Non-Sworn Security Officers
- 6 Non-Sworn State Certified Communications Officers

**Part-Time personnel include:**
- 21 Sworn Officers
- 51 Non-Sworn Security Officers
- 2 Non-Sworn State Certified Communications Officers • 1 Reserve Officer

Authority of the Department of Public Safety (cont.)

The Police and Department of Public Safety operates on a year round basis. Full-time, uniformed officers patrol the campus on foot and in vehicles 24 hours a day to ensure the safety of its students, staff, faculty, and visitors while protecting the property of the University. All non-sworn security officers and communications officers, full and part-time, assist the sworn officers in their duties and do not have arrest power.
All full-time sworn officers are state certified by the Peace Officers Standards and Training Commission and receive a minimum of 420 hours of formal training in an approved law enforcement academy. Upon successful completion of police academy training, officers are placed on a probationary period of six months. Each new officer is assigned to a senior level field training supervisor and periodic progress reviews are completed. All sworn officers, full and part-time, receive a minimum of 40 hours of in-service training each year. Training includes but is not limited to legal updates; crime prevention strategies; firearms instruction and re-qualification; defensive tactics and baton re-certification; safety, fire and evacuation response; ethnic and cultural sensitivity; stress management; suicide prevention; CPR and first aid.

Three to five officers and one communications officer are always scheduled for duty. In the event of an emergency, several officers and other non-sworn essential personnel may be called to return to campus. Departmental policy requires officers to remain on duty until relieved to ensure that the designated minimum number of officers is maintained.

The communications center of the Police and Department of Public Safety answers calls for service, dispatches officers and other emergency services to incidents, and monitor intrusion and fire alarms. The communications center is staffed by state certified communications officers who are authorized to dispatch police, fire, or emergency medical services immediately upon receiving a call for help.

The Department of Public Safety also employs security officers to provide a strong visible presence and service for students. Security officers assist with patrol on campus and in on-campus residential areas. Additional contracted security personnel also assist with patrolling the campus. These security officers observe and report all suspicious activities to the Police and Department of Public Safety.

The part-time sworn and non-sworn officers, along with the crowd control personnel, work all events in our 12,000 seat arena. These events include all basketball games, concerts, circuses, rodeos, tractor pulls, and commencement exercises. These officers also provide VIP escort service and provide security for on-campus sorority and fraternity functions.

With the passage of both The Tennessee College and University Security Information Act (T.C.A. Section §49-7-2201, et seq.) and the Federal Crime Awareness & Campus Security Act of 1990, UTCPD and the Department of Public Safety will report all crimes reported to our agency to the Tennessee Bureau of Investigation. This monthly statistical data will be recorded for use in the F.B.I.'s Uniform Crime Report. In turn, all information is supplied to the United States Secretary of Education in compliance with all applicable federal laws.
Jurisdiction of the Department of Public Safety

Per the current Memorandum of Understanding (MOU) with the Chattanooga Police Department, the University Police Department’s jurisdiction extends west bounded by Houston Street with the additional parking areas extending to Lindsay at Vine Street, east to Central Avenue with the adjacent addition of Engel Stadium and the Intramural Soccer Field located at 1130 O’Neal Street, south to M. L. King Boulevard, and north to 3rd Street with the addition of Scrappy Moore Field. Any University owned or leased property in outlying areas may be patrolled jointly by both University and City Police.

Clery Geographic Area Map

Relationships with Surrounding Agencies

Memorandum of Understanding
Through coordination with local law enforcement agencies, off-campus disciplinary issues and/or criminal misconduct involving UTC officially recognized student organizations that have housing facilities “off-campus”, i.e. non-campus facilities, are monitored, recorded, and referred to the Dean of Students for appropriate action. The Chief of Police and other staff routinely participate in regional meetings to ensure that effective communication exist between law enforcement agencies. The constant interaction with Chattanooga Police Department happens with the E. 11th Street Precinct, with special investigations, and through mutual cooperation in resolution of common crime problems. UTCPD facilitates or assists in the presentation of specialized law enforcement training on a regional basis, which has included Domestic Violence and Sexual Assault investigations, Crisis Intervention Team (Mental Health) training, School Resource Officer training, Law Enforcement Instructor Development, and other areas of law enforcement training which benefit the region.

Monitoring of Crime(s) Off-Campus

Monitoring of crime(s) off-campus is done by the Chattanooga Police Department or other local law enforcement agencies that have jurisdiction over the area where the crime took place. UTCPD has requested that local law enforcement agencies forward to UTCPD copies of incident reports for all criminal activity occurring on any off-campus properties owned, leased or controlled by officially recognized student organizations of UTC.

The University relies on its working relationships with local law enforcement agencies to receive information about incidents involving students off-campus. UTCPD will cooperate with local law enforcement to investigate information received about any crimes concerning and/or involving a member of the campus community. UTCPD will also supply information regarding the incident as needed or required to local, state or federal law enforcement authorities.

Association with Local, State and Federal Authorities

UTCPD personnel work closely with local, state, and federal police agencies and have direct radio communication with the Chattanooga Police Department through the shared communications network. The UTCPD is also a part of the Hamilton County 911 Emergency System. By mutual agreement with state and federal agencies, the UTCPD maintains an NLETs terminal (National Law Enforcement Telecommunications Network). Through this system, UTCPD personnel can access the National Crime Information Computer system as well as the Tennessee Information Enforcement System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Monitoring of Off-Campus Housing

No University of Tennessee at Chattanooga office or department provides supervision for off-campus housing, apartments, or individual homes, unless they are controlled by the University as official residence housing. The Chattanooga Police Department has primary responsibility for criminal investigations and responding to incidents at those locations. Campus police officers will assist local law enforcement with UTC student issues when requested, but UTCPD officers do not actively monitor off-campus, non-University sponsored activities or individuals conduct.

Students, whether they live on or off campus, are encouraged to report all crimes to the appropriate law enforcement agency. If community members report crimes or serious incidents to other University administrators, those administrators should notify UTCPD or the appropriate local law enforcement agency. Crime awareness information is made available to all students via this report, the UTC daily crime log, and Crime Prevention Bulletins.
Crime Prevention Awareness & Personal Safety Education

Crime prevention is a top priority. UTCPD supports the mission of the University by promoting a safe and secure higher education environment while providing proactive police and customer-related services aimed at reducing crime and disorder. Services provided full time (24/7/365) inside the University community include:

- Police services including emergency response, victim services, preventative patrol, and investigations.
- Security services including physical security of all University properties, fire prevention, and access control.
- Crime prevention services including personal protection training, community awareness, and escort service, lost and found property division and motorist assistance.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

New students and employees are expected to attend orientation programs. For students, UTC offers new student orientation and family programs at the University. Freshmen or transfer students admitted for a Spring semester attend a one-day orientation session. Students admitted for a Fall semester can attend the freshmen orientation, transfer orientation, parent & family orientation, adult orientation, or the online orientation. First year students are required to attend the mandatory freshmen orientation, which is a two-day program. The transfer orientation is a mandatory one-day program.

Relationships with Surrounding Agencies

Relationships with Surrounding Agencies

During freshmen and transfer orientation, students and parents are informed of services offered by the Police & Public Safety Department through video and PowerPoint presentations. The presentations outline ways to maintain personal safety and security in the residence halls. Students are informed about crime on campus and in surrounding neighborhoods. Similar information is presented to new employees.
For employees, a part of the new hire orientation program includes safety and security presentations from departments such as Safety & Risk Management and Police & Public Safety. These programs are repeated several times each year in partnership with Human Resources.

Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis. Periodically during the academic year, and upon request, the UTCPD, in coordination with other university organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), domestic violence/dating violence, stalking, alcohol as a gateway drug, Rohypnol abuse, theft, and vandalism, as well as educational sessions on personal safety and security in the residence halls. UTC offers Rape Aggression Defense (RAD) training. It is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. Certified RAD instructors will teach the courses provided.

Crime Prevention Awareness & Personal Safety Education (cont.)

In addition to seminars, information is disseminated to students and employees through crime prevention awareness pamphlets, security alert posters and displays, videos, and articles/advertisements in the University student newspaper. In an emergency situation, information is released to the University community through security alerts that are posted prominently throughout campus, through computer memos sent over the University's electronic mail system, or a voice mail broadcasting system.

During orientation, students are advised to familiarize themselves with the location of “Blue Light” emergency phones and callboxes, which are located near buildings, intersections, and in every parking lot; these directly connect to the UTCPD dispatch. Students are also encouraged to program (423) 425-4357 in their cell phone as UTCPD.

UTC also encourages students to sign up for the UTC ALERT system, which is designed to enhance and improve communication so that all members of the UTC community can stay informed in the event of an emergency. Students, faculty, and staff have to “opt in” to be notified via text message in the event of an emergency. The system also allows members of the University community to receive messages to a designated email address, PDA or pager.

At the start of the fall semester, new resident assistants must attend several training sessions with the Resident Directors and Resident Advisors. Residence hall policies, Clery Act compliance, and issues related to general safety and security are among the discussion items. Representatives from the UTCPD and the Clery Compliance Coordinator are also presenters.
Crime prevention materials are available at the Police and Public Safety Department. Informative speakers can be arranged for either individual or group discussions about campus crime issues.

**Personal Safety Tips**

Campuses across the nation are frequently the centerpiece of towns, villages and cities. Historic buildings, green pathways, marvelous fountains and museums are just a few of the common sights found on the nation’s campuses. Despite UTC’s beauty, we are not exempt from criminal activity, and students may become a victim of crime. However, if you take a few reasonable precautions to enhance your personal safety, you can help avoid becoming a victim and lower the potential for criminal activity. Follow these personal safety tips to reduce your victim profile:

**In The Residence Halls**

- Always lock your door behind you whenever you leave your room.
- Close and lock your windows whenever you leave your room.
- Do not tape or put any objects in your door jam. You may forget that you’ve done so and leave your room vulnerable to theft.
- Keep backpacks in your room when eating in the dining halls.
- If you have expensive equipment (computers, stereos, etc.), engrave them with your ID or Driver’s License number. You can borrow the Police Department’s engraver for free. Call for details.
- Have your computer properly licensed. Enter the appropriate names of the owner of the computer when installing. Send your registration card in to the software company so that there is a record of your purchase.
- Check your peephole before you open the door. If you can’t see anyone, don’t open the door.
- Report any building safety problems to the R.A., R.D., or UTC Police, if after hours.

**In The Libraries**

- Avoid studying in overly secluded areas. Study with others or in areas where there are other people.
- Don’t forget to eject your Mocs Card after you’ve made photocopies.
- Do not leave your belongings unattended. It only takes a few seconds for a thief to take all of your belongings.

**On The Campus In The Evening**

- Walk with a friend. Stay in well-lit, well-populated areas.
- Take the safest route, not the fastest route. Be aware of your surroundings and environment.
- Don’t be afraid to look over your shoulders. It’s not rude to maintain a safe distance between yourself and others.
- Avoid blind corners. Take wide turns so that you can have room to react to what’s ahead.
- Carry your keys in your hands. They may be used as a weapon if necessary.
• Be aware of the location of the nearest blue light emergency phones.  **In The Parking Structures & Lots**

• Carry your keys in your hands--you will be able to get into your car faster and keys may be used as a weapon if necessary.
• Avoid blind corners. Take wide turns so that you can have room to react to what’s ahead.
• Walk in the center of the aisles when safe to do so. Walk with confidence.
• Check your backseats before getting into your car.
• Park in well-lit, well-travelled areas of the parking structure or lot.
• Do not keep valuables in your car. If you must, keep them in the trunk where they are out of sight. If you have an internal trunk lock, use it.
• Take your pullout/removable face stereo with you. Do not put it under the seats, in the glove compartment, or in the trunk, as this is always the first place criminals check.

**Other Tips**

• Be mindful of your limit for alcohol. You are more vulnerable when you don’t have full use of your own senses.
• Always report any suspicious activity to the Police, 911 for emergencies, and (423) 425-4357 for nonemergencies.
• Be aware of your surroundings when using ATM’s (Automatic Teller Machines).
• Keep track of who is behind you.
• If you work alone or before/after normal business hours, keep the office door locked.
• If you are in an elevator with another person, stand near the control panel.
• When working out at the ARC, use the lockers and don’t bring anything you can’t keep with you and bring a lock.
• When running alone, do not wear earphones, as this eliminates hearing as a defense mechanism. Try to run with a friend in the evenings, or have them watch you as you run.
• Learn to use and carry mace or pepper spray. Consider carrying a whistle.
• Take a self-defense workshop, like RAD (Rape Aggression Defense).
• Advise someone of your whereabouts and how long you expect to be out. Inform that person if you end up staying longer than expected. (A text message will suffice. Do not post your whereabouts on social networking sites, i.e. Twitter, Facebook, etc.)
• Purchase and use a good lock and helmet for your bike and motorcycle. Register your bike at the UTC Police Department.

**Safety Escorts**

A form of assistance offered by UTCPD is the Safety Escort service whereby an individual can be escorted from one on-campus location to another. If you are working late on campus, you can either contact an officer in person, call the UTCPD communications center (423-425-4357), or use a “Blue Light” emergency phone, to request a safety escort to accompany you. Call 15 minutes before you need to leave. This service is available daily between dusk and 1:00 a.m. Also, consider using the Mocs Express Shuttle. It offers a safe means of transport around campus during its operating hours.

**Reporting Criminal Incidents and Other Emergencies**
University community members, students, faculty, staff and visitors are encouraged to accurately and promptly report all crimes, emergencies, and public safety related incidents to the UTCPD. The police can be summoned by the simple touch of a button on approximately 79 “Blue Light” emergency phones a call boxes located throughout the campus, 44 emergency phones located in elevators around campus, 119 red emergency telephones located in classrooms around the University, or by dialing 911 or 4357 (HELP) from any University telephone. Your location is automatically displayed on the computer at the communications officers’ desk so that help can be dispatched immediately. UTCPD can also be reached by calling 423-425-4357 from any non-University phone; however, your location will not automatically be displayed. It is important to note that a 911 call made from a cell phone will be routed to the Hamilton County 911 System. Once the off-campus telecommunicator at 911 determines the call is coming from the campus, he/she will transfer the call to the University of Tennessee at Chattanooga Police and the Department of Public Safety.

Communications officers are available at these respective telephone numbers 24 hours a day to answer your call. In response to a call, UTCPD will take the required action, either dispatching an officer or asking the victim to come to the police department to file an incident report. UTCPD incident reports relating to weapons, drug, or alcohol offenses are forwarded to the Office of the Dean of Students for review and potential activity by Judicial Affairs. UTCPD officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of the Dean of Students. If assistance is required by the City of Chattanooga Police Department, Hamilton County Emergency Medical Services, or the City of Chattanooga Fire Department, UTCPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including UTCPD, will offer the victim a wide variety of services. UTC’s Survivor Advocacy Program has trained members who are available to assist a victim 24 hours a day, seven days a week.

UTCPD encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. Crimes should be reported to the UTC Police Department for purposes of addressing the crime for distributing a potential timely warning notice and for disclosure in the annual crime statistics.

**Voluntary Confidential Reporting**

If you are a victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief of Police or a designee of UTCPD can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community of potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for UTC.

The UTC Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the UTCPD cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other UTC
campus security authorities as identified below. Confidential reports of crime may also be made using our Confidential Crime Reporting Form located on our website at http://www.utc.edu/police/forms/silent-witness.php. Please remember that this form is not intended for crimes in progress. If you witness a crime call 911 from an off-campus phone or pay phone, or (423) 425-4357 to reach the UTC police dispatcher (extension 4357 from a campus phone.)

Campus Security Authorities (CSA’s)

Although we want the campus community to report criminal incidents to UTCPD, we know that this doesn’t always happen. A victim of a crime may be more inclined to report it to someone other than the campus police. For this reason, the Clery Act requires universities to collect crime reports from campus security authorities. The crime statistics in the Annual Security Report must reflect crimes that are reported to the campus police department or to a campus security authority. CSA’s have an important role in university compliance with the Clery Act. CSA crime reports are used by the University to fulfill its responsibility to annually disclose Clery crime statistics, and to issue timely warnings for Clery Act crimes that pose a serious or continuing threat to the campus community.

If a crime is reported to a CSA, but goes no further than that, the university will not have fulfilled its obligation under the law, and campus community members might not have the information they need to stay safe on campus. UTC is required to collect crime statistics from CSA’s even if there is no police investigation.

Professional and Pastoral Counselors

As a result of the negotiated rulemaking process which followed the signing into law of the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, the professional counselors at UTC are encouraged if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to UTCPD. for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral Counselor
An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor**
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community, and who is functioning within the scope of his or her license or certification.

For a current roster of professional counselors, please contact the University of Tennessee at Chattanooga Counseling and Personal Development Center at (423) 425-4438.

**Campus Security Authorities**

A CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated with the university whose job functions involve building relationships with students. These individuals or organizations are considered to have significant responsibility for student and campus activities. Those four groups are:

1. **Campus police department.** All individuals who work for the department are CSA’s.

2. **Individuals who have responsibility for campus security but are not members of the campus police department.** Examples, include, but are not limited to, the following:
   - Security at a campus parking booth;
   - People who monitor access into a campus facility;
   - Event security, such as for sporting events or large registered parties; and
   - Those who escort students around campus after dark (including other students).

3. **Any individual or organization specified in UTC’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.** Examples, include, but are not limited to, the following:
   - Physicians in a campus health center; • Housing and Residence Life staff; and
   - Student Development.

**Campus Security Authorities (cont.)**
4. An official who has significant responsibility for student and campus activities. “Official” is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. Examples, include, but are not limited to, the following:

- A dean of students who oversees student housing, a student center or student extracurricular activities;
- Faculty advisor to a student group;
- Victim advocates or others responsible for providing victims with advocacy services, such as assisting with housing relocation, disciplinary action, etc.; and
- Athletic Administrators including: Director, Assistant Directors and Coaches, Trainers.

At the University of Tennessee, Chattanooga, the following positions are considered examples of Campus Security Authorities:

- Provost, Associate, and Assistant Provost
- All Executive Vice, Vice & Associate Vice Chancellors
- Dean, Associate Deans, and Assistant Deans of Students
- Title IX Coordinator
- Director of Housing & Residence Life
- Director of Career & Student Employment Center
- Housing & Residence Life Professional Staff
- Director of Counseling Center
- Director of Student Health Services
- University Center Director & Assistant Director
- Disability Resource Center Director & Assistant Directors
- Sorority & Fraternity Life Advisors
- Office of Enrollment Services Director
- Director, Assistant Director, and Coordinators of Campus Recreation
- Center for Leadership & Service Director & Coordinator
- Education, Health, & Human Sciences Advising Director
- Parking Services – Director, Assistant Director
- Safety and Risk Management - Manager, Inspectors, and Specialists
- International Study Abroad Program Leaders
- Director of Undergraduate Admissions
- Associate & Assistant Directors of Undergraduate Admissions
- Vice Chancellor/Director of Athletics
- Assistant Athletic Director & Associate Athletic Directors
- Head /Co-Head & Assistant Athletic Coaches
- Director of Sports Medicine & Director of Strength and Conditioning
Access to Campus Facilities

Academic and Administrative Buildings

The University of Tennessee at Chattanooga campus is part of the city of Chattanooga and, as such, is open to the public. The administrative and academic buildings are open to the public, at a minimum, during normal business hours, Monday thru Friday, from 8:00 a.m. to 5:00 p.m. Access to all University facilities, after business hours, is by key or key card (MOCS ID) if issued, or by admittance via the UTC Police Department or Residence Life staff.

As a general rule, visitors are not authorized in buildings after normal business hours unless faculty, staff, or a University official escorts them. Students are admitted into buildings after normal business hours only when they are listed on an authorized access list issued by the department head or his designee. UTCPD requests that all persons notify the police department if they will be working in academic or administrative buildings after 10:00 p.m., for their personal safety while here at the University.

Most facilities may have individual hours, and the hours may vary at different times of the year. Examples are the Aquatics and Recreation Center (ARC), the Library, and the University Center. The facilities will be secured according to schedules developed by the department responsible for the facility. Emergency situations may necessitate changes or alterations to any schedule that has been posted. Access to some of these buildings is controlled by card access after normal business hours, and all of these buildings have varied levels of access. Most academic and administrative buildings do not have a UTCPD officer assigned to them. However, UTCPD officers or security officers patrol the academic and administrative buildings on a regular basis, 24 hours per day.

Residence Halls

Because they are living areas, security in the residence halls differs from academic and administrative areas of the campus. Access to residence halls is restricted to residents, their approved guests, and other approved members of the University community. Residents gain entry by swiping their cards in the card access readers or by using the key issued to them by the UTC Housing Office. A Housing and Residence Life employee is typically on call to respond to any crisis that might arise and has access to the building. Residence hall key control policies requires that lock cylinder cores be changed immediately upon the report of a lost key. Specific information on each type of residence hall is available from the Department of Housing and Residence Life. See the UTC Student Handbook 2016-2017 for rules, regulations and procedures regarding residence halls.

Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their access cards. Residence halls are secured 24 hours a day. UTCPD police officers and security officers actively patrol the residence halls on a regular basis, 24 hours per day.
Housing and Residence Life staff also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. University police personnel and housing staff also conduct periodic educational sessions for Resident Advisers and residents on the prevention of various crimes, including sexual assault and acquaintance rape.

**Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Department of Public Safety staff conducts scheduled evaluations of campus access. Additionally, UTCPD regularly patrols the campus, to observe, correct, and/or report any safety or other unsafe conditions that would impact safety or convenience of the University community, on a daily basis. Any issues or problems are reported to Facilities Management for correction. Other members of the University community are helpful when they report equipment problems to UTCPD or to Facilities Management.

Security surveys are conducted for any areas that are revealed as problematic. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Administrators from the Dean's Office, Physical Plant, Housing and Residence Life, and other departments review the survey results to determine appropriate actions that may need to be taken.

**Security Cameras**

UTC has more than 300 security cameras throughout the campus, which includes most residence halls. Many streets and all parking garages currently have security cameras in place. University Housing has upgraded the existing video surveillance systems in many residence life areas.

**Unlawful Entry and Trespassing**

Pursuant to Tennessee Statutory Law, trespassing on University property is strictly prohibited. University police routinely inquire as to the visitation status of individuals suspected of violating the trespass law. A Field Interview Form is completed on the violator, and the information is retained for future use. Subsequent violations may subject the violator to arrest and prosecution.

**HEOA Victim Notification**

The University will, upon written request, disclose to the alleged victim of a crime of violence or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University 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 for purposes of this paragraph.

According to Section 16 of title 18 of the United States Code, the term “crime of violence” means:

- an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

The results of a disciplinary proceeding means: only the institution’s final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

**Sex Offender Registry Information**

Incarceration may remove a sex offender from the streets but it does nothing to prevent the offender from committing another crime when released. The federal Campus Crimes Prevention Act, enacted on October 28, 2000, went into effect on October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required, under State Law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteer services or is a student.

In Tennessee, law enforcement agency information provided under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), concerning registered sex offenders may be obtained from the Tennessee Bureau of Investigation (TBI). In Tennessee, convicted sex offenders must register with TBI. You can access this information, which appears on the TBI website, by accessing the following link: Tennessee Sexual Offender Registry

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

The University of Tennessee at Chattanooga is committed to creating and maintaining a learning, living, and working environment free from sexual misconduct (sexual assault, sexual harassment, sexual exploitation, sex offense crimes), relationship violence (dating violence, domestic violence, relationship violence crimes), stalking, and retaliation (hereafter referred to as prohibited conduct.) These prohibited types of conduct will not be tolerated and will be grounds for disciplinary action up to, and including, permanent dismissal from UTC and/or termination of employment.

**Violence Against Women Reauthorization Act of 2013 Definitions**
On March 7, 2013, President Obama signed into law the Violence Against Women Reauthorization Act of 2013, commonly referred to as VAWA. VAWA defines the crimes of dating violence, domestic violence, sexual assault, and stalking based on the definitions provided in the Clery Act. Those definitions are as follows:

**• 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.

i. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

ii. For the purposes of this definition—
   A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   B) Dating violence does not include acts covered under the definition of domestic violence.

**Violence Against Women Reauthorization Act of 2013 Definitions (cont.)**

**• Domestic Violence:**
   i. A Felony or misdemeanor crime of violence committed—
      A) by a current or former spouse or intimate partner of the victim;
      B) by a person with whom the victim shares a child in common;
      C) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
      D) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
      E) by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

   (See definition for crime of violence above.)

**• Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private 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.

**Stalking:**

i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

A) Fear for the person’s safety or the safety of others; or
B) Suffer substantial emotional distress.

ii. For the purposes of this definition—

A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

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

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

**State of Tennessee Definitions**

The state of Tennessee defines domestic violence as follows:


(a) As used in this section, "domestic abuse victim" means 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 (2) 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 (a)(1)-(5).

(b) A person commits domestic assault who commits an assault as defined in § 39-13-101 against a domestic abuse victim.

(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.

Dating Violence: The state of Tennessee does not have a definition of dating violence.

Sexual Assault: The state of Tennessee defines sexual assault as follows:


(a) Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual contact is accomplished by fraud.

(b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.

(c) Sexual battery is a Class E felony.


(a) Aggravated sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:
(1) Force or coercion is used to accomplish the act and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;

(2) The defendant causes bodily injury to the victim;

(3) The defendant is aided or abetted by one (1) or more other persons; and

(A) Force or coercion is used to accomplish the act; or

(B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The victim is less than thirteen (13) years of age.

(b) Aggravated sexual battery is a Class B felony


(a) Rape is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual penetration is accomplished by fraud.

(b) Rape is a Class B felony.

(a) Aggravated rape is unlawful sexual penetration of 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 and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;

(2) The defendant causes bodily injury to the victim;

(3) The defendant is aided or abetted by one (1) or more other persons; and

(A) Force or coercion is used to accomplish the act; or

(B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(b) Aggravated rape is a Class A felony.


(a) Mitigated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim.

(b) Statutory rape is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

(1) The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or

(2) The victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is more than five (5) but less than ten (10) years older than the victim.

(c) Aggravated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least thirteen (13) but less than eighteen (18) years of age and the defendant is at least ten (10) years older than the victim.

(d) (1) Mitigated statutory rape is a Class E felony.

(2) (A) Statutory rape is a Class E felony.

(B) In addition to the punishment provided for a person who commits statutory rape for the first time, the trial judge may order, after taking into account the facts and circumstances surrounding the offense, including the offense for which the person was originally charged and whether the conviction was the result of a plea bargain agreement, that the person be required to register as a sexual offender pursuant to title 40, chapter 39, part 2.
(3) Aggravated statutory rape is a Class D felony.

§ 39-13-532. Statutory rape by an authority figure.

(a) Statutory rape by an authority figure is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

(1) The victim is at least thirteen (13) but less than eighteen (18) years of age;
(2) The defendant is at least four (4) years older than the victim; and
(3) The defendant was, at the time of the offense, in a position of trust, or had supervisory or disciplinary power over the victim by virtue of the defendant's legal, professional, or occupational status and used the position of trust or power to accomplish the sexual penetration; or
(4) The defendant had, at the time of the offense, parental or custodial authority over the victim and used the authority to accomplish the sexual penetration.

(b) Statutory rape by an authority figure is a Class C felony and no person who is found guilty of or pleads guilty to the offense shall be eligible for probation pursuant to § 40-35-303 or judicial diversion pursuant to § 40-35-313.


(a) A person commits incest 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.

(b) Incest is a Class C felony.

§ 39-17-315. Stalking, aggravated stalking, and especially aggravated stalking.

(a) As used in this section, unless the context otherwise requires:

(1) "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate non-continuous acts evidencing a continuity of purpose;

(2) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;
"Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

"Stalking" means 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;

"Un-consented 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. Un-consented 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 mail or electronic communications to that person; 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.

A person commits an offense who intentionally engages in stalking.

Stalking is a Class A misdemeanor.

Stalking is a Class E felony if the defendant, at the time of the offense, was required to or was registered with the Tennessee bureau of investigation as a sexual offender, violent sexual offender or violent juvenile sexual offender, as defined in § 40-39-202.

A person commits aggravated stalking who commits the offense of stalking as prohibited by subsection (b), and:

(A) In the course and furtherance of stalking, displays a deadly weapon;
(B) The victim of the offense was less than eighteen (18) years of age at any time during the person's course of conduct, and the person is five (5) or more years older than the victim;
(C) Has previously been convicted of stalking within seven (7) years of the instant offense;
(D) Makes a credible threat to the victim, the victim's child, sibling, spouse, parent or dependents with the intent to place any such person in reasonable fear of death or bodily injury; or
At the time of the offense, was prohibited from making contact with the victim under a restraining order or injunction for protection, an order of protection, or any other court-imposed prohibition of conduct toward the victim or the victim’s property, and the person knowingly violates the injunction, order or court-imposed prohibition.

(2) Aggravated stalking is a Class E felony.

(d) (1) A person commits especially aggravated stalking who:

(A) Commits the offense of stalking or aggravated stalking, and has previously been convicted of stalking or aggravated stalking involving the same victim of the instant offense; or

(B) Commits the offense of aggravated stalking, and intentionally or recklessly causes serious bodily injury to the victim of the offense or to the victim’s child, sibling, spouse, parent or dependent.

(2) Especially aggravated stalking is a Class C felony.

(e) Notwithstanding any other law, if the court grants probation to a person convicted of stalking, aggravated stalking or especially aggravated stalking, the court may keep the person on probation for a period not to exceed the maximum punishment for the appropriate classification of offense. Regardless of whether a term of probation is ordered, the court may, in addition to any other punishment otherwise authorized by law, order the defendant to do the following:

(1) Refrain from stalking any individual during the term of probation;

(2) Refrain from having any contact with the victim of the offense or the victim’s child, sibling, spouse, parent or dependent;

(3) Be evaluated to determine the need for psychiatric, psychological, or social counseling, and, if determined appropriate by the court, to receive psychiatric, psychological or social counseling at the defendant’s own expense;

(4) If, as the result of such treatment or otherwise, the defendant is required to take medication, order that the defendant submit to drug testing or some other method by which the court can monitor whether the defendant is taking the required medication; and

(5) Submit to the use of an electronic tracking device, with the cost of the device and monitoring the defendant’s whereabouts, to be paid by the defendant.

(f) In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated un-consented contact with the victim after having been requested by the victim to discontinue the conduct or a different form of un-consented contact, and to refrain from any further un-consented contact with the victim, is prima facie evidence that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(g) (1) If a person is convicted of aggravated or especially aggravated stalking, or another felony offense arising out of a charge based on this section, the court may order an independent professional mental health assessment of the defendant’s
need for mental health treatment. The court may waive the assessment, if an adequate assessment was conducted prior to the conviction.

(2) If the assessment indicates that the defendant is in need of and amenable to mental health treatment, the court may include in the sentence a requirement that the offender undergo treatment, and that the drug intake of the defendant be monitored in the manner best suited to the particular situation. Monitoring may include periodic determinations as to whether the defendant is ingesting any illegal controlled substances or controlled substance analogues, as well as determinations as to whether the defendant is complying with any required or recommended course of treatment that includes the taking of medications.

(3) The court shall order the offender to pay the costs of assessment under this subsection (g), unless the offender is indigent under § 40-14-202.

(h) Any person who reasonably believes they are a victim of an offense under this section, regardless of whether the alleged perpetrator has been arrested, charged or convicted of a stalking-related offense, shall be entitled to seek and obtain an order of protection in the same manner, and under the same circumstances, as is provided for victims of domestic abuse by title 36, chapter 3, part 6.

(i) When a person is charged and arrested for the offense of stalking, aggravated stalking or especially aggravated stalking, the arresting law enforcement officer shall inform the victim that the person arrested may be eligible to post bail for the offense and to be released until the date of trial for the offense.

(j) If a law enforcement officer or district attorney general believes that the life of a possible victim of stalking is in immediate danger, unless and until sufficient evidence can be processed linking a particular person to the offense, the district attorney general may petition the judge of a court of record having criminal jurisdiction in that district to enter an order expediting the processing of any evidence in a particular stalking case. If, after hearing the petition, the court is of the opinion that the life of the victim may be in immediate danger if the alleged perpetrator is not apprehended, the court may enter such an order, directed to the Tennessee bureau of investigation, or any other agency or laboratory that may be in the process of analyzing evidence for that particular investigation.

(k) (1) For purposes of determining if a course of conduct amounting to stalking is a single offense or multiple offenses, the occurrence of any of the following events breaks the continuous course of conduct, with respect to the same victim, that constitutes the offense:

(A) The defendant is arrested and charged with stalking, aggravated stalking or especially aggravated stalking;

(B) The defendant is found by a court of competent jurisdiction to have violated an order of protection issued to prohibit the defendant from engaging in the conduct of stalking; or

(C) The defendant is convicted of the offense of stalking, aggravated stalking or especially aggravated stalking.
(2) If a continuing course of conduct amounting to stalking engaged in by a defendant against the same victim is broken by any of the events set out in subdivision (k)(1), any such conduct that occurs after that event commences a new and separate offense.

Consent is defined in Tennessee under § 39-11-106 –Title Definitions as:

(9) "Effective consent" means assent in fact, whether express or apparent, including assent by one legally authorized to act for another. Consent is not effective when:

(A) Induced by deception or coercion;
(B) Given by a person the defendant knows is not authorized to act as an agent;
(C) Given by a person who, by reason of youth, mental disease or defect, or intoxication, is known by the defendant to be unable to make reasonable decisions regarding the subject matter; or
(D) Given solely to detect the commission of an offense.

Appendix D provides additional information regarding consent under Tennessee criminal law.

UTC Definitions of Consent

Consent (or Consensual): Consent is an affirmative and voluntary agreement by a person to engage in a specific sexual act.

Consent Must Be Obtained

Consent must be obtained, and the responsibility for obtaining consent rests with the individual who voluntarily and physically initiates a specific sexual act, even if the other person initiated the sexual encounter. One’s own use of alcohol, drugs, or other substances does not diminish one’s responsibility to obtain consent from the other person. Moreover, the other person’s use of alcohol, drugs, or other substances does not diminish one’s responsibility to obtain consent from that person.

Consent Must Be Affirmative

Consent must be affirmative, which means that consent is communicated only through words and/or non-verbal actions that convey a clear agreement to engage in a specific sexual act. Whether person has communicated an agreement to engage in a specific sexual act generally is evaluated from the perspective of what a reasonable person who perceived the individual’s words and/or non-verbal actions would have understood; however, in the context of a long-term relationship between persons that has involved sexual activity and a pattern of communicating consent, whether consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the specific sexual act conclude?). A verbal “no” (or words equivalent to “no”) or the nonverbal communication of “no,” even if it sounds or appears insincere or indecisive, always means that consent has not been communicated, or if previously communicated has been withdrawn. The absence of a verbal “no” or the absence of a nonverbal communication of “no” does not necessarily mean that consent has been communicated. Because interpreting
UTC Definitions of Consent (cont.)

non-verbal actions may lead to misunderstanding and a violation of this policy, students are strongly encouraged to err on the side of caution and not rely solely on the non-verbal actions of another person in concluding that the other person has communicated consent. The University urges students to communicate with one another before engaging in a sexual act to ensure that they both wish to engage in the same sexual act.

Consent cannot be obtained by or inferred from:

- Silence that is not accompanied by non-verbal actions conveying a clear agreement to engage in a particular sexual act;
- Consent communicated by the other person on a previous occasion;
- Consent communicated to another person;
- The other person’s failure to resist physical force (however, for purposes of this policy, the other person’s resistance to physical force will be viewed as a clear demonstration that the person has not communicated consent);
- The sexual arousal of the other person;
- A current or previous dating, romantic, intimate, or sexual relationship with the other person;
- Currently or previously cohabitating with the other person;
- The other person’s attire;
- The other person’s reputation;
- The other person’s giving or acceptance of gifts; or
- The other person’s extension or acceptance of an invitation to go to a private residence, room, or another location.

Consent Must Be Voluntary

Consent is not voluntary if it is obtained by coercion. Nor is consent voluntary if it is obtained from a person who is incapacitated if one knows (or a reasonable person would know) that the other person is incapacitated. Because the incapacitation of another person may be difficult for one to discern, persons subject to this policy are strongly encouraged to err on the side of caution (i.e., when in doubt, assume that the other person is incapacitated and therefore unable to give consent.)

Consent Must Be Continual

Consent must be continual, which means that consent must exist from the beginning to the end of each sexual encounter and for each specific sexual act that occurs during a sexual encounter. A person has a right to change his/her mind; thus, consent to engage in a specific sexual act may be withdrawn by a person at any time. A withdrawal of consent is communicated through clear words and/or clear non-verbal actions that indicate that a person no longer agrees to engage in a specific sexual act. Once a person’s withdrawal of consent has been communicated, the other person must cease the specific sexual act and must obtain consent before reinitiating the specific sexual act or any other sexual act. Consent is automatically withdrawn when a person becomes incapacitated. Consent to one type of sexual contact or sexual intercourse (e.g., oral intercourse) does not constitute or imply consent for another type of sexual contact or sexual intercourse (e.g., vaginal intercourse), whether during a sexual encounter or during a previous sexual encounter. The University urges persons’ subject to this policy to communicate with one another throughout a sexual encounter to ensure that any progression of sexual activity is done with consent.
**UTC Definition of Coercion**

**Coercion:** Words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person’s ability to voluntarily choose whether to engage in a particular sexual act (e.g., sexual contact or sexual intercourse). Coercion is something more than mere seduction or persuasion.

**Coercion includes, without limitation:**

- physical force; and
- words and/or conduct that would cause a reasonable person to fear imminent: harm to the person’s health, safety, or property or that of a third person; threat of the loss or impairment of a job benefit; threat of the loss or impairment of an academic benefit; kidnapping of the person or a third person; or disclosure of sensitive personal information (e.g., disclosure of a person’s sexual orientation, gender identity, or gender expression).

**UTC Definition of Incapacitated or Incapacitation**

**Incapacitated (or Incapacitation):** A temporary or permanent physical or mental state in which a person cannot make informed, rational judgments (e.g., judgments concerning sexual contact, sexual intercourse, or sexual exploitation) because: the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct; and/or the person is unable to physically or verbally communicate consent. Incapacitation can be voluntary or involuntary. Incapacitation is determined based on the totality of the circumstances.

Incapacitation may result from: sleep; unconsciousness; intermittent consciousness; temporary or permanent physical or mental disability; involuntary physical restraint; or the influence of alcohol, drugs, or other substances, including, without limitation, substances used to facilitate sexual assault (e.g., Rohypnol, Ketamine, GHB, and Burundanga).

Alcohol and drugs are common causes of incapacitation. When alcohol or drugs are involved, incapacitation is a state beyond mere drunkenness or intoxication. The impact of alcohol and drugs varies from person to person; however, warning signs of incapacitation may include, without limitation: lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; vomiting; unresponsiveness; and inability to communicate coherently.

A person who is under the age of eighteen (18) (i.e., a minor) is incapable of giving consent; however, a person who is at least the age of thirteen (13) and less than the age of eighteen (18) is capable of giving consent to sexual acts with another person who is less than four (4) years older than them.

**UTC Definition of Good Faith**

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

UTC Definition of Reasonable Person

Reasonable Person: A sober, objectively reasonable person in the same situation, and with the same sex, gender identity, and sexual orientation as the person whose words and/or conduct are being evaluated.

Reporting Sexual Misconduct, Relationship Violence, Stalking and/or Retaliation

UTC encourages complainants and others who are aware of prohibited conduct to promptly report the incident to UTC and/or to law enforcement. Mandatory Reporters are required to report information they receive about prohibited conduct. UTC strongly encourages employees and students who are not Mandatory Reporters to report information about prohibited conduct to one of the reporting options described in this policy. Pursuant to UTC’s policy on Sexual Misconduct, Relationship Violence, and Stalking (hereafter referred to as “this policy”), UTC offers three options for informing someone about prohibited conduct:

1. Report prohibited conduct to the Title IX Coordinator, a Deputy Title IX Coordinator, or another UTC Mandatory Reporter;

2. Report prohibited conduct to UTCPD or local law enforcement; and/or

3. Confide in a UTC “Confidential Employee” and/or a confidential resource external to UTC.

Those options are not mutually exclusive; in other words, a complainant may pursue one, two, or all three of those options. All three options are described in detail so that members of the UTC community can make informed choices about whether and how to inform someone about prohibited conduct.

Reporting to the Title IX Coordinator, a Deputy Title IX Coordinator, or another Mandatory Reporter

Complainants are not required to report prohibited conduct to UTC if they do not want UTC to respond to the incident or assist with Interim Measures. However, reporting a violation of the policy to UTC empowers complainants to obtain the support they need and enables UTC to respond appropriately, including conducting a prompt, thorough, and equitable investigation and, if warranted, taking disciplinary action against a respondent. If a person reports an incident of prohibited conduct to UTC, 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 UTC, a complainant does not have to decide whether to request any particular course of action.

¹ The reporting options in this section also are available to a reporter who is not a complainant.
Pursuant to the policy, certain University employees, called Mandatory Reporters\(^2\), are required to report information they receive concerning prohibited conduct to UTC in accordance with this policy. Not all UTC employees are Mandatory Reporters. Some University employees are encouraged but are not obligated to disclose prohibited conduct to UTC. Other University employees, called confidential employees, are legally or ethically prohibited from disclosing prohibited conduct to UTC.

The only way for a complainant (or any other person) to provide notice to UTC of an incident of prohibited conduct is to report the incident to a Mandatory Reporter. A complainant may opt to report an incident of prohibited conduct to a Mandatory Reporter but decline to disclose the identity of the respondent; in that case, UTC will offer complainant Interim Measures, but UTC’s ability to investigate the incident and pursue disciplinary action against the respondent or take other remedial action will be limited. If an incident is not reported to a Mandatory Reporter, then UTC will not be able to take steps to: identify resources for the complainant, such as Interim Measures\(^3\); 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 UTC community.

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\(^2\) However, all employees are required to report suspected child abuse or child sexual abuse.

\(^3\) UTC confidential employees should be able to provide information on Interim Measures.
Reporting to the Title IX Coordinator, a Deputy Title IX Coordinator, or another Mandatory Reporter

Because Mandatory Reporters have an obligation to report information they receive about prohibited conduct (and take other responsive actions), one of the purposes of this policy is to inform students, employees and other persons about which University employees are Mandatory Reporters so that students, employees and other persons can make informed decisions about whether to disclose information to those University employees. Whether an employee is a Mandatory Reporter will vary based on factors such as the status of the complainant and the respondent (i.e., whether they are students, employees, and/or persons who are neither students nor employees) and the employee’s authority to address violations of this policy. Appendix A and Appendix B also identify Mandatory Reporters. Questions concerning whether a particular employee is a Mandatory Reporter should be directed to the Title IX Coordinator.

Mandatory Reporters are not confidential University resources like the confidential employees identified this policy. However, subject to a complainant’s request for confidentiality and applicable legal disclosure obligations, information communicated to a Mandatory Reporter will initially be shared only within the limited circle of those University employees whom UTC reasonably needs to involve in UTC’s response to an incident of prohibited conduct. Subsequently, information about the report will be shared only as reasonably necessary with investigators, witnesses, and the Respondent, subject to a complainant’s request for confidentiality and applicable legal disclosure obligations. In accordance with FERPA, Mandatory Reporters who are not employees of UTCPD will not share information with UTCPD or any other law enforcement agency without a complainant’s written consent or unless required by law.

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

When the Complainant is a UTC Student

This section describes the non-law enforcement options for a complainant who is a UTC student to report prohibited conduct to UTC.

A complainant who is a student is encouraged to report prohibited conduct to one of the following UTC employees, who are Mandatory Reporters:

- Title IX Coordinator
- Deputy Title IX Coordinators
- Office of Student Conduct
A complainant who is a student may also report prohibited conduct to one of the University’s other non-law enforcement Mandatory Reporters, who are identified in Appendix B.

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

When the Complainant is a UTC Employee

This section describes the non-law enforcement options for a Complainant who is a University employee to report prohibited conduct to the University.

A complainant who is a University employee is encouraged to report prohibited conduct to one of the following University employees, who are Mandatory Reporters:

- Title IX Coordinator or the Office of Equity & Diversity
- The Director of Human Resources, Assistant Director of Human Resources, or Human Resources Generalist
- The immediate supervisor of the Complainant
- The immediate supervisor of the Respondent (if the Respondent is a University employee)

A complainant who is a University employee may also report prohibited conduct to one of the University’s other nonlaw enforcement Mandatory Reporters, who are identified in Appendix A & B.

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

When the Complainant is Neither a UTC Student Nor a UTC Employee

For a complainant who is neither a UTC student nor a UTC employee, the Title IX Coordinator is the only non-law enforcement option to report a violation of this policy to UTC.

What to Expect After Reporting Prohibited Conduct to a Mandatory Reporter

After receiving a report of prohibited conduct (either directly from a reporter or indirectly from a Mandatory Reporter), the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development will initiate immediate and appropriate steps by UTC to: have an appropriate UTC employee meet with or otherwise communicate with the complainant; in cases of sexual assault, relationship violence, or stalking, provide a
complainant with a copy of this policy and/or another written publication approved by the Title IX Coordinator to inform the
complainant of the complainant’s rights under this policy (if that has not already been done by a Mandatory Reporter); evaluate
whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a
complainant’s request for confidentiality, initiate the investigation and resolution procedures outlined in this policy if, based on
an initial assessment, the alleged conduct meets the definition of prohibited conduct. Upon request, the Title IX Coordinator, a
Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development also can assist a complainant in
reporting the incident to law enforcement.

How UTC will Weigh and Respond to a Complainant’s Request for Confidentiality

If a complainant discloses an incident of prohibited conduct to a Mandatory Reporter but wishes to maintain confidential or
requests that no investigation or discipline be pursued, UTC will seriously weigh that request against UTC’s obligation to provide
a safe, non-discriminatory environment for UTC students and employees, including the complainant.

If UTC honors the complainant’s request for confidentiality, UTC’s ability to meaningfully investigate the incident and pursue
disciplinary action against the respondent(s) may be limited. There are times when UTC may not be able to honor a
complainant’s request in order to provide a safe, non-discriminatory environment. For example, if UTC has credible information
that the respondent has committed one or more prior acts of prohibited conduct, then the balance of factors might compel UTC
to investigate the allegation, and, if appropriate, pursue disciplinary action in a manner that may require disclosure of the
complainant’s identity to the respondent.

How UTC will Weigh and Respond to a Complainant’s Request for Confidentiality (cont.)

UTC has designated the Title IX Coordinator to evaluate requests by complainants for confidentiality. When weighing a
complainant’s request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider
a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of prohibited conduct, such as:
- Whether there have been other reports of prohibited conduct about the same respondent;
- Whether the respondent has a history of prohibited conduct, whether at UTC or prior to enrollment at UTC;
- Whether the respondent threatened further prohibited conduct 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 complainant is a minor and the Title IX Coordinator is required by Tennessee law to report the incident;

Whether UTC can pursue an investigation and/or resolution 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., via illicit use of drugs or alcohol) at a given location or by a particular group; and

UTC’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 UTC to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, UTC will likely respect the complainant’s request for confidentiality. If UTC determines that it can respect a complainant’s request for confidentiality, UTC will take reasonable steps to respond to the report consistent with the complainant’s request for confidentiality and will take prompt actions that UTC determines are necessary to protect and assist the complainant while keeping the complainant’s identity confidential (e.g., providing the complainant with Interim Measures).

If UTC determines that it cannot maintain a complainant’s confidentiality, then UTC will inform the complainant prior to starting an investigation and will, to the extent possible and unless otherwise required by law, only share information with people responsible for handling UTC’s response. If UTC determines that it must disclose the complainant’s identity to the respondent, then UTC will inform the complainant of that determination prior to the disclosure. UTC will honor a request by the complainant that UTC inform the respondent that the complainant asked UTC not to investigate or seek discipline. UTC will take ongoing steps that it determines are reasonable and appropriate to protect the complainant from retaliation or harm and may work with the complainant to create a safety plan. Retaliation against the complainant, whether by students or UTC employees, will not be tolerated. UTC will also assist the complainant to access the support resources identified in this policy, 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).

UTC will not require a complainant to participate in any investigation or disciplinary proceeding.

Because UTC 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 UTC 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.

Amnesty for UTC Student Who Report Prohibited Conduct to UTC

UTC recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident may be hesitant to report an incident to UTC because of a fear of UTC disciplinary sanctions for student’s own violation of the Standards of Conduct. Because of the importance to UTC of responding to incidents of prohibited conduct, a student who reports prohibited conduct to UTC or testifies or provides information in a University investigation into alleged prohibited conduct will not be subject to disciplinary action by UTC 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.

Reporting Prohibited Conduct to Law Enforcement

Prohibited conduct may constitute both a violation of this policy and the criminal law. Therefore, UTC encourages persons to report incidents of prohibited conduct to law enforcement. Prompt reporting of an incident to law enforcement is especially critical for incidents of sexual assault and relationship violence because the collection and preservation of evidence relating to sexual assault and relationship violence often is essential for law enforcement investigations and criminal prosecutions.

A complainant has the right to decline to report the incident to law enforcement. Even if a complainant does not report the incident to law enforcement, the complainant may still request Interim Measures from UTC by reporting the incident to the Title IX Coordinator, a Deputy Title IX Coordinator, or another Mandatory Reporter.

Contact Information for Campus and Local Law Enforcement

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

<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regardless of where the incident occurred</td>
<td>Call 911 in an emergency or UTCPD, 400 Palmetto Street, Chattanooga, TN 37403 Phone: 423-425-4357 Web: utc.edu/public-safety/</td>
</tr>
<tr>
<td>In the City of Chattanooga</td>
<td>Chattanooga Police Dept., 3410 Amnicola Hwy., Chattanooga, TN 37406 Phone: (423-298-2525 Web: chattanooga.gov/police-department or UTCPD</td>
</tr>
</tbody>
</table>

Contact Information for Campus and Local Law Enforcement (cont.)
<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact Information</th>
</tr>
</thead>
</table>
| In Hamilton County but outside of the City of Chattanooga | Hamilton County Sheriff, 600 Market St. G10, Chattanooga, TN 37402  
 Phone: 423-209-7000  
 Web: [hcsheriff.gov](http://hcsheriff.gov)  
 or UTCPD |
| Outside of Hamilton County                            | Contact the law enforcement agency that has jurisdiction over the location where the incident occurred  
 or  
 Contact UTCPD for assistance in contacting another jurisdiction's law enforcement agency |

Upon the complainant’s request, the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development will assist a complainant in contacting UTCPD or the appropriate local law enforcement agency.

Employees of UTCPD are also Mandatory Reporters. Accordingly, if a person reports an incident to UTCPD, and the incident has not been previously reported to a Mandatory Reporter outside of UTCPD, then UTCPD will contact the Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development who has been designated to receive such reports. The Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee in UTC’s Division of Student Development will contact the complainant regarding UTC’s response to the report. In contrast, if a complainant reports the incident to CPD or another law enforcement agency other than UTCPD, then the complainant also will need to report the incident to a Mandatory Reporter if the complainant wants UTC to take any action under this policy.

**What to Expect after Reporting Prohibited Conduct to Law Enforcement**

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

If law enforcement determines that a crime occurred after concluding its investigation, then law enforcement will refer the matter to the district attorney. The district attorney will decide whether to pursue criminal prosecution; however, it is unusual for cases to proceed without the cooperation of the complainant. Reporting the incident to law enforcement does not obligate the complainant to cooperate with the district attorney’s criminal prosecution. If criminal prosecution is pursued, however, the likelihood of success will be much higher if the complainant reported and allowed evidence to be collected immediately after the incident of sexual assault or relationship violence.
University Policies/Procedures Relation to Criminal Law/Procedures

UTC will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process, to the extent permitted by law. However, UTC’s policies and procedures relating to prohibited conduct (e.g., this policy) may differ in significant respects from Tennessee criminal law. A complainant may seek resolution through UTC’s procedures outlined in this policy, may pursue criminal action, may choose one but not the other, may choose both, or may choose neither.

Neither law enforcement’s determination whether to prosecute a respondent nor the outcome of any criminal prosecution are determinative of whether prohibited conduct has occurred in violation of this policy. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. UTC normally does not wait until a criminal investigation or proceeding is concluded before conducting its own investigation, implementing Interim Measures, or taking other appropriate action. Although UTC may need to delay temporarily the fact-finding portion of its investigation while law enforcement is gathering evidence, UTC will take Interim Measures to support the complainant during such a delay. Decisions made or sanctions imposed by UTC are not affected as 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 UTC’s discretion, be used by UTC in a UTC disciplinary proceeding.

Anonymous Reporting

Persons may report prohibited conduct anonymously through the following methods:

1. To report an incident anonymously to UTCPD, fill out the Silent Witness Confidential Crime Reporting Form at utc.edu/public-safety/forms/silent-witness.php. UTCPD generally will respond as described in this policy; however, the amount and level of detail of the information provided to UTCPD will affect how thoroughly UTCPD is able to respond to the report.

2. To report an incident anonymously to the Dean of Students Office and the Behavioral Intervention Team, complete the Public Incident Report form, which can be accessed through the Dean of Students Office’s website: https://publicdocs.maxient.com/incidentreport.php?UTChattanooga

3. To report an incident anonymously to the Women’s Center’s Survivor Advocacy Services, complete the form at: http://www.utc.edu/womens-center/transformation-project/report.php

Persons also may report a crime anonymously to the Chattanooga Police Department or the Hamilton County Sheriff’s Department by calling the Crime Stoppers Hotline at (423) 698-3333.

Anonymous reporting is not an alternative to calling 911. In an emergency, call 911.
Confidential Resources

The persons identified below are able to keep information communicated to them by a complainant completely confidential and will not communicate personally identifiable information to UTC, law enforcement, or any other third party, unless required by law in the limited circumstances described in Appendix C or except as otherwise described in this policy.

Information communicated to a person identified as confidential employees in this section does not constitute notice or a report to UTC of an incident of sexual misconduct or relationship violence. In other words, a disclosure of sexual misconduct or relationship violence to a person identified in this section (including a person supervised by them (e.g., nurses, assistants, and front-desk staff)) will not trigger a University response to an incident because the people identified as confidential employees are not Mandatory Reporters and do not report any information about an incident to the Title IX Coordinator, a Deputy Title IX Coordinator, UTC, or another Mandatory Reporter without the complainant’s permission. As a result, UTC generally will be unable to investigate the incident or pursue disciplinary action against the respondent, or provide Interim Measures to the complainant.

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

Complainants may pursue the communication options outlined in other sections regardless of whether or not they choose to report the incident to UTC or law enforcement. In other words, the resources described are not mutually exclusive.

UTC Confidential Employees

If a complainant does not desire action by UTC and would like the details of the incident to be kept confidential, but desires to confide in someone employed by UTC, the complainant may speak with the following persons, who are called “confidential employees” for purposes of this policy.

- An advocate in UTC’s Survivor Advocacy Program. The Survivor Advocacy Program is part of the UTC Transformation Project’s efforts to address prohibited conduct on campus. A confidential employee in the Survivor Advocacy Program may be contacted 24 hours a day, seven days a week by calling UTCPD at (423) 425-HELP (4357) and requesting the advocate on-call. Confidential employees in the Survivor Advocacy Program:

  - Utilize a survivor-centered approach to create a support network for survivors and focus on minimizing the trauma experienced by survivors in a sensitive and proficient manner;
- Provide information to survivors regarding Interim Measures and assist in coordinating Interim Measures for survivors (however, the Survivor Advocacy Program may be limited in what Interim Measures it can facilitate if the Complainant wants to maintain confidentiality);

- Inform survivors of the right to report a crime to campus or local law enforcement and provide the survivor with assistance if the survivor wishes to do so;

UTC Confidential Employees (cont.)

- Collaborate with the Title IX Coordinator and/or a Deputy Title IX Coordinator (with the permission of the survivor) after a report of Prohibited Conduct to ensure contact with and support of the survivor;

- Coordinate and implement safety plans for survivors;

- Answer survivors’ questions about UTC’s policies, procedures, or programs concerning Prohibited Conduct;

- Provide the survivors with referrals to community resources; and

- Advocate for the survivor during any law enforcement investigation and ensuing criminal proceeding.

- A licensed psychologist, professional counselor or social worker in UTC’s Counseling and Personal Development Center (423-425-4438, from 8 a.m. -5 p.m. on a normal weekday or contacting the on call counselor after hours);

- A licensed medical professional in Student Health Services (423-425-2266 from 8 a.m. -5 p.m. on a normal weekday);

- Physicians or psychiatrists who are contracted through UTC’s Counseling and Personal Development Center or Student Health Services;

- A counselor with the Employee Assistance Program managed by Magellan Health Services (855-Here4TN (855-437-3486)) (option for employees); or

- A sports team physician, sports team psychologist, or sports team psychiatrist (resource options for intercollegiate student-athletes only) (team physicians, psychiatrists and psychologists are UTC contractors, not employees).

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

Confidential employees may be required to report to the Title IX Coordinator and/or Deputy Title IX Coordinator(s) general information about incidents of prohibited conduct such as the nature, date, time, and general location of the incident and will take care to avoid reporting personally identifiable information about a complainant. Confidential employees may consult with the complainant regarding what information needs to be withheld to protect the complainant’s identity.
Confidential Resources Outside UTC

Complainants of prohibited conduct also have options to communicate confidentially with someone who is not affiliated with UTC or law enforcement.

Complainants who desire to speak confidentially with someone not affiliated with UTC or law enforcement may contact one of the following:

- Partnership for Families, Children, and Adults Crisis Services 423-755-2700 (24HRS)  
  https://www.partnershipfca.com/programs/crisis-services///Crisis%20Services

- RAINN National Sexual Assault Crisis Hotline 800-656-HOPE (4673)  https://rainn.org/get-help/national-sexual-assault-hotline

- National Domestic Violence Hotline 800-799-SAFE (7233)  http://www.thehotline.org/

- Love is Respect – National Dating Abuse Hotline 866-331-9474  http://www.loveisrespect.org/

- A personal attorney;

- A clergy member;

- A physician or Qualified Mental Health Professional who is not an employee or contractor of UTC; or

- A licensed marital or family therapist, licensed professional counselor, or certified clinical pastoral therapist.

Non-UTC counselors, advocates, and health care providers will generally maintain confidentiality unless state law otherwise requires or the complainant requests the disclosure and signs a consent or waiver form.
Non-Confidential Resources at UTC

UTC employees/units identified below are trained to support complainants. While not bound by confidentiality (i.e., they are Mandatory Reporters who are required to report knowledge of incidents of prohibited conduct to UTC and/or take other responsive action), these UTC employees/units will maintain the privacy of information shared by a complainant within the limited circle of those UTC employees involved in UTC’s response to an incident of prohibited conduct. When speaking with one of the resources below, complainants are free to limit the details they share while they decide whether to report an incident to UTC.

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

- Title IX Coordinator
  Stephanie Rowland
  Office of the Chancellor
  Department 5605
  615 McCallie Ave., 101 Founders Hall
  Chattanooga, TN 37403
  Fax: 423-765-5599
  stephanie-rowland@utc.edu
  http://www.utc.edu/sexual-misconduct/

- Deputy Title IX Coordinator for Employees
  Bryan Samuel
  Office of Equity and Diversity
  Department 5455
  720 McCallie Ave.
  Chattanooga, TN 37403
  Bryan-Samuel@utc.edu
  http://www.utc.edu/equity-diversity/

- Deputy Title IX Coordinator for Students
  James S. Hicks, Dean of Students
  Office of the Dean of Students
  Department 1951
  615 McCallie Ave.
  Chattanooga, TN 37403
  jim-hicks@utc.edu
Non-Confidential Resources at UTC (cont.)

- Deputy Title IX Coordinator for Athletics 423-425-4583
  Laura Herron

  Senior Associate Athletics Director/Senior Woman Administrator UTC
  Department 3503  615 McCallie Ave.
  Chattanooga, TN 37403

  Laura-Herron@utc.edu

- Office of Student Conduct 423-425-4301
  399 University Center
  http://www.utc.edu/dean-students/conduct/index.php

The Office of Student Conduct investigates and resolves allegations of sexual misconduct, relationship violence, and retaliation against students. Reports of sexual misconduct, relationship violence, and retaliation concerning students may be filed with the Office of Student Conduct. The Dean of Students and the Associate Dean of Students for Student Conduct are Mandatory Reporters. Reports of prohibited conduct concerning students may be reported online at: http://www.utc.edu/dean-students/conduct/index.php.

- Office of Human Resources 423-425-4221
  UTC Department 3603  720
  McCallie Ave. Chattanooga, TN 37403
  http://www.utc.edu/human-resources/

- UTC Police Department 423-425-4357
  400 Palmetto Street. Chattanooga, TN 37403  http://www.utc.edu/public-safety/

Interim Measures

Upon receipt of a report of prohibited conduct, UTC will implement Interim Measures designed to eliminate the reported prohibited conduct and protect the persons involved in the matter (e.g., complainant, reporter, potential witnesses).

Available Interim Measures
- Even if a complainant does not want to report the incident to UTCPD, the Chattanooga Police Department, or any other law enforcement agency;

- Even if the complainant has requested confidentiality or that UTC not pursue an investigation or discipline and UTC has determined that it can respect a complainant’s request for confidentiality, in which case UTC may be able to take measures to protect the complainant while keeping the identity of the complainant confidential, such as: providing support services to the complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the prohibited conduct occurred;

- Prior to or during an investigation of prohibited conduct; and

- Prior to a final determination that prohibited conduct occurred.

**Examples of Interim Measures**

**The following are examples of Interim Measures:**

- Informing the complainant of the complainant’s rights under UTC’s procedures for complaints against students or procedures for complaints against employees or other non-students;

- Informing the complainant of the complainant’s right to report the incident to law enforcement for criminal investigation and prosecution and assisting the complainant in reporting an incident to law enforcement, if the complainant wants to report the incident;

- Issuing a no-contact directive to the respondent, which prohibits the respondent from having verbal, physical, or written contact with the complainant for a definite or indefinite period of time (the complainant may also receive a directive to not contact the respondent);

- Issuing an interim suspension to the respondent (if a student) prior to the conclusion of the investigation and resolution of a complaint of prohibited conduct (an interim suspension may be issued when the Vice Chancellor for Student Development (or designee) has reasonable cause to believe that a student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of UTC);

- Putting a respondent (if an employee) on leave, in accordance with other applicable University policies, prior to the conclusion of the investigation and resolution of a report of prohibited conduct;

- Providing medical and counseling services (for students);
Examples of Interim Measures (cont.)

- Exploring changes in living, transportation, dining, and working arrangements for the complainant and the respondent;
- Providing an escort to ensure that a complainant who is a student can move safely between classes and activities;
- Arranging appointments for follow-up on-campus support services (if a student) or off-campus support services;
- Exploring changes in class and extracurricular schedules, including adjustments so that the complainant and the respondent do not share the same classes (if both the complainant and the respondent are students);
- Assisting in communicating with faculty (for students);
- Reviewing any disciplinary action(s) taken against the complainant to see if there is a causal connection between the respondent’s misconduct and the misconduct that may have resulted in the complainant being disciplined;
- Providing academic support, including tutoring (for students); and
- Exploring the options of re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty (for students).

Determination of Interim Measures

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

Subsequent Communication with UTC Concerning Interim Measures

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

Orders of Protection and Other Legal Remedies

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

Hamilton County Circuit Court Clerk
500 Courthouse 625 Georgia Ave.
Chattanooga, TN 37402
423-209-6700

Domestic Violence Coalition of Chattanooga
423-875-0120
http://www.dvcchatt.8m.com/

Southeast Tennessee Legal Services
821 Houston Street
Chattanooga, TN 37403
423-756-1028
www.selegal.org/

A member of UTC’s Survivor Advocacy Program can assist a complainant with pursuing an order of protection and other legal remedies.

The Tennessee District Attorneys General Conference provides information for victims of Sexual Assault and Relationship Violence on multiple pages of its website:

- www.tndagc.org/dv.htm (FAQ on orders of protection);
- www.tndagc.org/vwh.htm (resource describing the criminal justice system written specifically for those who need to understand how the system relates to them as victims/survivors and how perpetrators interact with the system); and
Disclosure Obligations Under Federal and Tennessee Law Relating to Reports of Prohibited Conduct

Clery Act

Certain UTC employees, called Campus Security Authorities, have a duty to report certain incidents of prohibited conduct to UTCPD to comply with the Clery Act. Campus Security Authorities are not required to provide personally identifiable information, for publication in an annual report of crime statistics, called the Annual Security Report, but detailed information must be sent to UTCPD regarding the type of incident that occurred and its general location. A copy of the Annual Security Report can be found on the website of the Department of Public Safety: http://www.utc.edu/public-safety/. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not personally identify complainants.

Reporters of prohibited conduct also should be aware that the Clery Act requires UTC to issue timely warnings for crimes reported to UTCPD or Campus Security Authorities that pose a substantial threat of bodily harm or danger to members of the campus community. UTC 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.

Clery Act reporting and disclosures will be made publicly available without the inclusion of personally identifying information about the victim, as defined in the Violence Against Women Act of 1994. Per section 40002(a)(20) of the Violence Against Women Act of 1994, “individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- A first and last name;
- A home or other physical address;
- Contact information (including a postal, e-mail, or Internet protocol address, or telephone or facsimile number);
- A social security number, driver license number, passport number, or student identification number; and
- Any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual."

Family Educational Rights and Privacy Act (FERPA)

In accordance with FERPA, personally identifiable information about a complainant, respondent, or reporter who is a student that has been communicated to a Mandatory Reporter regarding prohibited conduct will be shared within UTC only with the Title IX Coordinator and those UTC employees who “need to know” in order to assist with UTC’s response to the prohibited conduct. Personally identifiable information concerning a complainant who is a student or a respondent who is a student will not be disclosed by UTC to third parties unaffiliated with UTC without the consent of the student except in response to a lawfully issued subpoena, court order, or as otherwise required or allowed by law.

If, during UTC’s investigation or resolution of prohibited conduct, a respondent who is a student makes a request to review documents concerning the investigation, UTC will be required by FERPA to grant the respondent’s request to inspect and review records that relate specifically to him/her, but UTC 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 UTCPD for law enforcement purposes are generally considered public records under the Tennessee Public Records Act and are not protected by FERPA, which means UTC 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 UTC officials (e.g., the Office of Equity & Diversity) that do not contain personally identifiable student information also are generally considered public records under the Tennessee Public Records Act.

Upon request by a citizen of Tennessee, the Tennessee Public Records Act requires UTC to disclose the final results of any disciplinary proceeding conducted by UTC against a student who is an alleged perpetrator of any crime of violence, as that term is defined in 18 U.S.C. § 16, or a non-forcible sex offense, if UTC determines as a result of that disciplinary proceeding that the student committed a violation of UTC’s rules or policies with respect to such crime or offense. “Final results” includes only the name of the student who committed the violation, the violation committed, and any sanction imposed by UTC on the student. The names of other students, such as a complainant, are not disclosed.

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

The Nottingham Act also requires sexual assault programs and services on campus to report annually to UTCPD 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 UTCPD in connection with that report.

Due Process

After UTC has formally accused a student or employee with violating University policy, the accused student or employee may have a constitutionally-protected due process right to be informed of the nature of the allegations against him/her, including the identity of the person who accused him/her of misconduct.

Take Back the Night and other Public Awareness Initiatives; Research-Based Disclosures

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

Disclosures of incidents of alleged prohibited conduct made by a University student during such student’s participation as a subject in an Institutional Review Board-approved human subjects research protocol are not considered notice to UTC of prohibited conduct for purposes of triggering its obligation to investigate any particular incident(s). False Reporting

An accusation of prohibited conduct may have severe consequences for a respondent. A reporter who makes a report that is later found to have not been made in Good Faith may be subject to disciplinary action, up to and including termination of employment or dismissal from UTC. Similarly, a respondent or other person who is later proven to have intentionally given false information during the course of a UTC investigation or disciplinary proceeding action may be subject to disciplinary action, up to and including termination of employment or dismissal from UTC.
Medical Care

A complainant may seek medical care at any time following prohibited conduct. The resources described in this section are confidential resources.

Medical Care may be obtained from the following:

- Rape Crisis Center, 423-755-2700 (24 hours a day, seven days a week);
- UTC Student Health Services, 423-425-2337 (except for evenings, weekends, and holidays); or
- A local hospital (24 hours a day, seven days a week).

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

The collection of evidence for use in a criminal prosecution or an order of protection hearing relating to sexual assault can only be performed by trained personnel at the Partnership's Rape Crisis Center — physical examinations by other healthcare providers are likely to impede potential future legal remedies. In cases of sexual assault, a medical professional usually will: examine the complainant; provide appropriate medical treatment; collect evidence of the attack, such as hairs, fluids, and fibers; and, if applicable, talk with the complainant about the prevention of venereal disease and pregnancy. A medical examination preserves evidence for forensic analysis in the event that a complainant wishes to pursue a criminal prosecution or an order of protection. The medical examination likely will be performed by a sexual assault nurse examiner, a nurse who is specially trained to collect evidence in cases of sexual assault.

Procedures For Investigating and Resolving Reports Of Prohibited Conduct

UTC has specific procedures for investigating and resolving reports of prohibited conduct based on the relationship of the respondent to UTC and the type of prohibited conduct that was reported.
The standards outlined below, apply to all procedures under this policy for investigating and resolving reports of prohibited conduct, regardless of whether the complainant or respondent is a UTC student, UTC employee, or a person who is neither a student nor an employee.

Determining the Appropriate Procedure

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

Selecting an Investigator

For each report of prohibited conduct to be investigated, UTC may select an investigator(s) of its choosing, provided that the investigator has specific training and experience investigating allegations of prohibited conduct. Any investigator(s) chosen to conduct the investigation must be impartial and free of any conflict of interest. The investigator(s) may be a UTC employee, a team of UTC employees, an external investigator(s) engaged to assist UTC in its fact-gathering, or a team of investigators that pairs an external investigator(s) with a UTC employee. Investigations of reports of prohibited conduct are usually performed by the Office of Equity and Diversity (if the respondent is an employee or other non-student) or the Office of Student Conduct (if the respondent is a student). A separate law enforcement investigation may be conducted by UTCPD.

Preponderance of Evidence Standard

All investigations and proceedings, including disciplinary hearings, relating to prohibited conduct must be conducted using a “Preponderance of the Evidence” standard.

Advisors and Support Persons

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

Training

UTC employees and students participating in UTC investigations and disciplinary hearings involving prohibited conduct receive annual training on issues related to prohibited conduct and how to conduct an investigation and/or hearing in a way that protects the safety of complainants and promotes accountability.
Complainant’s Rights

In addition to rights for complainants described in other parts of this policy, complainants have the following rights in cases involving prohibited conduct:

- Notice concerning the procedure by which UTC will handle the complainant’s report and an opportunity to ask questions about UTC policies and procedures;

- A prompt, thorough, and equitable investigation of the complainant’s report;

- The same opportunity as the respondent to present an explanation of the facts during UTC’s investigation;

- Notice of the outcome of UTC’s investigation;

- Notice of the date, time, and location of a disciplinary hearing; the right to have a disciplinary hearing closed to the public if a hearing involves a student complainant or respondent; and the right to request rescheduling of a disciplinary hearing for good cause;

- The same access as the respondent to any information or documents that will be used by UTC during a disciplinary hearing, unless prohibited by law;

- To challenge the seating of any TUAPA administrative judge or hearing officer/examiner for good cause (determined at the discretion of the Chancellor/Agency Head); any member of a hearing board, panel, or committee for good cause (determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board; or any other hearing decision maker for good cause (determined at the discretion of UTC employee responsible for supervising the hearing board);

- The same opportunity as the respondent to be present during a disciplinary hearing, present witnesses and other evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary hearing;

- To testify or remain silent in an investigation or disciplinary hearing;

- Not to be questioned directly by the respondent during a disciplinary hearing or at any other time during UTC’s investigation or resolution;

- To submit a written impact statement to a hearing board, panel, or committee, or other hearing decision maker, for consideration during the sanctioning phase of a disciplinary hearing, if the respondent is found responsible for the charges, or to the Office of Student Conduct or other administrator for consideration during the sanctioning phase of an administrative hearing, if the respondent admits responsibility for the charges;

- To be provided with the same or equivalent rights as the respondent to challenge or appeal the decision of a UTC investigation or disciplinary hearing panel, board, or other decision maker.
Notice to Complainants and Respondents

Unless prohibited by federal law, with respect to any UTC disciplinary hearing that arises from an allegation of prohibited conduct, UTC will provide simultaneous written notification to the complainant and the respondent of:

- The results of the hearing;
- UTC’s procedures for the complainant and the respondent to appeal the results of UTC disciplinary hearing, if such procedures are available (any such procedures shall be available to both the complainant and the respondent);
- Any change to the results of the hearing before the results are final; and
- When the results of the hearing become final.

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

Notice to the complainant and the respondent concerning other matters (e.g., appeals) shall be provided in writing simultaneously to the complainant and respondent.

Time Frames

UTC will strive to meet the time frames described in this section labeled Procedures for Investigating & Resolving Reports of Prohibitive Conduct. In each case, however, UTC will balance the need to complete a prompt investigation and resolution with the need to conduct a thorough investigation and a resolution that complies with due process. Thus, the actual time to complete an investigation and resolution may require a reasonable adjustment of the time frames in this policy depending on many factors, including, without limitation: the complexity of the allegations; the complexity of the investigation and resolution; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, witnesses, and evidence (e.g., forensic evidence); a request by a complainant to conduct an investigation or resolution at a slower pace; the effect of a concurrent criminal investigation; any intervening UTC holidays, breaks, or other closures; and/or other unforeseen circumstances. In the event that the need arises to significantly adjust the time frames in this policy or those previously communicated to the complainant and the respondent for good cause, UTC will notify the complainant and the respondent in writing of the reason for the delay and the expected adjustment in time frames.

Prior Conduct, Including Sexual History

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

Prompt, Fair and Impartial Proceedings

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

Procedures for Investigating and Resolving Reports Involving a Respondent Who is a UTC Employee or Other Non-Student

This section describes procedures for investigating and resolving a report of sexual assault, a sex offense crime, relationship violence, a relationship violence crime, or stalking involving a respondent who is an employee or other non-student. A report of sex discrimination (e.g., sexual harassment) that does not include sexual assault, a sex Offense crime, a relationship violence crime, relationship violence, or stalking involving a respondent who is an employee or other non-student generally will be resolved by the Office of Equity & Diversity in accordance with UTC’s Discrimination Complaint Procedure.

Meeting (Communication) with the Complainant

After receiving a report of prohibited conduct from a reporter or a Mandatory Reporter, the Title IX Coordinator will initiate immediate and appropriate steps by UTC to: inform the complainant about this policy, including the complainant’s rights, and give the complainant an opportunity to ask questions; implement Interim Measures; and, subject to a complainant’s request for confidentiality, investigate and resolve the matter promptly, thoroughly, and equitably in accordance with the procedures outlined in this section if, based on an initial assessment, the alleged conduct meets the definition of prohibited conduct. Subject to UTC’s legal disclosure obligations, information about the report will be shared only as reasonably necessary with investigators, witnesses and the respondent. The Title IX Coordinator will designate one or more persons to investigate the report, which most often will be an employee in the Office of Equity and Diversity.

Investigation and Resolution

Unless UTC determines that it will not investigate a report of prohibited conduct following a complainant’s request for confidentiality, the investigator selected by UTC will conduct the investigation in a manner appropriate in light of the
circumstances of the case, which will typically include interviews with the complainant, the respondent, and any witnesses. As part of the investigation, UTC will provide an equal opportunity for the complainant and the respondent to be heard, to submit information, and to identify witnesses and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough and equitable, and all persons will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns.

UTC’s investigator will make written findings and recommendations (including a statement outlining the basis for them) and transmit the findings and recommendations to the appropriate UTC administrator. The findings and recommendations will be made available simultaneously to the complainant and the respondent. The appropriate administrator will review the investigator’s findings and recommendations, make a determination whether this policy was violated (and, if so, what disciplinary and/or other corrective actions should be imposed), and will provide simultaneous written notification of the determination to the complainant and the respondent. UTC strives to complete the procedures in this section within 60 calendar days of the receipt of a report of prohibited conduct.

**Appeals**

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

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

Decision makers concerning appeals must be impartial and free of any conflict of interest. Decisions on appeals shall be provided in writing simultaneously to the complainant and respondent.

**Disciplinary or Other Corrective Actions**

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

**Procedure for Investigating and Resolving Reports Involving a Respondent Who Is a UTC Student**
This section describes procedures for investigating and resolving reports of prohibited conduct involving a respondent who is a student.

Meeting (Communication) With the Complainant

After receiving a report of prohibited conduct from a Reporter or a Mandatory Reporter, the Title IX Coordinator, a Deputy Title IX Coordinator, or an employee of the Division of Student Development will initiate immediate and appropriate steps by UTC to: have an appropriate UTC employee meet with or otherwise communicate with the complainant; in cases of Sexual Assault, Relationship Violence, or Stalking, provide a complainant with a copy of this policy and/or another written publication approved by the Title IX Coordinator to inform the complainant of the complainant’s rights under this policy (if that has not already been done by a Mandatory Reporter); evaluate whether Interim Measures need to be implemented and assist with the implementation of Interim Measures; and, subject to a complainant’s request for confidentiality, initiate the investigation and resolution procedures outlined in this section if, based on an initial assessment, the alleged conduct meets the definition of prohibited conduct. The Title IX Coordinator, a Deputy Title IX Coordinator, and/or an employee of the Division of Student Development also can assist a complainant in reporting the incident to law enforcement.

Investigation

Unless UTC determines that it will not investigate a report of prohibited conduct following a Complainant’s request for confidentiality, the investigator(s) selected by UTC will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the complainant, the respondent, and any witnesses. As part of the investigation, UTC will provide an equal opportunity for the complainant and the respondent to be heard, to submit information, and to identify witnesses and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough and equitable, and all persons will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns. Investigations usually will be conducted by the Office of Student Conduct.

The investigator(s) will provide simultaneous written notice of the outcome of the investigation to the complainant and the respondent. UTC strives to complete the procedures described in this section within 60 calendar days of the receipt of a report of prohibited conduct.

Resolution

If UTC determines after an investigation that a student has engaged in prohibited conduct, then UTC will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. One of those steps likely will involve the Office of Student Conduct charging the respondent with a violation of the Standards of Conduct for students and resolving the matter in accordance with this policy and UTC’s student disciplinary regulations and procedures, a complete copy of which can be found in the UTC Student Handbook. A respondent accused of committing prohibited conduct may accept responsibility for the disciplinary charge(s) and accept the proposed disciplinary penalty(s), or the respondent may contest the accusation(s) and/or disciplinary penalty(s) either through a hearing before the Student
Conduct Board or a University hearing officer, following the procedures set forth in the UTC Student Handbook, or a TUAPA Hearing.

UTC strives to conduct disciplinary hearings concerning prohibited conduct within ten (10) calendar days of the notice to the complainant and respondent of the outcome of UTC’s investigation. UTC strives to provide notice of the decision of the Student Conduct Board or an administrative judge or hearing officer/examiner within ten (10) calendar days after the hearing.

Decisions concerning resolutions shall be provided in writing simultaneously to the complainant and respondent. Before a respondent accused of committing prohibited conduct accepts responsibility for a disciplinary charge(s) and accepts a proposed disciplinary penalty(s), the complainant shall be offered an opportunity to appeal the proposed disciplinary penalty.

Appeals

A complainant may appeal a decision of the Office of Student Conduct to not charge a respondent with violating UTC’s Standards of Conduct to the Vice Chancellor for Student Development by filing a written request for appeal within fifteen (15) calendar days after receipt of the decision of the Office of Student Conduct. The Vice Chancellor for Student Development may affirm the decision of the Office of Student Conduct, reverse the decision and direct the Office of Student Conduct to charge the Respondent with violating the Standards of Conduct, or remand the matter for additional investigation or consideration. The Vice Chancellor for Student Development will issue a decision in writing, sent to the complainant and the respondent simultaneously, within ten (10) calendar days of receipt of the appeal. The decision of the Vice Chancellor for Student Development is final.

In a case in which the respondent has indicated a willingness to accept responsibility for violating a Standard of Conduct, but the complainant is not satisfied with the disciplinary penalty proposed by the Office of Student Conduct for the respondent’s violation of the Standard of Conduct, the complainant will have the opportunity to appeal to the Vice Chancellor for Student Development by filing a written request for appeal within fifteen (15) calendar days after notification of the proposed disciplinary penalty by UTC. The Vice Chancellor for Student Development may affirm the disciplinary penalty proposed by the Office of Student Conduct, modify the disciplinary penalty proposed by the Office of Student Conduct, or remand the matter for additional consideration by the Office of Student Conduct. The Vice Chancellor for Student Development will issue a decision in writing, sent to the complainant and the respondent simultaneously, within ten (10) calendar days of receipt of the request for review. The decision of the Vice Chancellor for Student Development is final.

In cases involving sexual assault or relationship violence heard by a Student Conduct Board or a University hearing officer, the timeframes for appeals shall be modified in order to accomplish the goal of resolving all appeals within thirty (30) calendar days of the written decision of the Student Conduct Board or University hearing officer. To accomplish that goal, appeals of decisions of a Student Conduct Board or a University hearing officer to the Vice Chancellor for Student Development shall be submitted in writing to the Office of Student Conduct within five (5) calendar days of the written decision of the Student Conduct Board or UTC hearing officer. The Vice Chancellor for Student Development shall issue a written decision within ten (10) calendar days of the Office of Student Conduct’s receipt of the appeal. The decision of the Vice Chancellor for Student Development is final.
An appeal of an initial order in a TUAPA Hearing, by UTC, the complainant, or the respondent, shall be filed with the Chancellor/Agency Head within fifteen (15) calendar days after entry of the initial order. In cases involving sexual assault or relationship violence, the Chancellor/Agency Head will strive to issue a final order or an order remanding the matter for further proceedings within ten (10) calendar days after the filing of an appeal.

Decisions on appeals shall be provided in writing simultaneously to the complainant and respondent.

Disciplinary Sanctions and Other Remedial and Protective Measures

Following a final determination under UTC procedures that a student committed prohibited conduct (e.g., after all appeals have been exhausted), UTC will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects. Such steps likely will include imposing one or more of the following disciplinary sanctions: permanent dismissal, indefinite suspension, suspension for a specific period of time, disciplinary probation, disciplinary reprimand, restitution, education, loss of privilege, and/or warning. In addition to imposing disciplinary sanctions, UTC may implement other remedial and protective actions, including: issuing a no-contact directive to the respondent; providing medical and counseling services to the complainant (for a student complainant); exploring changes in living, transportation, dining, and working arrangements for the complainant and the respondent; providing an escort to ensure that the complainant can move safely between classes and activities (for a student complainant); exploring changes in class and extracurricular schedules, including adjustments so that the complainant and the respondent do not share the same classes (for a student complainant); assisting the complainant in communicating with faculty (for a student complainant); providing academic support for the complainant, including tutoring (for a student complainant); and exploring options for re-taking a course, dropping a course, or withdrawing for a semester without financial or academic penalty (for a student complainant).

UTC will take prompt and effective steps reasonably calculated to end the misconduct, prevent the misconduct from recurring, and address its effects.

Requirements & Guidelines for Mandatory Reporters

Required Actions
A Mandatory Reporter who receives information concerning an incident of prohibited conduct shall:

1. Assist the complainant with obtaining medical assistance (if needed or requested) or accessing other on- or off-campus resources (if requested);

2. Encourage the complainant to report the incident to law enforcement and assist the complainant in contacting law enforcement if requested by the complainant; and

3. Report the incident to UTC:

   - Evaluate whether University Safety Policy 0575 applies because the incident involves suspected child abuse or child sexual abuse (if so, comply with the reporting requirements of that policy); or
   
   - If University Safety Policy 0575 does not apply, report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator promptly after receiving notice of the incident (no later than 48 hours after receiving the report). The Mandatory Reporter shall communicate: (1) details known about the alleged incident that UTC will need to determine what happened – including the names of the complainant, reporter, and respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident; and (2) if applicable, communicate to the Title IX Coordinator or a Deputy Title IX Coordinator that a Complainant has requested that UTC maintain confidentiality.

Deputy Title IX Coordinators must inform the Title IX Coordinator of all reports of prohibited conduct. In a case involving Sexual Assault, Relationship Violence, or Stalking, the Title IX Coordinator must ensure that a copy of this policy or another written publication approved by the Title IX Coordinator has been provided to the complainant to inform the complainant of their rights under this policy.

Complainants who are Mandatory Reporters are not required to report or take any other action identified in this section with respect to prohibited conduct to which they have been subjected.

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4 In addition to the responsibilities of a Mandatory Reporter described in this Section VI, the Title IX Coordinator, Deputy Title IX Coordinators, certain employees in the Division of Student Development, and UTCPD also are responsible for carrying out responsibilities described in other sections of this policy. The Title IX Coordinator, Deputy Title IX Coordinators, the Division of Student Development, and/or UTCPD may develop internal procedures for the purposes of implementing this policy, as long as the procedures do not conflict with this policy.

5 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.

6 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 Sexual Misconduct or Relationship Violence to his/her supervisor or other designee within the unit, who, in lieu of the Mandatory Reporter who received notice of the incident, shall promptly report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator.
Recommended Actions

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

1. The Mandatory Reporter’s obligation to report the names of a respondent and a complainant involved in the alleged prohibited conduct, as well as other relevant facts regarding the alleged incident, to UTC;
2. A complainant’s ability to share information confidentially with certain on- and off-campus resources;
3. A complainant’s option under this policy to request that UTC maintain confidentiality, if the person indicates that he/she wants to disclose information to the Mandatory Reporter but wishes to maintain confidentiality;
4. If the person indicates hesitancy to report an incident to UTC, inform the person that UTC prohibits Retaliation and will not only take steps to prevent Retaliation but also take strong responsive action if Retaliation occurs.

A Mandatory Reporter who receives information from a complainant concerning an incident of prohibited conduct should:

1. Provide emotional support to the complainant;
2. Encourage the complainant to preserve any physical evidence (e.g., if possible, the complainant should not shower, bathe, douche, change clothes, brush his/her teeth, or comb his/her hair);
3. Inform the complainant that the Mandatory Reporter will be reporting the incident to the Title IX Coordinator or a Deputy Title IX Coordinator, one of whom (or their designee) will be contacting the complainant to provide further guidance and assistance; and
4. Provide a complainant with a copy of this policy or another written publication approved by the Title IX Coordinator, if available, to inform the complainant of the complainant’s rights under this policy.

Prohibited Actions

A Mandatory Reporter who receives notice of an incident of prohibited conduct shall not:

1. Guarantee to a complainant that the Mandatory Reporter will keep information confidential;
2. Share information about the incident with a person who does not have a UTC-related need to know;
3. Share personally identifiable information about the incident with law enforcement (including UTCPD) without the complainant’s consent; and/or
4. Investigate or otherwise attempt to resolve reports of prohibited conduct without the approval of the Title IX Coordinator (this provision does not apply to UTCPD), other than taking an action required or recommended in this policy.

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

When UTC’s non-law enforcement investigation of a report of prohibited conduct occurs concurrently with a law enforcement investigation of the same incident, UTCPD shall not cause UTC’s non-law enforcement investigation to be delayed pending the outcome of UTCPD’s law enforcement investigation, except for the collection of evidence.

**Other University Policies/Procedures; Academic Freedom & First Amendment Rights**

**Child Abuse and Child Sexual Abuse**

*University of Tennessee System Safety Policy 0575* (“Programs for Minors”) takes precedence over this policy with respect to reporting suspected child abuse and child sexual abuse. Except for *Safety Policy 0575* and as otherwise provided in this policy, this policy takes precedence over other University policies and procedures concerning prohibited conduct in the event of a conflict.

**Student Policies and Procedures**

The Standards of Conduct for students can be found in the *UTC Student Handbook*. The Standards of Conduct for students prohibits students from engaging in sexual misconduct, relationship violence, stalking, and retaliation. In the event of a conflict between this policy and the *UTC Student Handbook*, this policy shall control. If this policy does not supply a substantive or procedural rule relating to an issue, then the *UTC Student Handbook* shall supply the rule.

**Employee Policies and Procedures**

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

- University of Tennessee Board of Trustees Policy 0006 (Policies Governing Academic Freedom, Responsibility, and Tenure)
- University of Tennessee, Chattanooga Faculty Handbook
- University of Tennessee System Human Resources Policy 0160 (Termination of Employment)
- University of Tennessee System Human Resources Policy 0220 (Equal Employment Opportunity and Affirmative Action)
- University of Tennessee System Human Resources Policy 0355 (Leave of Absence)
- University of Tennessee System Human Resources Policy 0525 (Disciplinary Action)
- University of Tennessee System Human Resources Policy 0580 (Code of Conduct)  ▪ University of Tennessee System Human Resources Policy 0640 (Grievances)  *Tennessee Uniform Administrative Procedures Act*
Chapter 1720-1-5 of the Rules of the University of Tennessee sets forth the University’s procedures for conducting a contested case hearing pursuant to the Tennessee Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-301 et seq. In a case involving alleged Sexual Misconduct, Relationship Violence, or Stalking, the administrative judge or hearing examiner shall modify those procedures when required to comply with federal law, including without limitation, Title IX and the Clery Act.

Consensual Relationships

Consensual romantic or sexual relationships between members of the UTC community are subject to other University policies. For example, UTC’s policy on consenting romantic or sexual relationships between faculty and students can be found in Section 5.12 of the UTC Faculty Handbook. Even if a romantic or sexual relationship between members of the UTC community may begin as consensual, the relationship may evolve into a situation that leads 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”), 0280 (“Sexual Harassment”), and 0580 (“Code of Conduct”).

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.

Due Process and Adjudication of Violations

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

Whether or not criminal charges are filed, the university or a person may file a complaint under the Student Code of Conduct for a student and through the Office of Equity and Diversity for an employee alleging that a student or employee violated the University’s policy on sexual offenses.

Standards of Conduct for Students

The Standards of Conduct that are relevant to public safety concerns include, but are not limited to:

1. Providing false information to a University official.
2. Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.
3. Forging, altering, destroying, falsifying, or misusing records, identification, or documents, whether in print or electronic form.
4. Causing physical harm to any person (including oneself); endangering the health or safety of any person (including oneself); engaging in conduct that causes a reasonable person to fear harm to his/her health or safety; or making an oral or written
statement (including electronically) that an objectively reasonable person 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, although the speaker need not mean to carry out the act of unlawful violence in order to constitute a violation of this rule.

(5) Harassment, which is defined as unwelcome conduct that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University.

(6) Sexual assault or misconduct.

(7) Invasion of another person’s privacy when that person has a reasonable expectation of privacy.

(8) Theft, misappropriation, unauthorized possession, or unauthorized sale of private or public property, including but not limited to University-controlled property.

(9) Vandalizing, destroying, damaging, engaging in conduct that reasonably could cause damage to, or misusing private or public property, including but not limited to University-controlled property.

(10) Participating in hazing. “Hazing” is defined as any intentional or reckless act, on or off University-controlled property, by one student, acting alone or with others, which is directed against any other student, which endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety. “Hazing” does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

(11) Engaging in disorderly, lewd, indecent, or obscene conduct.

(12) Engaging in speech, either orally or in writing, which is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

(13) Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency;

(14) Possessing, using, or duplicating University keys, access cards, or identification cards without authorization; or entering University-controlled property without authorization.

(15) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes;

(16) Possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

(17) 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.

(18) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.

(19) Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

(20) Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

(21) Obstructing or disrupting teaching, learning, studying, research, public service, administration, disciplinary proceedings, emergency services, or any other University-affiliated activity, or the free flow of pedestrian or vehicular traffic on
University-controlled property. In no event shall this rule be construed to discipline a student for speech protected by the First Amendment to the United States Constitution.

Student Rights and Student Organization Rights

(1) Due process shall guarantee to the accused student or student organization the following:
(a) The right to be informed of charges in writing prior to the hearing.
(b) The right of reasonable time in which to prepare a defense.
(c) The right to a fair and just hearing.
(d) The right to challenge all charges and testimony used against the accused student or student organization and to question witnesses.
(e) The right to be informed in writing of:
   1. The final decision of the case.
   2. The proper procedure for appeal.
(f) The right to be accompanied by an advisor he/she/it chooses, at his/her/its own expense.
   1. The accused student or student organization is responsible for presenting his/her/its own information, and therefore, advisors are not to speak or participate directly in a University hearing

(2) A student or student organization should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University hearing.

(3) Delays will not normally be allowed due to the scheduling conflicts of an advisor.

a. Any student or student organization shall be formally charged in writing with the alleged offense.
b. The date, time, and place of occurrence of the offense shall be stated on the statement of charges.
c. The Dean of Students office must keep accurate records of each hearing and the disposition of each case.
d. In cases involving a complaint of sexual assault or misconduct, the alleged victim shall have the right to:
   i. Notice concerning the process by which the University will handle the complaint and an opportunity to ask questions about the process;
   ii. prompt, thorough, and impartial investigation of the complaint;
   iii. The same opportunity as the accused student to present his/her explanation of the facts during the University’s investigation;
   iv. Have the investigation of the complaint concluded within sixty (60) days of the university’s receipt of a complaint, unless circumstances make it impracticable for the University to complete its investigation within that timeframe;
   v. Notice of the outcome of the University’s investigation;
   vi. Have a disciplinary hearing conducted within thirty (30) days of a University charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the University to conduct a hearing within that timeframe;
   vii. Notice of the date, time, and location of the disciplinary hearing, the right to have the Disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
   viii. The same access as the accused student to any information or documents that will be used by the University during a disciplinary hearing, unless prohibited by law;
ix. Challenge the seating of any Student Conduct Board member for good cause, which will be determined at the
discretion of the University Hearing Officer;
x. Be accompanied by an advisor of his/her choosing during the University’s investigation or a disciplinary
hearing, but the advisor shall not be permitted to speak for the victim during a disciplinary hearing;
xi. The same opportunity as the accused student to be present during the hearing, present witnesses and other
evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary
hearing;
xii. Testify or remain silent at his/her option; however, choosing to remain silent may result in the University
dismissing the charges against the accused student or the Student Conduct Board or University Hearing
Officer finding that there is insufficient evidence to find the accused student guilty of the charges against
him/her; xiii. Not to be questioned personally by the accused student during the disciplinary hearing;
xiv. Submit a written impact statement to the Student Conduct Board or University Hearing Officer for
consideration during the sanctioning phase of the disciplinary Hearing, if the accused student is found guilty
of the charges against him/her;
xv. Notice of the decision of the Student Conduct Board or University Hearing Officer within three (3) business
days of the disciplinary hearing; and
xvi. Appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for
Student Development.

Student Conduct Hearing Procedures

(1) Complaints
(a) Any member of the University community may present a complaint to the Dean of Students office against a student or student organization for violations of the Student Code. Any complaint should be submitted as soon as possible after the event takes place. Any charge(s) shall be prepared in writing by the Dean of Students office. (b) All charges shall be presented to the accused student or student organization in written form.

(2) Hearing Options
(a) An accused student or student organization desiring to contest the charge(s) against them must do so by requesting a hearing within five (5) days of their receipt of written notice of the charge(s).
(b) The accused student or student organization may, at their option, request a hearing before a Panel of individuals (Student Conduct Board) or by a University Hearing Officer selected by the Vice Chancellor for Student Development (or his or her designee). A hearing before a Student Conduct Board will be chaired by a University Hearing Officer similarly selected. Board members and hearing officers shall be impartial and anyone lacking such impartiality shall recuse him/herself or may be removed by the Vice Chancellor for Student Development upon request of any party to a University hearing.
(c) A requested hearing shall be scheduled promptly after receipt of the request.
(d) In the absence of a voluntary written waiver of the accused student’s or student organization’s right to a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (T.C.A. § 4-5-108, et seq.), a requested hearing will be conducted in accordance with the University’s APA hearing procedures and these procedures shall not apply.
(3) Hearing Procedures – The Student Conduct Board or University Hearing Officer sitting alone will conduct the hearing within the following general guidelines:

(a) All University hearings shall be closed to the public.

(b) The accused student (and certain “victims” where permitted by law) or student Organization, and their advisor, if any, shall be allowed to attend the entire portion of the university Hearing at which information is received (excluding deliberations).

(c) Each party will be afforded a full and fair opportunity to present all evidence, including witnesses, reasonably relating to the charge or action at issue; evidence which is irrelevant, immaterial, repetitious or voluminous may be limited.

(d) All procedural questions are determined by the University Hearing Officer.

(e) The Student Conduct Board or University Hearing Officer sitting alone will consider all Evidence presented, giving due consideration to the credibility or weight of each item presented; technical rules of evidence will not apply.

(f) The standard for a finding of responsibility is a preponderance of the evidence.

(g) Following the conclusion of the University hearing, the Student Conduct Board or University Hearing Officer sitting alone will consider the evidence and present written findings.

(h) An appropriate record will be made of the hearing procedures. Deliberations shall not be recorded. Defects in the record will not invalidate the proceedings.

(4) In cases involving an allegation of sexual assault or misconduct, the hearing procedures shall be modified to afford the alleged victim all of the rights described in Chapter 1720-02-05-.06(4).

Penalties

1) Disciplinary penalties are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, discourage other students, and student organizations from violating the Standards of Conduct, and protect members of the University community. The penalties imposed should be appropriate for the particular case based on the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other members of the University community). Consideration may also be given to the student’s or student organization’s conduct record, the student’s or student organization’s responsiveness to the conduct process, student academic classification, and other aggravating or mitigating factors.

2) The following penalties may be imposed on any student found to have violated the Standards of Conduct:
   a) Warning. A warning is a notice that the student is violating or has violated the Standards of Conduct.
   b) Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Privileges that may be lost include, but are not limited to, scholarships, stipends, participation in extracurricular activities (e.g. intramurals), housing privileges, participation in social activities, and use of certain University-controlled property (e.g., information technology resources).
   c) Educational Sanction. Students may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student Development or his/her designee.
   d) Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.
   e) Disciplinary Reprimand. A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand indicates that further violations will result in more severe disciplinary actions.
f) Disciplinary Probation. This penalty permits a student to remain at the University on probationary status but with the understanding that a future violation of the Standards of Conduct may result in suspension. Probation may be for a defined or indefinite period. Other conditions of probation are specific to each individual case and may include a requirement of community service or other requirement or restriction.

g) Suspension for a Specific Period of Time. Suspension for a specific period of time means that the student is withdrawn from the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may include a requirement of community service or other requirement or restriction. Upon return to the University following a suspension for a specific period of time, the student may be placed on indefinite disciplinary probation.

h) Permanent Dismissal. Permanent dismissal means that a student is permanently barred from matriculating as a student on the Chattanooga campus. This penalty is used when the violation of one (1) or more of the institution’s Standards of Conduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; or when, by his/her repeated violation of the institution’s Standards of Conduct, a student exhibits blatant disregard for the health and safety of other members of the University community or the University’s right to establish rules of conduct.

i) Revocation of Admission or Degree. Revocation of admission or degree means revoking a student’s admission to the University or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee Board of Trustees.

3) A disciplinary hold may be placed on a student’s account until the completion of the student disciplinary process and/or until the student satisfies the terms and conditions of any penalties imposed. A student who at the time of commencement, is subject to a continuing disciplinary penalty or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of all penalties and/or resolution of all disciplinary charges.

4) The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:
   a. Warning. A warning is a notice that the student organization is violating or has violated the Standards of Conduct.
   b. Educational Sanction. Representatives of student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee.
   c. Loss of Privilege. This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.
   d. Restitution. Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.
   e. Disciplinary Probation. Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Probation may be for a defined or indefinite period. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious penalties, including revocation of University registration.
   f. Revocation of University Recognition. In cases of serious misconduct, a student organization’s University registration may be revoked.
5) Revocation of University Recognition. In cases of serious misconduct, a student organization’s University registration may be revoked. More than one (1) of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.

6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

No Contact Directive

In cases involving allegations of assault, injury, sexual abuse, harassment, or where there is reason to believe continued contact between a student/student organization and specific persons, including complainants and witnesses, may interfere with those persons’ security, safety or ability to participate effectively in work or studies, the Vice Chancellor for Student Development, or his/her designee, may require that the student/student organization not have verbal, physical, or written contact with specific persons for a definite or indefinite period of time. The student/student organization will receive notice of the no contact directive. Any student, faculty or staff member or other person with a reasonable justification may request a no contact directive. In addition to an internal University no contact directive, complainants are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

Interim Suspension

(1) When the Vice Chancellor for Student Development or his/her designee has reasonable cause to believe that a student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing threat to the disruption of, or interference with, the normal operations of the University, the Vice Chancellor for Student Development or his/her designee may impose an interim suspension prior to the conclusion of a full hearing on the alleged misconduct.

(2) An interim suspension shall be confirmed by notice to the student or student organization that explains the basis for the interim suspension and shall remain in effect until the conclusion of a full hearing in accordance with the rules of the University of Tennessee, which shall be held without undue delay.

(3) Within three (3) business days of the imposition of the suspension, the student or student organization shall be offered an opportunity to appear personally before the Vice Chancellor for Student Development or his/her designee in order to discuss the following issues only: (i) the reliability of the information concerning the student’s or student organization’s conduct; and (ii) whether the conduct and surrounding circumstances reasonably indicate that the student’s or student organization’s continued presence on University-controlled property or at University-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an imminent threat of disruption of or interference with the normal operations of the University.

(4) During an interim suspension, the student or student organization shall be denied access to University-controlled property, including residence halls, and all other University-affiliated activities or privileges for which the student or student organization might otherwise be eligible, as the Vice Chancellor for Student Development or his/her designee determines in his/her sole discretion to be appropriate. A student or student organization who receives an interim suspension and violates the terms of the interim suspension shall be subject to further disciplinary action and may be treated as a trespasser. Permission to be on University-controlled property or participate in University-affiliated activities may be granted by the Vice Chancellor for Student Development or his/her designee.
Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander interventions include 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.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list¹ of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.


Risk Reduction

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org])

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.

5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.

6. **Make sure your cell phone is with you** and charged and that you have cab money.

7. **Don't allow yourself to be isolated** with someone you don’t trust or someone you don’t know.

8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.

9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.

13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

14. **If you suspect you or a friend has been drugged, contact law enforcement immediately** (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:

   a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

   b. Be true to yourself. Don't feel obligated to do anything you don’t want to do. "I don’t want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

   c. Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
d. Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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**Prevention and Awareness Programs**

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 UTC community. UTC intends that its prevention programs:

- Are 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
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

UTC’s programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

**Primary Prevention and Awareness Programs**

UTC implements 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. UTC also implements comprehensive, intentional, and integrated community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

The University of Tennessee at Chattanooga is dedicated to providing students, faculty, and staff primary prevention and awareness programs that will increase their cognizance about sexual assault, domestic violence, dating violence, and stalking. These efforts include bystander intervention campaigns, information about Title IX, and the Jeanne Clery Act. The University offered the following **primary prevention and awareness programs** during Freshman Orientation in 2015, for both incoming students and parents:
Primary Prevention and Awareness Programs

The University has developed an onboarding process for all new UTC faculty and exempt staff, based upon Federal Title IX guidelines. All UTC faculty and exempt staff are mandatory reporters of sexual misconduct, relationship violence, and stalking. Those employees are mailed a letter and two brochures from Chancellor Steven Angle regarding mandatory reporting, mandatory reporter training and rights and resources. Additionally, the Title IX Coordinator emails those employees information regarding a mandatory online training course (Title IX Training for Faculty and Staff) that must be completed within six weeks of receipt. Employees must receive a passing grade of 75%.

The University offered the following primary prevention and awareness programs for new employees in 2015:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Issued</th>
<th>*Prohibited Behavior Covered?</th>
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<tbody>
<tr>
<td>Mandatory Reporter Training</td>
<td>8/10/15</td>
<td>DoV, DaV, SA, S</td>
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<tr>
<td>Mandatory Reporter Training</td>
<td>8/21/15</td>
<td>DoV, DaV, SA, S</td>
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</table>

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

Questions about UTC’s current Primary Prevention and Awareness Programs should be directed to the Title IX Coordinator, a Deputy Title IX Coordinator, or the UTC Women’s Center.
## Ongoing Prevention and Awareness Programs

UTC implements programming, initiatives, and strategies for students and employees that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout UTC.

The University is dedicated to providing students, faculty, and staff ongoing prevention and awareness programs that will provide continuing education about sexual assault, domestic violence, dating violence, and stalking. These efforts include bystander intervention, risk reduction, information about Title IX, and the Jeanne Clery Act. The following programs were offered to **students and employees** in 2015:

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior* Covered?</th>
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<td>Abbreviations</td>
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<tr>
<td>Rape Aggression Defense</td>
<td>11/17/15</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
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<td>11/18/15</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Rape Aggression Defense</td>
<td>11/19/15</td>
<td>University Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking*
The University of Tennessee at Chattanooga is committed to ensuring that it is safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substances Act, 21 U.S.C. Section 812). To accomplish this, the University has established a student drug abuse prevention program through the Office of Student Development. Further, students are subject to a Code of Conduct pertaining to use or possession of controlled substances, and recipients of certain federal financial assistance such as Pell Grants will be required to certify that they will be drug-free during the pendency of the Grant.

The University strictly prohibits “using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.” (UTC Student Handbook pg. 40, “Students Rights and Responsibilities: Standards of Conduct). Students who use and/or possess drugs on campus may face disciplinary sanctions and criminal charges (when aw violations occur in addition to policy violations.)

As mandated by the Drug-Free Work Place Act of 1988 (Public Law 100-690), the University is committed to maintaining a drug-free working environment. Personnel Policy 720, Safety and Health, specifies that, "The University of Tennessee at Chattanooga will ensure that all of its work places are safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substance Act, 21, U.S.C. Section 812) by employees." Violation of this policy is grounds for disciplinary action—up to and including immediate discharge for an employee and permanent dismissal for 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. 39-17-401 et seq.). Local ordinances also specify 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/alcohol abuse assistance or rehabilitation program. Individuals who are paid by UTC through federal grants or contracts must abide by this policy and notify the University in writing of any criminal drug statute conviction which includes a finding of guilt, a plea of nolo contendere, or a sentence by any state or federal judicial body for a violation occurring in the workplace within five days after such conviction. The University is, in turn, required to inform the granting or contracting agency of such a violation within 10 days of the University’s receipt of notification.
As required under the Drug-Free Schools and Communities Act of 1989, UTC’s Counseling and Personal Development Center offers a variety of programs and services that address issues including alcohol, substance abuse, crisis intervention, and other personal problems. The Center, in conjunction with Student Affairs, co-sponsors Alcohol Awareness Week and Drug Awareness Week on an annual basis. The Center also uses other programming and support groups as resources for preventing, confronting, or solving substance abuse and other problems. The Center has professional staff members with specific expertise in the area of substance abuse control. Services are confidential and often free for students. Students seeking treatment information should contact the Center at (423) 425-4438, University Center Room 338. Counselors are on call 24-7, and may be reached after hours by contacting the UTC Police Dispatch center at (423) 425-4357. Additional information is also available at http://www.utc.edu/counseling-personaldevelopment-center/

Employees and their families needing treatment information should call their local Human Resources Office or the State of Tennessee Employee Assistance Program http://www.here4tn.com/ (1-855-437-3486).

**Drug Policy**
Alcohol Policy

The University of Tennessee at Chattanooga seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety, and welfare of its students, faculty, and staff. In keeping with these objectives, the University has established guidelines and policies governing the possession and consumption of alcoholic beverages on University property.

Per the UTC Student Handbook, the University prohibits “consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on University-controlled property or in connection with a University-affiliated activity,” “consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law,” and “providing an alcoholic beverage to a person younger than twenty-one (21) years of age.” University regulations also prohibit “all student organizations from serving or permitting the consumption, possession or display of any alcoholic beverage or containers at any time, or by anyone on university premises.” UTC also enforces State underage drinking laws.

Because there are many misconceptions, myths, and misunderstandings related to substance use, students are encouraged to visit UTC’s Alcohol & Other Drug Education Home website for the most up to date information regarding alcohol and drug awareness, prevention, and education. This site also contains the required information for completion of the AlcoholEdu course, which is mandatory for all incoming freshmen. The site can be accessed at http://www.utc.edu/alcohol-drug-education/.

Personnel Policy 720, Safety and Health, specifies that “drinking or being under the influence of alcohol or illegal drugs while on the job” or “the use, possession, or distribution of alcohol on university property” is a violation of University work rules. Violation of work rules may be cause for disciplinary action including possible termination of employment.

Weapons Policy

Pursuant to T.C.A. § 49-7-118, all campus police officers and their supervisors carry regulation firearms while on duty. These weapons may be used only when there is a serious, imminent, identifiable threat to life or a threat of great bodily harm. Other duly sworn law enforcement officers and agents of the state and federal governments are also permitted to follow their departmental guidelines and state laws regarding possession and use of weapons, as described in T.C.A.

No person other than Police Department personnel, or permitted full-time university employees who have properly notified UTCPD, may carry or possess firearms on campus. Per the UTC Student Handbook, UTC policy prohibits “possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.” Weapons that are brought to campus by students for sporting purposes must be checked in and stored at the UTC Police Department. Students must contact UTCPD prior to arriving on campus with the weapon. Per T.C.A. § 3917-1309, students who violate these regulations may face disciplinary sanctions and criminal charges, and have the potential to receive a maximum sentence by the courts of 6 years in prison and a $3,000.00 fine. Notification of the T.C.A. provisions are posted throughout various buildings on campus. Signs are prominently
Felony. State Law Prescribes A Maximum Penalty Of Six (6) Years Imprisonment And A Fine Not To Exceed $3,000 For Carrying Weapons On School Property.

As of July 1, 2016, T.C.A. § 39-17-1309 allows generally all University of Tennessee full-time employees with a valid handgun permit to carry a concealed handgun on University of Tennessee property.

Hazing Policy

Participation of students in hazing activities is prohibited. Hazing means any intentional or reckless act, on or off university property, by one student, acting alone or with others, which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety, and includes treatment of a violent, abusive, shameful, insulting, or humiliating nature. Such action is prohibited when connected with initiation into or affiliation with an organization and does not include participation in customary athletic events or similar competition. A student or student organization involved in an act of hazing is subject to disciplinary action in accordance with the Code of Student Conduct.

Incident of Bias / Discrimination Complaint Procedure

The University of Tennessee, Chattanooga, welcomes and honors people of all races, creeds, cultures, and sexual orientations. The University values intellectual curiosity, pursuit of knowledge, and academic freedom and integrity. In keeping with those values, the policies of UT Chattanooga and its UT Area Units expressly prohibit the following:

- Discrimination against employees, students, or applicants for employment or admission, on the basis of race, color, religion, sex (including sexual harassment, sexual orientation, gender identity, marital status, parental status), national origin, age, disability, or protected veteran status;
- Discrimination against other participants in educational programs and activities (which includes certain individuals who are not employees, students, or applicants for employment or admission) on the basis of race, color, national origin, sex, or disability; and
- Retaliation against any person who in good faith reports a practice that he/she believes violates non-discrimination policies.

If you are an employee, student, applicant for employment, applicant for admission, or are otherwise a participant in a UT Chattanooga program or activity, and you believe you have been discriminated against in violation of the policies outlined above, the process below is designed to help you resolve your complaint.

Where and When to File a Complaint

Complaints of discrimination should be directed to the UT Chattanooga Office of Equity and Diversity, 720 McCallie
Timely Warning Policy

I. Purpose:
Timely Warnings are provided to heighten safety awareness by giving students, faculty and staff notification of crimes that occur on campus property, non-campus property, or on public property immediately adjacent to and accessible from campus and are considered by The University of Tennessee at Chattanooga to present a serious or continuing threat to students and employees.

II. Responsibility:
The University of Tennessee at Chattanooga Police Department (UTCPD) is responsible for preparing a Timely Warning when a crime is reported to or brought to the attention of the UTCPD and that crime represents a continuing threat to the safety of students and employees.

III. Information Review:
A. Information about criminal incidents is reviewed on a case-by-case basis to determine whether those incidents represent a serious or continuing threat to students and employees. Incidents will be reviewed based on:
   1. The nature of the crime;
   2. The facts of the case; and
   3. The information known to the UTCPD.

UTCPD may, within its discretion, consult with appropriate individuals or offices to determine whether an incident represents a serious or continuing threat or to determine the appropriate content of a Timely Warning.

B. Criminal suspects are often unknown to the victims. However, in the instance of a violent crime occurring between two individuals who know each other, UTCPD will look at each instance to determine if the suspect poses a continued threat to the campus community and issue a warning when necessary.

C. The UTCPD may not include some known information in a Timely Warning if providing that information could risk compromising law enforcement efforts. The names of victims will be withheld as confidential. Additionally, Timely Warnings may be updated if new or more accurate information becomes available to UTCPD.

IV. Timeliness and Message Content:
A. Information for alerts may come from direct UTCPD interactions and/or from other law enforcement agencies or other offices. While every attempt will be made to distribute the alert as soon as possible after an incident or series of incidents is reported, the release will occur after a determination is made that the crime(s) represents a continuing threat to students and employees and is subject to the availability of accurate facts concerning the incident(s).
B. UTCPD makes every effort to properly classify a criminal incident when issuing a Timely Warning. However, upon further analysis and investigation, it may be determined that incidents for which Timely Warnings are issued do not fall within the definitions of reportable crimes included in this report, and therefore, some incidents for which Timely Warnings are issued may not be included in the University’s crime statistics.

**Timely Warning Policy (cont.)**

C. UTCPD will prepare a Timely Warning when a report is received of a violent crime against a person or a particularly threatening crime against property that represents a continuing threat to the safety of students, faculty and staff. Notices may be issued for such crimes that occur on campus property, noncampus property, or on public property immediately adjacent to an accessible from campus. Timely Warnings provide details of the crime, a description of the suspect if known, and information on whom to contact about the investigation, and often, crime prevention tips.

D. **Information That May Be Included in Timely Warnings:**
   1. A succinct statement of the incident.
   2. Possible connection to previous incidents, if applicable.
   3. Physical description of the suspect, if available.
   4. Photo or composite drawing of the suspect, if available.
   5. Date and time the bulletin was released.
   6. Other relevant and important information about the crime(s).
   7. Actions taken by UTCPD in response to the crime(s).
   8. Information on crime prevention, personal safety or other community safety resources.

V. **Timely Warning Distribution:**

Timely Warnings are distributed via text for all subscribers and/or e-mails sent to all UTC email addresses, which are accessible and available to all students, faculty, and staff. In some circumstances, UTCPD may distribute fliers to appropriate university departments to be posted in affected areas of campus. After distribution, all Timely Warnings are posted to the UTCPD website at [http://blog.utc.edu/safe-secure/](http://blog.utc.edu/safe-secure/).

**Immediate Notification Policy**

The University currently uses an emergency messaging system known as UTC- ALERT. These messages contain critical information in the event of an emergency on campus. This system allows campus officials to send messages via the following methods:

- Text messages to cell phones and other portable communications devices using push technology.
- Alerting devices installed in the most heavily used classrooms.
- Building fire alarms.
- E-mail via multiple list serves.
• Direct connections to common social media sites.

UTC-ALERTS will be used on a very limited basis for dissemination of immediate notifications, timely warnings or information vital to the safety of the campus. These might include a shooting on campus, a severe weather threat, or a chemical spill. The exact pathways used to push out information depend on the nature and criticality of the incident in question.
Immediate Notification Policy (cont.)

UTC-ALERTS recognize the following types of messages:

<table>
<thead>
<tr>
<th>Type of Message</th>
<th>Description</th>
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</thead>
</table>
| Emergency Message      | 1) A message triggered by an event that is currently occurring on or imminently threatening the campus which can reasonably be expected to cause death or injury.  
                          2) A message sent in response to any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.  
                          Examples include active shooter or tornado warnings which affect the campus.                                                          |
| Safety Warning Message | 1) A message intended to provide the campus population with information needed to avoid a hazard which does not pose a direct or imminent threat.  
                          2) A message which provides information about a hazard which may cause death or injury but which does not pose an immediate possibility of doing so.  
                          Examples include notification of a serious crime on campus when the possibility exists that others may become involved or building evacuations due to a credible threat against the building. |
| Safety Information Message | 1) Messages issued in response to issues of concern.  
                        2) A message sent when a threat or hazard exists but there is no immediate threat to life or safety.  
                        3) A message sent to address an issue of concern or potential threat.  
                        4) A message intended to provide information on a non-specific threat or hazard.  
                        Examples include notices to avoid an area due to emergency operations, such as a fire, infection control information during a flu outbreak, or information related to criminal activity for which the campus population can take precautions. |

Due to their critical nature, messages which fall into the EMERGENCY MESSAGE category may be sent by any authorized authority without additional consultation with any other party or agency.

Other messages are developed by the Emergency Assessment Team members in cooperation with other subject matter experts as needed. For more information on the Emergency Assessment Team, see the section on Responsible Individuals below.

At this time there are eleven individuals on campus who are recognized as authorized authorities.

- Assistant Vice Chancellor for University Relations + 3 alternates
- UTC Chief of Police + 2 alternates
- Director of Safety and Risk Management + 3 alternates
While they are not currently authorized to initiate alerts over all pathways, the campus police dispatchers can activate campus fire alarms remotely to order evacuations when it is appropriate to do so.

**Immediate Notification Policy (cont.)**

While the text messaging portion of the UTC-ALERTS system is provided free to all students, faculty, and staff who wish to receive the messages; charges may be imposed by the receiving carrier. Enrolling in the text messaging portion of this system is accomplished by going to the registration portal found on the UTC website at [https://www.getrave.com/login/utc](https://www.getrave.com/login/utc) or by going to the main University web page, [www.utc.edu](http://www.utc.edu) and clicking the link for Emergency Preparedness.

All campus housing units currently have cable television capability and the University operates cable channel 98. This public information channel provides another method for distribution of information during an emergency.

**Policy Statement**

The University maintains a policy of proactively identifying and responding to potential emergencies. The University recognizes a spectrum of potential threats which face the campus. These threats range in significance from issues which will have a minor or a delayed affect to the campus to acute emergencies requiring the immediate deployment of significant emergency response forces. To manage this diverse spectrum of information, a system has been put in place which allows for immediate assignment of emergency responders to those situations which require them and for further evaluation of those situations which do not. The evaluation element of this process consists of an Emergency Assessment Team charged with collecting information and reaching a decision on the correct course of action.

**System Testing**

The altering system for the campus is tested and verified as follows.

- Within the first 30 days of each semester the individuals authorized as messaging authorities meet for training and a system test. Campus wide e-mails are sent out at least 24 hours prior to the test. Those e-mails are sent to list serves which reach all campus e-mail addresses. During the actual test information is included in the e-mail portion informing the campus population of how to obtain additional information about UTCALERTS.

- All messaging authorities are required to initiate a monthly test message. This message will be transparent to the campus and will provide each individual authorized to initiate messages an opportunity to review and practice the procedure.
Responsible Persons

The following persons are part of the process for ensuring appropriate actions are taken in the event of an emergency:

Campus Police Communications Center Personnel – Immediately assign the proper emergency response personnel to all incidents requiring their presence. The communications officer notifies fire department, EMS and any other outside response agency as the situation dictates. The communications officer also notifies the Emergency Assessment Team of any situation which falls outside the parameters of normal operations or are in any way unusual.

The Emergency Assessment Team is charged with assessing any situation which may pose a threat to the health, safety, or efficient operation of the campus and consists of the following individuals:

- The Vice Chancellor for Finance and Administration – Chairman, the final arbiter of all issues not clearly designated as an acute emergency.

Immediate Notification (cont.)

- The Director of Safety and Risk Management (or designee) – Subject matter expert on all issues involving personal emergency management, safety, hazardous materials, fire protection and life safety systems (including alarms) and regulatory compliance (TOSHA and TDEC, etc).

- The Assistant Vice Chancellor for Operations (or designee) – Subject matter expert on all issues involving facilities, structural integrity, utilities and utilities safety, and campus operations.

- The Chief of Police (or designee) – Subject matter expert on all issues involving law enforcement, crimes and crimes in progress, violent situations, terrorist threats against the campus, and intelligence of issues which may affect the campus.

- The Associate Vice Chancellor for University Relations (or designee) – Subject matter expert on all issues involving public alert and warning message content, dissemination of information, and operation of public warning systems. This office also serves as the primary focal point for originating all alert and warning messages.

Each of these individuals appoints one or more alternates in the event that they are unavailable or incapacitated.
Community Notification

In the event of an emergency requiring notification of the larger community the designated Incident Commander for the campus will notify the City of Chattanooga and Hamilton County emergency response forces. A Unified Command will be established consistent with the principles of the National Incident Management System. The Public Information Officer of the Unified Command will then take responsibility for notifications of off campus populations.

Tests of Alerting Systems: All UTC fire alarm systems are tested on an annual basis in accordance with NFPA Standards. The UTC - ALERT text messaging system is tested on a semi-annual basis and the current campus emergency plan calls for a campus wide table top exercise to be conducted at least annually. The exercise is conducted and documented using the protocols of the Homeland Security Exercise Evaluation Program (HSEEP).

Student Population

<table>
<thead>
<tr>
<th>STUDENT POPULATION -- 2015-2016</th>
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<tbody>
<tr>
<td>FALL TERM</td>
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<tr>
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<tr>
<td>----------</td>
</tr>
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</tr>
<tr>
<td>Graduate</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Source UTC Planning, Evaluation, and Institutional Research 2015 Factbook Tables

University Housing

For the Fall 2015, semester, the University of Tennessee at Chattanooga will have a normal housing capacity of 3,146 students. For the Fall 2015 semester, 2,999 students were living in residence halls on campus. All student housing at UTC is located on campus in nine separate complexes. Overflow
housing was addressed through contract with a local hotel. These consist of apartment and suite style complexes. Freshmen residents will live in designated sections of the building based upon gender.

**APARTMENT COMPLEX OCCUPANCY (Fall 2015):**

<table>
<thead>
<tr>
<th>Complex</th>
<th>Male Occupants</th>
<th>Female Occupants</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NORTH CAMPUS APARTMENTS</strong></td>
<td></td>
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<tr>
<td>Lockmiller Apartments:</td>
<td>119</td>
<td>239</td>
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<tr>
<td>Stagmaier Hall:</td>
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<td>82</td>
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<tr>
<td>Boling Apartments:</td>
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<td>Johnson-Obear Apartments:</td>
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<td><strong>SOUTH CAMPUS APARTMENTS</strong></td>
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<td>Decosimo Building</td>
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<tr>
<td>UC Foundation Building</td>
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<td>224</td>
</tr>
</tbody>
</table>

**Residence Hall Security**

Since apartments in each of the complexes on campus are entered directly from the outside, a check-in desk is not possible. Guests and visitors to these areas are met at the apartment doors or as they inquire at the apartment office.

Each apartment complex is staffed by a Resident Director and numerous Resident Assistants, usually one per floor. The University currently employs 1 Assistant Vice Chancellor for Residence Life, 1 Director for Residence Life, 2 Assistant Directors for Residence Life, 6 Resident Directors, 1 Graduate Assistant, 8 Senior Resident Assistants, 79 Resident Assistants, and 10 Student Assistants. Formal training of Directors and Assistants is conducted through cooperative efforts of the Housing Office and Campus Law Enforcement.

Residents can gain access to the buildings at the UTC Place Apartments by use of their individually coded University ID card. Access to their individual rooms at this complex is made only by a key issued
them by the UTC Place Housing Office at the complex. At the Boling, Johnson Village, and Lockmiller Apartment complexes, access to their apartment and individual rooms at each of these is made only by a key issued them by the UTC Housing Office. All apartments have deadbolt locks on the doors. Residents are urged to keep them closed and dead-bolted at all times.

If a student loses an apartment key, they need to notify the Housing Department of their loss in order to keep accurate records and obtain a replacement. The UTCPD needs to be contacted as well in case the University keys have been turned in to the Lost and Found Division of the department. Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures and/or video presentations are presented to student residents covering such topics as date rape, theft prevention, and fire safety.

The University maintains smoke and fire alarms in all residence halls. These N.F.P.A. approved alarm systems are monitored 24 hours a day in the UTCPD Communications Center as well as in each residence hall. Public Safety personnel are trained to assist the City of Chattanooga Fire Department in building evacuations during fire or other emergencies.

During holidays, spring break, or other low-occupancy periods, students are allowed to remain in their designated housing areas. However, Resident Directors must be notified of their intent to stay. Both the Housing Staff and UTCPD make periodic exterior door checks during these low-occupancy periods.

**Housing Incident Reports**

Incident reports are used by an RA to communicate the facts of an incident to the Resident Director and the Housing Office. Incident reports are used to document rule violations, theft, damage, or other emergencies. If you are named in an incident report, you may be asked to speak with your Resident Director or someone from Student Development. Students found to be responsible for the behavior described in a report will be assigned sanctions.

**Alcohol & Drug Policy**

UTC is a DRY campus. The official alcohol and drug policy of the university is as follows: “The possession or use of alcoholic beverages or other illegal drugs or intoxicants of any kind are strictly prohibited on campus.” This includes alcohol containers whether empty or decorative.

**Disability Resource Center (DRC)**

The DRC provides leadership in ensuring equal access to all facilities, programs and services of UTC. DRC reviews the accommodation requests and manages these reasonable accommodations for all students, employees and visitors of
UTC. The staff of the DRC base all determinations on the guidelines of the Americans with Disabilities Act Amendments Act of 2008 and Section 504 of the Rehabilitation Act of 1973. These federal Acts require that accommodations and adjustments be made to all programs and activities in order to provide equal access to qualified individuals with disabilities. Individual determination of appropriate and reasonable accommodations made through an interactive and deliberative process based on the functional limitations of the disability. In addition to determining these reasonable accommodations, the staff of the DRC also lead the campus in discussions about facility access, future building and growth of the campus, equal access in the virtual classrooms, programmatic accessibility, and many other areas. For more information, please contact the DRC at (423) 425-4006.

**Missing Student Policy**

**Purpose**

The purpose of this document is to set forth university policy with regard to responding to reports of missing students, as required under the Higher Education Opportunity Act of 2008 (20 U.S.C.S. §1092; 42 U.S.C.S. §5579).

**Policy Statement**

1. This policy only applies to students who reside in on-campus residential facilities operated by University Housing or in housing facilities contracted by the University of Tennessee at Chattanooga.

2. Upon checking in, all students will have the opportunity to identify and provide confidential emergency contact information for the University’s use when the University has officially determined that a student is missing.

3. Unless there is evidence to the contrary, a student living on-campus will not necessarily be considered missing if the student made his/her intended whereabouts known to others or if the student is absent during recognized University holidays or breaks.

4. If a University official reasonably believes a student has been missing for more than twenty-four (24) hours, the official will immediately report his/her belief to UTCPD, the Director of Housing (or his/her designee), and the Dean of Students (or his/her designee). Those individuals will contact other University officials who have a need to know about the missing student report. (Please note that University officials may report a student missing at any time, there is no requirement for the official to wait until they believe the student has been missing for more than twenty-four (24) hours.)

**Procedures**
Once a student has been reported as being missing then UTC Housing and Residence Life staff will conduct a preliminary investigation in order to verify the situation and to determine the circumstances which exist relating to the reported missing student.

Procedures (cont.)

1. A staff member will attempt to contact the student via his or her telephone by using the number(s) provided.

2. If the student cannot be reached by telephone, two staff members will visit the room of the student in question to verify the student’s whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for the student.

3. If there is no response when the staff members knock on the door of the room or there are occupants who do not know of the student’s whereabouts, the Residence Life staff will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff members will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residence hall.

4. If the student is not found in the room, the Residence Life staff will attempt to gain information on the student’s whereabouts from roommates, other members of the residential community, or other friends. The Residence Life staff also will attempt to acquire additional contact information for the student (if not already on file) and use it to initiate contact.

5. Staff members, at any step in the process, immediately will report any suspicious findings to the UTC Police Department.

6. If these steps provide Residence Life staff with an opportunity to speak with the missing Residential Student, verification of the student’s state of health and intention of returning to campus should be made. A referral, if needed, will be made to the Counseling Center. In addition, Residence Life will update those offices that need to know as well as the university official who made the initial report.

7. If all of these steps do not provide residential staff with an opportunity to speak with the missing student or to learn his or her whereabouts, UTC Police will be contacted to investigate further.

8. If the missing student is determined to be under the age of eighteen, Residence Life and/or UTCPD will report the student to the Dean of Students office. The Dean of Student (or his/her designee) will contact the parents or guardians within 24 hours. If the missing student is determined to be over the age of eighteen, the Office of the Dean of Students will contact the student’s confidential contact within 24 hours.
Annual Fire Safety Report

As required under the Clery Act, an institution with on-campus student housing facilities is required to: (1) maintain a log of all reported fires that occur in those on-campus student housing facilities, (2) publish an annual fire safety report that contains fire safety policies and fire statistics for those facilities, and (3) submit fire statistics from the fire safety report annually to the Department of Education. The Clery Act defines an on-campus student housing facility as housing built by institutionally-related foundations or third parties, such as private developers. The following report outlines the University of Tennessee at Chattanooga’s fire safety systems, policies and fire statistics as required under both the Clery Act and the Higher Education Opportunity Act of 2008.

Description of UTC Housing Facilities Fire Safety System

All UTC housing facility fire alarm systems report to the UTCPD where they are monitored 24 hours a day, 7 days a week, year round.

**Johnson O bear Apartments** – 501 Oak Street – Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, pull stations and horn strobes.

**Boling Apartments** – 541 Vine Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

**Lockmiller Apartments** – 742 Oak Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

**Guerry Apartments** – 805 Douglas Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

**Decosimo Apartments** - 815 University Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

**Stophel Apartments** – 818 University Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

**Walker Apartments** – 801 E. 8th Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

**UC Foundation Apartments** – 718 McCallie Ave - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.
**Stagmaier Hall** – 705 McCallie Ave – interior entrance to all apartments, masonry construction, fire wall separation between apartments, smoke detectors, duct detectors, pull stations, horn strobes and sprinkler system.

**Fire Log**

A fire log is maintained by the UTC Office of Safety and Risk Management and is updated daily. It is available for review during normal business hours in the Office of Safety and Risk Management located in the Administrative Services Building at 400 Palmetto Street, Chattanooga, Tennessee 37403.

**Fire Statistics**

The 2013 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Housing Facility</th>
<th>Facility Address</th>
<th>Number of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stagmaier Hall</td>
<td>705 McCallie Ave.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Lockmiller Apts.</td>
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<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Boling Apartments</td>
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<td>None</td>
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<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Johnson Obear Apts.</td>
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<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
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<td>805 Douglas Street</td>
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<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
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<tr>
<td>Stopheal Apartments</td>
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<td>0</td>
<td>None</td>
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<td>None</td>
</tr>
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<td>1</td>
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The 2014 fire statistics are as follows:

<table>
<thead>
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<th>Housing Facility</th>
<th>Facility Address</th>
<th>Number of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stagmaier Hall</td>
<td>705 McCallie Ave.</td>
<td>0</td>
<td>None</td>
<td>None</td>
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<td>None</td>
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<td>None</td>
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<td>None</td>
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</tbody>
</table>
## Fire Alarms

Any time a fire alarm is sounded in a University building, every occupant must evacuate immediately. No one will be allowed to reenter the building until a campus police officer evaluates the situation. Anyone who is responsible for a false alarm may be subject to disciplinary action as well as arrest and other fines and penalties. Tampering with fire safety equipment is a violation of the state and local fire safety code and subjects violators to all penalties under the code.

## Housing & Residence Life Evacuation Procedures

- When an alarm sounds, immediately evacuate your residents (whether on duty or not). Knock on each door as you pass by, moving quickly. Assist any disabled persons in evacuating by informing campus police where they are located. Do not stay in the building if there is an actual fire or heavy smoke; it is the responsibility of each resident to evacuate the building when the alarm sounds.
- Once evacuated, residents should move 500 feet from the building and should keep streets and entrances clear. In case of inclement weather, evacuate to the nearest building lobbies.
- Resident Directors (RD) will strategically place Resident Assistants (RA) to watch for students re-entering the building before instructed to do so by UTCPD or the Fire Department.
- In going through the building, do not open doors that feel warm or have smoke coming from under them. Use the back of your hand to feel the temperature of doors. If you do open any doors, do so slowly, staying behind the door.

### 2015 Fire Statistics

<table>
<thead>
<tr>
<th>Housing Facility</th>
<th>Facility Address</th>
<th>Number of Fires</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
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<td>None</td>
</tr>
<tr>
<td>Boling Apartments</td>
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<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Johnson Obear Apts.</td>
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<td>Guerry Apartments</td>
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<td>None</td>
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<td>None</td>
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<tr>
<td>Decosimo Apartments</td>
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<td>1</td>
<td>Food on stove eye</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Stophel Apartments</td>
<td>818 University St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Walker Apartments</td>
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<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>UC Foundation Apts.</td>
<td>718 McCallie Ave.</td>
<td>0</td>
<td>None</td>
<td>None</td>
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<td>None</td>
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<td>None</td>
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<tr>
<td>Johnson Obear Apts.</td>
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<td>None</td>
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<tr>
<td>Guerry Apartments</td>
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<td>0</td>
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<td>None</td>
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<td>Food on stove eye</td>
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<td>$0-99</td>
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<td>Walker Apartments</td>
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<td>None</td>
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<td>None</td>
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<tr>
<td>UC Foundation Apts.</td>
<td>718 McCallie Ave.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>
• After the section is evacuated, RDs will meet RAs at a designated location to give you further instructions.
• Call the Assistant Director of Housing if alarm proves to be the result of an actual fire.
• Do not reenter the building until you are instructed to do so by a UTCPD officer.

RDs will assign each RA to an area of responsibility during evacuation. The RA should advise the residents that they will not be able to re-enter the building until instructed by Campus Police.

Evacuation Locations – evacuation locations have been established for each housing complex. These locations are described in the housing evacuation procedure maintained by the University Housing office.

Evacuation Procedures for Students With Disabilities

All Resident Assistants should lend whatever assistance is needed to ensure the safe evacuation of all residents. The Resident Assistants who have residents with physical disabilities residing in their sections or floor, should notify the Campus Police and/or Fire Department as to the apartment number of these residents so that proper assistance can be provided for them.

Fire Hazards

Candles, incense, halogen lamps, and potpourri are a fire hazard and are not allowed in residence halls or apartments. Violators will be subject to disciplinary action. Due to fire regulations, hot plates, microwaves, and other cooking appliances may not be used in bedrooms. Students should instead use the kitchen area in their apartment.

Housing Health & Safety Regulations

The following are excerpts of housing policies. All housing policies can be found in the UTC Student Handbook.

These steps must be taken to ensure the health and well-being of the on-campus community.

1. Fire extinguishers should be in proper working order and should not be blocked by any items. Exits and hallways should be unobstructed.

2. All trash must be properly disposed of in a timely manner.
3. **Percolators, hotplates, immersion heaters, grills, popcorn poppers, and halogen lamps should not be used in the student's room or apartment.**

4. Small amounts of supplies such as paint thinner and rubber cement may be kept in rooms, but only in metal containers and away from heat sources.

5. **Extension cords must be Underwriter Laboratory approved. Do not put cords under rugs, clothing, trash, books, or near heat sources.**

6. **Storage of gasoline, fuels, or vehicles containing them is prohibited.**

7. Students should take extra care to insure that their entrance doors are secured/locked at all times and that common doors are not propped.

8. Residents are responsible for following all safety rules promulgated by the Department of Public Safety and Housing Department. Damaging or interfering with smoke and fire detection equipment and failure to follow fire evacuation procedures and directives from safety officers or residence life staff are also violations of safety rules.

**Smoking Policy**

Smoking is prohibited inside all residence halls including bedroom, common area, and kitchen. Smoking is permitted outside 25 feet away from entrances.

**Fire Drills**

Fire drills in university housing buildings are conducted four times per year as required by International Fire Code. The drills are conducted as a collaborative effort between the Housing staff, Campus Police and the University’s Office of Safety and Risk Management.

**Fire Training**

Fire training is provided to all UTC Housing staff once a year by the UTC Office of Safety and Risk Management and the City of Chattanooga Fire Department. This is a four hour training that includes lecture and hands-on fire extinguisher training on live fires. This training is also open to other University employees.

Fire education and evacuation training is made available to all UTC students, faculty and staff at various times during the year.
Emergency Response and Evacuation Procedures

UTC maintains and is currently strengthening its emergency response and evacuations procedures. A key component of that is the ability to provide warnings and notification in the event of an emergency. In addition to the fire alarms discussed elsewhere in this report, UTC also has the ability to provide information on other types of emergencies.

An “Abnormal Condition Preparedness Guide” booklet is distributed campus-wide to all faculty and staff. The booklet can also be found on the UTC Safety and Risk Management web page. In the event of an emergency or abnormal condition, this guide is intended as a quick reference for recommended action. The guide should be kept in a location that is accessible in the event of an emergency.

Fire Response

- If you smell smoke or other unusual odors suggesting a possible fire, immediately call UTCPD at 911. If you discover an actual fire situation, you should:
  1. Alert other building occupants by immediately sounding the building fire alarm. To do this pull a wall mounted fire alarm pull station, located near all exit ways.
  2. Contact UTCPD by dialing 911 and give them the location of the fire.
  3. Evacuate the building. Do not use the elevators. Most stairways are protected from smoke and are the safest way out of the building.
- If needed, fire extinguishers are located in all public corridors approximately every 75 feet.
- Never assume a fire alarm is false. If you hear a fire alarm sounding, exit the building immediately. Do not re-enter the building until told it is safe to do so by either the police or the fire department.

Emergency Evacuation

In the event of an emergency situation it may be necessary to evacuate the building. Causes for evacuation may be fire, hazardous chemical incidents, explosion, severe weather or other conditions. UTC campus buildings are equipped with fire evacuation alarm systems that include smoke and heat alarms, sprinkler water-flow alarms and wall-mounted pull stations. If you hear a fire / evacuation alarm, you should evacuate the building immediately. Go to the emergency assembly area (or at least 500 feet away) indicated on the emergency evacuation signage in each building.
Physically impaired individuals should be identified for assistance by fellow building occupants. Mobility impaired individuals on upper floors should proceed to the nearest exit stairwell or designated area of refuge for assistance by emergency response personnel. Once outside the building, co-workers should immediately notify emergency response personnel of the location of mobility impaired individuals.

Anyone discovering a fire, witnessing an explosion or being made aware of a hazardous chemical incident should immediately activate the building evacuation alarm by pulling a pull station located at the exit ways and then notifying UTCPD by dialing 911.

Any questions concerning this evacuation procedure should be referred to the UTC Office of Safety & Risk Management at extension 5209 or 2145.

**Crime Statistics**

The following crime statistics are to inform the public about the probable exposure of the University population to each crime category. As one can determine from the data, exposure to crime on the UTC campus is minimal at best. The data also indicates that ongoing crime prevention and awareness programs are having a positive effect toward reducing overall crime rates.

We believe an informed public is a safety conscious public. The following statistics, provided in compliance with Tennessee’s College and University Security Information Act, as well as the Federal Crime Awareness and Campus Security Act of 1990, are for your information as part of UTC's overall safety and security program. If you have any questions, contact the UTC Department of Public Safety at 425-4357. For clarification purposes, definitions of the subcategories in the statistical data are as follows:

**Clery Geography Description**

UTC must report statistics for criminal incidents if they occurred on:

**On-Campus**

Any UTC owned or controlled buildings or property w/in the same reasonably contiguous geographic area of the campus (includes buildings, streets, grounds, and parking lots located within campus or UTC boundaries)
- Reasonably contiguous refers to a building or property UTC owns or controls that's in a location that students consider to be, and treat as, part of campus. Locations w/in one mile of the campus border are considered to be reasonably contiguous with the campus.

- Includes academic, administrative & support buildings and UTC owned property that is controlled by another person, is frequented by students and supports the university’s educational purposes (such as a food vendor, bookstores, or other retail vendor).

**Residential Facility**

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus. (Includes undergraduate, graduate, and married student housing; single family houses that are used for student housing; buildings that are used for student housing but also have faculty, staff or other individuals living there; and buildings that are owned by a third party that has a written agreement with the institution to provide student housing).

**Public Property**

All public property, including thoroughfares, streets, sidewalks, and public parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. (Includes public parks, public waterways, and public transit stations/stops).

**Non-Campus Building or Property**

Any building or property owned or controlled by UTC or an officially recognized student organization, located off campus, that is frequently used by students (fraternity or sorority house, research facilities, rented classroom space in a local high school used by UTC, a recreational or athletic field leased by UTC).

**Crime Statistics Chart**

<table>
<thead>
<tr>
<th>TYPE OF OFFENSE</th>
<th>GEOGRAPHIC LOCATION</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
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<td>Non-campus building or property</td>
<td>Public property</td>
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<tr>
<td>---------------------------</td>
<td>------------</td>
<td>----------------------</td>
<td>---------------------------------</td>
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<tr>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Non-campus building or</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>BURGLARY</td>
<td>26</td>
<td>15</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>2</td>
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</tr>
<tr>
<td>Residential facility</td>
<td>20</td>
<td>15</td>
<td>17</td>
<td>0</td>
</tr>
<tr>
<td>Non-campus building or</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Public property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Category</td>
<td>Location</td>
<td>residential facility</td>
<td>Non-campus building or property</td>
<td>Public property</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-------------------------------</td>
<td>----------------------</td>
<td>---------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>ARSON</td>
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<td>0 0 0</td>
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<td></td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>On Campus*</td>
<td>0 3 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stalking</td>
<td>Residential facility</td>
<td>0 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic violence</td>
<td>Non-campus building or property</td>
<td>0 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dating violence</td>
<td>Public property</td>
<td>0 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arrests: Liquor law violations</td>
<td>On Campus*</td>
<td>9 1 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drug law violations</td>
<td>Residential facility</td>
<td>18 8 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weapons law violations</td>
<td>Non-campus building or property</td>
<td>0 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public property</td>
<td>On Campus*</td>
<td>282 488 359</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential facility</td>
<td></td>
<td>282 487 349</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquor Law Violations</td>
<td>Non-campus building or property</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>---------------------------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>Public property</td>
<td>3</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>Drug Law Violations</td>
<td>On Campus*</td>
<td>65</td>
<td>103</td>
<td>68</td>
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<tr>
<td></td>
<td>Residential facility</td>
<td>63</td>
<td>102</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>Non-campus building or property</td>
<td>17</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Public property</td>
<td>1</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Weapons Law Violations</td>
<td>On Campus*</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Residential facility</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Non-campus building or property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Public property</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

**Crime Statistics**

*The “on-campus” category includes all incidents that occurred on campus, including those listed in the category labeled, “residential facility.” Therefore, the two categories are not cumulative, but duplicative.

Statistics for liquor, drug, and weapons violation disciplinary referrals were collected and calculated according to standard hierarchy rules.

**Hate Crimes**

There were no reported hate crimes for the years 2013, 2014 or 2015.

**Unfounded Crimes**

There were no unfounded crimes in 2013, 2014, or 2015.
Important Numbers and Addresses

On Campus

**UTC Police Department**

*Physical Address:* 400 Palmetto Street, Chattanooga, TN

*Mailing Address:* Dept. 3954, 615 McCallie Avenue, Chattanooga, TN 37403-2598

Fax Number: (423) 425-2308

UTC Communications Center .................................................................4357 (HELP)

Sr. Vice Chancellor for Finance and Operations, Richard L. Brown, Jr.
.................................................................4393

Director, Robie Robinson.................................................................4167

Chief of Police, Robert Ratchford .............................................................4004

Deputy Chief of Police, Craig Hamilton .............................................................5290

Director, Safety & Risk Management .............................................................5949

Student Development.................................................................4761

Housing Office................................................................................4304

Student Health Services.................................................................(423) 778-2266

University Center................................................................................4455

Counseling & Personal Development Center .............................................................4438 UTC

Women’s Center ................................................................................5648

**City of Chattanooga Police Department**

*Physical Address:* 3300 Amnicola Highway, Chattanooga, TN 37406

Dispatch ..............................................................................................(423) 698-2525

To Report a Crime, Fire or Request an Ambulance
Appendix A: Mandatory Reporters When The Complainant Is A UTC Student

<table>
<thead>
<tr>
<th>Employee</th>
<th>Is the Employee a Mandatory Reporter when the Complainant is a University Student?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Coordinator/Office of Equity &amp; Diversity</td>
<td>Yes</td>
</tr>
<tr>
<td>Deputy Title IX Coordinators</td>
<td>Yes</td>
</tr>
<tr>
<td>Faculty Members</td>
<td>Yes</td>
</tr>
<tr>
<td>Exempt, non-student staff members</td>
<td>Yes (except for Confidential Employees, who are not Mandatory Reporters if they receive the information from a Complainant who is a patient or a client)</td>
</tr>
<tr>
<td>Academic advisors, but not including student tutors</td>
<td>Yes</td>
</tr>
<tr>
<td>Faculty and staff advisors to registered student organizations</td>
<td>Yes</td>
</tr>
<tr>
<td>Resident Assistants and Graduate Assistants (e.g., Graduate Teaching Assistants, Academic Advisors, Graduate Assistants in Athletics)</td>
<td>Yes, if the report is received in the assistant’s University employment capacity (except for a graduate assistant who receives the information while working for a Confidential Employee).</td>
</tr>
<tr>
<td>A University employee whom the University has designated as a “Campus Security Authority” for purposes of Clery Act compliance</td>
<td>Yes, if the report concerns a Clery Act crime that occurred on Clery Act Geography (the report shall be sent to UTPD).</td>
</tr>
<tr>
<td>Employees who are not identified in this Appendix B</td>
<td>No</td>
</tr>
</tbody>
</table>
If an employee has multiple roles, the employee is a Mandatory Reporter if the answer is “Yes” on this chart with respect to any of the employee’s roles in a particular situation. Also, employees of UTCPD are Mandatory Reporters for reports received in a law enforcement capacity.

Appendix B: Mandatory Reporters When The Complainant Is A UTC Employee

<table>
<thead>
<tr>
<th>Employee</th>
<th>Is the Employee a Mandatory Reporter when the Complainant is a University Employee?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Coordinator/Office of Equity &amp; Diversity and Deputy Title IX Coordinators</td>
<td>Yes</td>
</tr>
<tr>
<td>Director of Human Resources, Asst. Director of Human Resources, or Human Resources Generalist</td>
<td>Yes</td>
</tr>
<tr>
<td>Employees who are supervisors</td>
<td>Yes, if the report is made to: (1) the immediate supervisor of either the Complainant or the Respondent; or (2) other employee who has the authority to redress the prohibited conduct. However, Confidential Employees are not Mandatory Reporters if they receive the information from a person who is a patient or a client</td>
</tr>
<tr>
<td>A University employee whom the University has designated as a “Campus Security Authority” for purposes of Clery Act compliance.</td>
<td>Yes, if the report concerns a Clery Act crime that occurred on Clery Act Geography (the report shall be sent to UTPD)</td>
</tr>
<tr>
<td>Employees who are not identified in this Appendix C</td>
<td>No</td>
</tr>
</tbody>
</table>

If an employee has multiple roles, the employee is a Mandatory Reporter if the answer is “Yes” on this chart with respect to any of the employee’s roles in a particular situation. Also, employees of UTCPD are Mandatory Reporters for reports received in a law enforcement capacity.

Appendix C: Confidentiality Exceptions

1. **Written consent.** Confidential Employees may disclose information reported to them by the Complainant with the
Complainant’s written consent, if the written consent satisfies the requirements of applicable state and/or federal law.

2. **Campus Security Authorities** – Clery Act. UTC employees who do not meet the Clery Act definition of a pastoral or professional counselor but who meet the Clery Act definition of a “campus security authority” have a duty to report non-personally identifiable information about certain incidents of Prohibited Conduct to UTCPD to comply with the Clery Act, as described in Section III.E.1.

3. **Child abuse or child sexual abuse** (Tennessee Code Annotated §§ 37-1-401 et seq.; 37-1-601 et seq.; 37-1614). Tennessee law mandates reporting by any person, including a psychiatrist, psychologist, physician, or social worker, who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether the child has sustained any apparent injury as a result of the abuse. State law requires a report of child abuse or child sexual abuse to be made immediately to one of the following authorities outside UTC: (1) 911, in the case of an emergency; (2) the Tennessee Department of Children’s Services; (3) the sheriff of the county where the child resides; (4) the chief law enforcement official of the city where the child resides; or (5) a judge having juvenile jurisdiction over the child. The Tennessee mandatory reporting laws apply to all UTC employees, contractors, and volunteers, even if the child abuse or child sexual abuse does not occur in connection with a UTC educational program or activity. For purposes of the Tennessee mandatory reporting law, UTC students who are under the age of eighteen (18) are not excluded from the definition of a child.

4. **Persons called upon to tender aid to certain victims** (Tennessee Code Annotated § 38-1-101). Tennessee law requires all physicians, surgeons, nurses, pharmacists, or other persons to immediately report an incident in which they were called upon to tender aid to a victim suffering from any wound or other injury inflicted by means of a knife, pistol, gun, or other deadly weapon, or by other means of violence, or suffering from the effects of poison, or suffocation, or where a wound or injury is reasonably believed to have resulted from exposure to a methamphetamine laboratory or a methamphetamine related fire, explosion, or chemical release, or appears to be suffering from or to have been the victim of female genital mutilation in violation of Tennessee Code Annotated § 39-13-110. The report is required to be made to certain law enforcement officials. Generally, such report must state the name, residence, and employer of the victim, if known, the victim’s whereabouts at the time the report is made, the place the injury occurred, and the character and extent of the victim’s injuries. However, the reporting obligations do not apply if: (1) the victim is at least 18 years of age; (2) the victim objects to the release of any identifying information to law enforcement officials; (3) the victim is a victim of a sexual assault offense or domestic abuse as defined in Tennessee Code Annotated § 36-3-601; and (4) the victim’s injuries are considered by the treating healthcare professional to be life threatening, or the victim is being treated for injuries inflicted by strangulation, a knife, pistol, gun, or other deadly weapon.
5. **Subpoenas or court orders.** A person, including a physician, can be required to testify concerning confidential information by a subpoena or court order.

6. **Court orders – Qualified Mental Health Professionals (Tennessee Code Ann. § 33-3-114).** A court can order a Qualified Mental Health Professional to disclose confidential information if, after a hearing, the court determines that disclosure is necessary for the conduct of proceedings before it.

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**Appendix C: Confidentiality Exceptions (cont.)**

7. **Duty to warn third parties (Tennessee Code Annotated §§ 33-3-206; 33-3-210).** A Qualified Mental Health Professional (e.g., a licensed psychiatrist or psychologist) is required by state law to take reasonable care to predict, warn of, or take precautions to protect an identified victim from a patient/client’s violent behavior if: (1) a patient/client has communicated to a Qualified Mental Health Professional an actual threat of bodily harm against a clearly identified victim; and (2) the Qualified Mental Health Professional, using the reasonable skill, knowledge, and care ordinarily possessed and exercised by the professional’s specialty under similar circumstances, has determined that the patient/client has the apparent ability to commit such an act and is likely to carry out the threat unless prevented from doing so. If the threat communicated by a patient/client to a Qualified Mental Health Professional is an actual threat of serious bodily harm or death against a reasonably identifiable victim or victims, then the Qualified Mental Health Professional is required to report the patient/client to local law enforcement.

8. **Threat of Harm to Self or Others – Survivor Advocacy Program.** If a Complainant has communicated information to a Confidential Employee in the Survivor Advocacy Program and indicates that the Complainant may attempt to harm themselves or a third party, then the Confidential Employee may refer the information to a licensed psychologist, professional counselor or social worker in UTC’s Counseling and Personal Development Center in order for the psychologist, professional counselor or social worker to make a professional assessment about the information and determine what action should be taken.

9. **Sexually transmitted diseases (Tennessee Code Annotated §§ 68-10-102; 68-10-115).**

   - A person who has a reasonable belief that a person has knowingly exposed another to HIV may inform the potential victim without incurring any liability. Please note that Tennessee law is not clear whether this obligation applies to a physician or a Qualified Mental Health Professional.

   - If any attending physician or other person knows or has good reason to suspect that a person having a STD is behaving so as to expose other persons to infection, or is about to so behave, the attending physician or other person shall notify the municipal or county health officer of the name and address of the diseased person and the essential facts in the case. Please note
that Tennessee law is not clear whether this obligation applies to a Qualified Mental Health Professional.

10. **Tennessee Adult Protection Act (protection of the elderly and other vulnerable persons)** *(Tennessee Code Annotated § 71-6-101 et seq.)*. Generally, Tennessee law requires any person who has reasonable cause to suspect that a person age 60 or older, or a person with certain physical and mental disabilities, has been subject abuse, neglect, or exploitation to report the situation to the Tennessee Department of Human Services, which will notify the appropriate law enforcement agency.

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**Appendix D: Consent Under Tennessee Criminal Law**

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

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

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

“Mentally defective” means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of the person's conduct. *(Tennessee Code Annotated §*
“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.
Appendix H

Roadmap of This Report

A Profile Of Your Students' Drinking Behavior

- Drinking behaviors of students before they arrive on campus
- Frequency and Reasons why your first-year students drink
• Your students compared to students across US
• Impact of high-risk drinking on your students

Mitigating Risk And Shifting Culture
• Student knowledge gains and behavioral impacts resulting from *AlcoholEdu*
• Strategies to engage your students to help change the drinking culture

Implications For Your Institution's Prevention Strategy
• Utilization of data to inform your future prevention efforts

Course Structure

PART 1: Primary Course Content
Understanding the “College Effect”

National student drinking rates follow a typical pattern: alcohol use generally rises the summer before a student enters college, and then increases substantially after their arrival on campus. This phenomenon, known as the "College Effect," is represented by the conceptual graphic below.
Mitigating The College Effect

Limited or no Prevention Efforts

With Prevention Efforts in Place

Classes Start

SUMMER BEFORE COLLEGE

FALL SEMESTER

DRINKING RATE
*Drinking rate is the proportion of students who have had more than a taste or sip of alcohol in the two weeks prior to the survey.
Student Data
Highlights From Your Data

Completed Survey 1: 1638
Completed Survey 2: 1600
Completed Survey 3: 746

17% measured midway through the fall semester (Survey 3) of your students reported drinking in a high risk way, when

of students, after completing AlcoholEdu (Survey 2), reported that the

90% course prepared them to make responsible decisions about drinking.

The most common drinking-related risk behaviors that your students engage in are doing shots and pre-gaming.
Two of the most frequently reported negative consequences of drinking are hangovers and blacking out.

Students reported that some of the most important reasons not to drink are because I am going to drive and that I don't want to spend the money.
Pre and Post Course Formative Assessments
### Factors Influencing Drinking Behavior

<table>
<thead>
<tr>
<th>Topic</th>
<th>Pre-Assessment</th>
<th>Post-Assessment</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol Knowledge</td>
<td>44%</td>
<td>78%</td>
<td>25%</td>
</tr>
<tr>
<td>Physiological Effects</td>
<td>64%</td>
<td>76%</td>
<td></td>
</tr>
<tr>
<td>Risk Reduction</td>
<td>55%</td>
<td>91%</td>
<td></td>
</tr>
<tr>
<td>Understanding the Influence of Alcohol</td>
<td>81%</td>
<td>94%</td>
<td></td>
</tr>
<tr>
<td>Factors Influencing Drinking Behavior</td>
<td>76%</td>
<td>88%</td>
<td></td>
</tr>
</tbody>
</table>

**National Post-Assessment:**

- Alcohol Knowledge: 80%
- Physiological Effects: 77%
- Risk Reduction: 91%
- Understanding the Influence of Alcohol: 84%
- Factors Influencing Drinking Behavior: 89%

**OVERALL KNOWLEDGE CHANGE**

- Pre-Assessment: 58%
- Post-Assessment: 82%
- Increase: 25%
Gains from *AlcoholEdu*

Students reported that *AlcoholEdu* prepared them to:

From
Survey 2
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevent an alcohol overdose</td>
<td>89%</td>
</tr>
<tr>
<td>Help someone who may have alcohol poisoning</td>
<td>92%</td>
</tr>
<tr>
<td>Establish a plan ahead of time to make responsible decisions about drinking</td>
<td>90%</td>
</tr>
<tr>
<td>Change their drinking behavior</td>
<td>53%</td>
</tr>
<tr>
<td>Change their perceptions of other’s drinking behavior</td>
<td>71%</td>
</tr>
</tbody>
</table>

**Impact For High-risk Students:**

Among the **57%** of high risk drinkers (**142 students**) who saw "no need to change the way they drink" before taking *AlcoholEdu*, **53%** (**73 students**) indicated their readiness to change after completing the course.

**A Profile Of Your Students**

**Survey 1 (n=1638)**

Data shows that **38%** of your students have not had a drink of alcohol in the past year. Among those who have (n=1000), the drinking rates are as follows:

**Alcohol and Sexual Assault (SA):**

Research finds that alcohol is the primary tool used by perpetrators to commit SA and *AlcoholEdu* has been shown to improve SA related attitudes and behaviors and **significantly reduce** victimization rates among students!

Data from the final survey shows how your students’ (n=437) drinking rates changed early in the first semester as compared to the national aggregate.

**Abstainers**
- University of Tennessee at Chattanooga: 38% (n=746)
- National Average: 41%

**Non-Drinkers**
- University of Tennessee at Chattanooga: 71%
- National Average: 68%

**Light/Moderate Drinkers**
- University of Tennessee at Chattanooga: 13%
- National Average: 15%

**Heavy-Episodic Drinkers**
- University of Tennessee at Chattanooga: 15%
- National Average: 17%

**Survey 3 (n=746)**
- **Light/Moderate drinkers**: 1-3 drinks for females; 1-4 drinks for males on at least one occasion in the past two weeks
- **Heavy-Episodic drinkers**: 4 or more drinks for females; 5 or more drinks for males on at least one occasion in the past two weeks
Reasons For Drinking Or Not Drinking

Students indicated the most important reasons for choosing whether or not to drink alcohol (Survey 1, n = 1638).

<table>
<thead>
<tr>
<th>Reasons for Drinking Alcoholic Beverages</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>To celebrate</td>
<td>54%</td>
</tr>
<tr>
<td>To have a good time with my friends</td>
<td>49%</td>
</tr>
<tr>
<td>Because I like the taste</td>
<td>32%</td>
</tr>
</tbody>
</table>

When you choose NOT to drink alcohol, how important are the following reasons:

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>I am going to drive</td>
<td>75%</td>
</tr>
<tr>
<td>Statement</td>
<td>Percentage</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>I don't want to spend the money</td>
<td>64%</td>
</tr>
<tr>
<td>I don't have to drink to have a good time</td>
<td>37%</td>
</tr>
</tbody>
</table>

*Drinkers only

** Percentages represent responses answering 5-7 on the likert scale
Negative Consequences From Drinking
negative consequences (Survey 3, n = 746):

<table>
<thead>
<tr>
<th>Event</th>
<th>University of Tennessee at Chattanooga</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blacked out</td>
<td>32%</td>
<td>37%</td>
</tr>
<tr>
<td>Had a hangover</td>
<td>41%</td>
<td>50%</td>
</tr>
<tr>
<td>Performed poorly on an assignment</td>
<td>21%</td>
<td>22%</td>
</tr>
<tr>
<td>Was taken advantage of sexually</td>
<td>11%</td>
<td>11%</td>
</tr>
<tr>
<td>Took advantage of someone sexually</td>
<td>7%</td>
<td>6%</td>
</tr>
</tbody>
</table>
Students who reported drinking in the last two weeks experienced the following

Percentages represent responses 2-7 on 7 point Likert scale, 1=Never experienced)
These are some of the most common risk-related drinking behaviors reported by your students who had a drink in the past two weeks (Survey 3, n = 746):

<table>
<thead>
<tr>
<th>Behavior</th>
<th>University of Tennessee at Chattanooga</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not eating before drinking</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>Choosing a drink containing more alcohol</td>
<td>24%</td>
<td>24%</td>
</tr>
<tr>
<td>Doing shots</td>
<td>46%</td>
<td>52%</td>
</tr>
<tr>
<td>Pregaming</td>
<td>40%</td>
<td>52%</td>
</tr>
<tr>
<td>Chugging alcohol</td>
<td>28%</td>
<td>26%</td>
</tr>
</tbody>
</table>

Percentages represent responses 5-7 on 7 point Likert scale, 1=Never
High Risk Drinking Behaviors
Positive Behavioral Intentions

After completing AlcoholEdu, students reported an increase in several positive behavioral intentions.

<table>
<thead>
<tr>
<th>行为</th>
<th>Pre Course Intentions</th>
<th>Post Course Intentions</th>
</tr>
</thead>
<tbody>
<tr>
<td>减少数量</td>
<td>36%</td>
<td>72%</td>
</tr>
<tr>
<td>减少频率</td>
<td>40%</td>
<td>68%</td>
</tr>
<tr>
<td>交替饮品种类</td>
<td>48%</td>
<td>78%</td>
</tr>
<tr>
<td>均匀饮酒</td>
<td>42%</td>
<td>74%</td>
</tr>
<tr>
<td>设定限制</td>
<td>51%</td>
<td>80%</td>
</tr>
</tbody>
</table>
Understanding Effective Prevention as a Process

Your AlcoholEdu data helps to identify problem areas and is the first step in an effective process for planning for successful prevention efforts on campus.

1. Conduct Problem Analysis

2. Develop Specific Goals and Objectives

3. Identify Strategies + Activities Based on Science and Theory

4. Articulate Plan of Action

5. Evaluate Your Efforts
Please contact your Partner Services representative to support your program planning. EverFi’s *Coalition* provides resources to support effective campus prevention, and to build institutional support for truly effective prevention to take hold.
Contact Information

Additional Resources

You may also request reports that allow you to benchmark your data against that of specific peer groups such as athletic conferences, national affiliations, regional groups and others.

For assistance accessing your online reports, or to request peer benchmark reports, please contact your Partner Service Director.

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Flores Brittany New

Katie Lyons

Lexie Yang

Annie

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# AlcoholEdu for College Course Map

## PART ONE

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>• Introductory Video</td>
<td>• What's Important to You?</td>
<td>• Drinker/Non-Drinker Plan</td>
</tr>
<tr>
<td>• Custom Welcome Letter</td>
<td>• What Do You Want to Focus on this Year and Why</td>
<td>• Choose Your Strategies</td>
</tr>
<tr>
<td>• Custom Welcome Video</td>
<td>• My Choices</td>
<td>• Activities on Campus</td>
</tr>
</tbody>
</table>

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<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>• Student Alcohol Knowledge Interviews</td>
<td>• What Do You Think?</td>
<td>• Alcohol Related Laws</td>
</tr>
<tr>
<td>• Pre-Assessment</td>
<td>• Factors That Can Influence Decisions</td>
<td>• Campus Policies</td>
</tr>
<tr>
<td>• Standard Drink Definition</td>
<td>• Why/Why Not Drink? Poll</td>
<td>• Drinking &amp; Driving</td>
</tr>
<tr>
<td>• Identifying Standard and Non-Standard Drinks</td>
<td>• Expectancy Theory &amp; Advertising</td>
<td></td>
</tr>
<tr>
<td>• Pouring Standard Drinks</td>
<td>• Ads Appealing to Men/Women</td>
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</table>

### SURVEY 1

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>• Risk Factors &amp; Choices</td>
<td>• BAC Basics</td>
<td>• Taking Care of Yourself &amp; Others</td>
</tr>
<tr>
<td>• You Are Not Alone/Benefits of Not Drinking/Calories &amp; Cash/Support for Your Choice</td>
<td>• What Factors Affect BAC</td>
<td>• Alcohol Poisoning</td>
</tr>
<tr>
<td>• Your Drinking Profile/ Your Peak BAC/Reducing Your BAC/Drinking Consequences/Calories &amp; Cash/Your Drinking Habits</td>
<td>• Risk/Protective Factors</td>
<td>• Helping Your Friends Poll</td>
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</tbody>
</table>

### EXAM

<table>
<thead>
<tr>
<th>10. Introduction</th>
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</thead>
<tbody>
<tr>
<td>• Welcome Back</td>
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</tbody>
</table>

### INTERSESSION

<table>
<thead>
<tr>
<th>11. Recognizing Problems</th>
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</thead>
<tbody>
<tr>
<td>• Taking Care of Yourself &amp; Others</td>
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</table>

<table>
<thead>
<tr>
<th>12. Course Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Summary of Key Topics</td>
</tr>
<tr>
<td>• Review Goals, Choices and Plan</td>
</tr>
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</table>