

THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA

Department of Public Safety

2014

Annual Security Report

And

Annual Fire Safety Report

General Information on Campus Police and Safety

*INFORMATION ABOUT
POLICIES
AND
PROCEDURES AND CRIME STATISTICS*

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

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Department of Public Safety Mission and Core Values Statement

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

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

Our Role

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

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

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

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

MESSAGE FROM VICE CHANCELLOR BROWN

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

Richard L. Brown, Jr.
Executive Vice Chancellor for Finance and Operations

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

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

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

General Information

Emergency Numbers:

UTC Police Department	(423) 425-4357
Chattanooga Police Department	911 or (423) 698-2525
Hamilton County Sheriff's Office	911 or (423) 622-0022
Erlanger Hospital	(423) 778-7000

Resource Numbers:

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

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

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

The Clery Act Requirements:

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

- ❖ Publish an annual report by October 1 that contains three (3) years of campus crime and fire safety statistics and certain campus security policy statements;
- ❖ Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other university officials who have “significant responsibility for student and campus activities”;
- ❖ Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees;
- ❖ Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- ❖ Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”; and
- ❖ Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

Preparation of the Annual Disclosure of Crime Statistics

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

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

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

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

Daily Crime Logs

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

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

Law Enforcement on Campus

University of Tennessee at Chattanooga Police Department

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

Full-Time personnel include:

- 17 Sworn Officers (which includes the Administrative staff)
- 4 Non-Sworn Security Officers
- 7 Non-Sworn Communication / Security Officers

Part-time personnel include:

- 20 Sworn Officers
- 65 Non-Sworn Security Officers
- 3 Civilian Dispatchers

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

assigned to a senior level field training supervisor and periodic progress reviews are completed.

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

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

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

Each University Police Officer fully understands the statutory, moral, and ethical considerations involving the exercise of lethal force. Every effort is made to ensure that any use of deadly force is the officer's final alternative.

University Police Officers are also trained in defensive tactics, pepper spray, police batons, and Electronic Restraint Devices as less than lethal form of force.

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

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

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

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

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

Association with local, state, and federal authorities

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

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

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

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required.

Monitoring Off-Campus Crime

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

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

Off-Campus Housing

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

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

OFFICES RESPONSIBLE FOR CAMPUS SECURITY

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

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

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

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

Full-Time personnel include:

- 17 Sworn Officers (which includes the Administrative staff)
- 4 Non-Sworn Security Officers
- 7 Non-Sworn Communication / Security Officers

Part-time personnel include:

- 30 Sworn Officers
- 45 Non-Sworn Security Officers
- 3 Civilian Dispatchers

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

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

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

CAMPUS POLICE AUTHORITY AND JURISDICTION

UTC Campus Police have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the disciplinary division of Student Development.

Major offenses such as rape, murder, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from UTC and the city police are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at Municipal, General Sessions, or Federal Court of Hamilton County.

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

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

Memorandum of Understanding

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

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

HOW TO REPORT A CRIME OR SUSPICIOUS ACTIVITY

You may report suspicious or criminal activity or other emergencies by dialing the Campus Police at ext. 4357 or HELP (when off-campus dial 425-4357). Additionally, the University has instituted an emergency 911 system campus wide. In an emergency situation you can reach the Campus Police by dialing 911 from any campus telephone. Your location automatically registers on a computer console at the dispatcher's desk so that help can be dispatched immediately.

For your safety there are also 79 Emergency "Blue Light" non-elevator telephones and emergency call boxes scattered throughout the campus, as well as 44 emergency phones located in each elevator that also call directly into the Campus Police Telecommunications Center. These phones automatically register your location when you pick up the receiver.

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

The UTC Department of Public Safety understands that sometimes a witness may feel the need to remain confidential. If you have witnessed a crime, we offer you the ability to report that crime confidentially using our Confidential Crime Reporting Form located

on our website (<http://www.utc.edu/Administration/DepartmentOfPublicSafety/tips>). Please remember this is not for a crime in progress. All crimes in progress should be reported at 4357 or 911.

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

CAMPUS SECURITY AUTHORITIES

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

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

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property)
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of an institution.

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

- Chancellor
- Provost, Associate, and Assistant Provost
- All Executive Vice, Vice & Associate Vice Chancellors
- Dean, Associate Deans, and Assistant Deans of Students
- Director Housing & Residence Life
- Director Career & Student Employment Center
- Housing & Residence Life Professional Staff

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

Professional Counseling Staff exception to Campus Security Authority status

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

Pastoral Counselor

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

Professional Counselor

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

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

REPORTING OF CRIME STATISTICS

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

The UTC Department of Public Safety is a proactive department that continually interacts with the University community. Security and Crime Prevention Seminars are presented in the residence halls each semester. Security training sessions are available to the entire campus community via regularly scheduled presentations in conjunction with the UTC Personnel Office. UTC Department of Public Safety website (<http://www.utc.edu/public-safety/>) circulars, pamphlets, brochures and the university student newspaper are other means by which valuable public safety information is distributed throughout the University environment.

Security Awareness Programs for Students and Employees

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

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

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

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

When time is of the essence, information is released to the university community through security alerts posted prominently throughout campus, through computer

memos sent over the university's electronic mail system and a voice mail broadcasting system.

Crime Prevention Programs for Students and Employees

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

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

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

ACCESS TO CAMPUS AND USE OF FACILITIES

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

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

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

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Aquatics and Recreation Center (ARC), the Library, and the University Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Public Safety staff conducts scheduled evaluations of campus lighting, emergency phones, Blue Light phones, and access. Daily, while on patrol, Department of Public Safety staff observes, correct, and/or report any safety or environmental issue that would impact safety or convenience of persons.

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

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

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

SEXUAL OFFENSES Policy, Response, & Educational Programs

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

For a complete copy of University of Tennessee at Chattanooga's policy governing sexual misconduct, visit <http://www.utc.edu/equity-diversity/>

A. Definitions

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

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

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

(A) Induced by deception or coercion;

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

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

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

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

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

State of Tennessee criminal statute for Statutory Rape is:

39-13-506. Mitigated statutory rape -- Statutory rape -- Aggravated statutory rape.

(a) Mitigated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but

less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim.

(b) Statutory rape is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

(1) The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or

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

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

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

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

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

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

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

(i) By a current or former spouse or intimate partner of the victim;

(ii) By a person with whom the victim shares a child in common;

(iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

(iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

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

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

The State of Tennessee criminal statute for Domestic Assault is:

39-13-111. Domestic assault.

(a) As used in this section, "domestic abuse victim" means any person who falls within the following categories:

- (1) Adults or minors who are current or former spouses;
 - (2) Adults or minors who live together or who have lived together;
 - (3) Adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two (2) individuals in a business or social context;
 - (4) Adults or minors related by blood or adoption;
 - (5) Adults or minors who are related or were formerly related by marriage; or
 - (6) Adult or minor children of a person in a relationship that is described in subdivisions (a)(1)-(5).
- (b) A person commits domestic assault who commits an assault as defined in § 39-13-101 against a domestic abuse victim.

Dating Violence:

The term "dating violence" means violence committed by a person

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and;
- 2) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (ii) Dating violence does not include acts covered under the definition of domestic violence.

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

The State of Tennessee does not have dating violence defined within Tennessee Code Annotated currently.

Stalking: The term "stalking" means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) fear for the person's safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

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

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

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

The State of Tennessee criminal statute for Domestic Assault is:

39-17-315. Stalking, aggravated stalking, and especially aggravated stalking.

(a) As used in this section, unless the context otherwise requires:

(1) "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate non-continuous acts evidencing a continuity of purpose;

(2) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling;

(3) "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing un-consented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

(4) "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested;

(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.

B. Education and Prevention Programs

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The University of Tennessee at Chattanooga is developing educational programming consisting of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- 1) Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- 2) Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- 3) Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee and;
- 4) Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention

includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

- 5) Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- 6) Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University is in the process of developing an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in ongoing awareness and prevention programs for students and employees in 2014.

C. Procedures for Reporting a Complaint

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the CAMPUS POLICE or local law enforcement. Students and employees should contact The UTC Women's Center at 423-425-5468

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Erlanger Hospital located at 978 East 3rd Street, Chattanooga, Tennessee 37403 or at the Partnership located at 1800 McCallie Avenue, Chattanooga, Tennessee 37404 In Tennessee, evidence may be collected even if you chose not to make a report to law enforcement you may go directly to one of the aforementioned providers.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they

have any, that would be useful to University hearing boards/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying local police if they so desire. University of Tennessee at Chattanooga Police Department may also be reached directly by calling 423-425-4357, in person at 400 Palmetto Street, Chattanooga, Tennessee 37403. Additional information about the University of Tennessee at Chattanooga Police department may be found online at: <http://www.utc.edu/public-safety/> If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Dr. Bryan Samuel phone number 423-425-5648 located at 720 McCallie Avenue, Second Floor, Chattanooga Tennessee 37403 by calling, writing or coming into the office to report in person and Campus Police (if the victim so desires.) The University will provide resources, on campus, off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

How to File a University Complaint Against a Student

In addition to or in lieu of filing a criminal complaint, students who feel they have been the victim of sexual harassment, including sexual assault or misconduct, have the right to file a Title IX even if police conclude they do not have sufficient evidence of criminal violation. A complaint of sexual harassment against another student may be filed with the Office of Student Judicial Affairs, 399 University Center, 425-4534, and will be handled in accordance with the University's student disciplinary regulations and procedures, which can be found at [Student Development](#). Students may be suspended or permanently dismissed as a penalty for sexual harassment.

In a case involving a complaint against another student of sexual assault or misconduct, the alleged victim shall have the right to:

- 1) Notice concerning the process by which the university will handle the complaint and an opportunity to ask questions about the process;
- 2) A prompt, thorough, and impartial investigation of the complaint;
- 3) The same opportunity as the accused student to present his/ her explanation of the facts during the university's investigation;
- 4) Have the investigation of the complaint concluded within sixty (60) days of the university's receipt of a complaint, unless circumstances make it impracticable for the university to complete its investigation within that timeframe;
- 5) Notice of the outcome of the university's investigation;
- 6) Have a disciplinary hearing conducted within thirty (30) days of a university charge that the accused student committed sexual assault or misconduct, unless

circumstances make it impracticable for the university to conduct a hearing within that timeframe;

- 7) Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
- 8) The same access as the accused student to any information or documents that will be used by the university during the disciplinary hearing, unless prohibited by law;
- 9) Challenge the seating of any disciplinary board member for good cause, which will be determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board;
- 10) Be accompanied by a person, other than a Student Judicial Advisor, of his/ her choosing during the university's investigation or a disciplinary hearing, but the person shall not be permitted to speak for the victim during a disciplinary hearing;
- 11) The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence through a Student Judicial Advisor, challenge the admissibility of evidence through a Student Judicial Advisor, and cross-examine adverse witnesses through a Student Judicial Advisor during the disciplinary hearing;
- 12) Testify or remain silent in a hearing at his/her option;
- 13) Not to be questioned directly by the accused student during the disciplinary hearing;
- 14) Submit a written impact statement to the Student Disciplinary Board for consideration of the sanctioning phase of the disciplinary hearing, if the student is found guilty of the charges against him/her, or to the Office of Student Judicial Affairs for consideration during the sanctioning phase of the administrative hearing, if accused student pleads guilty to the charges against him/her;
- 15) Notice of the decision of the Student Disciplinary Board or the outcome of an administrative hearing within three (3) business days of the hearing; and
- 16) Appeal the decision of a university disciplinary board in accordance with university procedures.

Standards of Conduct for University Employees

Federal regulations define sexual harassment in employment to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effort of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. For more information, please refer to the complete policy: [UTHR 0280](#).

How to File a University Complaint against a University Employee

A complaint of sexual harassment against a University employee or other non-student should be filed with the Office of Equity and Diversity, 615 McCallie Avenue, 425-5468, and will be handled in accordance with the [University's discrimination complaint procedures](#).

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim changes her/his minds at a later date.

Confidentiality

A victim's report of sexual harassment to the University will be treated confidentially to the maximum extent possible. However, University employees have an affirmative obligation to respond to reports of sexual harassment, even if the individual making the report requests that no action be taken. An individual's request regarding the confidentiality of a report of sexual harassment will be considered in the dual contexts of the university's legal obligation to ensure a working and learning environment free from sexual harassment and the due process rights of the accused to be informed of the allegations and their source. In addition, some level of disclosure may be necessary to ensure a complete and fair investigation. The University is required by federal law to report the occurrence on campus of certain crimes, including sex offenses, in an annual report of crime statistics, but the report does not contain any personally identifiable information.

If a victim wants to discuss his/her situation confidentially with a University employee, he/she should contact a licensed counselor in the Student Counseling Center at 423-425-4438

D. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Tennessee, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

40-38-103. Rights of crime victims -- Generally.

(a) All victims of crime shall, upon their request, have the right to:

(1) Be fully informed orally, in writing or by video tape by the office of the district attorney general, acting through the appropriate victim-witness coordinator, of the

following:

- (A)** The various steps and procedures involved in the criminal justice system;
 - (B)** The procedure and basis for continuances in the proceedings;
 - (C)** The procedure involved in the plea-bargaining process and how to request input into the process;
 - (D)** The times, dates and locations of all pertinent stages in the proceedings following presentment or indictment by the grand jury;
 - (E)** The methods by which the victim may have input into a convicted defendant's sentence, including the presentence report and the sentencing hearing;
 - (F)** The stages in the appellate process and how to obtain information concerning appellate action that has an effect on the defendant's conviction or sentence and the date a defendant's sentence becomes final;
 - (G)** How to obtain pertinent information relating to the possible release of an appropriate inmate, including notification of any department of correction decision permitting the inmate's release into the community or any scheduled hearing by the board of parole concerning the inmate's parole or application for executive clemency;
 - (H)** The methods by which the victim may obtain restitution directly from the defendant and information about obtaining assistance in obtaining restitution; and
 - (I)** The methods by which the victim may obtain a monetary award or other benefits from the criminal injuries compensation fund and information about obtaining assistance in securing the award or benefits;
- (2)** Whenever possible, be advised and informed of plea bargaining discussions and agreements prior to the entry of any plea agreement where the victim is a victim of violent crime involving death of a family member or serious bodily injury, speak at parole hearings, submit a victim impact statement to the courts and the board of parole and give impact testimony at court sentencing hearings;
- (3)** Be informed that § 41-21-240 requires the department to notify them, upon their request, at least ninety (90) days prior to the date an inmate with a sentence of two (2) years or more is scheduled to be released by reason of expiration of the inmate's sentence and be informed how the request of the department is made; and
- (4)** Be compensated for expenses actually and reasonably incurred as the result of traveling to and from the trial of the defendant or defendants and traveling to and from appellate, postconviction or habeas corpus proceedings resulting from the trial of the defendant or defendants alleged to have committed a compensable offense subject to the provisions of title 29, chapter 13, part 1, and the availability of funds in the criminal injuries compensation fund.
- (b)** Upon the request of a victim of violent crime involving serious bodily injury or death of a relative, the victim shall be supplied information and a request form by the law enforcement agency responsible for the investigation of the crime or the arrest of the

defendant, the sheriff or other custodian of the defendant or the victim-witness coordinator as to how the victim or relative of a victim may request and secure notification of the release from custody of an offender from a jail or detention facility prior to trial. The jailer, sheriff or other custodian of criminal offenders shall maintain a record or file of the request forms and, prior to the release of an offender about whom a notification request has been made, give immediate and prompt notice of the release to the requesting victim or family member of a victim by the most direct means available, including telephone, messenger or telegram. Any identifying information contained in the request forms shall be confidential. For purposes of this subsection (b), "identifying information" means the name, home and work addresses, telephone numbers and social security number of the person being notified or requesting that notification be provided.

Further, the University Tennessee at Chattanooga complies with Tennessee law in recognizing orders of protection. Any person who obtains an order of protection from Tennessee should provide a copy to Campus Police and the Office of the Title IX Coordinator. A complainant may then meet with Campus Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services through Hamilton County General Sessions Court. The victim can make an initial report with the law enforcement agency having jurisdiction where the initial offense occurred. The victim will be assisted with the initial report to the law enforcement agency having jurisdiction by the University of Tennessee at Chattanooga Police Department at the victim's request. Once the initial report is filed with the law enforcement agency having jurisdiction, the victim may seek any of these orders through Hamilton County General Sessions Court. At anytime during this process, the University of Tennessee at Chattanooga Police Department will assist the victim if requested to do so. The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, university offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or

online. Victims may request that directory information on file be removed from public sources by contacting the Dean of Students Office if you are a student or contacting Human Resources if you are an employee.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking (On-Campus)

Counseling	Counseling Center	423-425-4438
Victim Advocacy	Women’s Center	423-425-5648
Health	Student Health Services	423-425-2266
Mental Health	Counseling Center	423-425-4438
Visa and Immigration Assistance	International and National Exchange Programs	423-425-4735

Off Campus Resources

Counseling	Cadas	423-756-7644
Health	Erlanger Hospital	423-778-1000
Mental Health	Joe Johnsons	423-634-8884
Victim Advocacy	The Partnership	423-755-2822
Legal Assistance	Southeast Tennessee Legal Services	423-756-0128
Visa and Immigration Assistance	The Partnership	423-755-2822

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- <http://www.rainn.org> – Rape, Abuse and Incest National Network
- <http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice
- <http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

E. Adjudication of Violations

Whether or not criminal charges are filed, the university or a person may file a complaint under the Student Code of Conduct for a student and through the Office of Equity and Diversity for an employee alleging that a student or employee violated the University's policy on Sexual Offenses.

Standards of Conduct for Students

The Standards of Conduct that are relevant to public safety concerns include, but are not limited to:

- (1) Providing false information to a University official.
- (2) Falsifying, distorting, misrepresenting, or withholding information in connection with a University investigation or hearing.

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

(4) Causing physical harm to any person (including oneself); endangering the health or safety of any person (including oneself); engaging in conduct that causes a reasonable person to fear harm to his/her health or safety; or making an oral or written statement (including electronically) that an objectively reasonable person reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals, although the speaker need not mean to carry out the act of unlawful violence in order to constitute a violation of this rule.

(5) Harassment, which is defined as unwelcome conduct that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University.

(6) Sexual assault or misconduct.

(7) Invasion of another person's privacy when that person has a reasonable expectation of privacy.

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

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

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

(11) Engaging in disorderly, lewd, indecent, or obscene conduct.

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

(13) Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency;

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

(15) Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes;

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

(17) Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on University-controlled property or in connection with a University-affiliated activity.

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

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

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

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

Due Process, Student Rights, and Student Organization Rights.

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

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

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

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

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

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

1. The final decision of the case.

2. The proper procedure for appeal.

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

1. The accused student or student organization is responsible for presenting his/her/its own information, and therefore, advisors are not to speak or participate directly in a University hearing
- (2) A student or student organization should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the University hearing.
- (3) Delays will not normally be allowed due to the scheduling conflicts of an advisor.
 - a. Any student or student organization shall be formally charged in writing with the alleged offense.
 - b. The date, time, and place of occurrence of the offense shall be stated on the statement of charges.
 - c. The Dean of Students office must keep accurate records of each hearing and the disposition of each case..
 - d. In cases involving a complaint of sexual assault or misconduct, the alleged victim shall have the right to:
 - i. Notice concerning the process by which the University will handle the complaint and an opportunity to ask questions about the process;
 - ii. prompt, thorough, and impartial investigation of the complaint;
 - iii. The same opportunity as the accused student to present his/her explanation of the facts during the University's investigation;
 - iv. Have the investigation of the complaint concluded within sixty (60) days of the university's receipt of a complaint, unless circumstances make it impracticable for the University to complete its investigation within that timeframe;
 - v. Notice of the outcome of the University's investigation;
 - vi. Have a disciplinary hearing conducted within thirty (30) days of a University charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the University to conduct a hearing within that timeframe;
 - vii. Notice of the date, time, and location of the disciplinary hearing, the right to have the Disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
 - viii. The same access as the accused student to any information or documents that will be used by the University during a disciplinary hearing, unless prohibited by law;
 - ix. Challenge the seating of any Student Conduct Board member for good cause, which will be determined at the discretion of the University Hearing Officer;
 - x. Be accompanied by an advisor of his/her choosing during the University's investigation or a disciplinary hearing, but the advisor shall not be permitted to speak for the victim during a disciplinary hearing;
 - xi. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence, challenge the admissibility of evidence, and cross-examine adverse witnesses during the disciplinary hearing;

- xii. Testify or remain silent at his/her option; however, choosing to remain silent may result in the University dismissing the charges against the accused student or the Student Conduct Board or University Hearing Officer finding that there is insufficient evidence to find the accused student guilty of the charges against him/her;
- xiii. Not to be questioned personally by the accused student during the disciplinary hearing;
- xiv. Submit a written impact statement to the Student Conduct Board or University Hearing Officer for consideration during the sanctioning phase of the disciplinary Hearing, if the accused student is found guilty of the charges against him/her;
- xv. Notice of the decision of the Student Conduct Board or University Hearing Officer within three (3) business days of the disciplinary hearing; and
- xvi. Appeal the decision of the Student Conduct Board or University Hearing Officer to the Vice Chancellor for Student Development.

Student Conduct Hearing Procedures.

(1) Complaints

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

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

(2) Hearing Options

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

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

(c) A requested hearing shall be scheduled promptly after receipt of the request.

(d) In the absence of a voluntary written waiver of the accused student's or student organization's right to a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (T.C.A. § 4-5-108, et seq.), a requested hearing will be conducted in accordance with the University's APA hearing procedures and these procedures shall not apply.

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

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

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

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

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

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

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

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

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

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

Penalties.

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

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

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

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

- and use of certain University-controlled property (e.g., information technology resources).
- c) **Educational Sanction.** Students may be required to attend classes, at their own expense, Dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Vice Chancellor for Student Development or his/her designee.
 - d) **Restitution.** Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.
 - e) **Disciplinary Reprimand.** A disciplinary reprimand is used for minor violations of the Standards of Conduct. A reprimand indicates that further violations will result in more severe disciplinary actions.
 - f) **Disciplinary Probation.** This penalty permits a student to remain at the University on probationary status but with the understanding that a future violation of the Standards of Conduct may result in suspension. Probation may be for a defined or indefinite period. Other conditions of probation are specific to each individual case and may include a requirement of community service or other requirement or restriction.
 - g) **Suspension for a Specific Period of Time.** Suspension for a specific period of time means that the student is withdrawn from the University and is not eligible to apply for readmission for a designated period of time. Usually, the period of designated suspension does not exceed one (1) calendar year. Other conditions of suspension are specific to each individual case and may include a requirement of community service or other requirement or restriction. Upon return to the University following a suspension for a specific period of time, the student may be placed on indefinite disciplinary probation.
 - h) **Permanent Dismissal.** Permanent dismissal means that a student is permanently barred from matriculating as a student on the Chattanooga campus. This penalty is used when the violation of one (1) or more of the institution's Standards of Conduct is deemed so serious as to warrant total and permanent disassociation from the University community without the possibility of re-enrollment; or when, by his/her repeated violation of the institution's Standards of Conduct, a student exhibits blatant disregard for the health and safety of other members of the University community or the University's right to establish rules of conduct.
 - i) **Revocation of Admission or Degree.** Revocation of admission or degree means revoking a student's admission to the University or revoking a degree already awarded by the University. Revocation of a degree shall be approved by the University of Tennessee Board of Trustees.
- 3) A disciplinary hold may be placed on a student's account until the completion of the student disciplinary process and/or until the student satisfies the terms and conditions of any penalties imposed. A student who at the time of commencement, is subject to a continuing disciplinary penalty or an unresolved disciplinary charge shall not be awarded a degree before the conclusion of all penalties and/or resolution of all disciplinary charges.
 - 4) The following penalties may be imposed on a student organization found to have violated the Standards of Conduct:

- a. **Warning.** A warning is a notice that the student organization is violating or has violated the Standards of Conduct.
 - b. **Educational Sanction.** Representatives of student organizations may be required to attend classes, at their own expense, dealing with issues such as the consequences of alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Dean of Students or his/her designee.
 - c. **Loss of Privilege.** This penalty is intended to serve as a reminder of the Standards of Conduct and is for a specific period of time. Examples of privileges that may be lost include participating in extracurricular activities (e.g., intramurals), housing privileges, participating in social activities, and using certain University-controlled property.
 - d. **Restitution.** Restitution may be required in situations that involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss.
 - e. **Disciplinary Probation.** Disciplinary probation means that a student organization is permitted to retain University registration on a probationary status. Probation may be for a defined or indefinite period. Violation of the Standards of Conduct during the period of disciplinary probation may result in more serious penalties, including revocation of University registration.
 - f. **Revocation of University Recognition.** In cases of serious misconduct, a student organization's University registration may be revoked.
- 5) More than one (1) of the penalties listed above may be imposed for any single violation of the Standards of Conduct. Penalties may be applied retroactively to the date of the offense.
- 6) Intoxication or impairment because of alcohol, drugs, chemicals, or other substances does not diminish or excuse a violation of the Standards of Conduct.

No Contact Directive.

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

Interim Suspension.

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

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

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

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

SEXUAL HARASSMENT

The University of Tennessee at Chattanooga is committed to providing an environment free of sexual harassment, including sexual assault and other sexual misconduct. Sexual harassment is a violation of law, including Title IX of the Education Amendments of 1972, and University policy. The University will not tolerate sexual harassment. More information about sexual harassment and resources for victims of sexual harassment can be found below.

Title IX

“No person in the United States, shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination

under any education program or activity receiving Federal financial assistance.” Title IX of the education Amendments of 1972, 20 U.S.C. 1681, and its implementing regulation at 34 C.F.R. Part 106 (Title IX).

The University of Tennessee is a recipient of federal financial assistance for education activities, and in accordance with provisions of the Education Amendments Act of 1972, all of its education programs and activities are subject to the prohibition of Title IX of that act against discrimination on the basis of gender. University policy prohibits discrimination on the basis of gender in any education program or activity. Additionally, in compliance with state law, the University develops a Title IX implementation plan annually and submits it to the state Comptroller’s office. This plan reflects the guidelines set forth in the document, “Without Regard to Gender,” produced by the Office of Education Accountability. The University’s state required Title IX plan is produced by the [Office of Equity and Diversity](#).

The Title IX Coordinator monitors the University’s compliance with Title IX. Individuals with questions or concerns about Title IX, and/ or those who wish to file a complaint of non-compliance with Title IX, may contact the University’s Title IX Coordinator:

Dr. Bryan Samuel
Office of Equity and Diversity
Dept. 5455
720 McCallie Ave.
Chattanooga, TN 37403

Phone: 423-425-5670
Fax: 423-425-5761
bryan-samuel@utc.edu

Any University employee to whom sexual harassment is reported shall notify the Title IX Coordinator as soon as possible after initial contact with person reporting sexual harassment.

More information about University’s policies and resources relating to sexual harassment, sexual assault, and sexual misconduct by students, including on- and off-campus resources for victims and the University’s procedures for handling complaints against students, can be found at [Student Development](#).

More information about the University’s policies against sex discrimination by employees, including the University’s procedures for filing and handling complaints of sex discrimination against University employees, can be found by visiting the [Office of Equity and Diversity](#).

The University's policy on consenting romantic or sexual relationships can be found in Chapter 5 5.1.2 of the [UTC Faculty handbook](#).

The University's Code of Conduct for employees can be found at <http://hr.utk.edu/policies/code-of-conduct-procedure/>.

The U.S. Department of Education's Office for Civil Rights (OCR) is the division of the federal government charged with enforcing compliance with Title IX. Information regarding OCR can be found at www.ed.gov/about/offices/list/ocr/index.html.

SEXUAL HARASSMENT, SEXUAL ASSAULT, AND SEXUAL MISCONDUCT

The University of Tennessee, Chattanooga is committed to providing an environment free of sexual harassment, including sexual assault and sexual misconduct. Sexual harassment by any member of the university community (faculty, staff, students, applicants) is a violation of law, including Title IX of Education Amendments of 1972 and University policy. The University will not tolerate sexual harassment.

How to File a University Complaint against a Student

In addition to or in lieu of filing a criminal complaint, students who feel they have been the victim of sexual harassment, including sexual assault or misconduct, have the right to file a Title IX even if police conclude they do not have sufficient evidence of criminal violation.

A complaint of sexual harassment against another student may be filed with the Office of Student Judicial Affairs, 399 University Center, 425-4534, and will be handled in accordance with the University's student disciplinary regulations and procedures, which can be found at [Student Development](#). Students may be suspended or permanently dismissed as a penalty for sexual harassment.

In a case involving a complaint against another student of sexual assault or misconduct, the alleged victim shall have the right to:

1. Notice concerning the process by which the university will handle the complaint and an opportunity to ask questions about the process;
2. A prompt, thorough, and impartial investigation of the complaint;
3. The same opportunity as the accused student to present his/ her explanation of the facts during the university's investigation;

4. Have the investigation of the complaint concluded within sixty (60) days of the university's receipt of a complaint, unless circumstances make it impracticable for the university to complete its investigation within that timeframe;
5. Notice of the outcome of the university's investigation;
6. Have a disciplinary hearing conducted within thirty (30) days of a university charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the university to conduct a hearing within that timeframe;
7. Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
8. The same access as the accused student to any information or documents that will be used by the university during the disciplinary hearing, unless prohibited by law;
9. Challenge the seating of any disciplinary board member for good cause, which will be determined at the discretion of the chairperson of the hearing board, or, if the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board;
10. Be accompanied by a person, other than a Student Judicial Advisor, of his/ her choosing during the university's investigation or a disciplinary hearing, but the person shall not be permitted to speak for the victim during a disciplinary hearing;
11. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence through a Student Judicial Advisor, challenge the admissibility of evidence through a Student Judicial Advisor, and cross-examine adverse witnesses through a Student Judicial Advisor during the disciplinary hearing;
12. Testify or remain silent in a hearing at his/her option;
13. Not to be questioned directly by the accused student during the disciplinary hearing;
14. Submit a written impact statement to the Student Disciplinary Board for consideration of the sanctioning phase of the disciplinary hearing, if the student is found guilty of the charges against him/her, or to the Office of Student Judicial Affairs for consideration during the sanctioning phase of the administrative hearing, if accused student pleads guilty to the charges against him/her;

15. Notice of the decision of the Student Disciplinary Board or the outcome of an administrative hearing within three (3) business days of the hearing; and
16. Appeal the decision of a university disciplinary board in accordance with university procedures.

Standards of Conduct for University Employees

Federal regulations define sexual harassment in employment to include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effort of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. For more information, please refer to the complete policy: [UTHR 0280](#).

Objective:

To establish and define the university policy against sexual harassment of its employees.

Policy:

1. The University of Tennessee unequivocally opposes the sexual harassment of its employees. Sexual harassment will not be tolerated and will be grounds for disciplinary action. In accordance with federal regulations, sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

2. The university prohibits any retaliatory action against an employee for opposing an action that he or she believes to be sexual harassment, including the filing of an internal complaint or grievance or a charge with a state or federal civil rights enforcement agency.

3. Each unit will provide training for its employees on what constitutes sexual harassment and will provide a procedure to handle complaints of sexual harassment and other complaints of discrimination.

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

In addition to or in lieu of filing a criminal complaint, students who feel they have been the victim of sexual harassment, including sexual assault or misconduct, have the right to file a Title IX even if police conclude they do not have sufficient evidence of criminal violation.

A complaint of sexual harassment against another student may be filed with the Office of Student Judicial Affairs, 399 University Center, 425-4534, and will be handled in accordance with the University's student disciplinary regulations and procedures, which can be found at [Student Development](#). Students may be suspended or permanently dismissed as a penalty for sexual harassment.

In a case involving a complaint against another student of sexual assault or misconduct, the alleged victim shall have the right to:

1. Notice concerning the process by which the university will handle the complaint and an opportunity to ask questions about the process;
2. A prompt, thorough, and impartial investigation of the complaint;
3. The same opportunity as the accused student to present his/ her explanation of the facts during the university's investigation;
4. Have the investigation of the complaint concluded within sixty (60) days of the university's receipt of a complaint, unless circumstances make it impracticable for the university to complete its investigation within that timeframe;
5. Notice of the outcome of the university's investigation;
6. Have a disciplinary hearing conducted within thirty (30) days of a university charge that the accused student committed sexual assault or misconduct, unless circumstances make it impracticable for the university to conduct a hearing within that timeframe;
7. Notice of the date, time, and location of the disciplinary hearing, the right to have the disciplinary hearing closed to the public, and the right to request rescheduling of the hearing for good cause;
8. The same access as the accused student to any information or documents that will be used by the university during the disciplinary hearing, unless prohibited by law;
9. Challenge the seating of any disciplinary board member for good cause, which will be determined at the discretion of the chairperson of the hearing board, or, if

the seating of the chairperson is challenged, then at the discretion of the majority of the hearing board;

10. Be accompanied by a person, other than a Student Judicial Advisor, of his/ her choosing during the university's investigation or a disciplinary hearing, but the person shall not be permitted to speak for the victim during a disciplinary hearing;
11. The same opportunity as the accused student to be present during the hearing, present witnesses and other evidence through a Student Judicial Advisor, challenge the admissibility of evidence through a Student Judicial Advisor, and cross-examine adverse witnesses through a Student Judicial Advisor during the disciplinary hearing;
12. Testify or remain silent in a hearing at his/her option;
13. Not to be questioned directly by the accused student during the disciplinary hearing;
14. Submit a written impact statement to the Student Disciplinary Board for consideration of the sanctioning phase of the disciplinary hearing, if the student is found guilty of the charges against him/her, or to the Office of Student Judicial Affairs for consideration during the sanctioning phase of the administrative hearing, if accused student pleads guilty to the charges against him/her;
15. Notice of the decision of the Student Disciplinary Board or the outcome of an administrative hearing within three (3) business days of the hearing; and
16. Appeal the decision of a university disciplinary board in accordance with university procedures.

How to File a University Complaint against a University Employee

A complaint of sexual harassment against a University employee or other non-student should be filed with the Office of Equity and Diversity, 615 McCallie Avenue, 425-5468, and will be handled in accordance with the University's discrimination complaint procedures.

How to File a Criminal Complaint against University Employee or Student

Victims of sexual assault or misconduct have the right to file criminal complaint by contacting the University of Tennessee at Chattanooga Police Department, 400 Palmetto St., 423-425-4357, or the Chattanooga Police Department, 3410 Amnicola Highway, 423-643-5000. Victims may file criminal complaint before, during, or after the university's investigation of sexual assault or misconduct.

Confidentiality

A victim's report of sexual harassment to the University will be treated confidentially to the maximum extent possible. However, University employees have an affirmative obligation to respond to reports of sexual harassment, even if the individual making the report requests that no action be taken. An individual's request regarding the confidentiality of a report of sexual harassment will be considered in the dual contexts of

the university's legal obligation to ensure a working and learning environment free from sexual harassment and the due process rights of the accused to be informed of the allegations and their source. In addition, some level of disclosure may be necessary to ensure a complete and fair investigation. The University is required by federal law to report the occurrence on campus of certain crimes, including sex offenses, in an annual report of crime statistics, but the report does not contain any personally identifiable information.

If a victim wants to discuss his/her situation confidentially with a University employee, he/she should contact a licensed counselor in the Student Counseling Center at 423-425-4438.

Retaliation

Retaliation against anyone who reports sexual harassment is strictly prohibited. Anyone responsible for retaliation, including the accused party or someone affiliated with the accused party, will be subject to disciplinary action by the University.

No Contact Directives

In cases involving allegations of sexual harassment, the Vice Chancellor for Student Life, or his/her designee, may require that a student accused of harassing another student not have verbal, physical, or written contact with the alleged victim for a definite or indefinite period of time. The accused student will receive written notice of the no contact directive. In addition to an internal University no contact directive, victims are advised that other similar options exist and can be obtained from law enforcement and civil and criminal courts.

What to do if You are a Victim of Sexual Assault or Misconduct

1. Get to a safe place.
2. Talk to someone you trust. As soon as you are in a safe place, tell someone you can trust about the incident – a roommate, friend, resident advisor or resident director, minister, or counselor – someone who can provide emotional support and objectively help you to make a plan.
3. Preserve all physical evidence. Do not change your clothing, bathe, shower, use the bathroom, brush your teeth, wash your hands, or comb your hair. If you change clothes, you should place all of your clothing that was worn at the time of the incident in a paper (not plastic) bag.

4. Seek medical attention. You may seek medical care at any time after unwanted sexual activity without reporting a crime or notifying the police. If you think you might want to prosecute, you are strongly encouraged to have a rape examination for the collection of evidence. A medical professional will examine you, provide appropriate medical treatment, and talk with you about prevention of venereal disease and pregnancy. UTC Police are available to take you to the hospital or The Women's Center at UTC for a medical examination. A description of The Women's Center at UTC can be found at the [Women's Center](#).
5. Seek counseling. Victims who wish to speak confidentially with someone about the incident may call the UTC Counseling & Career Planning Center (423-425-4438, 8a – 5p or Campus Security after hours at 423-425-4357). A counselor or specially trained staff member can help a victim explore options, provide information, and provide emotional support. Whether you seek immediate assistance or choose to wait for a period of time after the assault, counseling can help you deal with the psychological residue and begin the healing process.
6. Report the incident. You are encouraged to report the incident to a University official trained to assist victims of sexual assault or misconduct.
 1. To the Victim's Advocate. You may report the incident to the University's Victim's Advocate in the Office of the Dean of Students at 423-425-4534. The Victim's Advocate can assist you in:
 - a) Obtaining medical and/or psychological care;
 - b) Reporting the incident to the police;
 - c) Reporting the incident to the University's Office of Student Judicial Affairs or the Title IX Coordinator;
 - d) Contacting off-campus resources such as rape crisis centers or support groups;
 - e) Addressing academic concerns; and
 2. Exploring interim and remedial measures, such as requesting a no-contact order and changes in housing and academic schedules.
 - a) *To the University's Title IX Coordinator.* You may report the incident to the University's Title IX Coordinator, Dr. Bryan Samuel, Office of Equity and Diversity, 720 McCallie Ave, Chattanooga TN 37403. Phone: 423-425-5670, Fax: 423-425-5761, E-mail: bryan-samuel@utc.edu.

- b) *To Law Enforcement.* You are encouraged to report the incident to the University of Tennessee Police Department, by calling 423-425-4357. If the incident occurred off campus, then call 911.

Why should you report the incident to UTC Police? Reporting an incident to UTC Police helps:

- Apprehend the alleged assailant;
- Preserve future options regarding criminal prosecution, University disciplinary action, and/ or civil action against the perpetrator; and
- Protect you and others from future sexual assaults or misconduct by the same person

What happens when you report the incident to UTC Police? When an incident is reported, a UTC Police officer will inform you about University and external resources that are available to you, including information concerning the preservation of evidence, obtaining medical care, and contacting the University's Victim's Advocate. The officer will also complete an Incident Report. Primary responsibility for the investigation of sexual offense cases rests with the UTC Police Department. UTC Police will make arrangements for a victim to meet with an officer for the City of Chattanooga who will prepare a written report. The report will be important to you in case you wish to bring charges, immediately or at a later date. You may be asked questions about the scene of the crime, witnesses, and what happened before and after the incident. You should be aware that the Incident Report registered with UTC Police and the report made available to any Tennessee citizen upon request. It is always your option whether to notify the UTC or Chattanooga police 423-425-4357.

EDUCATION PROGRAMS

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

- Video presentations and speakers available to Freshmen Seminar Classes.
- Residence life programs with relevant speakers.
- Floor meeting discussions led by resident assistants in Housing.
- Presentations at Freshman Orientation Programs.
- Classroom discussions presented by various staff members as requested by faculty.
- Open programs provided by Campus Law Enforcement Officers.

LINK TO TBI SEXUAL OFFENDER REGISTRY

[Tennessee Sexual Offender Registry](#)

WOMEN'S CENTER –TRANSFORMATION PROJECT



- ***CREATING COMMUNITY, EMPOWERING WOMEN***
 - **THE WOMEN'S CENTER AT UTC IS COMMITTED TO CREATING A COMMUNITY OF DIVERSE AND EMPOWERED STUDENTS THROUGH THE FOLLOWING CORE VALUES:**
 - **AWARENESS: EDUCATING OUR COMMUNITY ON GENDER AND SOCIAL INJUSTICES**
 - **ACTIVISM/ADVOCACY: ENGAGING OUR COMMUNITY IN ADDRESSING ISSUES OF GENDER EQUITY AND SOCIAL JUSTICE**
 - **COLLABORATION: FACILITATING EDUCATION AND ACTIVIST EFFORTS IN OUR COMMUNITY BY SUPPORTING OTHER SOCIAL JUSTICE ORGANIZATIONS AND CAUSES**
 - **LEADERSHIP: DEVELOPING AND EMPOWERING STUDENTS TO ENGAGE IN ETHICAL BEHAVIOR BASED ON FEMINIST PRINCIPLES OF LEADERSHIP**
 - **COMMUNITY: CREATING A COMMUNITY OF ACCEPTANCE AND CELEBRATION OF DIVERSITY**
 - **THE TRANSFORMATION PROJECT STRIVES TO REDUCE THE IMPACT OF POWER-BASED VIOLENCE ON THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA CAMPUS AND THE CHATTANOOGA COMMUNITY THROUGH EDUCATION ENCOURAGING CULTURAL TRANSFORMATION AND ADVOCACY TO SUPPORT SURVIVORS OF RELATIONSHIP VIOLENCE, SEXUAL ASSAULT, STALKING, AND SEXUAL HARASSMENT.**
-
- **FOR CONFIDENTIAL HELP CONTACT MS. SARA PETERS, PRIMARY VICTIM ADVOCATE, AT 423-425-5605 OR SARA-PETERS@UTC.EDU. ADVOCATES ARE AVAILABLE 24/7 BY CONTACTING THE UTC POLICE DEPARTMENT (423-425-4357) AND ASKING TO SPEAK WITH THE ADVOCATE ON CALL.**
 - **IF THERE IS AN IMMEDIATE THREAT, CALL 911 (OFF-CAMPUS) OR 423-425-4357 (ON-CAMPUS).**

ILLEGAL DRUG POLICY

As mandated by the Drug-Free Work Place Act of 1988 (Public Law 100-690), The University of Tennessee is committed to maintaining a drug-free working environment. *Personnel Policy 720, Safety and Health*, specifies, "The University of Tennessee at Chattanooga will ensure that all of its work places are safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substance Act, 21, U.S.C. Section 812) by employees."

The UTC Student Handbook strictly prohibits the possession, use, or distribution of drugs or narcotics, including stimulants and depressants, on University owned or controlled property, except as allowed by the law (UTC Student Handbook p. 40, "Student Rights and Responsibilities: Statement of a Drug-Free Environment).

Illegal Drug Policy

A statement of policy related to illegal drugs is contained in the UT Personnel Policies and Procedures Manual and is published each year in the UTC student handbook. In support of the Drug Free Workplace Act of 1988 (41 U.S.C. 701 et seq), and the Drug Free Schools and Communities Act of 1989, UT annually notifies all students, faculty, and staff of the university policy approved by the UT Board of Trustees on June 21, 1990.

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

Violation of this policy is grounds for disciplinary action—up to and including immediate discharge for an employee and permanent dismissal for a student. Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C. 841 et seq.; T.C.A. 39-17-401 et seq.). Local ordinances also specify various penalties for drug- and alcohol-related offenses.

The university is bound to take all appropriate actions against violators, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved drug use/alcohol abuse assistance or rehabilitation program.

Aside from any university policy considerations, the use of illicit drugs and/or the abuse of alcohol may be harmful to your health. Some of the health risks associated with such use/abuse are described at the end of this section.

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

Employees and their families needing treatment information should call their local Human Resources Office or the State of Tennessee Employee Assistance Program <http://www.here4tn.com/> (1-855-437-3486).

Students seeking treatment information should contact:

The Counseling and Personal Development Center at (423) 425-4438, University Center Room 338. Counselors are on call 24-7, and may be reached after hours by contacting the UTC Police Dispatch center at (423) 425-4357.

Additional information is available @ <http://www.utc.edu/counseling-personal-development-center/>

HAZING POLICY

Participation of students in hazing activities is prohibited. Hazing means any intentional or reckless act, on or off university property, by one student, acting alone or with others, which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger his or her mental or physical health or safety, and includes treatment of a violent, abusive, shameful, insulting, or humiliating nature. Such action is prohibited when connected with initiation into or affiliation with an organization and does not include participation in customary athletic events or similar competition. A student or student organization involved in an act of hazing is subject to disciplinary action in accordance with the Code of Student Conduct.

ALCOHOLIC BEVERAGE POLICY

The University of Tennessee at Chattanooga seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety, and welfare of its students, faculty, and staff. In keeping with these objectives, the University has established guidelines and policies governing the possession and consumption of alcoholic beverages on University property.

“Drinking or being under the influence of alcohol or illegal drugs while on the job” or “the use, possession, or distribution of alcohol on university property” is a violation of the university work rules, as stated in the UT Personnel Policies and Procedures Manual. Violation of work rules may be cause for disciplinary action including possible termination of employment.

As stated in the 2013-2014 Student Handbook, university regulations prohibit “all student organizations from serving or permitting the consumption, possession or display of any alcoholic beverage or containers at any time, or by anyone on university premises.”

Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law, is a violation of the Standards of Conduct as defined in the Student Handbook .

<http://www.utc.edu/dean-students/student-handbook.php>

Because there are many misconceptions, myths, and misunderstandings related to substance use, students are encouraged to visit the Alcohol & Other Drug Education home for the most up to date information regarding alcohol and drug awareness, prevention, and education website. This site contains the required information for completion of the AlcoholEdu course, which became mandatory for all incoming freshmen. <http://www.utc.edu/alcohol-drug-education/>

In partnership with the Counseling Center and the Dean of Students, the UTC Police Department assists in raising students’ awareness of state laws concerning underage drinking.

The law prohibits any resident, owner, or occupant of property from allowing an underage adult to consume alcohol on their property. “Underage adults” is defined as individuals who are at least 18 years old, but younger than 21.

A resident may face criminal prosecution and university sanction if an underage adult consumes alcohol on his or her property which includes, but is not limited to, a residence hall room or apartment, fraternity- or sorority-affiliated housing, an off-campus house or apartment, or any other property owned or occupied by the individual. Students are encouraged to learn more about campus rules and regulations at <http://www.utc.edu/dean-students/pdfs/rights.pdf>

Tennessee has several relevant laws that may be enforced by the UTC Police Department, by referral, citation, or arrest. These laws include:

- *Underage Consumption or Possession of Alcohol*
- *Driving Under the Influence (DUI);*
- *Implied Consent Law;*
- *Adult Driving While Impaired;*

- *Underage Driving While Impaired;*
- *Open Container Law.*

Full current text of these laws may be found as Appendix B of this report.

WEAPONS POLICY

As explained in the student handbook, UTC policy prohibits “possessing, using, storing, or manufacturing any weapon or any facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.”

Weapons that are brought to campus by students for sporting purposes must be checked in and stored at the UTC Police Department. Students must contact the UTC Police Department prior to arrival with such weapon. As referenced in the Student Handbook (Section IV, the university’s Standards of Conduct prohibits students from “possessing, using, storing, or manufacturing any weapon or facsimile of a weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or his/her designee.

Recent changes have been made to certain weapons laws, providing exceptions to criminal prosecution under the amendments to the existing weapons laws. There is no exception to University policy created by these amendments to existing state law.

Pursuant to T.C.A. 49-7-118, all campus police officers and their supervisors carry regulation firearms while on duty. These weapons may be used only when there is a serious, imminent, identifiable threat to life or a threat of great bodily harm.

Duly sworn law enforcement officers and agents of the state and federal governments are also permitted to follow their departmental guidelines and state laws regarding possession and use of weapons, as described in T.C.A. No one other than duly sworn law enforcement personnel may carry or possess firearms on campus.

Notification of the Felony Provisions of T.C.A. 39-17-1309 are posted throughout various buildings. Signs are prominently displayed with the following language: FELONY. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF SIX (6) YEARS IMPRISONMENT AND A FINE NOT TO EXCEED \$3,000 FOR CARRYING WEAPONS ON SCHOOL PROPERTY.

Incidents of Bias / Discrimination Complaint Procedure

The University of Tennessee, Chattanooga, welcomes and honors people of all races, creeds, cultures, and sexual orientations. The University values intellectual curiosity, pursuit of knowledge, and academic freedom and integrity. In keeping with those values, the policies of UT Chattanooga and its UT Area Units expressly prohibit the following:

- discrimination against employees, students, or applicants for employment or admission, on the basis of race, color, religion, sex (including sexual harassment, sexual orientation, gender identity, marital status, parental status), national origin, age, disability, or protected veteran status;
- discrimination against other participants in educational programs and activities (which includes certain individuals who are not employees, students, or applicants for employment or admission) on the basis of race, color, national origin, sex, or disability; and
- retaliation against any person who in good faith reports a practice that he/she believes violates non-discrimination policies.

If you are an employee, student, applicant for employment, applicant for admission, or are otherwise a participant in a UT Chattanooga program or activity, and you believe you have been discriminated against in violation of the policies outlined above, the process below is designed to help you resolve your complaint.

Where and when to file a complaint

Complaints of discrimination should be directed to the UT Chattanooga Office of Equity and Diversity, 720 McCallie Avenue, Second Floor, Dept. 5455, 615 McCallie Avenue, Chattanooga, Tennessee 37403-2598, Telephone (423) 425-5670. **Complaints must be in writing and filed within 300 days of the alleged discriminatory action.** In certain circumstances, at the discretion of the Diversity Officer, complaints filed outside that time limit, or not submitted in writing, may be investigated.

ENVIRONMENTAL SECURITY CONSIDERATIONS ON CAMPUS

The part-time sworn and non-sworn officers, along with the crowd control personnel, work all events in our 12,000 seat arena. These events include all basketball games, concerts and other events such as circuses, rodeos, tractor pulls, and commencement exercises. These officers also provide VIP escort service and provide security for on-campus sorority and fraternity functions.

Each semester a team of Safety and Security Officers makes every effort to check every building on campus. This check includes a close inspection of landscaping, grounds-

keeping, indoor and outdoor lighting, fire code compliance, and door and window locks. The Public Safety Office is also consulted prior to new construction projects in regard to security measures. In addition to these inspections and consultations, a monthly lighting survey is made of all exterior lighting including parking lots. The Campus "Blue-Light" Emergency Phones and classroom emergency "red phones" are also checked monthly to ensure that they are in proper working condition.

Full-time, uniformed officers patrol the campus on foot and in vehicles 24 hours a day, 7 days a week, 365 days a year, to ensure safety and protect the property of the University, its students, staff, and faculty.

The Campus is divided into 3 patrol areas. Each area has a major housing unit within its boundaries. On all shifts, every attempt is made to staff at least 3 officers on foot and vehicle patrol, providing ample coverage of the housing areas. At any given time, an officer is no more than minutes away from a residence hall or student apartment complex. Every effort is made to provide a minimum of 2 checks per area per shift of the student housing areas.

Escort Service and Emergency Phones

A form of assistance offered by Campus Law Enforcement is the Escort Service whereby an individual can be escorted from one on-campus location to another. In order to obtain an escort, one can either contact an officer in person, or by contacting the UTCPD dispatcher on the telephone or by means of an Emergency "Blue-Light" telephone. All services are available on a twenty-four hour basis. For your safety there are also 79 Emergency "Blue Light" non-elevator telephones and emergency call boxes scattered throughout the campus, as well as 46 emergency phones located in each elevator that also call directly into the Campus Police Telecommunications Center. These phones automatically register your location when you pick up the receiver.

COMMUNICATIONS AND EMERGENCY NOTIFICATION

The University currently uses an emergency messaging system known as UTC- ALERT. This system allows campus officials to send messages via the following methods: These message contain critical information in the event of an emergency on campus

- Text messages to cell phones and other portable communications devices using push technology.
- Alerting devices installed in the most heavily used classrooms.
- Building fire alarms
- E-mail via multiple list serves
- Direct connections to common social media sites.

UTC-ALERTS will be used on a very limited basis for dissemination of emergency messages, timely warnings or information vital to the safety of the campus. These might include a shooting on campus, a severe weather threat, or a chemical spill. The exact

pathways used to push out information depend on the nature and criticality of the incident in question.

UTC-ALERTS recognize the following types of messages:

Emergency Message	<ol style="list-style-type: none"> 1) A message triggered by an event that is currently occurring on or imminently threatening the campus which can reasonably be expected to cause death or injury. 2) A message sent in response to any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. <p>Examples include active shooter or tornado warnings which affect the campus.</p>
Safety Warning Message	<ol style="list-style-type: none"> 1) A message intended to provide the campus population with information needed to avoid a hazard which does not pose a direct or imminent threat. 2) A message which provides information about a hazard which may cause death or injury but which does not pose an immediate possibility of doing so. <p>Examples include notification of a serious crime on campus when the possibility exists that others may become involved or building evacuations due to a credible threat against the building.</p>
Safety Information Message	<ol style="list-style-type: none"> 1) Messages issued in response to issues of concern. 2) A message sent when a threat or hazard exists but there is no immediate threat to life or safety. 3) A message sent to address an issue of concern or potential threat. 4) A message intended to provide information on a non-specific threat or hazard. <p>Examples include notices to avoid an area due to emergency operations, such as a fire, infection control information during a flu outbreak, or information related to criminal activity for which the campus population can take precautions.</p>

Due to their critical nature, messages which fall into the EMERGENCY MESSAGE category may be sent by any authorized authority without additional consultation with any other party or agency.

Other messages are developed by the Emergency Assessment Team members in cooperation with other subject matter experts as needed. For more information on the Emergency Assessment Team, see the section on Responsible Individuals below.

At this time there are eleven individuals on campus who are recognized as authorized authorities.

- Assistant Vice Chancellor for University Relations + 3 alternates
- UT Chattanooga Chief of Police + 2 alternates
- Director of Safety and Risk Management + 3 alternates

While they are not currently authorized to initiate alerts over all pathways, the campus police dispatchers can activate campus fire alarms remotely to order evacuations when it is appropriate to do so.

While the text messaging portion of the UTC-ALERTS system is provided free to all students, faculty, and staff who wish to receive the messages charges may be imposed by the receiving carrier. Enrolling in the text messaging portion of this system is accomplished by going to the registration portal found on the UTC website at <https://www.getrave.com/login/utc> or by going to the main University web page, www.utc.edu and clicking the link for Emergency Preparedness.

All campus housing units currently have cable television capability and the University operates cable channel 98. This public information channel provides another method for distribution of information during an emergency.

Policy Statement:

The University maintains a policy of proactively identifying and responding to potential emergencies.

Process: The University recognizes a spectrum of potential threats which face the campus. These threats range in significance from issues which will have a minor or a delayed affect to the campus to acute emergencies requiring the immediate deployment of significant emergency response forces. To manage this diverse spectrum of information, a system has been put in place which allows for immediate assignment of emergency responders to those situations which require them and for further evaluation of those situations which do not. The evaluation element of this process consists of an Emergency Assessment Team charged with collecting information and reaching a decision on the correct course of action.

Testing and Additional Information:

The altering system for the campus is tested and verified as follows.

- Within the first 30 days of each semester the individuals authorized as messaging authorities meet for training and a system test. Campus wide e-mails are sent out at least 24 hours prior to the test. Those e-mails are sent to list serves which reach all campus e-mail addresses. During the actual test information is included in the e-mail portion informing the campus population of how to obtain additional information about UTC-ALERTS

- All messaging authorities are required to initiate a monthly test message. This message will be transparent to the campus and will provide each individual authorized to initiate messages an opportunity to review and practice the procedure

Responsible Persons: The following persons are part of the process for ensuring appropriate actions are taken in the event of an emergency:

Campus Police Dispatch Personnel – Immediately assign the proper emergency response personnel to all incidents requiring their presence. The Campus Police Dispatcher notifies fire department, EMS and any other outside response agency as the situation dictates. The police dispatcher also notifies the Emergency Assessment Team of any situation which falls outside the parameters of normal operations or are in any way unusual.

The Emergency Assessment Team is charged with assessing any situation which may pose a threat to the health, safety, or efficient operation of the campus and consists of the following individuals:

- The Vice Chancellor for Finance and Administration – Chairman, the final arbiter of all issues not clearly designated as an acute emergency.
- The Director of Safety and Risk Management (or designee) – Subject matter expert on all issues involving personal emergency management, safety, hazardous materials, fire protection and life safety systems (including alarms) and regulatory compliance (TOSHA and TDEC, etc).
- The Assistant Vice Chancellor for Operations (or designee) – Subject matter expert on all issues involving facilities, structural integrity, utilities and utilities safety, and campus operations.
- The Chief of Campus Police (or designee) – Subject matter expert on all issues involving law enforcement, crimes and crimes in progress, violent situations, terrorist threats against the campus, and intelligence of issues which may affect the campus.
- The Associate Vice Chancellor for University Relations (or designee) – Subject matter expert on all issues involving public alert and warning message content, dissemination of information, and operation of public warning systems. This office also serves as the primary focal point for originating all alert and warning messages.

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

Community Notification: In the event of an emergency requiring notification of the larger community the designated Incident Commander for the campus will notify the City of Chattanooga and Hamilton County emergency response forces. A Unified Command will be established consistent with the principles of the National Incident Management System. The Public Information Officer of the Unified Command will then take responsibility for notifications of off campus populations.

Tests of Alerting Systems: All UTC fire alarm systems are tested on an annual basis in accordance with NFPA Standards. The UTC - ALERT text messaging system is tested on a semi-annual basis and the current campus emergency plan calls for a campus wide table top exercise to be conducted at least annually. The exercise is conducted and documented using the protocols of the Homeland Security Exercise Evaluation Program (HSEEP)

General Crime Information & Crime Log

The Echo, the University school newspaper, publishes all reported incidents occurring on campus in the "Campus Crime Log" in an effort to heighten the University community's awareness of the possibility of these events occurring.

A crime log (covering at minimum the last 60 days of incidents in paper format) is also available on a 24 hour basis at the UTC Police Department. There is no need for a written request, and this information is readily available for public inspection. However, crime and incident reports/logs that are more than 60 days old may require up to two business days to make available.

SECURITY CAMERAS

UTC has more than 300 security cameras throughout the campus, which includes most residence halls. Many streets and all garages currently have security cameras in place. These cameras are beneficial to law enforcement during to the entire campus throughout the year. University Housing has upgraded the existing video surveillance systems in many residence life areas.

**UNIVERSITY POPULATION – 2013-2014
FALL TERM**

STUDENT POPULATION 2013-2014

Category	Headcount
Undergraduate	10,666
Graduate	1,377
Total	12,043

STAFF POPULATION 2013-2014

Executive/Administrative	127
Faculty	795
Professional/Technical	319
Skilled Craft/Service	347
Graduate Assistants	202

Source UTC Planning, Evaluation, and Institutional Research 2012 Facebook Tables

UNIVERSITY HOUSING

For the Fall 2014, semester, the University of Tennessee at Chattanooga will have a normal housing capacity of 3,144 students. For the Fall 2012 semester, 3,146 students were in residence on campus. All student housing at UTC is located on campus in nine separate complexes. Overflow housing was addressed through contract with a local hotel. These consist of apartment and suite style complexes. Freshmen residents will live in designated sections of the building based upon gender. A new suite style complex named Stagmaier Hall came on-line and made available for occupancy in Fall 2012.

APARTMENT COMPLEX OCCUPANCY (Fall 2013):

NORTH CAMPUS APARTMENTS

Lockmiller Apartments:	173 male occupants	234 female occupants
Stagmaier Hall:	61 male occupants	81 female occupants
Boling Apartments:	248 male occupants	163 female occupants
Johnson-Obear Apartments:	131 male occupants	318 female occupants

SOUTH CAMPUS APARTMENTS

Guerry Building 1000 -	53 male occupants	161 female occupants
Decosimo Building 2000 –	130 male occupants	215 female occupants
Stophel Building 3000 -	216 male occupants	384 female occupants
Walker Building 4000-	92 male occupants	128 female occupants
UC Foundation Building 5000-	116 male occupants	240 female occupants

RESIDENCE HALL SECURITY

Since apartments in each of the complexes on campus are entered directly from the outside, a check-in desk is not possible. Guests and visitors to these areas are met at the apartment doors or as they inquire at the apartment office.

Each apartment complex is staffed by a Resident Director and numerous Resident Assistants, usually one per floor. The University currently employs 1 Assistant Vice Chancellor for Residence Life, 1 Director for Resident Life, 2 Assistant Directors for Residence Life, 8 Resident Directors, 8 Senior Resident Assistants and 67 Resident Assistants. Formal training of Directors and Assistants is conducted through cooperative efforts of the Housing Office and Campus Law Enforcement.

Residents can gain access to the buildings at the UTC Place Apartments by use of their individually coded University ID card. Access to their individual rooms at this complex is made only by a key issued them by the UTC Place Housing Office at the complex. At the Boling, Johnson Village, and Lockmiller Apartment complexes, access to their apartment and individual rooms at each of these is made only by a key issued them by the UTC Housing Office. All apartments have deadbolt locks on the doors. Residents are urged to keep them closed and dead-bolted at all times.

If a student loses an apartment key, they need to notify the Housing Department of their loss in order to keep accurate records and obtain a replacement. The Campus Police Department needs to be contacted as well in case the University keys have been turned in to the Lost and Found Division of the department. Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures and/or video presentations are presented to student residents covering such topics as date rape, theft prevention, and fire safety.

The University maintains smoke and fire alarms in all residence halls. These N.F.P.A. approved alarm systems are monitored 24 hours a day in the Campus Law Enforcement Telecommunications office as well as in each residence hall. Public Safety personnel are trained to assist the Chattanooga Fire Department in building evacuations during fire or other emergencies.

During holidays, spring break, or other low-occupancy periods, students are allowed to remain in their designated housing areas. However, Resident Directors must be notified of their intent to stay. Both the Housing Staff and the Campus Police Department make periodic exterior door checks during these low-occupancy periods.

UNIVERSITY HOUSING POLICIES

The following are excerpts of housing policies. All housing policies can be found in the student handbook.

FIRE ALARMS

Any time a fire alarm is sounded in a University building, every occupant must evacuate immediately. No one will be allowed to reenter the building until a campus police officer evaluates the situation. Anyone who is responsible for a false alarm may be subject to disciplinary action as well as arrest and other fines and penalties. Tampering with fire safety equipment is a violation of the state and local fire safety code and subjects violators to all penalties under the code.

Housing & Residence Life Evacuation Procedures

- When an alarm sounds, immediately evacuate your residents (whether on duty or not). Knock on each door as you pass by, moving quickly. Assist any disabled persons in evacuating by informing campus police where they are located. Do not stay in the building if there is an actual fire or heavy smoke; it is the responsibility of each resident to evacuate the building when the alarm sounds.
- Once evacuated, residents should move 500 feet from the building and should keep streets and entrances clear. In case of inclement weather, evacuate to the nearest building lobbies.
- Resident Directors (RD) will strategically place Resident Assistants (RA) to watch for students re-entering the building before instructed to do so by Campus Police or the Fire Department.
- In going through the building, do not open doors that feel warm or have smoke coming from under them. Use the back of your hand to feel the temperature of doors. If you do open any doors, do so slowly, staying behind the door.
- After the section is evacuated, RDs will meet RAs at a designated location to give you further instructions.
- Call the Assistant Director of Housing if alarm proves to be the result of an actual fire.
- Do not reenter the building until you are instructed to do so by a Campus Police Officer.

RDs will assign each RA to an area of responsibility during evacuation. The RA should advise the residents that they will not be able to re-enter the building until instructed by Campus Police.

Evacuation Locations – evacuation locations have been established for each housing complex. These locations are described in the housing evacuation procedure maintained by the University Housing office.

PROCEDURE FOR EVACUATION OF STUDENTS WITH DISABILITIES:

All Resident Assistants should lend whatever assistance is needed to ensure the safe evacuation of all residents. The Resident Assistants who have residents with physical disabilities residing in their sections or floor, should notify the Campus Police and/or Fire Department as to the apartment number of these residents so that proper assistance can be provided for them.

FIRE HAZARDS

Candles, incense, halogen lamps, and potpourri are a fire hazard and are not allowed in residence halls or apartments. Violators will be subject to disciplinary action. Due to fire regulations, hot plates, microwaves, and other cooking appliances may not be used in bedrooms. Students should instead use the kitchen area provided

HOUSING HEALTH & SAFETY REGULATIONS

The following steps must be taken to ensure the health and well being of the on-campus community.

1. Fire extinguishers should be in proper working order and should not be blocked by any items. Exits and hallways should be unobstructed.
2. All trash must be properly disposed of in a timely manner.
3. **Percolators, hotplates, immersion heaters, grills, popcorn poppers, and halogen lamps should not be used in the student's room or apartment.**
4. Small amounts of supplies such as paint thinner and rubber cement may be kept in rooms, but only in metal containers and away from heat sources.
5. Extension cords must be Underwriter Laboratory approved. Do not put cords under rugs, clothing, trash, books, or near heat sources.
6. **Storage of gasoline, fuels, or vehicles containing them is prohibited.**
7. Students should take extra care to insure that their entrance doors are secured/locked at all times and that common doors are not propped.

8. Residents are responsible for following all safety rules promulgated by the Department of Public Safety and Housing Department. Damaging or interfering with smoke and fire detection equipment and failure to follow fire evacuation procedures and directives from safety officers or residence life staff are also violations of safety rules.

HOUSING INCIDENT REPORTS

Incident reports are used by an RA to communicate the facts of an incident to the Resident Director and the Housing Office. Incident reports are used to document rule violations, theft, damage, or other emergencies. If you are named in an incident report, you may be asked to speak with your Resident Director or someone from Student Development. Students found to be responsible for the behavior described in a report will be assigned sanctions.

SMOKING POLICY

Smoking is prohibited inside all residence halls including bedroom, common area, and kitchen. Smoking is permitted outside 25 feet away from entrances.

ALCOHOL AND DRUG POLICY

UTC is a DRY campus. The official alcohol and drug policy of the university is as follows: "The possession or use of alcoholic beverages or other illegal drugs or intoxicants of any kind are strictly prohibited on campus." This includes alcohol containers whether empty or decorative.

THE DISABILITY RESOURCE CENTER (DRC) - 110 FRIST HALL - 425-4006

The DRC is committed to providing equal access to all facilities, programs and services of UTC. DRC reviews each student's documentation under the guidelines of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. ADA mandates that accommodations and adjustments be made in programs and activities in order to provide equal access to qualified persons with disabilities. DRC examines the documentation of each student's disability claim to avoid discriminations and to protect the civil rights of the student. Individual determination of appropriate and reasonable accommodations is made specific to the functional limitation of the disability. The Director of Affirmative Action holds the responsibility of ensuring University compliance with ADA.

MISSING STUDENT PROTOCOL

Purpose:

The purpose of this document is to set forth university policy with regard to responding to reports of missing students, as required under the Higher Education Opportunity Act of 2008 (20 U.S.C.S. §1092; 42 U.S.C.S. §5579).

Policy Statement:

1. This policy only applies to students who reside in on-campus residential facilities operated by University Housing or in housing facilities contracted by the University of Tennessee at Chattanooga.
2. Upon checking in, all students will have the opportunity to identify and provide confidential emergency contact information for the University's use when the University has officially determined that a student is missing.
3. Unless there is evidence to the contrary, a student living on-campus will not necessarily be considered missing if the student made his/her intended whereabouts known to others or if the student is absent during recognized University holidays or breaks.
4. If a University official reasonably believes a student has been missing for more than twenty-four (24) hours, the official will immediately report his/her belief to the UTC Police Department ("UTCPD"), the Director of Housing (or his/her designee), and the Dean of Students (or his/her designee). Those individuals will contact other University officials who have a need to know about the missing student report. (Please note that University officials may report a student missing at any time, there is no requirement for the official to wait until they believe the student has been missing for more than twenty-four (24) hours.)

Procedures:

Once a student has been reported as being missing then UTC Housing and Residence Life staff will conduct a preliminary investigation in order to verify the situation and to determine the circumstances which exist relating to the reported missing student.

1. A staff member will attempt to contact the student via his or her telephone by using the number(s) provided.
2. If the student cannot be reached by telephone, two staff members will visit the room of the student in question to verify the student's whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for the student.

3. If there is no response when the staff members knock on the door of the room or there are occupants who do not know of the student's whereabouts, the Residence Life staff will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff members will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residence hall.
4. If the student is not found in the room, the Residence Life staff will attempt to gain information on the student's whereabouts from roommates, other members of the residential community, or other friends. The Residence Life staff also will attempt to acquire additional contact information for the student (if not already on file) and use it to initiate contact.
5. Staff members, at any step in the process, immediately will report any suspicious findings to the UTC Police Department.
6. If these steps provide Residence Life staff with an opportunity to speak with the missing Residential Student, verification of the student's state of health and intention of returning to campus should be made. A referral, if needed, will be made to the Counseling Center. In addition, Residence Life will update those offices that need to know as well as the university official who made the initial report.
7. If all of these steps do not provide residential staff with an opportunity to speak with the missing student or to learn his or her whereabouts, UTC Police will be contacted to investigate further.
8. If the missing student is determined to be under the age of eighteen, Residence Life and/or UTCPD will report the student to the Dean of Students office. The Dean of Student (or his/her designee) will contact the parents or guardians within 24 hours. If the missing student is determined to be over the age of eighteen, the Office of the Dean of Students will contact the student's confidential contact within 24 hours.

University of Tennessee at Chattanooga's

ANNUAL FIRE SAFETY REPORT

Published September 2014

The following report outlines the University of Tennessee at Chattanooga's fire safety systems, policies and fire statistics as required under the Higher Education Opportunity Act of 2008

UNIVERSITY HOUSING COMPLEXES AND SYSTEMS

All UTC housing complex fire alarm systems report to the Campus Police Department where they are monitored 24 hours a day, 7 days a week, year round.

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

Boling Apartments – 541 Vine Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

Lockmiller Apartments – 742 Oak Street - Masonry construction, fire wall separation between apartments, exterior entrance to all apartments, smoke detectors, horn strobes and sprinkler systems.

Guerry Apartments – 805 Douglas Street - interior entrance to all apartments, smoke detectors, duct detectors, sprinkler system, pull stations and horn strobes.

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

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

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

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

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

FIRE LOG:

A fire log is maintained by the UTC Office of Safety and Risk Management and is updated daily. It is available for review in the Office of Safety and Risk Management during normal business hours.

The **2009** fire statistics are as follows:

Building	# of Fires	Cause	Injuries	Deaths	\$ Damage
Lockmiller Apartments	0				
Boling Apartments	0				
Johnson Obear Apts	1	grease / cooking	0	0	\$0-\$99
Guerry Apartments	0				
Decosimo Apartments	0				
Stophel Apartments	1	Outside mulch	0	0	\$0-\$99
Walker Apartments	0				
UC Foundation Apts	0				

The **2010** fire statistics are as follows:

Building	# of Fires	Cause	Injuries	Deaths	\$ Damage
Lockmiller Apartments	0				
Boling Apartments	0				
Johnson Obear Apts	0				
Guerry Apartments	1	cooking	0	0	\$0-\$99
Decosimo Apartments	1	Outside mulch	0	0	\$0-\$99
Stophel Apartments	0				
Walker Apartments	0				
UC Foundation Apts	0				

The **2011** fire statistics are as follows:

Building	# of Fires	Cause	Injuries	Deaths	\$ Damage
Lockmiller Apartments	1	Hookah Pipe	0	0	\$100,000
Boling Apartments	0				
Johnson Obear Apts	0				
Guerry Apartments	0				
Stophel Apartments	2	Garbage chute incense	0 0	0 0	\$0-\$99 \$0-\$99
Walker Apartments	0				

The **2012** fire statistics are as follows:

Building	# of Fires	Cause	Injuries	Deaths	\$ Damage
Lockmillier Apartments	0				
Boling Apartments	1	Incense caught paper on fire	0	0	\$0
Johnson Obear Apts	0				
Guerry Apartments	0				
Decosimo Apartments	0				
Stophel Apartments	0				
Walker Apartments	0				
UC Foundation Apts	0				

The **2013** fire statistics are as follows:

Building	# of Fires	Cause	Injuries	Deaths	\$ Damage
Stagmaier Hall	0				
Lockmillier Apartments	0				
Boling Apartments	0				
Johnson Obear Apts	0				
Guerry Apartments	0				
Decosimo Apartments	0				
Stophel Apartments	0				
Walker Apartments	1	mulch fire			\$0-\$99
UC Foundation Apts	0				

FIRE DRILLS – Fire drills in university housing buildings are conducted four times per year as required by International Fire Code. The drills are conducted as a collaborative effort between the Housing staff, Campus Police and the University’s Office of Safety and Risk Management.

FIRE TRAINING

Fire training is provided to all UTC Housing staff once a year by the UTC Office of Safety and Risk Management and the Chattanooga Fire Department. This is a four hour training block that includes lecture and hands-on fire extinguisher training on live fires. This training is also open to other university employees.

Fire education and evacuation training is made available to all UTC students, faculty and staff at various times during the year.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Procedures: UTC maintains and is currently strengthening its emergency response and evacuations procedures. A key component of that is the ability to provide warning and notification in the event of an emergency. In addition to the fire alarms discussed elsewhere in this report, UTC also maintains the ability to provide information on other types of emergencies.

The following procedures are distributed campus-wide to all faculty and staff by way of an 'Abnormal Conditions Preparedness Guide' booklet. The guide can also be found at the UTC web page:

FIRE

If you smell smoke or other unusual odors suggesting a possible fire, immediately call the Campus Police at 911.

If you discover an actual fire situation, you should:

1. Alert other building occupants by immediately sounding the building fire alarm. To do this pull a wall-mounted fire alarm pull station, located near all exit ways.
2. Contact Campus Police by dialing 911 and give them the location of the fire.
3. Evacuate the building. Do not use the elevators. Most stairways are protected from smoke and are the safest way out of the building.

If needed, fire extinguishers are located in all public corridors approximately every 75 feet.

Never assume a fire alarm is false. If you hear a fire alarm sounding, exit the building immediately.

Do not re-enter the building until told it is safe to do so by either the police or the fire department.

EMERGENCY EVACUATION

In the event of an emergency situation it may be necessary to evacuate the building. Causes for evacuation may be fire, hazardous chemical incidents, explosion, severe weather or other conditions.

UTC campus buildings are equipped with fire evacuation alarm systems that include smoke and heat alarms, sprinkler water-flow alarms and wall-mounted pull stations. If you hear a fire / evacuation alarm, you should evacuate the building immediately.

Physically impaired individuals should be identified for assistance by fellow building occupants. Mobility impaired individuals on upper floors should proceed to the nearest exit stairwell or designated area of refuge for assistance by emergency response personnel. Once outside the building, co-workers should immediately notify emergency response personnel of the location of mobility impaired individuals.

Anyone discovering a fire, witnessing an explosion or being made aware of a hazardous chemical incident should immediately activate the building evacuation alarm by pulling a pull station located at the exit ways and then notifying the Campus Police by dialing 911.

Any questions concerning this evacuation procedure should be referred to the UTC Office of Safety & Risk Management at extension 5209 or 2145.

CRIME STATISTICS

The following crime statistics are to inform the public about the probable exposure of the University population to each crime category. As one can determine from the data, exposure to crime on the UTC campus is minimal at best. The data also indicate that ongoing crime prevention and awareness programs are having a positive effect toward reducing overall crime rates.

We believe an informed public is a safety conscious public. The following statistics, provided in compliance with Tennessee's College and University Security Information Act, as well as the Federal Crime Awareness and Campus Security Act of 1990, are for your information as part of UTC's overall safety and security program. If you have any questions, contact the UTC Department of Public Safety at 425-4357. For clarification purposes, definitions of the subcategories in the statistical data are as follows:

Term: On Campus

(1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by

another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Term: On-Campus Student Housing Facility

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Term: Non-campus building or property

(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the Institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Term: Public Property

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

**THE UNIVERSITY OF TENNESSEE
AT CHATTANOOGA
Campus Crime Statistics**

CATEGORY	VENUE	2011	2012	2013
CRIMINAL HOMICIDE: Murder and Non-Negligent Manslaughter	On Campus*	0	0	0
	In on-campus student housing facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Negligent Manslaughter	On Campus*	0	0	0
	In on-campus student housing facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
SEX OFFENSES: Forcible - Forcible Rape, Sodomy / Sexual Assault w. object / Forcible Fondling	On Campus*	1	1	3
	In on-campus student housing facilities	0	1	2
	In or on a non-campus building or property	0	1	0
	On public property	0	0	0
SEX OFFENSES: Non-Forcible – Incest / Statutory Rape	On Campus*	0	0	0
	In on-campus student housing facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
ROBBERY	On Campus*	0	1	3
	In on-campus student housing facilities	0	1	1
	In or on a non-campus building or property	0	0	0
	On public property	1	0	0
AGGRAVATED ASSAULT	On Campus*	2	3	0
	In on-campus student housing facilities	1	3	0
	In or on a non-campus building or property	0	0	0

	On public property	0	0	0
BURGLARY	On Campus*	15	22	26
	In on-campus student housing facilities	13	19	20
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
ARSON	On Campus*	1	0	0
	In on-campus student housing facilities	1	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
MOTOR VEHICLE THEFT	On Campus*	0	0	0
	In on-campus student housing facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	1	0
CATEGORY	VENUE	2011	2012	2013
STALKING	On Campus*	0	1	1
	In on-campus student housing facilities	0	1	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
DOMESTIC VIOLENCE	On Campus*	4	3	1
	In on-campus student housing facilities	4	2	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	1
DATING VIOLENCE	On Campus*	0	0	0
	In on-campus student housing facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
ARREST: Liquor Law Violations	On Campus*	66	19	9
	In on-campus student housing facilities	66	14	9
	In or on a non-campus building or property	0	0	0
	On public property	8	11	5
Drug-related Violations	On Campus*	31	17	18
	In on-campus student housing facilities	31	17	18
	In or on a non-campus building or property	0	0	0
	On public property	3	3	2
Weapons Possession	On Campus*	1	0	0
	In on-campus student housing facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	1	0
DISCIPLINARY REFERRALS: Liquor Law Violations	On Campus*	377	236	282
	In on-campus student housing facilities	374	235	282
	In or on a non-campus building or property	3	0	1
	On public property	5	1	3
Drug-related Violations	On Campus*	154	46	65
	In on-campus student housing facilities	154	46	63
	In or on a non-campus building or property	0	0	17
	On public property	0	0	1
Weapons Possession	On Campus*	2	0	0
	In on-campus student housing facilities	1	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

* This category includes all on-campus incidents, including those listed in the category labeled, "In dormitories or other residential facilities." Therefore, the two categories are not cumulative, but duplicative.

KEY TO HATE CRIME NOTATIONS:

Type of Bias or Prejudice

Race = ra

Gender = g

Religion = re

Sexual Orientation = s

Ethnicity = e

Disability = d

There were no reported hate crimes for the years 2011, 2012 or 2013.

Each statistic, resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. Numbers in superscripted parenthesis indicate the number out of the total number of incidents that were motivated by each type of bias.

TOTAL STUDENTS (FTE) AND EMPLOYEES (HC) EQUAL:

<u>2011</u>	<u>2012</u>	<u>2013</u>
11,210	11,660	11,674

The total number of incidents reported to the University Police Department for the years 2009, 2010, and 2011 are as follows:

2011	1,779
2012	1955
2013	1825

TIPS FOR A SAFE CAMPUS

Learn and follow all University security policies. These policies were created out of a concern for your welfare and consideration for the rights of others.

When walking or jogging:

- Go with someone.
- Stay away from isolated areas.
- Try and stay near street lights.
- Hold your purse or briefcase tightly, close to your body.
- A front pocket is safer for a wallet than a back one.
- Dress sensibly. Tight pants, clogs, or heels make movement- difficult.

If you're being followed:

- Cross the street or change directions.
- Keep looking back so the person knows you can't be surprised.
- Go to a well lighted area. Enter a store, house, residence hall, classroom, or library - anywhere there are people.
- Notice and remember as much as possible about the person so you can give a good description later.

If you're held up:

- Don't resist. No amount of money is worth taking chances with your life.
- Notify the campus police or local police immediately. Try to give a description that includes approximate age, height, weight, and details on hair, clothing, jewelry, scars, tattoos - anything that is noticeable.

Where you live:

- Keep your doors and windows locked day and night.
- Don't let strangers in.
- Don't leave a door unlocked for someone planning to come back later.

Protect personal and University property:

- Lock your door every time you leave
- Engrave expensive equipment and valuables with an I.D. number. Engraving tools are available for your use at the Campus Law Enforcement Office.
- Don't store your purse in an unlocked desk drawer.
- Don't leave your belongings unattended in libraries, hallways, locker rooms, or classrooms.

If you are working late:

- Keep your office door locked.
- Lock all doors behind you when entering or exiting at night.
- Contact the Campus Police Department if you want an escort to or from your car.

In a car:

- Keep doors locked while driving.
- Don't pick up hitchhikers.
- Check the back seat before getting into a car.
- If you have car trouble, raise the hood, put on emergency flashers, and tie a white cloth to your antenna or outside mirror.

Protect your car:

- Always lock your car and take the keys.
- Lock valuables in the trunk.
- Park in well lighted areas.

Avoid being ripped off or taken advantage of by a scam:

- Watch out for credit card scams. Never give your credit card number over the phone unless you have made the call to a reputable business.
- Retain all carbons and charge slips when shopping, eating out, etc.
- Check your monthly statements for unauthorized charges.
- Remember the Better Business Bureau can always be contacted to verify the credentials of a particular company or business.
- Be sure to look closely at any deal that sounds too good to be true (it probably is).

Don't hitchhike.

IMPORTANT TELEPHONE NUMBERS AND ADDRESSES

On Campus

UTC Police Department

Physical Address: 400 Palmetto Street, Chattanooga, TN

Mailing Address: Dept. 3954, 615 McCallie Avenue, Chattanooga, TN 37403-2598

FAX Number: (423) 425-2308

UTC Police Dispatcher	4357 (HELP)
Sr. Vice Chancellor for Finance and Operations, Richard L. Brown, Jr.	4393
Director, Chief Robert Ratchford	4004
Deputy Chief Craig Hamilton	5290
University Safety Officer, Jim Pulliam	5209
Student Development.....	4534
Housing Office.....	4304
University Health Services.....	(423) 778-9303
University Center Director, Shannon Smith	4455
Counseling Center	4438

UTC Women’s Center – Transformation Project, Sara Peters.....5605

Chattanooga Police Department / Police Services Center
3300 Amnicola Highway, Chattanooga, TN 37406

Chattanooga Police Dispatcher698-2525

Emergency911

UTC Police Department(423) 425-4357

To Report a Crime, Fire or Request an Ambulance

On Campus911 / 4357 / HELP

Off Campus.....911