2018 Annual Security and Fire Safety Report

University of Tennessee at Chattanooga
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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
The University of Tennessee at Chattanooga Police Department (UTCPD) prepares the Annual Security & Fare Safety Report to comply with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (formerly the Crime Awareness and Campus Security Act of 1990) and Tennessee’s College and University Information Act, Tennessee Code Annotated (T.C.A.) § 49-72201, et seq. This information is being provided to you as part of UTC’s commitment to safety and security on campus.

This report contains crime & fire statistics for the previous three calendar years (2015 – 2017) concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned and controlled by UTC; and on public property within, or immediately adjacent to and accessible from the campus. It also includes valuable information about the University’s policies concerning campus safety and security, such as policies regarding drugs, alcohol, sexual assault and related offenses, timely warnings and immediate notifications. 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.

Statistics in this report are obtained from the incident reports of the University of Tennessee at Chattanooga Police Department (UTCPD), incident reports of other local law enforcement agencies and information from other campus officials designated as Campus Security Authorities.

UTC distributes a notice of availability of the report no later than October 1 of each year to every member of the campus community via email. Anyone, including prospective students and employees, may find this report on the police department’s website at: https://www.utc.edu/police and may obtain a paper copy by contacting Anitra Barrett-Williams, Clery Compliance Coordinator, at 423-425-5961 or email at Anitra-Barrett-Williams@utc.edu.

If you have any questions about the services provided, or the content of this report, please contact Chief of Police, Robert Ratchford at (423) 425-4357.
UTC POLICE DEPARTMENT: WHO WE ARE AND WHAT WE DO

Emergency Services, which is comprised of Safety & Risk Management and the Police Department, is under the leadership of the Office of Executive Vice Chancellor for Finance & Operations and Executive Director of Emergency Services. Institutional Clery compliance initiatives are managed by the Executive Director and Chief of Police.

UTCPD is a professionally trained department that consists of police officers, security officers, communications officers and administrative staff who often work with local, state and federal agencies to resolve cases. The primary concern of the department is to protect and assist the campus community. It is open and staffed 24 hours a day, 7 days a week, 365 days a year. UTCPD located in the Administrative Services Building, at 400 Palmetto Street, Chattanooga, Tennessee. Please feel free to stop by anytime for any assistance you may need. Additional information about the department is also located on our website at: https://www.utc.edu/police.

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.

To be successful in providing the highest degree of public safety services on the campus, it is important that community members follow good safety practices and understand that safety is the responsibility of all community members, not just those officially and formally charged with enforcing the laws, policies, and rules. This includes using the escort service, locking your valuables, and reporting suspicious/criminal activities. The department takes a leadership role in this area. This includes educational programs on campus safety, preventative patrols, incident investigation and crime reporting, fire safety and prevention, crime prevention, and community-policing.

UTCPD employs both full-time and part-time sworn police officers. UTC police officers are commissioned pursuant to T.C.A. §49-7-118 and Tennessee Board of Regents (TBR) Policy No. 5:01:07:00. All police officers receive a minimum of 420 hours of formal training, have graduated from an approved law enforcement academy and meet the training requirements of the Tennessee Peace Officers Standards and Training (POST) Commission.

Upon successful completion of law enforcement 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 complete a field training program in which they learn to apply their law enforcement academy training to a university environment. All sworn police officers 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.

UTCPD personnel consists of the following:

<table>
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<tr>
<th>FULL-TIME</th>
<th>PART-TIME</th>
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<tr>
<td>17 Sworn Officers</td>
<td>15 Sworn Officers</td>
</tr>
<tr>
<td>7 Non-Sworn Security Officers</td>
<td>29 Non-Sworn Security Officers</td>
</tr>
<tr>
<td>4 State Certified Communications Officers</td>
<td>1 State Certified Communications Officers</td>
</tr>
<tr>
<td>3 Administrative Staff</td>
<td>1 Reserve Officer</td>
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Full-time, uniformed officers patrol the campus and provide public safety services through the deployment of vehicle, foot, and bicycle patrols to ensure the safety of its students, staff, faculty, and visitors while protecting the property of the University. Both the full and part-time sworn officers, work special events in our 12,000 seat arena. These staff members also provide police protection and VIP escort service for visiting dignitaries involved in University functions and security for on-campus sorority and fraternity events.

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 department’s non-sworn security officers, which includes students employed by the department and contracted security officers, provide a strong visible presence and service for students on campus.

Security officers assist with patrol on campus and in on-campus residential facilities, work campus special events and details performing crowd and vehicular control activities, building checks, interior building patrols, as well as other pertinent security related operations. Security officers also observe and report all suspicious activities to the UTCPD.

The Communications Center of UTCPD also operates 24 hours a day, 7 days a week, 365 days a year. The Communications Center is staffed by state certified communications officers who answer calls for service and are authorized to dispatch police, fire, or emergency medical services immediately upon receiving a call for help. Communications officers also monitor intrusion and fire alarms. The Communications Center also has radio contact with all area emergency services. All emergency calls should be made to the campus 911 system. When you observe a crime or emergency, call (423)425-4357 or 911 immediately.

**JURISDICTION & LAW ENFORCEMENT AUTHORITY**

As a commissioned 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.

T.C.A. § 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.

UTCPD’s police officers have law enforcement authority and responsibility for enforcing applicable city, county, state and federal criminal laws on the campus and enforce University policies. Officers have the authority to investigate crimes, enforce laws, make arrests, and carry firearms. UTCPD police officers investigate all reports of criminal activity that occur within the jurisdiction of the UTC campus.

The Department’s non-sworn security officers assist the police officers in their duties. They do not have the authority to make arrests or carry firearms and have no legal authority upon which to enforce criminal offenses. However, they do have authority to enforce University policies.

**WORKING RELATIONSHIPS WITH SURROUNDING AGENCIES**

UTCPD maintains a strong working relationship with the Chattanooga Police Department (CPD) and other surrounding local law enforcement agencies when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information. These departments meet regularly to discuss issues of common concern and to identify areas where they may be helpful to each other in the performance of their jobs.

The UTCPD Chief of Police and other staff routinely participate in regional meetings to ensure that effective communication exist between the local 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.

UTCPD personnel work closely with local, state, and federal police agencies at the scene of incidents that occur in and around the campus area and have direct radio communication with CPD through the shared communications network. UTCPD is also a part of the Hamilton County 911 Emergency System. By mutual agreement with state and federal agencies, UTCPD maintains a NLETS terminal (National Law Enforcement Telecommunications Network). Through this system, UTCPD personnel can access the National Crime Information Computer (NCIC) system as well as the Tennessee Information Enforcement System (TIES). 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 WITH LOCAL LAW ENFORCEMENT

UTC has a written Memorandum of Understanding (MOU) with CPD regarding the investigation of alleged criminal offenses. This agreement allows each department to provide assistance including investigators to the other when necessary, for the purposes of investigating alleged criminal incidents. The CPD notifies UTCPD when a student is involved in criminal activity at a non-campus location, including those of officially recognized student organizations as well as those with housing facilities.

Per the current MOU with CPD, in accordance with the Robert “Robbie” Nottingham Campus Crime Scene Act of 2004 and TCA § 49-7-129, UTCPD will immediately notify CPD of: (1) any medically unattended death of a person that occurred on UTC property; or (2) a report alleging that any degree of rape has occurred on UTC property. Further, UTCPD will immediately notify CPD about any felony against a person such as homicide, unattended death, kidnapping/abduction, robbery, aggravated assault, or sexual assault.

CPD will investigate felony crimes against persons with UTCPD providing assistance in such investigations. However, pursuant to TCA § 49-7-129, (1) UTCPD and CPD will participate in a joint investigation of a death or alleged rape that occurred on UTC property; (2) CPD will lead the investigation of a medically unattended death that occurred on UTC property; and (3) UTCPD shall lead the investigation of an alleged rape that occurred on UTC property.

UTCPD is the lead agency for investigating alleged rapes, sexual assaults, or other sexually oriented crimes that occur on UTC property, and CPD will provide all available resources including forensic, investigative and social services to ensure a timely, effective and thorough investigation that provides support for the victims of these crimes.

UTCPD and CPD will jointly enforce traffic regulations within the University area. Both UTCPD and CPD will have concurrent authority to execute DUI arrests within the University area. UTCPD will investigate vehicular accidents on property owned by the University.

UTCPD has primary responsibility for maintaining order on UTC property, and CPD will assist in maintaining order upon request by UTCPD. UTCPD will handle primary response to all incidents requiring crisis intervention on University property. CPD will respond when requested by UTCPD to crisis situations on University property involving hazardous materials, hostage negotiations, bomb threats, civil disorders and suicide attempts.

UTCPD will provide primary response to emergency calls placed from anywhere on the UTC campus, including UTC Place Properties and at off-campus locations owned or operated by the University (i.e., the Jones Observatory and UTC child care facilities located at Brown and Battle Academies). CPD will respond to all calls for police assistance on City property and City streets within the University area. UTCPD
communications officers route all such calls involving students occurring on City property or City streets in the University area to CPD. Additionally, the Animal Services Unit of CPD will respond to requests for services from UTCPD.

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

**MONITORING OF CRIME(S) OFF-CAMPUS**

No UTC office or department provides supervision for off-campus housing, apartments, or individual homes, unless they are controlled by the University as official residence housing. CPD 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 conduct of individuals when off-campus.

Monitoring of crime(s) off-campus is done by CPD 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.

Students, whether they live on or off campus, are encouraged to immediately 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 & Fire Log, and Crime Prevention Bulletins.

**DAILY CRIME LOG AND CUSIA ARREST LOG**

The Tennessee College and University Security Act of 1989 (T.C.A. § 49-7-2201 through 49-7-2207) and the Clery Act describe 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. UTCPD publishes this information online in its Annual Security & Fire Safety Report.

Under the Clery Act, 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.

UTCPD enters information in the daily crime log for all criminal incidents reported to the police department from calls for service that are received through dispatch, local law enforcement agencies, and 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 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. UTCPD’s Daily Crime & Fire Log is available for inspection during normal business hours at the UTCPD or online at https://www.utc.edu/police/clery/daily-crime-logs.php. If you would like to see records beyond 60-days you must contact the Clery Compliance Coordinator at 423-425-5961 or clery@utc.edu. The records will be made available within two business days of your request. The Department maintains both electronic and hard copies of the daily crime log.

Per T.C.A. § 49-7-2206, UTCPD is also required to publish an arrest log. This is a chronological log of all crimes against persons or property reported to the UTCPD in which an arrest has been made. The Department is required to keep and maintain this log daily. Each entry in the log must contain the date, time and general location of the crime and, if an arrest has been made, the names and addresses of all persons arrested and charges against the persons arrested. The CUSIA Arrest Log is available online for inspection at: https://www.utc.edu/police/clery/daily-crime-logs.php.

### CRIME REPORTING PROCEDURES & UNIVERSITY RESPONSE

The University strongly encourages the accurate and prompt reporting of crimes to the UTCPD, which has been designated as the University’s primary reporting structure for crimes and emergencies. The emergency telephone number to the UTCPD Communications Center is (423) 425-4357. You may also use this line for non-emergency reporting.

Accurate and prompt reporting ensures that UTCPD is able to evaluate, consider and send Timely Warnings, disclose crimes through ongoing disclosure processes such as the posting of crimes in the Daily Crime & Fire Log and CUSIA Arrest Log and accurately documenting reportable crimes in its annual statistical disclosure.
Under the Clery Act, a crime is “reported” when it is brought to the attention of a campus security authority, UTCPD, or local law enforcement personnel by a victim, witness, other third party or even the offender. It does not matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the University.

Criminal incidents or incidents occurring off campus should be reported to the local law enforcement agency with jurisdiction over the location where the crime occurred. When victims of crimes are unable to make a report, members of the community are encouraged to do so on their behalf.

TO REPORT A CRIME OR EMERGENCY

To report a crime or emergency, members of the community should:

- Dial 911 or 4357 (HELP) from any University telephone to reach UTCPD. The caller’s location is automatically displayed on the computer at the communications officers’ desk so that help can be dispatched immediately.
- Dial 423-425-4357 from any non-University phone; however, the caller’s location will not automatically be displayed.
- Use a “Blue Light” emergency phone/call box that are strategically located throughout the campus. There are currently 79 on campus.
- Use an emergency phone located in elevators around campus. There are currently 44 on campus.
- Use a red emergency telephones located in classrooms around the University. There are currently 119 on campus.
- Dial 911 from a cell phone or non-University phone. 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 UTCPD.
- Report in person to the UTCPD at the police department located at 400 Palmetto Street.
- Sex offenses and other incidents of sexual or relationship violence can also be reported to the University’s Title IX Coordinator, Stephanie Rowland, by dialing (423) 425-4255 or on campus extension 4255; or by email at Stephanie-Rowland@utc.edu; or in person at Hooper Hall, Room 206.
- Contact the Office of the Dean of Students by dialing (423) 425-4301 or on campus extension 4301; or in person at the University Center, Room 399.
- Anonymously report by completing the online “Student of Concern Referral Form” reporting form at: http://www.utc.edu/studentofconcern (This form should only be used for non-emergency or non-urgent reporting)

Communications officers are available 24 hours a day to answer calls. UTCPD procedures require an immediate response to emergency calls. In response to a call, UTCPD will take appropriate action, either dispatching an officer or asking the victim to come to the police department to file an
incident report. If the communications officer determines that assistance is required by the City of Chattanooga Police Department, Hamilton County Emergency Medical Services, or the City of Chattanooga Fire Department, the communications officer will contact the appropriate unit. Priority response is given to crimes against persons and personal injuries.

If a sexual assault or rape should occur on campus, staff on the scene, including UTCPD, will offer the victim a wide variety of resources and services. This includes referrals to UTC’s Survivor Advocacy Services which has trained staff who are available to assist a victim 24 hours a day, seven days a week. This report contains information about on and off campus resources and services.

All incident reports involving weapons, drug, alcohol, or code of conduct violations are forwarded to the Office of the Dean of Students for review and potential action by Student Conduct, as appropriate. All incident reports involving sexual misconduct, relationship violence and stalking are forwarded to the Title IX Coordinator for review and potential action, as appropriate. UTCPD officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the appropriate office.

As previously mentioned, members of the campus community should report crimes to UTCPD to ensure inclusion in the annual crime statistics and to aid in making Timely Warning notices to the community, when appropriate. For example, a crime that was reported only to the University counseling center would not be known to UTCPD, a campus security authority, or other University official.

**IF YOU ARE ASSAULTED**

If you are assaulted, call UTCPD as soon as possible. Try to remember as much about the assailant as possible. Characteristics important in locating and identifying suspects include: sex; race; hair color, length and texture; body size; clothing; scars and other noticeable markings; mode of travel; and vehicle color, type, and license plate number. In some incidents, the victim may already know the name of the person committing the assault. If you report an assault, the campus will be searched immediately for suspects, and neighboring police agencies will be notified.

**IF YOU SEE A SUSPICIOUS PERSON**

If you see anyone acting suspiciously, call UTCPD at once. Do not approach the person yourself. Report the type of activity you observed and describe the person or persons involved. Provide as much information as you can, such as the person’s sex, race, location, type of clothing, and type of vehicle. UTCPD will investigate your report immediately. If all members of the campus community become security conscious can report suspicious activity, thefts and related incidents can be reduced. Remember, preventing crime is your responsibility, too!

**IF YOU RECEIVE A BOMB THREAT**

If you receive a bomb threat by telephone, obtain as much information from the caller as possible. Ask for (1) the location of the bomb, (2) the expected time of explosion, and (3) the type of bomb. Listen carefully to
the caller’s voice and any background noises. Such information may assist in identifying the caller. Call the UTCPD immediately. UTCPD will search the area involved and notify trained bomb squad personnel if a device is found. UTCPD, together with building officials, will determine whether evacuation is required. The most important thing to remember about preventing crime is that you should call police whenever you suspect that a crime has been or may be committed. You do not need proof in order to call. If you suspect a crime, call the UTCPD immediately.

**VOLUNTARY CONFIDENTIAL REPORTING**

If you are a victim or witness 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 voluntary, confidential report.

Voluntary, confidential reports may be made using the Confidential Crime Reporting Form (also known as Silent Witness form) located on our website at [http://www.utc.edu/police/forms/silent-witness.php](http://www.utc.edu/police/forms/silent-witness.php). Your report will be sent to UTCPD via email where it will be forwarded to the appropriate division of the police department for follow-up. If you would like for someone to contact you, also complete the “contact information” section at the bottom of the form. With your permission, the Chief of Police or a designee of UTCPD can file a report with the details of the incident without revealing your identity.

*This form is not intended for crimes in-progress.* If you are witnessing a crime in progress call 911 from a cell phone or non-university phone, or (423) 425-4357 to reach the UTC police dispatcher (extension 4357 from a campus phone.)

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.

Under Tennessee law, police reports are public records, therefore, upon request, UTCPD must make police reports available for public inspection. In certain circumstances, the victim’s name is protected, but the crime report is not confidential.

**CONFIDENTIAL REPORTING: PASTORAL & PROFESSIONAL COUNSELORS**

When acting in their roles as pastoral and professional counselors, pastors and counselors are not considered CSA’s and are exempt from disclosing CSA’s and are exempt from disclosing reported offenses.

The Clery Act defines these two individuals as follows:

- **Pastoral Counselor:** A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within
the scope of that recognition as a pastoral counselor.

- **Professional Counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification. This definition applies even to professional counselors who are not employees of UTC, but are under contract to provide counseling at the institution.

As a matter of policy, both pastoral and 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 in the annual disclosure of crime statistics without making a police report. These individuals will also provide assistance in filing reports with the police or Title IX, if desired.

For a current roster of professional counselors, please contact the Counseling and Personal Development Center at (423) 425-4438.

**REPORTING CRIMES TO OTHER CAMPUS SECURITY AUTHORITIES**

For purposes of inclusion in the annual disclosure of crime statistics, reports can also be made to other Campus Security Authorities as described below. CSA’s can report criminal incidents on your behalf without identifying you, if you do not wish to be identified. If a CSA receives a report, the CSA must report the incident to either UTCPD or the Clery Compliance Coordinator; however, a police report will not be made. Reports to CSA’s of sexual harassment, sexual assault, sexual violence, or other sexual misconduct against students and employees are also required to be reported to the Title IX Coordinator.

Although UTC wants 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 CSA’s.

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.

The Clery Act defines four groups of individuals and organizations associated with the University whose job functions involve relationships with students. These individuals or organizations are considered to have significant responsibility for student
and campus activities. Those four groups are:

1. A campus police department. All individuals who work for the police 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 University policies as an individual or organization to which students and employees should report criminal offenses. Examples, include, but are not limited to, the following:
   - Title IX Coordinator;
   - Housing and Residence Life staff; and
   - Dean of Students Office.

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 University. 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 UTC, the following positions are examples of Campus Security Authorities (this list is not all inclusive):

- 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
CSA’s have online training available all year and are required to complete the training course yearly. UTC utilizes Everfi’s EDU: Clery Act Basics online program. Additionally, the Clery Compliance Coordinator is available to do in person training upon request.

CSA’s are trained on what information to obtain, while maintaining the confidentiality of the victim, and how to report the information to the UTCPD for inclusion in the campus crime statistics. Further, CSA’s can refer the victim to resources that can assist them, if they so choose.

**ASSISTING STUDENTS OF CONCERN: A FACULTY & STAFF RESPONSE GUIDE**

*If someone is an immediate threat to self, others, or property it should be considered an emergency* and directed to the UTCPD at (423) 425-4357 or 911 (from on-campus phone).

Please refer to the guidelines below for a quick reference on how to respond when you are concerned for a student.

**TAKE IMMEDIATE ACTION: CALL 911 OR (423) 425-4357 FROM A CAMPUS PHONE**

If the student:
* Threatens to injure, harm, kill, or risk the safety of self or others
* Acts in a frightening or threatening manner
* Refuses to leave the classroom after being asked to leave
* Reports or initiates a threat or bomb scare

**REPORT TO: STUDENT OUTREACH & SUPPORT**

If the student:
* Acts significantly out of character

**REPORT TO: (423) 425-CARE**

If the student:
* Acts in a way that causes alarm

**COMPLETE THE STUDENT OF CONCERN REFERRAL FORM:**
[http://www.utc.edu/studentofconcern](http://www.utc.edu/studentofconcern)

If the student:
* Displays unhealthy or dangerous patterns of behavior

**REPORT TO TITLE IX COORDINATOR:**

Stephanie-Rowland@utc.edu or (423) 425-4225

If the student:
• Reports having been a victim or perpetrator of sexual misconduct, relationship violence, or stalking

**CONSULT FOR GUIDANCE OR ADVICE:**
COUNSELING CENTER (423) 425-4438

If the student:
• Appears to be out of touch with reality
• Reports suicidal thoughts or actions, depression, hopelessness, anxiety, or difficulty dealing with grief

**REFER TO/CONSULT WITH:**
Survivor Advocacy Services (423) 425-5648

**AND**

**REPORT TO:**
Stephanie-Rowland@utc.edu or (423) 425-4225

If the student:
• Reports having been a victim of sexual misconduct, relationship violence, or stalking

**CONSULT FOR GUIDANCE OR ADVICE:**
OFFICE OF EQUITY AND INCLUSION (423) 425-5468

If the student:
• Indicates experiencing hate crimes, bias, or discrimination

**CONSULT FOR GUIDANCE OR ADVICE:**
STUDENT OUTREACH & SUPPORT (423) 425-CARE; sos@utc.edu

If the student:
• Reports having been a victim of hazing or other crime
• Exhibits behavior that substantially impairs, interferes, or obstructs orderly processes and functions of the University
• Exhibits behavior that is lewd or offensive
• Exhibits behavior that breaches the peace
• Reports feeling overwhelmed by a family or personal emergency
• Is not attending class or work for an extended period of time
• Seems overwhelmed by a problem that could affect class or work attendance or persistence (including financial, emotional, health, and social concerns)

**PREVENTING CAMPUS CRIME**

Crime prevention at UTC is a community-based program. Its main goal is to improve the quality of life for members of the campus community, and involvement by all members of the campus community is essential to its success. The UTCPD provide leadership and direction for this effort.

At UTC, positive changes and crime prevention efforts complement reactive measures. A variety of proactive crime prevention efforts are in use by UTCPD. Officers either walk the campus or patrol on bicycles, Segway’s or in marked vehicles. The department is available to provide walking escorts across campus. UTCPD also has Safe Ride Service on campus between the hours of 7:00 p.m. and 3:00 a.m. nightly during the academic year. Students, staff and faculty may use this service to address any personal safety concerns by calling (423) 425-4357. The escort may or may not be in a vehicle as contracted security officers often walk the caller to a more comfortable location.

**CRIME PREVENTION PROGRAMS**

UTC’s crime prevention program stresses community awareness and interaction. The UTCPD disseminates educational materials and makes presentations to acquaint students, faculty, and staff with their responsibility to help reduce the potential for a crime to occur. UTCPD also provides information on the departmental website. Security and safety programs, including videos and discussions, are also presented to students and other interested
community members in person by professional staff members of UTCPD. Topics range from personal safety and residence hall security to sexual assault and vehicle protection. The importance of citizen involvement in crime reporting is emphasized.

Crime prevention is a top priority at UTC. The UTCPD offers a wide variety of security awareness and crime prevention programming for students and employees. 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.

Crime prevention information is provided to all new students, faculty, and staff members at orientation programs. During freshmen and transfer orientation, students and parents are informed of services offered by the Emergency Services & UTCPD through video and PowerPoint presentations. The presentations outline ways to maintain personal safety and security in the residence halls. Students are also informed about crime on campus and in surrounding neighborhoods. Similar information is presented to new employees.

For employees, the UTC Onboarding Program includes safety and security presentations from departments such as Safety & Risk Management and UTCPD. Onboarding sessions are conducted throughout the year by Human Resources.

Representatives from UTCPD and the Clery Compliance Coordinator participate in Resident Assistant training annually to ensure that Residence Life staff are fully aware of safety issues and resources available to UTC students. Resident Directors and Resident Advisors are also present at these trainings. Residence hall policies, Clery Act compliance, and issues related to general safety and security are among the discussion items. Specific policy issues and problems are routinely addressed at residence hall floor meetings conducted by Resident Assistants. Safety & Risk Management and UTCPD staff are available to attend floor meetings, upon request, to discuss safety concerns. Additional details concerning student or residence hall regulations are included in the UTC Student Handbook 2018-19.

Additionally, Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis throughout the year. Periodically during the academic year, and upon request, 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 also offers Rape Aggression Defense (RAD) training to students and employees. 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 teach the courses provided. The training was offered from April 10-12, 2017.

R.A.D. is the largest organization or program ever endorsed by the International Association of Campus Law Enforcement Administrators (IACLEA). R.A.D.'s self-defense philosophies have been taught at over 3,500 colleges, universities, city, county, and state police departments nationwide. The class does not require any special training or special fitness level. Participants at all levels of ability, age, experience, and strength are provided with techniques and information that can be effectively used from the first day of class. The is a class for women only and provides information on physical and non-physical techniques.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

The UTC campus is part of the city of Chattanooga and, as such, is open to the public. Its facilities are limited to university, academic, and administrative activities and programs sponsored by university groups. Administrative and academic buildings are open to the public, at a minimum, during normal business hours, Monday to 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 Card), if issued, or by admittance via UTCPD or Residence Life staff. Students, faculty, and staff should have their University identification with them when they are on campus.

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. Additionally, the Housing and Residence Life Department has upgraded the existing video surveillance systems in many residence life areas.

Pursuant to Tennessee Statutory Law, trespassing on University property is strictly prohibited. UTCPD officers routinely inquire as to the visitation status of individuals suspected of violating the trespass law. Non-University personnel who are not bona fide guests will be asked to leave the campus. Failure to comply with the request to leave will constitute trespass as defined by law. Additionally, UTCPD officers complete a Field Interview form on the violator, and the information is retained for future use. Subsequent violations may subject the violator to arrest and prosecution.

Guests using a facility must be accompanied by their University host and must be registered by the host with the person in charge of the facility. Guests will be issued a guest identification card which they must have with them when they are on campus. This card is normally issued on a one-day basis. The person in charge of each campus
facility is required to check the identification of persons using the facility whenever necessary to insure implementation of the University’s policy regarding guests.

PHYSICAL CAMPUS SECURITY CONSIDERATIONS

University facilities and landscaping are maintained so as to minimize hazardous conditions. Malfunctioning lights and other unsafe conditions should be reported immediately to Facilities Planning & Management by calling (423) 425-4521 or, after business hours, by calling the UTCPD, 425-4357.

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 Planning & Management for correction. Safety & Risk Management staff also conduct scheduled evaluations of campus access. Other members of the University community are also encouraged to report equipment problems to UTCPD or to Facilities Planning & 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.

ACADEMIC AND ADMINISTRATIVE BUILDINGS

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 and/or security officers patrol the academic and administrative buildings on a regular basis, 24 hours per day.

RESIDENCE HALLS

During the 2017 Spring and Fall semesters, there were 19,361 undergraduate students and 2,709 graduate students enrolled at
UTC. The University had a housing capacity of 3,121 students. For the Fall 2017 semester, 3,176 students were living in residence halls on campus (7 graduate students and 3,169 undergraduate students). For the Spring 2017 semester, 2,831 students were living in residence halls on campus (7 graduate students and 2,831 undergraduate students).

Currently, all student housing at UTC consists of 10 buildings on-campus. All buildings except West Campus and Stagmaier are apartment style with a variety of shared and private bedrooms. Freshmen only buildings are Lockmiller, West Campus, and Guerry. Mixed (upperclassmen and freshmen) buildings are Johnson Obear and Decosimo. Upperclassmen only buildings are Boling, Stophel, Walker, and UC Foundation. Stagmaier Hall houses the Honors College.

Overflow housing was addressed through contract with Palmetto Place Apartments, a local apartment complex. Approximately 67 students were assigned to overflow housing on August to December 2017. UTC students occupied the entire building which consisted of 3 floors during that time period.

Single out-of-town first year students attending the University are expected to live in University housing when space is available unless they commute from their homes in nearby towns. They may not live off campus when residence hall space is available without permission from Housing and Residence Life.

**DIFFERENTIATED HOUSING**

The concept of Differentiated Housing at the UTC campus offers students the choice of the housing facility and living atmosphere in which he or she will live. The plans are:

1. **TYPE A:** Visitation privileges are allowed in the living-dining area from 12:00 noon until 12:00 midnight.

2. **TYPE B:** This plan involves minimal rules, regulations, supervision. This option is available to upper class students only.

The wishes of those who do not want to participate in visitation must be considered in the pattern of visiting. Those who are not participating should be reasonably assured that they will not be unduly imposed upon on any of these occasions. Each resident is responsible for the behavior of any of his or her guests and is expected to accompany him/her whenever they are present. In keeping with students' responsibility and parental and student requests, the University believes that when and where a student spends time away from the residence halls is a highly individual matter. This should take the form of an agreement between students and parents and not be imposed on students by the University.

**ROOM ASSIGNMENTS**

Residents of UTC Housing may sign up for housing by visiting [www.utc.edu/housing](http://www.utc.edu/housing). All new housing students must pay a $25 application fee. For additional information, please contact UTC Housing and Residence Life at (423) 425-4304. The University reserves the right to make changes to assignments when deemed in the best interest of the resident or the University. In case one of the occupants moves, the
student(s) who remain agrees to accept assigned roommate or to move to another apartment upon request. Spaces not claimed by the first day of classes in a semester are subject to re-assignment.

**ROOM CHANGES**

The University expects students to continue residency in the room to which they are assigned. However, it realizes that changes are sometime mutually beneficial. Through regularly scheduled procedures, room changes may be made. A fee may be assessed any time a student is allowed to move. Failure to obtain the written prior approval of both the Resident Director and the Housing and Residence Life could result in an assessment for administrative costs and could result in the imposition of disciplinary sanctions.

**RESIDENCE LIFE STAFF**

The Housing Department employs full-time professional Residence Life Staff and student staff whose primary objective is to assist students. A department employee is typically on call to respond to any crisis that might arise and has access to the building.

- **Assistant Directors (AD)** are full-time professionals who are responsible for developing and administering a comprehensive residence life program in an area of campus. There are two Assistant Directors, one serving North Campus and one serving South Campus. Each Assistant Director supervises four Resident Directors and indirectly supervises student staff in the area.

- **Resident Directors (RD)** serve as full-time, live-in professionals who are responsible for community development, management and overall operation of a housing complex. There is one Resident Director per complex. The Resident Directors supervise a team of Senior Resident Assistants and Resident Assistants.

- **Senior Resident Assistants (SRA)** are returning and experienced student staff members in each complex. It is the responsibility of the Senior Resident Assistants to assist the Resident Director. They also help improve the delivery of services to the resident students and overall improve the campus living experience. There are one to two Senior Resident Assistants per complex.

- **Resident Assistants (RA)** are student staff members that are responsible for community development on a floor or section of an apartment complex on campus. Resident Assistants perform many roles in the Residence Halls including resource, educator, policy enforcer, and community developer. There are three to fourteen Resident Assistants per complex.

The University currently employs: (1) Assistant Vice Chancellor for Residence Life, (1) Director for Housing and Residence Life, (1) Associate Director for Housing and Residence Life, (2) Assistant Director for Residence Education, (6) Resident Directors, (2) Assistant Resident Directors, (84) Resident Assistants, (1) Assistant Director of Facilities, (1) Assistant Director of
Occupancy, and (1) IT Administrator.  Note: The Senior Resident Assistant position is being phased out. Formal training of Directors and Assistants is conducted through cooperative efforts of the Housing and Residence Life and other campus offices.

ACCESS TO RESIDENCE HALLS

Residents can gain access to the building, to their floor, and to their individual rooms only by a key or keycard issued to them by the Housing Office. Misuse or loss of keys may jeopardize the safety of others and constitutes grounds for disciplinary action. There is a charge for lost keys and other security measures that must be taken due to the loss of such keys.

All apartment doors have deadbolt locks. Residents are urged to keep them closed and dead bolted 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.

Access to residence halls is restricted to residents, their approved guests, and other approved members of the University community. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their access cards.

GUESTS IN RESIDENCE HALLS

Guests of apartments are met at the apartment doors or as they inquire at the apartment office. Residents may have overnight guests of the same sex only, if prior arrangements are made with roommate(s) in writing and permission is given by the Resident Director. The maximum length of any visit is three days and three nights. All guests are governed by the university and residence hall regulations, and it is the host’s responsibility to make guests aware of this. In cases where the guest is in violation of University regulations, disciplinary action may be brought against the host.

SECURITY OF RESIDENCE HALLS

Because they are living areas, security in the residence halls differs from academic and administrative areas of the campus. Residence halls are secured 24 hours a day. UTCPD police officers and security officers actively patrol the exterior and interior of all campus residence halls on a regular basis, 24 hours per day, as part of the normal patrols.

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, etc.

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 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 intention of staying. Both the Housing Staff and the UTCPD make periodic exterior door checks during these low-occupancy periods.

Currently, there are 4 full-time housing security officers assigned to the student housing facilities. Each is assigned to a specific area or post and their hours are staggered seven days a week from 6:00 p.m. to 6:00 a.m. All housing security officers are trained annually on fire panel location, activation and deactivation of fire alarms, clearing residence halls, and monitoring and reporting suspicious activity. Each security officer is issued a portable two-way radio and is trained on the proper radio jargon, as well as how to contact police officers regarding suspicious persons or activity. Security officers are also required to monitor PowerDMS for in-service updates and policies or general orders that pertain to their role as housing security officers. Housing security officers also receive annual Campus Security Authority training.

**HOUSING INCIDENT REPORTS**

Incident reports are used by Resident Assistants to communicate the facts of an incident to the Resident Director and the Housing Office 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 the Office of the Dean of Students. Students found to be responsible for the behavior described in a report will be assigned sanctions.

**TIMELY WARNING POLICY**

It is the policy of UTCPD, in conjunction with Safety and Risk Management, University Relations, and the Chancellor’s Office, to issue Timely Warnings to the campus community to notify members of the community about serious crimes against people and/or property that occur within the core campus boundaries (which includes university owned or controlled property on campus and public property that is within or immediately adjacent to the campus) and in non-campus properties as defined by the Clery Act.

Although not required by federal law, Timely Warning notices may also be distributed for crimes that occur in areas outside of the Clery Act geographic areas, if the crime is deemed to pose an ongoing threat to the safety of the campus community. The decision to issue a Timely Warning notice for an off campus crime will be made on a case by case basis depending on an assessment of various factors which include, but are not limited to: the nature of the crime, the exact location, the time of the incident, the local police response and guidance to campus officials and the potential direct effect on the campus community.

These notifications will be made without delay unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency.
Timely Warning notices will be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

**TIMING & DECISION CRITERIA FOR A TIMELY WARNING**

A Timely Warning must be sent to the entire campus community and will be issued when it is determined that the reported incident may pose an ongoing or serious threat to members of the UTC community. These warnings will be issued if the incident is reported either to UTCPD directly or to UTCPD indirectly through a campus security authority or the local police departments.

The department will issue Timely Warnings for Clery Act crimes which represent a serious or continuing threat to the person and/or property of students and employees. Those crimes are:

- Murder/Non-Negligent Manslaughter
- Manslaughter by Negligence
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the larger UTC community)
- Robbery involving force or violence (cases involving pocket-picking and purse snatching will typically not result in the issuance of a notification, but will be assessed on a case by case basis)
- Burglary involving force or unlawful entry-no force (the facts and circumstances are considered on a case by case basis)
- Sexual Assault, including rape, incest, fondling, statutory rape (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by UTCPD)
- Major incidents of Arson
- Other crimes as determined necessary by the Chief of Police, or his designee in his absence

The department may also issue Timely Warnings for other Clery Act crime classifications, as deemed necessary, which include the following:

1. Emergency situations that are life threatening. Examples include, but are not limited to:
   - Persons on campus with weapons and the intent to use
   - Threat of violent crime
   - Situations where the identity or location of a suspect(s) is not known

2. Any act or immediate threat of interpersonal violence. Examples include, but are not limited to:
   - Domestic violence
   - Dating violence
   - Stalking
   - Hate crimes (larceny-theft, simple assault, intimidation)
   - Consistent pattern of violent behavior

3. Serious acts or threats to campus-owned or personal property. Examples include, but are not limited to:
• Civil unrest or rioting
• Damage/Destruction/Vandalism of Property
• Motor Vehicle Theft

The department does not issue Timely Warnings for the above listed crimes if:

1. The suspect(s) are apprehended and the threat of imminent danger for members of the UTC community has been mitigated by the apprehension.

2. A report was not filed with UTCPD or a Campus Security Authority was not notified of the crime in a manner that would allow the department to issue a “timely” warning to the community. As a general guideline, a report that is filed more than ten days after the date of the reported incident may not allow UTCPD to issue a “timely” warning to the community. This type of situation will be evaluated on a case by case basis.

In the event that a Timely Warning is determined to have been issued due to a false or unfounded report, an additional message will be sent retracting the original Timely Warning. An explanation of why it is being retracted will also be included.

A Status Update will also be issued to (1) provide an update on the situation, (2) provide a change in protective actions, or (3) when there is new information or instructions for the campus community regarding a previously issued Timely Warning.

An All Clear Notification will be issued to indicate that the situation has been contained and there is no longer a threat to the campus community.

NOTIFICATION RESPONSIBILITY & AUTHORITY

UTCPD is responsible for issuing Timely Warnings. The decision to issue a Timely Warning is made in coordination and consultation by at least two members of the UTC Alert Team.

The following university personnel are members of the UTC Alert Team and have authority to activate, direct the activation of, and de-activate the UTC ALERT system:

1) Executive Vice Chancellor for Finance and Administration
2) Executive Director of Emergency Services
3) Chief of Police
4) Deputy Chief of Police
5) Operations Lieutenant
6) Director of Safety and Risk Management
7) Vice Chancellor for Marketing and Communications
8) Associate Vice Chancellor for Marketing and Communications

Each of these individuals must appoint one or more alternates in the event that they are unavailable or incapacitated.

If a Timely Warning is deemed necessary, the details of the incident which occurred will be given to a member of Marketing and Communications to request activation of UTC ALERT. Marketing and Communications will review the information provided, draft the contents of the Timely Warning, and review the draft with one of the following members of Emergency Services Administration: (1)
Executive Director of Emergency Services, (2) Chief of Police, or (3) Deputy Chief of Police.

Upon approval, Marketing and Communications will then transmit the Timely Warning to the UTC community with UTC ALERT.

Marketing and Communications will also draft and transmit Status Updates and/or All Clear Notifications. In emergency situations, a member of Emergency Services Administration can draft the contents of the Timely Warning and transmit the notice to the UTC community with UTC ALERT.

HOW TIMELY WARNINGS ARE DISSEMINATED

The University currently uses an emergency notification system known as UTC ALERT. UTC ALERT is a multipath system used to distribute information related to any safety or security issue on campus. UTC ALERT features several communication pathways, including e-mail, text messaging, Website postings, social media, fire alarm and voice announcements, Alertus beacons, sirens and more. This system is designed to enhance and improve communication so that all members of the campus community can stay informed in the event of an emergency or dangerous situation that could impact the university. The goal is to help keep the campus safe and informed.

Students and employees can register multiple phone numbers and e-mail addresses with UTC ALERT.

Timely Warnings may be disseminated to the campus community via a variety of communication pathways. UTCPD will use one or more of the following communication pathways:

- **Raven E-mail**: A mandatory University issued e-mail account. Messages sent through e-mail are labeled as UTC-URGENT, UTC-SAFE & SECURE. Raven E-mails are used independently or in conjunction with one to two other communication pathways for campus wide Timely Warnings.

- **Rave E-mail**: A voluntary, opt-in e-mail system available to all persons with an active UTC MOCS ID number. If users opt-in, they will receive e-mails labeled as UTC-ALERT. Rave E-mails are used independently or in conjunction with one to two other communication pathways for campus wide notifications.

- **SMS Text Messaging**: A voluntary, opt-in text messaging system available to all persons with an active UTC MOCS ID number. If users opt-in, they will receive a text message on their cell phone with specific instructions. Users also have the option to register multiple phone numbers.

- **Fire Alarm and Voice Announcements**: The fire alarm is a siren system equipped to alert building occupants of a fire or evacuation emergency. Certain facilities on campus contain Voice Announce speakers which can also be utilized to provide emergency information/instructions.

- **Alertus (Beacons)**: Wall-mounted devices, installed in many classrooms throughout campus, which sound an alarm to notify when an emergency has occurred. The devices also have screens to display messages which contain important instructions for how to respond to the emergency situation.

- **UTC Website (RSS Feed)**: During an emergency, the UTC website will
provide updates, instructions, and information for the campus community.

- **UTC Facebook & Twitter feeds**: Voluntary, opt-in social media outlets. Allows users to keep up with what’s happening on campus and also receive emergency information. Social media sites that are not supported by the University are not considered to have verifiable and accurate information.

- **UTC Phone Line (425-4SNO)**: Provides recorded messages regarding inclement weather, closings, and emergency information to the campus community.

- **Media Release/Press Conference**: Depending on the nature and severity of the emergency, the local media may post breaking news or periodic updates regarding an emergency at UTC.

- **Vehicle Public Address Speakers**: In cases where an isolated or targeted message may be required, UTCPD vehicles equipped with public address speakers may utilize this method.

**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.

An “Abnormal Conditions Preparedness Guide” booklet is available to all students, faculty and staff. The booklet can also be found on the UTC Safety and Risk Management web page at: [https://www.utc.edu/safety-risk-management/emergency-management/emergency-preparedness/index.php](https://www.utc.edu/safety-risk-management/emergency-management/emergency-preparedness/index.php). In the event of an emergency or abnormal condition, this guide is intended as a quick reference for recommended action. The guide should be bookmarked for quick access in the event of an emergency.

**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.

Stay at the emergency assembly area until you receive an “all clear” from local responders.

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 of campus buildings and then immediately notifying UTCPD by dialing 911.

Any questions concerning this evacuation procedure should be referred to the UTC Office of Safety & Risk Management at extension 5741.

**EVACUATING PEOPLE WITH DISABILITIES**

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 indicated on emergency evacuation signage and wait 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.

**IMMEDIATE NOTIFICATION POLICY**

It is the policy of the UTCPD, in conjunction with Safety and Risk Management, University Relations, and the Chancellor’s Office, to issue an Immediate Notification to the campus community upon the confirmation of a significant emergency, dangerous situation, incident or crime, impacting the campus community and/or the surrounding area.

**TIMING AND DECISION CRITERIA FOR AN IMMEDIATE NOTIFICATION**

The department will immediately notify the campus community upon confirmation of an emergency or dangerous situation, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Confirmation means that the department or other university officials have verified that a legitimate emergency or dangerous situation exists.

**WHO WILL RECEIVE THE NOTIFICATION?**

Unlike a Timely Warning which must be sent campus wide, an Immediate Notification may be segmented to a specific group of individuals in a designated building or area. A member of the Decision Team will determine the appropriate segment or segments of the campus community to receive the notification.

In some situations, the department will notify only the segment of the campus population that is at risk. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by the situation, or when a situation threatens the operation of the campus as a whole. For example, in the case of a gas leak, the department may choose to notify only individuals in the building that has the leak, whereas for a meningitis outbreak, the department may choose to notify the entire campus community.

There will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

If the department determines that notification of audiences other than students and employees is necessary and appropriate, UTC’s procedures for disseminating emergency information to the larger community will include making pertinent information available on the UTC Website (www.utc.edu), as well as UTC’s Facebook and Twitter feeds. In addition, the University will provide emergency information to the media as appropriate.

**CONTENT OF IMMEDIATE NOTIFICATION**

An Immediate Notification will describe procedures for both response and
evacuation in emergency or dangerous situations. The department will determine how much information is appropriate to disseminate at different points in time. The content of an Immediate Notification may differ depending on what segments of the community the notification targets. For example, in the case of an approaching tornado, the department may tell students in residence halls to take shelter in the basement but may tell commuter students to stay away from the campus.

After the initial notification, follow-up information or a status update will be disseminated to the community via the communication pathways described above to (1) provide an update on the situation, or (2) provide a change in response or evacuation actions.

NOTIFICATION RESPONSIBILITY AND AUTHORITY

UTCPD is responsible for issuing Immediate Notifications. The decision to issue an Immediate Notification is made in coordination and consultation by at least two members of the Decision Team.

The following university personnel are members of the Decision Team and have authority to activate, direct the activation of, and de-activate the UTC ALERT system:

1) Executive Vice Chancellor for Finance and Administration
2) Executive Director of Emergency Services
3) Chief of Police
4) Deputy Chief of Police
5) Operations Lieutenant
6) Director of Safety and Risk Management
7) Vice Chancellor for Marketing and Communications
8) Associate Vice Chancellor for Marketing and Communications

Each of these individuals must appoint one or more alternates in the event that they are unavailable or incapacitated.

PROCEDURE TO ISSUE AN IMMEDIATE NOTIFICATION

UTCPD will inform members of the University community of any immediate threat to the health or safety of students or employees occurring on the campus and/or the surrounding area. Upon confirmation of an emergency situation that requires an immediate response, a member of the Decision Team will communicate without delay to implement the notification process.

A. A police supervisor or officer in charge (OIC) will report to the scene of the incident, and together with local first responders on the scene of a critical incident or dangerous situation, will confirm and verify the nature of the incident or emergency.

B. The police supervisor or OIC will communicate the information to the On Call Administrator who will immediately determine whether an Immediate Notification is warranted.

C. If an Immediate Notification is deemed necessary, the details of the emergency or incident will be given to a member of Marketing and Communications to request activation of UTC ALERT.

D. Marketing and Communications will review the information provided, draft the contents of the Timely Warning, and forward the draft to be reviewed by one of the following members of Emergency Services Administration: (1)
Director of Public Safety, (2) Chief of Police, or (3) Deputy Chief of Police.

E. Upon approval, Marketing and Communications will then determine the means of dissemination and transmit the Immediate Notification to the UTC community with UTC ALERT. Marketing and Communications will also draft and transmit Follow-Up Information/Status Updates.

F. In an extreme emergency, the notification process will be implemented at the sole discretion of a member of Emergency Services Administration. The member will draft the contents of the Immediate Notification, determine the method of dissemination, and transmit the notice to the UTC community with UTC ALERT.

G. The Chief of Police, or designee, will complete an Immediate Notification Determination Form for each incident that requires issuance of an Immediate Notification. The Immediate Notification Determination Form and a copy of the Immediate Notification is filed with the corresponding incident report, if any.

**TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

UTCPD, in coordination and conjunction with Safety and Risk Management, will test its emergency response and evacuation procedures on at least an annual basis, including publicizing its procedures in conjunction with at least one test per calendar year, and documenting a description of the exercise as well as the date and time of the exercise. Tests may be announced or unannounced.

The test will contain drills, exercises, follow-through activities, and be designed for assessment and evaluation of emergency plans and capabilities (have measurable goals). The test will address UTC’s plan for evacuating all campus buildings.

Safety and Risk Management will develop and maintain specific operational procedures which cover, at a minimum:

1. Activation of UTC ALERT,
2. Response to errors and system abnormalities, and

To ensure constant emergency access to the campus community, UTCPD shall inspect and test all campus emergency elevators, classroom emergency phones and Blue Light phones on a monthly basis. UTCPD will contact Facilities for any needed repairs.

Emergency phone tests and inspections shall be documented by UTCPD. All records shall be kept for a minimum of (3) years and are subject to review by Safety and Risk Management and/or UTCPD Command Staff.

**SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE & STALKING**

UTC prohibits sexual misconduct and 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.) Those 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.
UTC adopted a new policy regarding incidents of sexual misconduct, relationship violence and stalking on January 9, 2017. You can find a complete copy of that policy and additional information and resources at UTC’s Sexual Misconduct and Relationship Violence website at http://www.utc.edu/sexual-misconduct/. Information is excerpted below for your convenience.

**DEFINITIONS: VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) OF 2013**

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.

1. 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.

2. 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.

**Domestic Violence:** A Felony or misdemeanor crime of violence committed—

1. by a current or former spouse or intimate partner of the victim;

2. by a person with whom the victim shares a child in common;

3. by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

4. by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

5. by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Crime of Violence:** According to Section 16 of title 18 of the United States Code, the term “crime of violence” means:

1. 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

2. 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.

**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:** 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.

For the purposes of this definition:

- **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.

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

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

**JURISDICTIONAL DEFINITIONS:** **TENNESSEE CODE ANNOTATED**

Tennessee defines domestic violence as follows:

**§ 36-3-601. Domestic Abuse.**

As used in this part, unless the context otherwise requires:

(1) "Abuse" means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor;

(2) "Adult" means any person eighteen (18) years of age or older, or who is otherwise emancipated;

(3) (A)" Court," in counties having a population of not less than two hundred thousand (200,000) nor more than eight hundred thousand (800,000), according to the 1980 federal census or any subsequent federal census, means any court of record with jurisdiction over domestic relation matters;

(B) Notwithstanding subdivision (3)(A), "court," in counties with a metropolitan form of government with a population of more than one hundred thousand (100,000), according to the 1990 federal census or any subsequent federal census, means any court of record with jurisdiction over domestic relation matters and the general sessions court. In such county having a metropolitan form of government, a judicial commissioner may issue an ex parte
order of protection. Nothing in this definition may be construed to grant jurisdiction to the general sessions court for matters relating to child custody, visitation, or support;

(C) "Court," in all other counties, means any court of record with jurisdiction over domestic relation matters or the general sessions court;

(D) "Court" also includes judicial commissioners, magistrates and other officials with the authority to issue an arrest warrant in the absence of a judge for purposes of issuing ex parte orders of protection when a judge of one of the courts listed in subdivisions (3)(A), (3)(B) or (3)(C) is not available;

(E) In counties having a population in excess of eight hundred thousand (800,000), according to the 1990 federal census or any subsequent federal census, "court" means any court of record with jurisdiction over domestic relations matters or the general sessions criminal court. In such counties, "court" also includes judicial commissioners, magistrates and other officials with the authority to issue an arrest warrant in the absence of a judge for purposes of issuing any order of protection pursuant to this part when a judge of one of the courts listed in subdivisions (3)(A), (3)(B) or (3)(C) is not available. Nothing in this definition may be construed to grant jurisdiction to the general sessions court, both criminal and civil, for matters relating to child custody, visitation, or support;

(F) Any appeal from a final ruling on an order of protection by a general sessions court or by any official authorized to issue an order of protection under this subdivision (3) shall be to the circuit or chancery court of the county. Such appeal shall be filed within ten (10) days and shall be heard de novo;

(4) "Domestic abuse" means committing abuse against a victim, as defined in subdivision (5);

(5) "Domestic abuse victim" means any person who falls within the following categories:

(A) Adults or minors who are current or former spouses;

(B) Adults or minors who live together or who have lived together;

(C) Adults or minors who are dating or who have dated or who have or had a sexual relationship. As used herein, "dating" and "dated" do not include fraternization between two (2) individuals in a business or social context;

(D) Adults or minors related by blood or adoption;

(E) Adults or minors who are related or were formerly related by marriage; or

(F) Adult or minor children of a person in a relationship that is described in subdivisions (5)(A)-(E);

(6) "Firearm" means any weapon designed, made or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use;

(7) "Petitioner" means the person alleging domestic abuse, sexual assault or stalking in a petition for an order for protection;

(8) "Preferred response" means law enforcement officers shall arrest a person committing domestic abuse unless there is a clear and compelling reason not to arrest;

(9) "Respondent" means the person alleged to have abused, stalked or sexually assaulted another in a petition for an order for protection;
"Sexual assault victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with, or placed in fear of any form of rape, as defined in § 39-13-502, § 39-13-503, § 39-13-506 or § 39-13-522, or sexual battery, as defined in § 39-13-504, § 39-13-505, or § 39-13-527;

"Stalking victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with, or placed in fear of the offense of stalking, as defined in § 39-17-315; and

"Weapon" means a firearm or a device listed in § 39-17-1302(a)(1) - (7).

(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 at least four (4) but not more than five (5) 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;

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;

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

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.

(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.

UTC DEFINITIONS OF CONSENT AS IT RELATES TO SEXUAL ACTIVITY

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 a 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.

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: (1) physical force; and (2) words and/or conduct that would cause a Reasonable Person to fear imminent: harm to the person’s health, safety, or property or that of a third person; threat of the loss or impairment of a job benefit; threat of the loss or impairment of an academic
benefit; kidnapping of the person or a third person; or disclosure of sensitive personal information (e.g., disclosure of a person’s sexual orientation, gender identity, or gender expression).

**Incapacitated (or Incapacitation):** A temporary or permanent physical or mental state in which a person cannot make informed, rational judgments (e.g., judgments concerning Sexual Contact, Sexual Intercourse, or Sexual Exploitation) because: the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct; and/or the person is unable to physically or verbally communicate Consent. Incapacitation can be voluntary or involuntary. Incapacitation is determined based on the totality of the circumstances.

Incapacitation may result from: sleep; unconsciousness; intermittent consciousness; temporary or permanent physical or mental disability; involuntary physical restraint; or the influence of alcohol, drugs, or other substances, including, without limitation, substances used to facilitate Sexual Assault (e.g., Rohypnol, Ketamine, GHB, and Burundanga).

Alcohol and drugs are common causes of Incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication. The impact of alcohol and drugs varies from person to person; however, warning signs of Incapacitation may include, without limitation: lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; vomiting; unresponsiveness; and inability to communicate coherently.

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.

**Good Faith:** Having a belief in the truth of information that a Reasonable Person in the same situation could have, based on the information known to the person communicating the information at the time the information was communicated by that person. A report or other information communicated during an investigation, hearing, or other proceeding under this policy is not made in good faith if made with knowing or reckless disregard for information that would negate the report or information.

**Reasonable Person:** A sober, objectively reasonable person in the same situation, and with the same sex, gender identity, and sexual orientation as the person whose words and/or conduct are being evaluated.

### PROCEDURES TO FOLLOW IF AN INCIDENT OF SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE OR STALKING OCCURS: ACCESSING UNIVERSITY RESOURCES FOR HELP AND SUPPORT

Should an incident of sexual misconduct, relationship violence or stalking occur, the University has both reporting procedures and support resources in place so that an individual does not need to face the effects of such an incident alone. The first concern is for the safety, health, and well-being of those affected. Completely confidential, limited confidential and non-confidential (yet private) options for support and reporting are available. UTC encourages persons to promptly report incidents of prohibited conduct to UTCPD and/or to law enforcement.

**HOW AND TO WHOM TO REPORT**

**Against a student:** Students and employees can file a complaint of sexual
misconduct, stalking or relationship violence against a student through the University by contacting the Office of the Dean of Students (423-425-4761) or the Title IX Coordinator (423-425-4255). Complaints will be handled in accordance with UTC’s SMRVS Policy. Student Conduct within the Office of the Dean of Students accepts reports, investigates incidents of misconduct, and issues no-contact directives.

Against a University employee: A complaint of sexual misconduct, stalking or relationship violence against a University employee should be filed through the Office of Equity and Inclusion (423-425-5468) and will be handled in accordance with UTC’s SMRVS Policy.

Against someone not affiliated with the University: A complaint of sexual misconduct, stalking or relationship violence against someone not affiliated with the University should be filed with the Title IX Coordinator (423-425-4255).

Filing a Criminal Complaint: Criminal complaints of sexual or relationship violence and stalking can be reported to UTCPD (423-425-4357) or a law enforcement agency in the jurisdiction where the crime occurred. Filing a criminal complaint does not preclude filing a complaint through the University. In addition, a University complaint can be filed even if the police conclude they do not have sufficient evidence of a criminal violation.

UTCPD can take a report; conduct a criminal investigation, and refer students to on-campus and off-campus resources. UTCPD has a Sexual Assault Relationship Violence Liaison Officer (SARVLO) who is specially-trained to work with survivors of sexual misconduct, relationship violence, and stalking. The SARVLO is also a member of the larger Title IX team.

UTCPD can also connect students with the advocate on-call or the counselor on-call. The advocate on-call can assist students with accessing a forensic sexual assault exam (rape kit) at the Partnership for Families, Children and Adults. The counselor on-call is available to assist students in emotional crisis.

Students can report an incident to a Mandatory Reporter: Mandatory reporters, who are University employees, are required to notify the Title IX Coordinator of any incidents reported to them and can also provide lists of resources and referrals to the survivor.

Talk to a Trusted Mentor or Friend for Support: Trusted mentors and friends are often where we go first for support and oftentimes they can serve as helpful resources. However, if you choose to talk to a faculty or staff member, remember that they are required to share information with and make a report to the Title IX Coordinator so that someone can follow up with you and offer comprehensive resources and support. If the Title IX Coordinator follows up with you, it is your decision as to when or if you respond.
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/police/forms/silent-witness.php. Reporters desiring anonymity should not provide their name, contact information, or other personally identifying information. UTCPD generally will respond as described in the SMRVS 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 Office of the Dean of Students, complete the Student of Concern Referral Form, available at: https://cm.maxient.com/reportingform.php?UTChattanooga&layout_id=60. Reporters desiring anonymity should not provide their name, contact information, or other personally identifying information.

3. To report an incident anonymously to the Survivor Advocacy Program, complete the form at: https://cm.maxient.com/reportingform.php?UTChattanooga&layout_id=60. Reporters desiring anonymity should not provide their name, contact information, or other personally identifying information.

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.

TITLE IX AND DEPUTY TITLE IX COORDINATORS

UTC’s Title IX Coordinator is:
Stephanie Rowland, Title IX Coordinator
Office of the Chancellor
Department 5605
615 McCallie Ave., 101 Founders Hall
Chattanooga, TN 37403
Phone: 423-425-4255
Fax: 423-756-5559
Stephanie-rowland@utc.edu
utc.edu/sexual-misconduct

The Title IX Coordinator’s responsibilities generally include:
- Coordinating and maintaining ultimate oversight responsibility with respect to UTC’s compliance with Title IX;
- Receiving, tracking, and monitoring reports of Sex Discrimination, including prohibited conduct, and ensuring that records of such reports are maintained;
- Preparing an annual report that informs the UTC community about: reports of prohibited conduct made by student-complainants concerning student-respondents; interim measures and support services provided to complainants; and a summary of UTC’s efforts to prevent Sexual Assault;
- Interacting with UTC’s Survivor Advocacy Program;
- Ensuring prompt, thorough, and equitable reviews, investigations and
resolutions of reports of Sex Discrimination, including Prohibited conduct, generally by the Office of Equity and Diversity (if the Respondent is an employee or third party) or the Office of Student Conduct (if the Respondent is a student);

- Identifying and addressing patterns or systemic problems concerning Prohibited conduct;
- Coordinating training, prevention, and awareness efforts concerning Prohibited conduct;
- Supporting the Deputy Title IX Coordinators;
- Providing information to students, employees, and third parties concerning this policy;
- Coordinating the provision of Interim Measures;
- Making appropriate reports to UTCPD for purposes of Clery Act crime statistics; and
- Being available to meet with students, employees, and third parties, including, without limitation, Complainants, Reporters, and Respondents.

The Title IX Coordinator is assisted by three trained Deputy Title IX Coordinators, who are also accessible to members of the UTC community for consultation and assistance.

**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
(423) 425-4761
jim-hicks@utc.edu
utc.edu/dean-students/

The Deputy Title IX Coordinator for Students is responsible for Title IX compliance for matters involving students, including:

- Coordinating with the Survivor Advocacy Program;
- Coordinating and maintaining oversight responsibility with respect to the Division of Student Development’s compliance with Title IX;
- Receiving, tracking, and monitoring reports of Sex Discrimination involving students, including Prohibited conduct;
- Identifying and addressing patterns or systematic problems concerning Prohibited conduct involving students, in coordination with the Title IX Coordinator;
- Coordinating training, prevention, and awareness efforts for students concerning Prohibited conduct;
- Assisting the Title IX Coordinator;
- Providing information to students about this policy;
- Coordinating the provision of Interim Measures to students; and
- Being available to meet with students, including, without limitation, Complainants, Reporters, and Respondents.

**Deputy Title IX Coordinator for Employees:**
Rosite Delgado
Office of Equity and Inclusion
Department 5455
720 McCallie Ave. Chattanooga, TN 37403
(423) 425-5760
rosite-delgadol@utc.edu
utc.edu/equity-diversity

The Deputy Title IX Coordinator for Employees is responsible for Title IX
compliance for matters involving employees, including:

- Receiving, tracking, and monitoring reports of Sex Discrimination involving employees, including Prohibited conduct;
- Identifying and addressing patterns or systemic problems concerning Prohibited conduct involving employees, in coordination with the Title IX Coordinator;
- Coordinating training, prevention, and awareness efforts for employees concerning Prohibited conduct;
- Assisting the Title IX Coordinator;
- Providing information to employees about this policy;
- Coordinating the provision of Interim Measures to employees; and
- Being available to meet with employees, including, without limitation, Complainants, Reporters, and Respondents.

Deputy Title IX Coordinator for Athletics:
Laura Herron Senior Associate Director for Compliance and Administration and Senior Woman Administrator, Athletics
UTC Department 3503
615 McCallie Ave. Chattanooga, TN 37403
(423) 425-4583
Laura-Herron@utc.edu

The Deputy IX Coordinator for Athletics is responsible for Title IX compliance for matters involving students and employees associated with intercollegiate athletics, including:

- Coordinating and maintaining oversight responsibility with respect to the Athletic Department’s compliance with Title IX, including gender equity;
- Receiving reports of Sex Discrimination, including Prohibited conduct, involving student-athletes, and referring those reports to the Title IX Coordinator and/or the Deputy Title IX Coordinators;
- Assisting the Title IX Coordinator and the Deputy Title IX Coordinator for Students;
- Providing information to students and employees involved in intercollegiate athletics on this policy;
- Being available to meet with students and employees involved in intercollegiate athletics, including, without limitation, Complainants, Reporters, and Respondents.

REPORTING TO CAMPUS POLICE AND LOCAL LAW ENFORCEMENT

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

<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regardless of where the incident occurred</td>
<td>Call 911 in an emergency or UTCPD 400 Palmetto Street Chattanooga, TN 37403 Phone: 423-425-4357 Web: utc.edu/public-safety/</td>
</tr>
</tbody>
</table>

In the City of Chattanooga

<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chattanooga Police Dept. 3410 Amnicola Hwy., Chattanooga, TN 37406 Phone: (423-298-2525 Web: chattanooga.gov/police-department or UTCPD</td>
<td></td>
</tr>
</tbody>
</table>

In Hamilton County but outside of the City of Chattanooga

<table>
<thead>
<tr>
<th>Incident Location</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamilton County Sheriff 600 Market St. G10 Chattanooga, TN 37402 Phone: 423-209-7000 Web: hcsheriff.gov</td>
<td></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.

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.

**CONFIDENTIAL, LIMITED CONFIDENTIAL AND NON-CONFIDENTIAL CAMPUS AND COMMUNITY RESOURCES**

**On-Campus Confidential Resources:** If a complainant does not desire action by UTC and would like the details of the incident to be kept completely 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 the SMRVS policy:

<table>
<thead>
<tr>
<th>Outside of Hamilton County</th>
<th>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</th>
</tr>
</thead>
</table>

- A licensed psychologist, professional counselor or social worker in UTC’s Counseling and Personal Development Center (423-425-4438, from 8 a.m. to 5:00 p.m. on a normal weekday);
- 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 Behavioral Health (855-Here4TN (855-437-3486)) (option for employees);
- An employee who holds a valid license in a profession for which Tennessee law recognizes a confidential relationship between a professional and a professional’s client or patient, if the employee is acting within the course and scope of his/her University employment and Tennessee law would recognize the existence of a confidential relationship between the employee and the student in the particular situation; and
- The following persons associated with UTC Athletics (resource options for intercollegiate student athletes only): (1) A Team Physician (Team Physicians are University contractors, not employees); (2) A Team Psychiatrist or Team Psychologist (Team Psychiatrists and Team Psychologists are University contractors, not employees); and (3)
A staff member in Sports Medicine and employees working under their supervision (e.g., an athletic trainer).

Complete confidentiality means that Confidential Employees will not disclose information shared by the Complainant to the Title IX Coordinator, the Clery Compliance Officer, UTCPD, or any other person except in the limited circumstances described in Appendix D of the SMRVS policy.

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

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

**On-Campus Limited Confidential Resources:** Advocates who work within UTC’s Survivor Advocacy Services are UTC employees who are able to provide more limited confidentiality than Confidential Employees because they are not licensed professionals in Tennessee. Limited confidentiality means that a Survivor Advocate will disclose information shared by the Complainant only to the Title IX Coordinator and/or the Clery Compliance Officer (except in the limited circumstances described in Appendix D), but the information they disclose will be limited to information that does not personally identify the complainant or the respondent (e.g., date and time of incident; location of the incident; description of the incident). Disclosure of this information to the Clery Compliance Coordinator is required by the Clery Act if the report is of a Clery Act crime that occurred on Clery geography. Disclosure of this information to the Title IX Coordinator helps keep the Title IX Coordinator informed of the general extent and nature of prohibited conduct on and off campus, and allows for tracking patterns, evaluating the scope of the problem, and formulating appropriate campus-wide responses.

Information shared with the Title IX Coordinator and/or the Clery Compliance Coordinator will not include personally identifiable information such as: name, home address or other physical address, contact information (including a postal, email or Internet protocol address, or telephone or facsimile number), a social security number, driver license number, passport number, student identification number, date of birth, racial or ethnic background, or religious affiliation.

Survivor Advocates only provide limited confidentiality if the complainant is communicating with the advocate as a patient or client. Survivor Advocacy Services is part of the UTC Transformation Project’s efforts to address prohibited conduct on campus. An advocate in Survivor Advocacy Services 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. Advocates in Survivor Advocacy Services:

- 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;
• Provide the survivors with referrals to community resources; and
• Advocate for the survivor during any University law enforcement investigation and ensuing criminal or University proceeding.

Confidential Resources Outside of UTC:
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)

www.partnershipfca.com/programs/crisis-services/
The Partnership’s Rape Crisis Center provides forensic medical examinations, crisis counseling, legal advocacy, court advocacy, follow-up case management and resource referrals. All services are confidential and at no cost to victims. A complainant does not have to report a sexual assault to law enforcement in order to receive services.

• Tennessee Coalition Against Domestic and Sexual Violence 800-356-6767 Tncoalition.org

• RAINN National Sexual Assault Crisis Hotline 800-656-HOPE (4673) www.rainn.org/get-help/national-sexual-assault-hotline

• National Domestic Violence Hotline 800-799-SAFE (7233) www.thehotline.org

• Love is Respect – National Dating Abuse Hotline 866-331-9474 www.loveisrespect.org/

• 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, including the Sexual Misconduct, Relationship Violence and Stalking Response Team. 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:

- Stephanie Rowland, Title IX Coordinator, 423-425-4255
- Rosite Delgado, Deputy Title IX Coordinator for Employees 423-425-5760
- James S. Hicks, Deputy Title IX Coordinator for Students 423-425-4761
- Laura Herron, Deputy Title IX Coordinator for Athletics 423-425-4583
- Office of Student Conduct 423-425-4301 (The Office of Student Conduct investigates and resolves allegations of Sexual Misconduct, Relationship Violence, Stalking, and Retaliation against students. Reports of Sexual Misconduct, Relationship Violence, Stalking 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: https://cm.maxient.com/reportingform.php?UTChattanooga&layout_id=60).
- Office of Human Resources 423-425-4221
- UTC Police Department 423-425-4357

Campus and Community Resources: Medical Care

Medical Care may be obtained from the following:

- The Partnership’s 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).

Interim Measures

UTC will implement Interim Measures designed to eliminate the reported prohibited conduct and protect the persons involved in the matter (e.g., complainant, reporter, respondent, and potential witnesses).

Interim Measures are available:

- Even if a complainant does not want to report the incident to law enforcement;
Even if the complainant has made a Request for Limited Action and UTC has granted the Request for Limited Action, 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 and after a final determination that prohibited conduct occurred.

Interim Measures include:

- 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;
- 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).

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 made a Request for Limited Action (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.

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:

Family Justice Center
7505 Uptain Rd.
Chattanooga, TN 337411
423-643-7600
http://www.chattanooga.gov/mayors-office/family-justice-center

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.dvc chatt.8m.com/

Legal Aid of East Tennessee
535 Chestnut St. #360
Chattanooga, TN 37402
423-756-4013
http://www.laet.org/

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.


UTC does not provide private legal assistance to complainants or respondents. The Chattanooga Bar Association provides assistance with finding an attorney in the greater Chattanooga area: http://www.chattanoogalaw.org/www. The American Bar Association also provides information on finding legal services by state: apps.americanbar.org/legalservices/findlegalhelp/home.cfm.

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

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


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

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

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

The Chattanooga Bar Association provides assistance with finding an attorney in the greater Chattanooga area: http://www.chattanoogalaw.org/www.
The American Bar Association also provides information on finding legal services by state: apps.americanbar.org/legalservices/findlegalservice/home.cfm.

Complainants or respondents who need assistance with financial aid issues may contact the Title IX Coordinator, a Deputy Title IX Coordinator, or the Mocs One Center (http://www.utc.edu/mocs-one-center/index.php).

**PRESERVATION OF EVIDENCE**

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.

If the complainant chooses not to report the incident to law enforcement at the time of the medical examination, the medical provider will provide the examination materials to local law enforcement with a unique identifying number that will also be provided to the complainant. The law enforcement agency with jurisdiction will store the examination materials for up to three (3) years. If in that time the complainant decides to make a police report, the complainant may report to the law enforcement agency with jurisdiction and refer to the unique identifying number so that the complainant’s examination materials may be matched with the complainant’s law enforcement report for evidentiary purposes.
PROCEDURES THE UNIVERSITY WILL FOLLOW WHEN SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE OR STALKING IS REPORTED

The University has procedures in place that serve to be sensitive to individuals who report sexual misconduct, relationship violence, or stalking. 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 the SMRVS policy and/or another written publication approved by the Title IX Coordinator to inform the complainant of the complainant’s rights under the 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.

REQUESTS FOR LIMITED ACTION: CONFIDENTIALITY

A complainant has the right under the SMRVS policy to make the following requests to UTC when a complainant discloses an incident of prohibited conduct:

- Request that the complainant’s name not be disclosed to the respondent; and/or
- Request that UTC not investigate the incident further or pursue disciplinary action against the respondent.

Such a request is referred to in the policy as a “Request for Limited Action.” The Title IX Coordinator will evaluate a Request for Limited Action. If the complainant makes a Request for Limited Action, UTC will seriously weigh the request against UTC’s obligation to provide a safe, non-discriminatory environment for all members of the UTC community, including the complainant.

If UTC honors the Complainant’s Request for Limited Action, then UTC’s ability to respond fully to the incident (e.g., meaningfully investigate the incident and pursue disciplinary action against the respondent(s) or take other remedial action) may be limited.

There are limited circumstances in which UTC may not be able to grant 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 make known the complainant’s identity to the respondent.

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

- The risk that the respondent will commit additional acts of prohibited conduct, such as: (1) Whether there have been other reports of prohibited conduct about the same respondent; (2) Whether the respondent has a history of prohibited conduct; (3) Whether the respondent threatened further prohibited conduct or other misconduct against the complainant or others; and (4) 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 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 posed 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 deny the Request for Limited Action. If UTC determines that it can grant a Request for Limited Action, UTC will take reasonable steps to respond to the report consistent with the Request for Limited Action and will take prompt actions that UTC determines are necessary to protect and assist the complainant while not disclosing the complainant’s identity to the respondent (e.g., providing the complainant with Interim Measures).

If UTC determines that it cannot grant a Request for Limited Action, 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).

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.

COMPLETION OF PUBLICLY AVAILABLE RECORDKEEPING

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.

Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not personally identify complainants or respondents. In addition to the Annual Security Report and in compliance with the Clery Act, UTCPD maintains a daily crime log that includes entries for all crimes and alleged crimes that occurred within UTC’s Clery Geography or the patrol jurisdiction of UTCPD. The crime log does not include personally identifying information about the complainant or the respondent.

Complainants of prohibited conduct should also be aware that the Clery Act requires UTC to issue timely warnings for Clery Act crimes reported to UTCPD or Campus Security Authorities that pose an ongoing threat to the safety 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.”

PROCEDURES FOR UNIVERSITY DISCIPLINARY ACTION

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 the SMRVS 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.

In all of the procedures, 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. The Title IX Coordinator will resolve issues regarding the appropriate investigatory and resolution procedure.

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

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 the SMRVS 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.

TIME FRAMES

UTC will strive to meet the time frames described in the SMRVS policy. 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 the 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 the 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.

TRAINING OF HEARING OFFICIALS

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.

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).

NOTIFICATION OF HEARING RESULTS AND APPEALS

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.

“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.
PROCEDURES FOR DISCIPLINARY ACTION WHEN THE RESPONDENT 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., including, but not limited to 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 & Inclusion in accordance with UTC’s Discrimination Complaint Procedure.

COMMUNICATION WITH THE COMPLAINANT

After receiving a report of prohibited conduct (either directly from a reporter or indirectly from a Mandatory Reporter), the Title IX Coordinator will initiate immediate and appropriate steps by UTC to:

- have an appropriate UTC employee offer to meet with, or otherwise communicate with, the complainant;
- in cases of sexual assault, relationship violence, or stalking, provide a complainant with a copy of the SMRVS policy and/or another written publication approved by the Title IX Coordinator to inform the complainant of the complainant’s rights under the policy (if that has not already been done by a Mandatory Reporter), which will include notification about options for available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- evaluate whether Interim Measures need to be implemented and assist with implementation of Interim Measures; and
- subject to a complainant’s Request for Limited Action, initiate the investigation and resolution procedures outlined in this section if, based on an initial assessment, the alleged conduct meets the definition of prohibited conduct and falls within the scope and applicability of the policy.

The Title IX Coordinator also can assist a complainant in reporting the incident to law enforcement.

INVESTIGATION AND RESOLUTION

Unless UTC grants a complainant’s Request for Limited Action and decides not to further investigate a report of prohibited conduct, the Title IX Coordinator will designate one or more persons to investigate the report. 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).

PROCEDURES FOR DISCIPLINARY ACTION WHEN THE RESPONDENT IS A UTC STUDENT

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 the SMRVS 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 Limited Action, 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 Limited Action, 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 prepare a written report at the conclusion of the investigation and submit the report to the Associate Dean of Students (Student Conduct) for further action, as necessary. The report will contain a conclusion, based on a Preponderance of the Evidence standard, concerning whether the respondent violated the SMRVS policy. If the investigator is someone other than the Associate Dean of Students (Student Conduct), the report will not contain recommendations concerning a disciplinary penalty even if the investigator concludes that the Respondent violated the policy; recommended disciplinary penalties are made by the Associate Dean of Students (Student Conduct). The Associate Dean of Students (Student Conduct) will provide simultaneous written notice of the investigative finding and disciplinary penalty/remedy (if any) 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 and resolving the matter in accordance with the SMRVS 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 seven (7) calendar days after date of notification of the decision from the Office of Student Conduct. Upon receipt of the appeal, the Office of Student Conduct will send a copy of the appeal to the respondent. The respondent may respond to the appeal by filing a written response within three (3) calendar days after receipt of the complainant’s appeal. The 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 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 complainant’s appeal or the respondent’s response, whichever is later. 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 does not agree with the disciplinary penalty proposed by the Office of Student Conduct for the respondent’s violation of the Standard of Conduct, the complainant may appeal to the Vice Chancellor for Student Development by filing a written request for appeal within seven (7) calendar days after notification of the proposed disciplinary penalty by UTC. Upon receipt of the appeal, the Office of Student Conduct will send a copy of the appeal to the Respondent. The Respondent may respond to the appeal by filing a written response within three (3) calendar days after receipt of the Complainant’s appeal. The 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 shall issue a decision in writing, sent to the complainant and the respondent simultaneously, within ten (10) calendar days of receipt of the complainant’s appeal or the respondent’s response, whichever is later. The decision of the Vice Chancellor for Student Development is final.

Decisions of a Student Conduct Board or a University hearing officer may be appealed to the Vice Chancellor for Student Development by filing a written appeal with the Office of Student Conduct within five (5) business days of the written notification of the decision of the Student Conduct Board or UTC hearing officer. Upon receipt of the appeal, the Office of Student Conduct will send a copy of the appeal to the non-appealing party. The non-appealing party may respond to the appeal by filing a written response within three (3) calendar days after receipt of the appeal. The grounds for an appeal are limited to the following: (1) the student’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 standard; (4) the sanction(s) imposed were not appropriate for the violation; or (5) a member of the Student Conduct Board or the University hearing officer had a conflict of interest or bias for or against the complainant or the respondent. Within ten (10) calendar days of the Office of Student Conduct’s receipt of the appeal or the response to the appeal, whichever is later, the Vice Chancellor for Student Development shall: (1) uphold the decision; (2) amend the decision; (3) return the case to the Student Conduct Board or University hearing officer for reconsideration; or (4) overturn the decision. The decision of the Vice Chancellor for Student Development may be appealed by either party to the Chancellor within five (5) business days of the written notification of the decision. The procedures and grounds for appeals to the Chancellor shall be the same as the procedures and grounds for appeals to the Vice Chancellor for Student Development.

An appeal of an initial order 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 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, suspension for a specific period of time, disciplinary probation, disciplinary reprimand, revocation of admission or degree, restitution, removal from University Housing, University Housing transfer, 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).

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

PREVENTION, EDUCATION AND TRAINING

UTC is committed to the prevention of sexual assault, sexual harassment and other sexual misconduct. The educational programs review strategies for prevention and risk reduction, inform students and employees of the procedures UTC will
follow, including the procedural requirements for disciplinary action, when one of these crimes is reported, and options and resources should such an incident occur.

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.

KnowMore @ UTC is UTC’s sexual misconduct, relationship violence and stalking prevention and awareness campaign. KnowMore @ UTC is a partnership between the Title IX Coordinator, the Office of the Dean of Students, the Center for Women and Gender Equity, the Office of Equity & Inclusion, the Office of Human Resources and other campus partners.

 UTC implements programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop prohibited conduct before it occurs 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 implements programs for incoming students that inform them about: The SMRVS policy, including: UTC’s prohibition against prohibited conduct; the definitions of Tennessee sex offense crimes and Tennessee relationship violence crimes; the definition of consent with respect to crimes relating to sexual activity in the State of Tennessee; and the information that is included in the SMRVS policy in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2); Bystander Intervention; and Risk Reduction.

Questions about UTC’s current Primary Prevention Programs should be directed to the Title IX Coordinator, the Deputy Title IX Coordinator for Students, or the Center for Women and Gender Equity.

UTC implements comprehensive, intentional, and integrated community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent prohibited conduct, promote safety, and reduce the perpetration of prohibited conduct.

Questions about UTC’s Primary Awareness Programs should be directed to the Title IX Coordinator, the Deputy Title IX Coordinator for Students, or the Center for Women and Gender Equity.
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 and including information about: The SMRVS policy, including: UTC’s prohibition against prohibited conduct; the definitions of Tennessee sex offense crimes and Tennessee relationship violence crimes; the definition of consent with respect to crimes relating to sexual activity in the State of Tennessee; and the information that is included in the SMRVS policy in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2); Bystander Intervention; and Risk Reduction.

Questions about UTC’s current Primary Prevention Programs should be directed to the Title IX Coordinator, the Deputy Title IX Coordinator for Students, or the Center for Women and Gender Equity.

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 Clery Act.

Programs Offered in 2017

The University offered the following primary prevention and awareness programs, for both incoming students and parents:

Orientation: UTC provided mandatory in-person training regarding Title IX, consent, UTC support and resources and many other related topics to all incoming freshmen and international students and their support persons. This training is conducted by the Title IX Coordinator, the Director of the Center of Women and Gender Equity and UTC Police Department’s Sexual Assault Relationship Violence Liaison Officer. During summer 2017, transfer students and their support persons received this information as well. Nineteen total presentations were conducted and approximately 4,000 students were reached.

Online Education: Everfi’s Haven is an online education module for incoming freshmen and transfer students; more than 2,200 students complete the program each year. Haven includes information about consent, prohibited conduct, bystander intervention and available UTC support and resources.

Step UP! Bystander Intervention Training: Step UP! Is a bystander intervention program designed to educate students to be proactive in helping others. UTC has conducted more than 50 training sessions and educated more than 2,000 students. Step UP! Is offered to all students and is required for all student-athletes, new fraternity and sorority members and students enrolled in First-Year Experience classes. For more information about UTC’s
Step UP! Bystander intervention program, please see utc.edu/step-up.

The University offered the following primary prevention and awareness programs, for new employees:

**Online Education:** UTC utilizes Everfi’s Bridges: Building A Supportive Community, an online program intended to provide faculty and staff with a yearly refresher regarding sexual misconduct, relationship violence and stalking prevention and response, bystander intervention, supporting students and other related topics. Approximately 1200 employees completed the program in 2017.

**In-person Mandatory Reporter Training:** UTC’s Title IX Coordinator has conducted more than 50 in-person training sessions about employee mandatory reporting responsibilities with different groups and departments across campus; more than 1,000 employees have attended these sessions, which began in 2016.

**Employee Onboarding:** UTC’s Title IX Coordinator conducts in-person education sessions with new employees that cover a wide variety of topics, including Title IX, resources and support available for students, faculty and staff and mandatory reporting.

**New Faculty Orientation:** UTC’s Title IX Coordinator conducts an hour-long session each year during New Faculty Orientation. Topics include prohibited conduct, mandatory reporting and resources for students.

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**KNOWMORE EVENTS AND INITIATIVES - FALL 2017**

**BROCHURES AND PRINTED MATERIALS**

The *How UTC Can Help* brochure is provided to every complainant and respondent, and is distributed to key offices across campus. The brochure includes information about students' rights and available resources.

The *Mandatory Reporter Resource Card* is provided during mandatory reporter training sessions that are conducted for faculty and staff.

New bathroom resource flyers are created every semester; flyers are posted in bathroom stalls in the University Center, the Aquatics Recreation Center and McKenzie arena and include information about Title IX and available resources.

Resource magnets were posted on the refrigerator in every residence hall apartment prior to move-in day.

The UTC Cares App, provided to all incoming freshman students, included information about available resources.

The SMRVS website was redesigned to make it easier to find important information.

UTC Resident Assistants created bulletin boards about consent for November 2017.

**EVENTS AND PRESENTATIONS**

Members of the Title IX team conducted in-person hour-long training sessions with incoming freshman students and their parents.
Members of the Title IX team conducted in-person training sessions with incoming transfer students.

A welcome-back tabling event was held on Tuesday, August 22, 2017. During the event, Title IX team members provided free water, food and resources to students.

Tabling events for UTC’s spring 2018 poster campaign were held on October 24th, October 25th, and November 9th, 2017. During the events, Title IX team members distributed resources and solicited poster slogan ideas from students.

Title IX team members also solicited poster slogans directly from the following student groups: Student Government Association, Women’s Action Collective, Brother to Brother, and Scholarly Men in Action.

Title IX Coordinator, Stephanie Rowland, provided resources and answered questions at the UTC Services Fair for incoming spring semester students.

UTC hosted Take Back the Night on October 25, 2017. Take Back the Night is an international event that offers survivors and allies the opportunity to take a stand against sexual violence.

UTC’s Residence Hall Administration hosted Sex in the Dark, a discussion for students regarding safe sex, and UTC’s policies and procedures regarding sexual misconduct, relationship violence and stalking.

UTC’s Title IX Coordinator, Stephanie Rowland, conducted mandatory reporter training sessions and general Title IX information sessions with the following departments/groups: UTCPD, Student Conduct Board, new faculty, Resident Assistants, Peer Mentors, Aquatic Recreation Center student-staff, Marching Mocs, Office of the Dean of Students' graduate assistants and interns, student-athletes, Athletics staff, Brock Scholars, High Achieving Mocs, Department of Performing Arts, Theatre Division, faculty participating in Study Abroad programs, Library staff, and Student Health Services staff.

StepUP! bystander intervention presentations were conducted for each First Year Experience (FYE) class, for all new athletes and for all new fraternity and sorority members.

ONLINE TRAINING MODULES

UTC utilized online training modules for faculty, staff and students. Incoming freshman, transfer, and graduate students were required to complete Everfi’s Sexual Assault Prevention program. Faculty and staff were required to complete Lawroom’s Bridges: Building a Supportive Community program.

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 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.
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 list2 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.

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2 Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

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### 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](http://www.rainn.org))

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- **Stay alert.** When you’re moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you’re alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location.** Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time earn your trust before relying on them.
- **Think about Plan B.** Spend some time thinking about back-up plans for
potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can’t use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?

- **Be secure.** Lock your door and windows when you’re asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.

- **Make a plan.** If you’re going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don’t leave someone stranded in an unfamiliar or unsafe situation.

- **Protect your drink.** Don’t leave your drink unattended, and watch out for your friends’ drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It’s not always possible to know if something has been added to someone’s drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.

- **Know your limits.** Keep track of how many drinks you’ve had, and be aware of your friends’ behavior. If one of you feels extremely tired or more drunk than you should, you may have been drugged. Leave the party or situation and find help immediately.

- **It’s okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it’s okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

- **Be a good friend.** Trust your instincts. If you notice something that doesn’t feel right, it probably isn’t. Learn more about how to keep your friends safe in social settings.

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**SEX OFFENDER REGISTRY**

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 Sex Crimes Prevention Act and the Tennessee College and University Sex Crimes Prevention Act of 2002 require that whenever a sex offender becomes employed, enrolls as a student or volunteers at an institution of higher education in the State of Tennessee, he or she must complete or update the Tennessee Bureau of Investigation sexual offender registration/monitoring form.

Both Acts designate certain information concerning a registered sexual offender as public information and therefore amend and supersede the Family Education Rights and Privacy Act (FERPA) and other federal and state laws the previously prohibited the disclosure of such personal information.

In accordance with these Acts, the UTCPD is providing a link to the Tennessee Bureau of Investigation (TBI) Sex Offender Registry. You can access this information, which appears on the TBI website, by accessing the following link:
ALCOHOL & DRUG POLICY

UTC 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 drugs and/or alcoholic beverages on University property. UTC enforces Federal and State drug laws and State underage drinking laws.

STUDENTS

Per the UTC Student Handbook 2018-19 (“Students Rights and Responsibilities: Standards of Conduct”) students are prohibited from (1) 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, (2) consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law, or (3) providing an alcoholic beverage to a person younger than twenty-one (21) years of age.

UTC also 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 2018-19, “Students Rights and Responsibilities: Standards of Conduct”).

Students who use and/or possess drugs and/or alcohol on campus may face disciplinary sanctions and criminal charges (when legal violations occur in addition to policy violations.)

EMPLOYEES

Additionally, per The University of Tennessee, State-wide Policy: HR0720-Drug Free Campus and Workplace, it is the policy of the University of Tennessee to maintain a safe and healthful environment for its students and employees. Therefore, university policy prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs (“controlled substances” as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on university property or during university activities.

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

Individuals who are paid by UTC through federal grants or contracts must notify the University in writing 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 a violation within 10 days of the university’s receipt of notification.

COMPLIANCE WITH THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989

As required under the Drug-Free Schools and Communities Act of 1989, UTC’s Counseling Center ("the Center") offers a variety of programs and services that address issues including alcohol, substance abuse, crisis intervention, and other personal problems.

AVAILABILITY OF COUNSELING RESOURCES

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 Counseling 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. Also, the Center 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. For more information, contact the Counseling Center at (423) 425-4438 or visit University Center Room 338, Monday to Friday from 9:00 a.m. to 5:00 p.m. A counselor is on call 24-7, and may be reached after hours on-campus by contacting the UTCPD Communications Center at (423) 425-4357 and off-campus at 911. Additional information is also available at https://www.utc.edu/counseling-center/index.php.

Through the UTC Human Resources department, Magellan Behavioral Health offers employees additional education and counseling, as well as appropriate referrals. Employees and their families needing treatment information may also call the State of Tennessee Employee Assistance Program http://www.here4tn.com/ (1-855-437-3486).

For more detailed information and available support services for those with substance abuse problems, see the University’s Alcohol and Other Drug Education webpage at: https://www.utc.edu/alcohol-drug-education/.

As mandated by the Drug-Free Schools and Campuses Act, UTC’s Annual Notification 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 triciahenderson@utc.edu and 423-425-4301.

**PRESCRIPTION DRUG TAKE-BACK BOX**

Prescription drug take-back boxes provide a place where unused prescription drugs can be safely disposed. These permanent boxes prevent prescription and over-the-counter medications from getting into the hands of children and into the waterways. They make sure they are disposed of in a safe, environmentally-friendly manner.

Medication collection events and programs are part of a nationwide effort to reduce the amount of pharmaceutical products being flushed or poured down drains.

UTC has a prescription drug take-back box at the UTCPD. Students and employees can drop items off 24 hours a day, 7 days a week.

**Items Accepted for the Pharmaceutical Collection Program**

- Prescriptions
- Liquid medications (in leak-proof containers)
- Medicated ointment, lotions, or drops
- Pills in any packaging (glass bottles, plastic containers, plastic bags, etc.)
- Over-the-counter medications
- Liquid medications (in leak-proof containers)
- Pet medications

**Items Not Accepted in the Program**

- Blood sugar equipment
- Sharps/needles
- Illegal drugs & narcotics (although police will accept these items if placed in the container)
- Thermometers
- IV bags
- Bloody or infectious waste
- Personal care products (shampoo, lotions, etc.)

**MEDICAL AMNESTY**

In the event of a drug or alcohol emergency, the primary concern is the well-being, health and safety of the individual(s) involved. UTC 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.

Sufficient evidence must be provided to confirm medical assistance was received at the time of the incident for the medical amnesty policy to apply.

The student(s) requiring medical assistance and the referring student(s)/organization will be required to contact the Dean of Students Office at UTC within two (2)
Students will be required to complete an assessment and any recommend action with a reasonable time frame to be determined by the Dean of Students Office. There will be no disciplinary action taken related to the violation of possession or consumption of alcohol or drugs.

Student Organizations will be required to complete a review of their risk management policies and/or participate in educational programs with the Dean of Students Office. The organization will be responsible for any costs associated with these measures.

Failure of the student or referring student organization to complete this assessment/action plan may result in charges being filed with the Dean of Students Office.

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/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 UTC’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, it is intended to empower students and organization to seek medical attention for those in need without question.

TOBACCO PRODUCTS USE POLICY

Smoking is prohibited in all buildings owned or operated by The University of Tennessee. This includes all hallways, classrooms, laboratories, seminar/meeting rooms, offices, dormitories and other University-owned housing, restrooms, indoor or open-air athletic facilities, performance halls, parking garages, and all other spaces in University-owned or operated buildings. Smoking is also prohibited in all vehicles owned, leased, or operated by the University. Entrances to all University buildings are designated as smoke free. Unless otherwise posted, smoking is prohibited within twenty-five (25) feet of all doorways, windows, and ventilation systems of all University buildings. Smokers are responsible for ensuring that all smoking activity, including the lighting and discarding of cigarettes, takes place a sufficient distance away from the doorways, windows, and ventilation systems of University buildings to avoid infiltration of smoke into the buildings.
For purposes of University policy, smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including an electronic cigarette), pipe, or other lighted tobacco product, in any manner or in any form. Students may report violations of the University’s Smoking Policy to the UTC Office of Human Resources at 423-425-4221 or to the university-wide institutional compliance office (865-974-4438). Violations may be reported anonymously to the State Comptroller’s Fraud Hotline (800-232-5454). Any University student who is found to have violated this policy may be subject to discipline in accordance with campus procedures. A complete version of the University’s smoking policy can be found here:

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.

To ensure that professional standards are maintained in the use of firearms by campus police officers, UTCPD employs a POST certified firearms instructor and maintains a list of all officers who complete firearms training.

Per the UTC Student Handbook 2018-19, “Students Rights and Responsibilities: Standards of Conduct”, 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 UTCPD. Students must contact the UTCPD prior to arriving on campus with the weapon.

TN LAW REGARDING CARRYING WEAPONS ON SCHOOL PROPERTY

Per T.C.A. § 39-17-1309(b)(1), it is an offense for any person to possess or carry, whether openly or concealed, with the intent to go armed, any firearm, explosive, explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use.
by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

Per T.C.A. § 39-17-1309(c)(1)(A), It is an offense for any person to possess or carry, whether openly or concealed, any firearm, not used solely for instructional or school-sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

(B) It is not an offense under this subsection (c) for a nonstudent adult to possess a firearm, if the firearm is contained within a private vehicle operated by the adult and is not handled by the adult, or by any other person acting with the expressed or implied consent of the adult, while the vehicle is on school property.

Notification of the T.C.A. provisions are posted throughout various buildings on campus. 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.**

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**CAMPUS CONCEALED CARRY**

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.

**NOTICE OF INTENT TO CARRY A CONCEALED HANDGUN**

Full-time employees who work in the Chattanooga area and intend to carry a concealed handgun on UT property in the Chattanooga area are required to appear at the UTC Police Department to notify police of their intent by completing registration paperwork in the presence of a sworn officer.

**No person may carry a weapon on campus prior to filing notice of intent.**

Do not carry a weapon to the police department prior to filing notice of intent.

Registrants must bring their:

- Faculty/staff identification card
- Valid Tennessee driver’s license
- Valid Tennessee handgun permit

**EXCEPTIONS**

Full-time employees who are enrolled in a class or classes at the university may not carry a concealed handgun on UT property.

Full-time employees are prohibited from carrying a concealed weapon into meetings regarding tenure and employee discipline.

**PROHIBITED LOCATIONS**

Full-time employees may not carry a handgun into any stadium, gymnasium, arena, or auditorium when university-sponsored events are underway.

Other prohibited locations include facilities and offices where medical and mental
health services are the primary services provided, such as hospitals, health centers, clinics and counseling centers.

**VOLUNTARY TRAINING**

**UTCPD will offer voluntary training** that will cover firearm safety, reiteration of statutory requirements and limitations, a review of prohibited locations, personal liabilities, and other pertinent topics. Information on this training will be provided to registrants.

**For more information: please contact the UTC Police Department: (423) 425-4357**

**HAZING POLICY**

Hazing means 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, and includes treatment of a violent, abusive, shameful, insulting, or humiliating nature. Without limiting the foregoing, 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.

To report a hazing incident, students and employees can complete the Student of Concern form located at: [https://cm.maxient.com/reportingform.php?UTChattanooga](https://cm.maxient.com/reportingform.php?UTChattanooga).

A student or student organization involved in an act of hazing is subject to disciplinary action in accordance with the Student Code of Conduct.

**STUDENTS OR EMPLOYEES WITH CRIMINAL RECORDS**

Universities, like society as a whole, encompass a widely diverse global population. It is possible that some members of this population have committed past crimes of which the University may or may not be aware. There are a total of 2,165 nonstudent employees working on the campus.

Background investigations are conducted, as a matter of University policy, for all new faculty and staff hires and for all individuals associated with programs in which minor children are participants. Decisions for staff hires will reside with the Director of Human Resources. Decisions for faculty hires will reside with the Provost. A decision not to hire based on results of any background checks, including any approved alternative background check, will not be made without approval of the Director of Human Resources or designee (staff hires) or the Provost or designee (faculty hires).

Although background checks are not performed on student applicants, the University’s applications require prospective students to disclose whether they have ever been convicted of a misdemeanor, felony or other crime. If an applicant discloses a criminal conviction, their application is flagged and the application process is stopped. The applicant is contacted and asked to forward documentation regarding the conviction to the Assistant Director or Director of Admissions. The documentation is reviewed by a discipline committee,
through the Office of the Dean of Students, to determine if the applicant will be admitted to the University.

Some affiliated clinical facilities may require a criminal background check before allowing students to participate in training programs at those facilities. Information revealed by a criminal background check may cause an affiliated clinical facility to determine that you will not be allowed to participate in a training program at the facility. In that event, you may be unable to complete the requirements of this program. In addition, information revealed by a criminal background check may preclude licensure or employment. Please see the program director for additional information.

**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 admissions without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.

Eligibility and other terms and conditions of employment benefits at The University of Tennessee 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 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.

Inquiries and charges of violation of Title VI (race, color, national origin), Title VII (sex, race, color, national origin and religion), Section 504 of the Rehabilitation Act (disability), ADA (disability), Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Director of the Office of Equity and Inclusion. The Director of the Office of Equity and Diversity is also the ADA Coordinator and is located at 201 Human Resources Center, Dept. 5455, 615 McCallie Avenue, Chattanooga, Tennessee 37403-2598, Telephone (423) 425-5468.

Requests for accommodation of a disability should be directed to the Director of the Disability Resource Center, Dr. Michelle Rigler, (423) 425-4006 (V/TTY). Questions about Title IX and complaints of violations should be directed to University of Tennessee at Chattanooga’s Title IX Coordinator, Ms. Stephanie Rowland, at (423) 425-4255, or via email at Stephanie-Rowland@utc.edu. If the student or employee does not wish to contact UTC’s Title IX Coordinator, they may contact the Department of Education’s Office of Civil Rights at 61 Forsyth Street, S.W., Suite 19T10, Atlanta, GA 30303-8927, Telephone (404) 974-9406, Email: OCR.Atlanta@ed.gov.
SEXUAL HARASSMENT POLICY

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 and a violation of the University’s Policy on Sexual Misconduct, Relationship Violence and Stalking Policy, referred to on page 43 of the UTC Student Handbook 2018-2019. 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 and/or Title VII.

In the case of such harassment, an employee or student has the right to report the harassment to the University, following the guidelines listed in the Policy on Sexual Misconduct, Relationship Violence and Stalking. Reporting guidelines for students are also found on page 43 of the UTC Student Handbook 2018-2019.

COMPLAINT PROCEDURES

A civil rights complaint, including a complaint of sexual harassment, may be filed by any student, present or former employee of UTC or any applicant for employment or admissions 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.

Employee complaints of discrimination should be directed to the Office of Equity and Inclusion, 201 Human Resources Center, Dept. 5455, the University of Tennessee at Chattanooga, 720 McCallie Avenue, Chattanooga, Tennessee 37403, Telephone (423) 425-5468. If the Director of Equity and Inclusion 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 Director of Equity and Inclusion, complaints filed outside of this time limit or that are not put in writing, may be investigated informally.

Student complaints of discrimination based on sex, including sexual misconduct, relationship violence and stalking, should be directed to the Title IX Coordinator, Ms. Stephanie Rowland, (423) 425-4255 or Stephanie-Rowland@utc.edu. There are no limits on when these types of complaints must be filed. All other 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.

MISSING STUDENT NOTIFICATION POLICY

The University has adopted a Missing Student Notification Policy to set forth
university policy with regard to responding to reports of missing students, as required under 20 USC 1092 C-section 488 of the Higher Education Opportunity Act of 2008. Per the university’s Missing Student Notification Policy, Housing and Residence Life, the Office of the Dean of Students and the UTCPD will actively investigate any report of a missing student that is currently enrolled at the university and resides in on-campus housing. 

Missing student is defined as (1) any person currently enrolled at UTC who resides in on-campus housing; and (2) whose absence is contrary to his/her normal patterns of behavior or (3) whose whereabouts are unknown to his/her parent, guardian or other legal custodian. A missing student case arises when the student is believed to be missing for more than twenty-four (24) hours; the absence is contrary to his/her normal patterns of behavior; the student’s whereabouts are unknown to his/her parent or guardian; and/or the student is believed to be in potential danger.

Upon receiving information that a student cannot be located and may be missing, the UTCPD in collaboration with Housing and Residence Life personnel and the Office of the Dean of Students will initiate an investigation.

UTCPD employees will obtain information from the reporting individual about the student, such as a physical description, including clothes he/she may have been wearing when last seen; who he/she may be with or where he/she may be; his/her physical and mental well-being; and the reasons he/she believes the student is missing.

University officials may report a student missing at any time, there is no requirement for the official to wait until they believe that the student has been missing for more than twenty-four (24) hours.

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 location known to others or if the student is absent during recognized university holidays or breaks.

If the missing student is under the age of eighteen (18) and not emancipated, UTCPD personnel and/or Housing and Residence Life personnel will report the student to the Office of the Dean of Students. The Office of the Dean of Students must contact the parents or legal guardians within 24 hours of the determination that the student is missing. This notification will be made in addition to notifying any additional contact person designated by the student within 24 hours.

If the missing student is over the age of eighteen (18), the Office of the Dean of Students will only contact the student’s Confidential Contact within 24 hours of the determination that the student is missing.

The UTCPD, Director of Housing and Residence Life (or his/her designee), or the Dean of Students (or his/her designee) will notify other University officials who have a need to know about a missing student report.

Housing and Residence Life personnel will conduct initial contacts in missing student cases and attempt to contact the student
via his/her phone using the numbers provided.

If the student cannot be reached by telephone, two members of Housing and Residence Life staff will visit the student’s room to:

- see if he/she is present; or
- verify the student’s location and/or wellness; and
- in some cases, deliver a message to the student to contact a parent or other family member who is searching for the student.

If there is no response when Housing and Residence Life personnel knock on the door of the room or there are occupants who do not know the student’s location, Housing and Residence Life personnel will enter into the room in question, by key if necessary, to perform a health and safety inspection.

Housing and Residence Life personnel 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 residential facility.

If the student is not found in the room, Housing and Residence Life personnel will attempt to obtain information about the student’s location from roommates, friends, employers, members of clubs and organizations the student may be affiliated with, if known, or other members of the residential community.

Housing and Residence Life personnel will also attempt to acquire additional contact information for the student (if not already on file) and use it to initiate contact.

If Housing and Residence Life personnel speak with the missing 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, the Housing and Residence Life office will update other offices as well as the university official who made the initial missing student report.

If Housing and Residence Life personnel do not speak with the missing student or learn the student’s location, UTCPD will be contacted to investigate further.

At any step in the process, Housing and Residence Life personnel will immediately report any suspicious findings to UTCPD.

UTCPD may perform the following investigative actions in missing student cases:

- The UTCPD may contact the student’s professors to ascertain the student’s recent attendance in class.

- The UTCPD may obtain a photograph of the student, if available, from student ID card records and use this information (and/or the physical description) to conduct a search, with possible assistance from Housing and Residence Life personnel or others, of the campus and buildings where the student has classes. The UTCPD
Chief of Police may issue an ID card photograph to personnel involved to assist in the identification of the missing student.

- The UTCPD may contact Parking Services to determine if the student has a vehicle registered on campus; if the student has a vehicle, UTCPD officers will attempt to locate the vehicle on campus.

- The UTCPD may check access card logs to determine the last time the student’s MOCS ID card was used, access logs to UTC email and/or UTC computer accounts, as well as any surveillance video.

A students’ confidential contact information will be registered confidentially, and this information will be accessible only to authorized campus officials and law enforcement. The information may not be disclosed outside of a missing person investigation.

All reports of missing students (missing for 24 hours) should be made immediately 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.

The University will notify the appropriate local law enforcement agency in the jurisdiction where the student went missing within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

**HIGHER EDUCATION OPPORTUNITY ACT (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:

- iii. 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
- iv. 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.

**PROGRAMS FOR MINORS POLICY AND CHILD ABUSE REPORTING**

Minors visit campuses in the University of Tennessee system for a variety of reasons and are involved in a variety of programs
and activities sponsored by the University or by third parties using University facilities or resources. The objective of this policy is to promote a safe environment for minors by fostering a University culture that is committed to preventing, recognizing, reporting and addressing child abuse and child sexual abuse. Child Protection Training is part of the policy initiative and is available campus-wide. For more information about policy implementation, go to https://www.utc.edu/safety-risk-management/risk-management/programs-for-minors/index.php

UNIVERSITY SECURITY POLICY

To comply with state and federal laws, UTCPD collects and maintains statistics concerning crime on campus and in areas of the University community, including a public crime log accessible during business hours. UTCPD sends monthly reports on campus crime to the Tennessee Bureau of Investigation (TBI) 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 Clery Act, UTCPD also sends reports regarding crime on and around campus to the United States Department of Education. Each October, UTCPD publishes the Annual Security and Fire Safety Report which contains statistics for the past three years not including the year of production. A free copy of this report may be obtained by obtained from UTCPD, 400 Palmetto Street, Dept. 3954, Chattanooga, TN 37403-2598. For more current statistics and helpful links for research, please refer to http://www.utc.edu/police

ANNUAL DISCLOSURE OF CRIME STATISTICS

The UTC Emergency Services Department is primarily responsible for preparing the Annual Security & Fire Safety Report. The UTCPD has the responsibility to identify reportable crimes, collect and report crime statistics to the Department of Education (DOE), FBI, TBI, and to the general public. Reporting requirements involving types of crimes, definitions, and geographic locations vary depending upon the governmental recipient. For example, TBI reporting requirements are different from that of the DOE. DOE requires the reporting of student disciplinary referrals that are not required by either state or federal agencies. DOE also mandates the collection of crime data from non-law enforcement personnel, identified as Campus Security Authorities.

The Annual Security & Fire Safety Report contains crime statistics compiled from the 2017 calendar year and a reprint of the crime statistics from the two previous calendar years. UTCPD collects statistics of campus crime, arrests and referrals including those reported to student conduct, the Title IX Coordinator, Campus Security Authorities, and from the appropriate law enforcement agencies for non-campus properties as well as public property within or immediately adjacent to UTC’s campus. UTCPD submits the annual crime statistics published in this report to the Department of Education.

The statistics reflect 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 defined geographic areas.

UTCPD sends an email to every enrolled student and current employee on an annual basis informing them of the availability of the Annual Security and Fire Safety Report. The email includes a brief summary of the contents of this report. The email also includes the address for the UTCPD website where the Annual Security and Fire Safety Report can be found online, and notification that a paper copy may be obtained by making a request to UTCPD by calling or emailing the Clery Compliance Coordinator.

**REPORTABLE CRIMES: TYPE OF OFFENSE**

The statistics in this report reflect crimes reported according to the following definitions:

**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.

**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. Theft of any self-propelled vehicle that runs on land surface and not on rails, such as sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, trail bikes, mopeds, all-terrain vehicles, self-propelled motor homes, snowmobiles, golf carts and motorized wheelchairs.

**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, loos 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.

**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.

### REPORTABLE LOCATIONS: CLERY GEOGRAPHY DESCRIPTION

#### ON-CAMPUS

Any UTC owned or controlled buildings or property within the same reasonably contiguous geographic area of the campus (includes buildings, streets, grounds, residence halls 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 within one mile of the campus border are considered to be reasonably contiguous with the campus.

- Includes UTC owned buildings or property that is controlled by another person, is frequented by students and supports the university’s educational purposes (such as a food 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 (1) within the campus, or (2) immediately borders and is accessible from the campus. (Includes public parks, public waterways, and public transit stations/stops).

- In many cases this property consists of a public sidewalk that borders the campus, the public street along the sidewalk and the public sidewalk on the other side of the street. Only the portions of the sidewalk, street, and sidewalk that are adjacent to the campus are included in the public property. It does not include anything beyond the second sidewalk. If there is not a second sidewalk, it does not include anything beyond the street.

NON-CAMPUS

Any building or property, located off campus, that is (1) owned or controlled by an officially recognized or registered student organization at UTC, or is (2) any buildings or property that is owned or controlled by UTC, is frequently used by students, supports or is used for the institution’s educational purposes, and is not considered part of the core campus. (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).

FIELD TRIPS

Disclosure of statistics for crimes that occur on field trips at locations our institution does not own or control is not required.

OVERNIGHT, UNIVERSITY-SPONSORED TRIPS

An overnight trip that does not meet the “frequently used by students” criterion does not have to be disclosed. For example, the trip is not repeated every year and the students do not stay in the same hotel every year.

STUDY ABROAD PROGRAMS

If UTC sends students to study abroad at an institution that is not owned or controlled by UTC, we do not have to disclose statistics for crimes that occur in those facilities. However, if UTC rents or leases space for our students in a hotel or student housing facility, we are in control of that space for the time period covered. Host family situations do not normally qualify as non-campus locations unless a written agreement with the family gives the school some significant control over space in the family home.
UTC CLERY GEOGRAPHY & PATROL JURISDICTION

TENNESSEE RIVER

LEGEND
- On-Campus
- Public Property
- Non-Campus
- Patrol Jurisdiction
- Pedestrian

THE UNIVERSITY OF TENNESSEE
CHATTANOOGA
We believe an informed public is a safety conscious public. In compliance with T.C.A. §49-7-2201 et seq., all college and university law enforcement agencies are mandated to report incidents of crime that occur on their campuses to the Tennessee Bureau of Investigation (TBI) in an effort to assist law enforcement, institution administrations, and government officials in planning their efforts to fight crime and applying crime prevention strategies. Below are statistics submitted by UTC for the most recent three-year period. To view a full copy of crime statistics published by TBI, including statistics from each institution, go to:

TBI’S CRIME ON CAMPUS 2015
### TBI’S CRIME ON CAMPUS 2016

#### GROUP A OFFENSES

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<tr>
<th>Offense</th>
<th>Rate per 1,000</th>
<th>Cleared</th>
<th>% Cleared</th>
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<td>Homicide Offenses (Total)</td>
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</tr>
<tr>
<td>Murder</td>
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</tr>
<tr>
<td>Negligent Manslaughter</td>
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</tr>
<tr>
<td>Negligent Vehicle Manslaughter</td>
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</tr>
<tr>
<td>Kidnapping/Abduction</td>
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<td>Sex Offenses (Forcible) (Total)</td>
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<tr>
<td>Forcible Rape</td>
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<td>Sexual Assault W/Object</td>
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<td>Forcible Fondling</td>
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<td>Assault Offenses (Total)</td>
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<td>Extortion/Blackmail</td>
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<td>Larceny/Theft Offenses (Total)</td>
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<td>19.00</td>
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### GROUP B OFFENSES

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#### 2016 Fall Term Campus Population

- Undergraduate Enrollment: 10,089
- Graduate Enrollment: 1,546
- Staff Personnel: 757
- Faculty Personnel: 494
- Security Personnel: 67
- Total Campus Population: 12,640
### TBI'S CRIME ON CAMPUS 2017

#### University of Tennessee at Chattanooga - 2017

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The following statistics are provided in compliance with the Clery Act for your information as part of UTC's overall safety and security program and in compliance with the specific time periods, crime classifications, geographic areas and arrest data mandated by federal law.

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NOTE: 10/9/17 update to Arson on-campus/residential facility for incident on 4/14/16 which was classified as intentional for housing but did not meet Clery classification at the time. This incident was later identified as reportable for Clery statistics and added to this report.

VAWA: DOMESTIC VIOLENCE, DATING VIOLENCE & STALKING STATISTICS

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<td>2</td>
</tr>
</tbody>
</table>

NOTE: Roommates are included for our jurisdiction’s family protection laws and their relationship is included for domestic violence incidents.
ALCOHOL, DRUG & WEAPON ARREST STATISTICS

For reporting purposes, arrest statistics for alcohol, drug/narcotics or weapons violations reflect the number of persons arrested, not the number of reported incidents.

When a person is arrested for multiple violations involving alcohol, drugs/narcotics, and/or weapons as a result of a single incident, the “hierarchy rule” will apply and only the most serious violation shall be counted for statistical purposes. At UTC, the hierarchy of the most serious violations in descending order are as follows: 1-weapons, 2-drugs/narcotics and 3-alcohol violations.

<table>
<thead>
<tr>
<th>Type of Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>TOTAL</th>
<th>Residential Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquor Law Violations</td>
<td>2015</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>17</td>
<td>0</td>
<td>8</td>
<td>25</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>17</td>
<td>0</td>
<td>14</td>
<td>31</td>
<td>12</td>
</tr>
<tr>
<td>Drug Law Violations</td>
<td>2015</td>
<td>8</td>
<td>0</td>
<td>3</td>
<td>11</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>21</td>
<td>0</td>
<td>6</td>
<td>27</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>21</td>
<td>0</td>
<td>28</td>
<td>49</td>
<td>15</td>
</tr>
<tr>
<td>Weapons Law Violations</td>
<td>2015</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

*The information listed above includes citations issued in lieu of arrest.*
### ALCOHOL, DRUG & WEAPON DISCIPLINARY REFERRAL STATISTICS

An alcohol, drug or weapon disciplinary referral is the referral of any person (student, faculty or staff) to an official who initiates an (informal or formal) disciplinary action of which a record is kept and which may result in the imposition of a sanction (i.e. warnings, discipline, probation, including those referrals where no sanction was imposed).

<table>
<thead>
<tr>
<th>Type of Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>TOTAL</th>
<th>Residential Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Liquor Law Violations</strong></td>
<td>2015</td>
<td>359</td>
<td>0</td>
<td>8</td>
<td>367</td>
<td>349</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>226</td>
<td>0</td>
<td>6</td>
<td>232</td>
<td>205</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>304</td>
<td>0</td>
<td>14</td>
<td>318</td>
<td>301</td>
</tr>
<tr>
<td><strong>Drug Law Violations</strong></td>
<td>2015</td>
<td>68</td>
<td>0</td>
<td>4</td>
<td>72</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>129</td>
<td>0</td>
<td>1</td>
<td>130</td>
<td>124</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>129</td>
<td>0</td>
<td>2</td>
<td>131</td>
<td>129</td>
</tr>
<tr>
<td><strong>Weapons Law Violations</strong></td>
<td>2015</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**NOTE:** The “on-campus” category covers all incidents that occurred on campus, including those listed in the category labeled, “residential facility.” Therefore, those incidents are counted in both categories.

### HATE CRIMES

There were no reports of hate crimes in 2015, 2016 or 2017.
UNFOUNDED CRIMES

The police department may withhold, or subsequently remove, a reported crime from the crime statistics in the rare situation where sworn law enforcement personnel have fully investigated the reported crime, and based on the results of this investigation and evidence have made a formal determination that the crime report is false or baseless and there “unfounded.” Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reports was not, in fact, completed or attempted in any manner.

<table>
<thead>
<tr>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facility</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2017</td>
<td>1-Motor Vehicle Theft</td>
<td>0</td>
<td>1-Rape</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

1-Aggravated Assault
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 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.

PROCEDURES FOR STUDENTS AND EMPLOYEES IN THE EVENT OF A FIRE

- Never assume a fire alarm is false.
- When a fire alarm sounds, immediately evacuate.
- Once outside, move approximately 500 feet from the building. Stay clear of streets and driveways. In case of inclement weather, move to the nearest building lobby.
- Do not reenter the building until you are instructed to do so by a UTCPD officer.

UTC buildings are equipped with fire evacuation alarm systems that include smoke and heat detectors, sprinkler water flow alarms, horn strobes, and all-mounted pull stations. If an occupant hears a fire alarm horn sounding or sees a fire alarm strobe flashing, they should evacuate the building immediately. Buildings are equipped with emergency egress lighting and exit signs to direct occupants to get out of the building. Many buildings have areas of refuge for occupants who, for whatever reason, cannot evacuate the building on their own. The areas of refuge have call boxes that connect directly to UTCPD Communications, which is staffed 24 hours a day.

Fire extinguishers are located throughout campus buildings and are openly available for use against incipient fires. Emergency Services and Housing personnel are regularly trained on use of a fire extinguisher.

For purposes of including a fire in the statistics of the Annual Fire Safety Report, students and employees should report that a fire occurred to the Housing and Residential Life staff, UTCPD at (423) 425-4357, or Safety and Risk Management at (423) 425-5209.

FIRE LOG

The Department of Emergency Services maintains a log of all reported crimes for the past 60 days, which is available for public inspection. In addition to crimes, the log also contains all actual fires reported or discovered within University-owned residence halls for the past 60 days. UTCPD’s Daily Crime & Fire Log is available for inspection during normal business hours at the UTCPD or online at https://www.utc.edu/police/clery/daily-crime-logs.php. Log entries older than 60
days will be made available within two business days, free of charge, upon request, during normal business hours. If you would like to see records beyond 60-days you must contact the Clery Compliance Coordinator at 423-425-5961 or clery@utc.edu.

**DESCRIPTION OF ON-CAMPUS RESIDENCE HALL FIRE SAFETY SYSTEMS & NUMBER OF FIRE DRILLS**

All UTC housing facility fire alarm systems report to the UTCPD where they are monitored 24 hours a day, 365 days a year. Fire drills are conducted at all of the housing facilities. Two fire drills are conducted in both the spring and fall semesters, for a total of four fire drills per year at each housing facility.

**Johnson Obear Apartments** – 501 Oak Street – Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horns strobes, sprinkler systems, and pull stations.

**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 I Apartments** – 720 Oak Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

**Lockmiller II 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, horn strobes, sprinkler systems, and pull stations.

**Decosimo Apartments** - 815 University Street - Interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems, and pull stations.

**Stophel Apartments** – 818 University Street - Interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems, and pull stations.

**Walker Apartments** – 801 E. 8th Street - Interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems, and pull stations.

**UC Foundation Apartments** – 718 McCallie Ave - Interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems, and pull stations.

**Stagmaier Hall** – 705 McCallie Ave – Masonry construction, fire wall separation between apartments, interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems and pull stations.

**West Campus Housing** -515 Vine Street - Interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems, and pull stations.
In group living situations, special care must be exercised so as not to threaten the life or property of any one individual. Each staff member and student is expected to be safety conscious and to do what is necessary to avoid hazardous conditions. Monthly safety reports are compiled by Housing and Residence Life staff to report the identification and correction of any of the following inside the residence halls:

1. No candles, open flames, or incense burning.

2. Extension cords must be Underwriter Laboratories-approved or equal. The cords protective covers must be in good condition. Plugs and cords must be the same size or larger than appliance wire and not hidden under rugs, debris, paper, clothing, books, or near heat sources.

3. Smoking is prohibited in all buildings owned or operated by UTC.

4. No use of percolators, hotplates, immersion heaters, grills, popcorn poppers, and halogen lamps.

5. Small amounts of paint thinner, rubber cement or other art supplies may be kept in rooms, but only in metal containers away from heat sources.

FIRE EVACUATION PROCEDURES FOR RESIDENTS

- Fire extinguishers are located under the kitchen sink in apartments that have kitchens, and are available for students who want to use the extinguisher against an incipient fire.

- When an alarm sounds, housing staff should immediately evacuate. Never assume a fire alarm is false.

- Once outside, move to your evacuation location, approximately 500 feet from the building. Stay clear of streets and driveways. In case of inclement weather, move to the nearest building lobby.

- Evacuation locations for each residential complex are described in the housing handbook maintained by the Housing office.

- Do not re-enter the building until you are instructed to do so by a UTCPD officer.

EVACUATION PROCEDURES FOR STUDENTS WITH ACCESS AND FUNCTIONAL NEEDS

All Housing and Residence Life staff endeavor to ensure the safe evacuation of all residents. Housing staff who have residents with access and functional needs residing in their area of responsibility, should notify the UTCPD as to the apartment number of these residents so that assistance can be provided for them.
**FIRE EVACUATION PROCEDURES FOR STAFF REGARDING RESIDENCE HALLS**

- When a fire alarm sounds, immediately evacuate your residents (whether on duty or not). Knock on each door as you pass by, moving quickly to alert residents of the fire alarm and to evacuate.

- 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.

- Do not stay in the building. It is the responsibility of each resident to evacuate the building when the alarm sounds. Close doors as you leave. Closed doors can greatly slow the spread of fire and smoke.

- Once evacuated, move your residents to the evacuation locations. Stay clear of streets and driveways. In case of inclement weather, move to the nearest building lobby.

- Resident Directors will strategically place Resident Assistants to restrict students from re-entering the building.

- If you think you know the source of the fire alarm, get word to UTCPD or the fire department.

- Do not reenter the building until you are instructed to do so by a UTCPD officer.

**FIRE DRILLS**

In 2017, two fire drills were conducted each semester at each residence hall. The number of fire drills exceeded the requirements of one drill per semester, as described in Housing and Residence Life department policy and the State of Tennessee fire code. Fire Drills are conducted so that each resident can vacate the building quickly and safely in case of emergency. The unannounced drills are planned and supervised by Housing and Residence Life in coordination with Emergency Services.

Anytime that the fire alarm sounds in a University building, every occupant of the building is required to evacuate immediately. UTCPD will assist with the evacuation to see that the building is completely vacated, and no one will be allowed to re-enter prior to the expressed consent of a UTCPD officer.

**FIRE EDUCATION AND TRAINING**

Fire education is provided to all Housing staff at least once a year by Emergency Services with the City of Chattanooga Fire Department. The pre-semester training includes presented material and hands-on fire extinguisher use, and also situation-based follow-up discussions during the year.

Emergency Services sends brochures, posters, and other printed material on fire prevention and response to Housing for distribution to the residents. Emergency Services hosts education and training presentations on fire and other emergency
topics throughout the year that are open to all students, faculty, and staff.

**PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY**

UTC regularly evaluates its fire safety systems at the residence halls. Topics for review include information to students, training for staff and students, documentation, maintenance workflow, drills, and building systems which contribute to the prevention, mitigation, and reporting of fire emergencies.

UTC will continually review its prevention strategies (education, inspections, fire drills, and device maintenance), and will continue to access and upgrade fire safety systems throughout the campus as necessary.
## FIRE STATISTICS

The **2015** fire statistics are as follows:

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Facility Address</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries</th>
<th># of 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 I Apts.</td>
<td>720 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Lockmiller II Apts.</td>
<td>742 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Boiling Apts.</td>
<td>541 Vine St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Johnson Obear Apts.</td>
<td>501 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Guerry Apts.</td>
<td>805 Douglas St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Decosimo Apts.</td>
<td>815 University St.</td>
<td>1</td>
<td>Unintentional - Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Stophel Apts.</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 Apts.</td>
<td>801 E. 8th St.</td>
<td>0</td>
<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>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>
The **2016** fire statistics are as follows:

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Facility Address</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries</th>
<th># of 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 I Apts.</td>
<td>720 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Lockmiller II Apts.</td>
<td>742 Oak St.</td>
<td>1</td>
<td>Unintentional-Smoking Materials</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Boiling Apts.</td>
<td>541 Vine St.</td>
<td>1</td>
<td>Unintentional - Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Johnson Obear Apts.</td>
<td>501 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Guerry Apts.</td>
<td>805 Douglas St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Decosimo Apts.</td>
<td>815 University St.</td>
<td>1</td>
<td>Unintentional-Open Flames</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Strophel Apts.</td>
<td>818 University St.</td>
<td>2</td>
<td>1-Unintentional-Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1-Unintentional-Electrical</td>
<td>None</td>
<td>None</td>
<td>$1,000-9,999</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(vehicle in parking garage ignited)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walker Apts.</td>
<td>801 E. 8th St.</td>
<td>0</td>
<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>1</td>
<td>Intentional-Toilet paper ignited to cover bad smell</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
</tbody>
</table>
The 2017 fire statistics are as follows:

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Facility Address</th>
<th># of Fires</th>
<th>Cause of Fire</th>
<th># of Injuries</th>
<th># of Deaths</th>
<th>Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stagmaier Hall</td>
<td>705 McCallie Ave.</td>
<td>1</td>
<td>Unintentional-Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Lockmiller I Apts.</td>
<td>720 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Lockmiller II Apts.</td>
<td>742 Oak St.</td>
<td>1</td>
<td>Unintentional-Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Boiling Apts.</td>
<td>541 Vine St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Johnson Obear Apts.</td>
<td>501 Oak St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Guerry Apts.</td>
<td>805 Douglas St.</td>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Decosimo Apts.</td>
<td>815 University St.</td>
<td>1</td>
<td>Heating Equipment-Water Heater Element</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Stophel Apts.</td>
<td>818 University St.</td>
<td>1</td>
<td>Unintentional-Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>Walker Apts.</td>
<td>801 E. 8th St.</td>
<td>1</td>
<td>Unintentional-Cooking</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
<tr>
<td>UC Foundation Apts.</td>
<td>718 McCallie Ave.</td>
<td>1</td>
<td>Unintentional-Hand towel left on hot burner on stove ignited</td>
<td>None</td>
<td>None</td>
<td>$0-99</td>
</tr>
</tbody>
</table>