

2020 ANNUAL SECURITY & FIRE SAFETY REPORT

University of Tennessee at Chattanooga
(Containing Information for the 2020-2021
Academic Year)

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MESSAGE FROM THE EXECUTIVE VICE CHANCELLOR: DR. RICHARD 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

HISTORY OF THE UNIVERSITY

When the Methodist Episcopal Church began to explore the possibilities of developing a central university in the South, Chattanoogaans came forward to work with the church in this effort and became UTC. Since its founding as Chattanooga University in 1886, the University of Tennessee at Chattanooga has developed an institutional excellence on a blend of private and public traditions of higher education.

For 83 years, the University was private. Three years after its founding, the University consolidated with another religious church-related school, East Tennessee Wesleyan University at Athens, under the name of Grant University. In 1907, University of Chattanooga became the name.

In 1969, the University of Chattanooga and a junior college, Chattanooga City College, merged and affiliated with the University of Tennessee, one of the oldest land-grant universities and became UTC. Pledged to the service of

nation's, the University of Tennessee has become a statewide system of higher education comprised of four primary campuses. UTC's mandate was to focus its resources on excellence in undergraduate education and in selected areas of graduate study.

ACCREDITATIONS AND MEMBERSHIPS

The University of Tennessee at Chattanooga is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award bachelor's, master's and doctoral degrees. Use the contact information below (1) to learn more about UTC's accreditation status, (2) to file a third-party comment at the time of the institution's decennial review, or (3) to file a complaint against the institution for alleged non-compliance with a standard or requirement. Standard inquiries about the institution, such as admission requirements, financial aid, educational programs and the like should be directed to the appropriate institution office and not to the Commission.

Southern Association of Colleges and Schools Commission on Colleges

1866 Southern Lane
Decatur, Georgia 30033-4097
Phone 404-679-4501
Fax 404-679-4558

The University also has earned accreditation from additional organizations. A complete listing can be found on the [Planning, Evaluation and Institutional Research site](#).

UTC'S RESPONSE TO COVID-19

At UTC, we're doing all we can to mitigate COVID-19 risk to our campus community, and we're counting on campus visitors to help.

Virus mitigation protocols are in place for the protection of our students, faculty, staff and visitors—whether alumni, prospective students or those with business on campus. The protocols will remain in place during the current COVID-19 pandemic.

UTC working, learning, living and dining environments are adapted for safety best practices. Thank you for complying with these protocols.

A GUIDE FOR CAMPUS VISITORS



At UTC, we're doing all we can to mitigate COVID-19 risk to our campus community, and we're counting on campus visitors to help.

Virus mitigation protocols are in place for the protection of our students, faculty, staff and visitors—whether alumni, prospective students or those with business on campus.

UTC working, learning, living and dining environments are adapted for safety best practices. Thank you for complying with these protocols.

ACCESS TO CAMPUS

UTC will monitor access to campus through the remainder of the summer, while most buildings will continue to require swipe card access. Before coming to campus, all visitors must confirm arrangements for access with the offices or people they plan to visit.

Visitors are encouraged to review the University's COVID-19 information and mitigation protocols [here](#).

Protocols require every person on campus to wear a face mask. Visitors should bring their own face masks. If a visitor does not have a face mask, he or she should contact the office or person to be visited to arrange to be supplied with a face mask.

Visitors unable to secure a face mask otherwise should call Faith Garner of UTC Emergency Services at 423-425-5741.

Visitors should monitor their health prior to arriving on campus and be sure they are not experiencing one or more COVID-19 related symptoms within three days of arrival to campus.

NO VISITORS ALLOWED

For the protection of the student residents, no visitors or non-residents of any kind are permitted in University Housing except during official, scheduled move-in and move-out periods.

IF CIRCUMSTANCES CHANGE

Visiting campus or events on campus may be cancelled if circumstances require the University to move completely to online learning and a remote workforce. UTC reserves the right to cancel or stop hosting in-person events on campus if required by response to COVID-19 related changes. Recommendations from state and local officials and/or changes in University procedures will be followed if in-person events are no longer deemed safe and manageable.

FACE MASK REQUIREMENTS

Face masks help contain droplets that may leave a person's mouth or nose when breathing or talking. That's why wearing face masks is not about

protecting wearers, it's about protecting those around us. Wearing face masks is the responsible thing to do toward protecting our community and ourselves, and all visitors must wear face masks while on campus, in compliance with University policy. Face masks are required in any setting where social distancing is not possible and, generally, throughout a visitor's time on campus.

A visitor without his or her own mask may be furnished a disposable mask.

Concerns about non-use of masks by visitors or contractors should be referred to UTC Safety and Risk Management: 423-425-5741.

HANDWASHING HYGIENE

Frequent, thorough handwashing with soap and water for at least 20 seconds is one of the best ways of protecting yourself and others from germs and the spread of infectious disease.

Among the many ways you can spread, share or come in contact with disease-causing germs is:

- *Touching your eyes, nose and mouth with unwashed hands*
- *Preparing or consuming food and drinks with unwashed hands*
- *Touching unclean, contaminated surface or objects*
- *Blowing your nose, coughing or sneezing*

Wash your hands often—before preparing food; before and after eating or drinking; after touching surfaces such as doorknobs or handrails; after contact with any surface or object that may not be clean; on restroom visits; after blowing your nose or coughing or sneezing.

In the absence of soap and water, use hand sanitizer with at least 60% alcohol. Hand sanitizer stations are available at all possible locations across campus.

SOCIAL DISTANCING

Campus visitors are expected and encouraged to practice social distancing, just as all members of the UTC campus community are required to do.

This means maintaining at least six feet of separation between yourself and others at all times and wearing a face mask in any setting where six feet of separation is not possible.

In addition, visitors are expected to comply with posted requests to avoid using elevators that may be occupied, to follow posted guidance on direction of pedestrian foot traffic and any other personal movement and to maintain six feet of space from others in places where people must gather (such as waiting in lines).

INTRODUCTION TO CLERY ACT POLICIES AND PROCEDURES

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.

REPORT PREPARATION & DISCLOSURE OF CRIME STATISTICS

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

This report contains crime & fire statistics for the previous three calendar years (2017 – 2019) concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned and controlled by UTC; and on public property within, or immediately adjacent to and accessible from the campus. It also includes valuable information about the University's policies concerning

campus safety and security, such as policies regarding drugs, alcohol, sexual assault and related offenses, timely warnings and immediate notifications. The information provided can help you make informed decisions about your safety, the safety of others within the community, and provide information about what to do should you or someone you know ever become a victim of a crime.

Statistics in this report are obtained from the incident reports of UTCPD, other local law enforcement agencies and from information reported by other campus officials designated as Campus Security Authorities (CSA).

UTC distributes a notice of availability of the report no later than October 1st of each year to every member of the campus community via email. Anyone, including prospective students and employees, may find this report on the police department's website at: <https://www.utc.edu/police> and may obtain a paper copy by contacting the police department at 423-425-4357 or email at clery@utc.edu.

If you have any questions about the services provided, or the content of this report, please contact Chief of Police, Robert Ratchford at (423) 425-4357.

UTC POLICE DEPARTMENT: WHO WE ARE AND WHAT WE DO

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

UTCPD is a professionally trained department that consists of police officers, security officers, communications officers and administrative staff who often work with local, state and federal agencies to resolve cases. The primary concern of the department is to protect and assist the campus community.

LOCATION & CONTACT INFORMATION

UTCPD is located in the Administrative Services Building, at 400 Palmetto Street, Chattanooga, Tennessee. It is open and staffed 24 hours a day, 7 days a week, 365 days a year. Please feel free to stop by anytime for any assistance you may need or contact us at (423) 425-HELP/4357.

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

SOCIAL MEDIA

Website

<https://www.utc.edu/police>

Facebook

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

Twitter

<https://twitter.com/UTCPD>

Instagram

<https://www.instagram.com/utcpd/>

MISSION STATEMENT

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

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

OFFICERS AND TRAINING

UTCPD employs both full-time and part-time sworn police officers. UTC police officers are commissioned pursuant to T.C.A. §49-7-118 and Tennessee Board of

Regents (TBR) Policy No. 5:01:07:00. All UTC police officers receive a minimum of 420 hours of basic police training through a Tennessee Peace Officers Standards and Training (POST) training academy and have graduated from an approved law enforcement academy.

Upon successful completion of the basic academy, officers are placed on a probationary period of six months. Each new officer is assigned to a senior level field-training officer and must complete a field-training program in which they learn to apply their law enforcement academy training to a university environment.

All sworn police officers complete a minimum of 40 hours of in-service training each year. Training topics may include, but is not limited to, topics such as:

- 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;
- active shooter response;
- Cardiopulmonary Resuscitation (CPR); and
- basic first aid.

As of December 1, 2020, UTCPD personnel consists of the following:

FULL-TIME	PART-TIME
18 Sworn Officers	23 Sworn Officers
6 Non-Sworn Security Officers	39 Non-Sworn Security Officers
6 State Certified Communications Officers	1 State Certified Communications Officers
	1 Administrative Staff

Full-time, uniformed officers patrol the campus and provide public safety services through the deployment of vehicle, foot, and bicycle patrols to ensure the safety of its students, staff, faculty, and visitors while protecting the property of the University. Both the full and part-time sworn officers, work special events in our 12,000-seat arena. These staff members also provide police protection and VIP escort service for visiting dignitaries involved in University functions and security for on-campus sorority and fraternity events.

In the event of an emergency, several officers and other non-sworn essential personnel may be called to return to campus. Departmental policy requires officers to remain on duty until relieved to ensure that the designated minimum number of officers is maintained.

The department's non-sworn security officers, which includes students employed by the department and contracted security officers, provide a strong visible presence and service for students on campus. Security officers assist with patrol on campus and in on-campus residential facilities, work campus special events and details performing crowd and vehicular control activities, building checks, interior building patrols, as well as other pertinent security related operations. Security officers also observe and report all suspicious activities to the UTC PD.

UTC PD operations is supported by the Communications Center of UTC PD, which operates 24 hours a day, 7 days a week, 365 days a year. The Communications Center is staffed by trained and state certified communications officers who answer calls for service and are authorized to dispatch police, fire, or emergency medical services immediately upon receiving a call for help. Communications officers also monitor intrusion and fire alarms.

UTC PD is also a part of the Hamilton County 911 Emergency System (Hamilton County 911). By mutual agreement with state and federal agencies, the Communications Center maintains a NLETS (National Law Enforcement Telecommunications Network) terminal. Through this system, communications officers can access the National Crime Information Computer (NCIC) system as well as the Tennessee Information Enforcement System (TIES). These computer databases are used for accessing criminal history data, nationwide police records, wanted persons, stolen property, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

ACCREDITATION

In 2019, the University of Tennessee at Chattanooga Police Department received accreditation awarded through the Tennessee Law Enforcement Accreditation program. The Tennessee Law Enforcement Accreditation (TLEA) program provides standards designed to ensure professionalism in the daily operations of the department. This state accreditation program consists of over 160 professional standards that the UTC PD incorporated into their General Orders and daily operations planning.

The University of Tennessee at Chattanooga Police Department (UTC PD) is the fourth University Police Department within Tennessee that is solely accredited through the TLEA program. Under the stewardship of the Tennessee Association

of Chiefs of Police, UTCPD joins 55 other state, county, and municipal agencies with TLEA.

The TLEA standards are designed to:

- Increase the agency's ability to prevent crime through crime prevention and awareness programs.
- Increase the agency's effectiveness in the delivery of law enforcement services.
- Increase cooperation and effectiveness among other law enforcement agencies and criminal justice agencies.
- Increase citizen and employee confidence in the goals, objectives, policies, and practices of the agency.

Benefits of Law Enforcement Accreditation:

- Demonstrates the commitment of the agency to professionalism.
- Assures the community that its law enforcement agency is committed to a high quality of service.
- Requires an in-depth review of every aspect of an agency's organization.

JURISDICTION & LAW ENFORCEMENT AUTHORITY

As a commissioned law enforcement agency, with limited jurisdiction, our campus police officers have necessary and complete police authority to apprehend and arrest anyone involved in illegal activity on campus and areas immediately adjacent to the campus.

T.C.A. § 49-7-117, defines "campus police officer" as a person commissioned by an employing institution and rendered an oath to provide police services, enforce law, exercise arrest authority and carry firearms, and thus is subject to the provisions of the Tennessee peace officer standards and training commission.

UTCPCD's police officers have law enforcement authority and responsibility for enforcing applicable city, county, state and federal criminal laws on the campus and enforce University policies. Officers have the authority to investigate crimes, enforce laws, make arrests, and carry firearms. UTCPCD police

officers investigate all reports of criminal activity that occur within the jurisdiction of the UTC campus.

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

WORKING RELATIONSHIPS WITH SURROUNDING AGENCIES

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

The UTCPD Chief of Police and other staff routinely participate in regional meetings to ensure that effective communication exist between the local law enforcement agencies. The constant interaction with Chattanooga Police Department happens with the E. 11th Street Precinct, with special investigations, and through mutual cooperation in resolution of common crime problems.

UTCPD facilitates or assists in the presentation of specialized law enforcement training on a regional basis, which has included Domestic Violence and Sexual Assault investigations, Crisis Intervention Team (Mental Health) training, School Resource Officer training, Law Enforcement Instructor Development, and other areas of law enforcement training which benefit the region.

MEMORANDUM OF UNDERSTANDING WITH LOCAL LAW ENFORCEMENT

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

Per the current MOU with CPD, in accordance with the Robert "Robbie" Nottingham Campus Crime Scene Act of 2004 and TCA § 49-7-129, UTCPD will immediately notify CPD of: (1) any medically unattended death of a person that

occurred on UTC property; or (2) a report alleging that any degree of rape has occurred on UTC property. Further, UTCPD will immediately notify CPD about any felony against a person such as homicide, unattended death, kidnapping/abduction, robbery, aggravated assault, or sexual assault.

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

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

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

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

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

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

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

MONITORING OF CRIME(S) OFF-CAMPUS

The Clery Act requires the University to include in this report a statement of policy concerning the monitoring and recording through local police agencies of criminal activity by students at non-campus locations of student organizations officially recognized the institution, including student organizations with non-campus housing facilities (See page 123 for definition on non-campus location).

Monitoring of crime(s) off-campus is done by CPD or other local law enforcement agencies that have jurisdiction over the area where the crime took place. If a local law enforcement agency is contacted about criminal activity occurring off campus involving University students, the agency may notify UTCPD. However, there is no official policy requiring such notification.

The Department relies on its working relationships with local law enforcement agencies to receive information about incidents involving students' off-campus. Students in those cases may be subject to arrest and university discipline. UTCPD will cooperate with local law enforcement to investigate information received about any crimes concerning and/or involving a member of the campus community. UTCPD will also supply information regarding the incident as needed or required to local, state or federal law enforcement authorities.

OFF-CAMPUS HOUSING

No UTC office or department provides supervision for off-campus housing, apartments, or individual homes, unless they are controlled by the University as official residence housing. Local law enforcement has primary responsibility for criminal investigations and responding to incidents at those locations. Campus police officers will assist local law enforcement with student related incidents at those locations, when requested, but UTCPD officers do not actively monitor off-campus, non-University sponsored activities or the conduct of individuals when off-campus.

Students, whether they live on or off campus, are encouraged to immediately report all crimes to the appropriate law enforcement agency. If community members report crimes or serious incidents to other University administrators,

those administrators should notify UTCPD or the appropriate local law enforcement agency.

Crime awareness information is made available to all students, faculty, and staff via this report, the UTC Daily Crime & Fire Log, the CUSIA Arrest Log, and the UTCPD website.

TENNESSEE SEX OFFENDER REGISTRY

Incarceration may remove a sex offender from the streets but it does nothing to prevent the offender from committing another crime when released. The Federal Campus Sex Crimes Prevention Act and the Tennessee College and University Sex Crimes Prevention Act of 2002 require that whenever a sex offender becomes employed, enrolls as a student or volunteers at an institution of higher education in the State of Tennessee, he or she must complete or update the Tennessee Bureau of Investigation sexual offender registration/monitoring form.

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

In accordance with these Acts, the UTCPD is providing a link to the Tennessee Bureau of Investigation (TBI) Sex Offender Registry. You can access this information, which appears on the TBI website, by accessing the following link: <https://www.tn.gov/tbi/general-information/tennessee-sex-offender-registry.html>

EMERGENCIES ON CAMPUS

UTC maintains and is currently strengthening its emergency response and evacuations procedures. A key component of that is the ability to provide warnings and notification in the event of an emergency.

An “Abnormal Conditions Preparedness Guide” is available to all students, faculty and staff on the UTC Safety and Risk Management web page at: <https://new.utc.edu/finance-and-administration/emergency-services/safety-and-risk-management/emergency-management/emergency-preparedness> .

In the event of an emergency or abnormal condition, this guide is intended as a quick reference for recommended action. Please bookmark this guide so that you will have quick access in the event of an emergency.

You may also click the links below for access to information on the following topics:

- [Unsafe Conditions](#)
- [Injury or Illness](#)
- [Suspicious Mail](#)
- [Hazardous Waste Removal Procedures](#)
- [Chemical Release/Spill](#)
- [Fire](#)
- [Emergency Evacuation](#)
- [Inclement Weather Operations](#)
- [High Winds or Tornado](#)
- [Student In Distress](#)
- [Building Modifications](#)
- [Reporting a Crime](#)
- [Critical Incidents](#)
 - Learn more on the UTC Police site about responding to an active shooter, hostage or bomb threat situation.

Personal Preparedness

- [Areas of Refuge](#)
- [Multicultural Resources](#)
- [Persons with Disability](#)
- [Disaster Kits](#)

EMERGENCY RESPONSE & EVACUATION PROCEDURES

In the event of an emergency situation it may be necessary to evacuate the building. Causes for evacuation may be fire, hazardous chemical incidents, explosion, severe weather or other conditions. UTC campus buildings are equipped with fire evacuation alarm systems that include smoke and heat alarms, sprinkler water-flow alarms and wall-mounted pull stations. If you hear a fire/evacuation alarm, you should evacuate the building immediately. Go to the emergency assembly area (or at least 500 feet away) indicated on the emergency evacuation signage in each building.

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

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

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

EVACUATION OF INDIVIDUALS WITH FUNCTIONAL AND ACCESS NEEDS

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

Any questions concerning this evacuation procedure should be referred to the UTC Office of Safety & Risk Management at (423) 425-5949 or (423) 425-5741. Additional information can also be found at: <https://new.utc.edu/finance-and-administration/emergency-services/safety-and-risk-management/emergency-management/emergency-preparedness/disability-preparedness>

TESTING EMERGENCY RESPONSE & EVACUATION PROCEDURES

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

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

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

1. Activation of UTC ALERT,
2. Response to errors and system abnormalities, and
3. System testing/monitoring.

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

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

MISSING STUDENT NOTIFICATION POLICY

In compliance with the Missing Student Notification Policy (20 USC 1092 C-Section 488 of the Higher Education Opportunity Act of 2008), it is the policy of Housing and Residence Life, Student Affairs, and Emergency Services to actively investigate any report of a missing student currently enrolled at the university. Students have the option to provide an emergency person/number to be contacted if they are believed to be (a) missing for more than 24 hours and/or (b) in potential danger.

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

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

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

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

Unless there is evidence to the contrary, a student living on campus will not necessarily be considered missing if the student made his/her intended location known to others or if the student is absent during recognized university holidays or breaks.

If the missing student is under the age of eighteen (18) and not emancipated, UTC PD personnel and/or Housing and Residence Life personnel will report the student to the Office of the Dean of Students. The Office of the Dean of

Students must contact the parents or legal guardians within 24 hours of the determination that the student is missing. This notification will be made in addition to notifying any additional contact person designated by the student within 24 hours.

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

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

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

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

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

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

Housing and Residence Life personnel will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residential facility.

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

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

If Housing and Residence Life personnel speak with the missing student:

- Verification of the student's state of health and intention of returning to campus should be made.
- A referral, if needed, will be made to the Counseling Center.
- In addition, the Housing and Residence Life office will update other offices as well as the university official who made the initial missing student report.

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

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

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

- The UTCPD may contact the student's professors to ascertain the student's recent attendance in class.
- The UTCPD may obtain a photograph of the student, if available, from student ID card records and use this information (and/or the physical description) to conduct a search, with possible assistance from Housing and Residence Life personnel or others, of the campus and buildings where the student has classes. The UTCPD Chief of Police may issue an ID card photograph to personnel involved to assist in the identification of the missing student.
- The UTCPD may contact Parking Services to determine if the student has a vehicle registered on campus; if the student has a vehicle, UTCPD officers will attempt to locate the vehicle on campus.
- The UTCPD may check access card logs to determine the last time the student's MOCS ID card was used, access logs to UTC email and/or UTC computer accounts, as well as any surveillance video.

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

All reports of missing students (missing for 24 hours) should be made immediately to UTCPD, the Director of Housing (or his/her designee), and the Dean of Students (or his/her designee). Those individuals will contact other University officials who have a need to know about the missing student report.

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

CARE TEAM

The mission of the Case Assessment, Review, and Evaluation (CARE) Team is provide proactive and supportive prevention, assessment, intervention, and management for situations that could compromise the safety and well-being of the UTC community. The CARE Team is comprised of select UTC Faculty and Staff, whose primary goals are to:

- Balance the needs of the individual in distress with those of the University community;
- Provide structured methods for addressing concerning behavior(s) that impact the UTC and/or the greater Chattanooga community;
- Initiate appropriate intervention(s), without solely resorting to student conduct or employee discipline processes.

If you believe an individual poses an immediate threat to themselves or other members of the community, please consider the situation an emergency. Immediately contact the UTC Police Department at 423-425-HELP/4357 or 911 (from on-campus phone).

You may also visit the UTC Care webpage for more information, located at: <https://www.utc.edu/care/>

REPORTING CRIMES, FIRES, MEDICAL OR OTHER EMERGENCIES

The University strongly encourages students, employees and visitors to accurately and promptly report crimes, suspicious activity and other public safety related emergencies to the UTC PD, which is the University's primary reporting structure for crimes and emergencies. **All emergency calls should be made to the campus 911 system by calling the UTC PD Communications Center at (423) 425-4357 from any campus phone.** You may also use this line for non-emergency reporting.

Reports of crimes or emergencies may also be made by dialing 911 from a cell phone or other non-University phone.

Accurate and prompt reporting ensures that UTC PD is able to evaluate, consider and send Timely Warnings; disclose crimes through ongoing disclosure

processes such as the posting of crimes in the Daily Crime & Fire Log and CUSIA Arrest Log; and accurately document reportable crimes in its annual statistical disclosure.

Under the Clery Act, a crime is “reported” when it is brought to the attention of a campus security authority, UTC PD, or local law enforcement personnel by a victim, witness, other third party or even the offender. It does not matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the University.

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

TO REPORT A CRIME OR EMERGENCY

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

- Dial 911 or 4357 (HELP) **from any University telephone** to reach UTC PD. The caller’s location will display automatically on the computer at the communications officers’ desk so that help can be dispatched immediately to their location.
- Dial 423-425-4357 from any non-University phone. **NOTE:** The caller’s location will not display automatically.
- Use a “Blue Light” emergency phone/call box that are strategically located throughout the campus. (See Appendix A-Blue Light Phones Map). There are currently 62 on campus.
- Use an emergency phone located in elevators around campus. There are currently 44 on campus.
- Use a red emergency telephones located in classrooms around the University. There are currently 25 on campus. (See Appendix B-Red Phones Map)
- Use a panic alarm, which are located in various departments around campus. The panic alarms provide information directly to the UTC PD Communications Center and officers respond appropriately to the activations.

- Dial 911 **from a cell phone or other non-University phone**. It is important to note that a 911 call made in this manner will be routed to the Hamilton County 911 System. Once the off-campus telecommunicator determines the call is coming from the campus, he/she will transfer the call to UTC PD.
- Report in person at the police department located at 400 Palmetto Street in the Administrative Services Building.
- Sex offenses and other incidents of sexual or relationship violence can also be reported to the University's Title IX Coordinator, Stephanie Rowland, by dialing (423) 425-4255 or on campus extension 4255; or by email at Stephanie-Rowland@utc.edu; or in person at University Center, Room 303.
- Contact the Office of the Dean of Students by dialing (423) 425-4301 or on campus extension 4301; or in person at the University Center, Room 399.

Communications officers are available 24 hours a day to answer calls. UTC PD procedures require an immediate response to emergency calls. In response to a call, UTC PD will take appropriate action, either dispatching an officer or asking the victim to come to the police department to file an incident report.

If the communications officer determines that assistance is required by the City of Chattanooga Police Department, Hamilton County Emergency Medical Services, or the City of Chattanooga Fire Department, the communications officer will contact the appropriate unit. Priority response is given to crimes against persons and personal injuries.

IF YOU ARE ASSAULTED

If you are assaulted, call UTC PD as soon as possible. Try to remember as much about the assailant as possible. Characteristics important in locating and identifying suspects include: sex; race; hair color, length and texture; body size; clothing; scars and other noticeable markings; mode of travel; and vehicle color, type, and license plate number. In some incidents, the victim may already know the name of the person committing the assault.

If you report an assault, the campus will be searched immediately for suspects, and neighboring police agencies will be notified.

If a sexual assault or rape should occur on campus, staff on the scene, including UTC PD, will offer the victim a wide variety of resources and services. This

includes referrals to UTC's Survivor Advocacy Program which has trained staff who are available to assist a victim 24 hours a day, seven days a week. This report contains information about on and off campus resources and services.

IF YOU SEE A SUSPICIOUS PERSON OR ACTIVITY

Any suspicious activity or person observed in the parking lots or loitering around vehicles, inside buildings or around the residence halls should be reported to University police. This allows law enforcement officers and/or the appropriate personnel to respond and assist.

If you see anyone acting suspiciously, call UTCPD at once. Do not approach the person yourself. Report the type of activity you observed and describe the person or persons involved. Provide as much information as you can, such as the person's sex, race, location, type of clothing, and type of vehicle. UTCPD will investigate your report immediately.

If all members of the campus community become security conscious can report suspicious activity, thefts and related incidents can be reduced. Remember, preventing crime is your responsibility, too!

IF YOU RECEIVE A BOMB THREAT

Bomb threats usually occur by telephone. Try to keep the caller on the line as long as possible.

- Try to stay calm and obtain as much information as possible by using the checklist on the next page.
- Contact the Campus Police immediately and give them any information you were able to obtain from the caller, as well as what time you received the call and where you are calling from.
- Inform your supervisor or department head.
- The police will be responsible for building evacuation.
- If you are instructed to evacuate the building, move a safe distance away from the building. Do not re-enter the building until told that it is safe to do so by authorized personnel.

- If you should see a suspicious object or package, report it to the Campus Police. DO NOT TOUCH it or move it in any way.

Please use this form to record necessary information when receiving a Bomb threat call. Please provide this form to UTC PD immediately after the call. <https://cloudprod.utc.edu/sites/default/files/2020-04/bombthreat.pdf>

The most important thing to remember about preventing crime is that you should call police whenever you suspect that a crime has been or may be committed. You do not need proof in order to call. If you suspect a crime, call the UTC PD immediately.

CAMPUS REFERRALS FOR CERTAIN INCIDENTS

All incident reports involving weapons, drug, alcohol, or code of conduct violations are forwarded to the Office of the Dean of Students for review and potential action by Student Conduct, as appropriate.

All incident reports involving sexual misconduct, relationship violence and stalking are forwarded to the Title IX Coordinator for review and potential action, as appropriate. UTC PD officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the appropriate office.

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

Reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to UTC Campus Security Authorities (CSA) as identified below.

ANONYMOUS OR VOLUNTARY CONFIDENTIAL REPORTING

The UTC PD allows voluntary anonymous reporting. UTC PD encourages anyone who is the victim or witness to any crime to promptly report the incident to the department. Because police reports are public records under state law, University police cannot hold reports of crime in confidence. Therefore, upon request, UTC PD must make police reports available for public inspection. In certain circumstances, the victim's name is protected, but the crime report is not confidential.

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making an anonymous or voluntary confidential report. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep accurate records of the number of incidents involving students; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community, through emergency notifications or timely warnings, to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

Anonymous reporting is not an alternative to calling 911; in an emergency, call 911.

TO UTC PD

To report an incident anonymously to UTC PD, fill out the Silent Witness Confidential Crime Reporting Form (also known as Confidential Crime Reporting form) at <https://new.utc.edu/finance-and-administration/emergency-services/police/registration-requests-and-forms/silent-witness-form>. Reporters desiring anonymity should not provide their name, contact information, or other personally identifying information. The form will be forwarded to the appropriate division of the police department for follow-up; however, the amount and level of detail of the information provided will affect how thoroughly UTC PD is able to respond to the report.

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

TO OFFICE OF THE DEAN OF STUDENTS OR SURVIVOR ADVOCACY PROGRAM

To report an incident anonymously to the Office of the Dean of Students of the Survivor Advocacy Program, complete the Student of Concern Referral Form, available at:

https://cm.maxient.com/reportingform.php?UTChattanooga&layout_id=60.

Reporters desiring anonymity should not provide their name, contact information, or other personally identifying information.

TO LOCAL LAW ENFORCEMENT

Persons also may report a crime anonymously to the Chattanooga Police Department or the Hamilton County Sheriff's Department by calling the Crime Stoppers Hotline: (423) 698-3333.

CONFIDENTIAL REPORTING: PASTORAL & PROFESSIONAL COUNSELORS

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

The Clery Act defines these two individuals as follows:

- **Pastoral Counselor:** A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional Counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification. This definition applies even to professional counselors who are not employees of UTC but are under contract to provide counseling at the institution.

As a matter of policy, both pastoral and professional counselors at UTC are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis to UTCPD for inclusion in the annual disclosure of crime statistics without making a police report. These individuals will also provide assistance in filing reports with the police or Title IX, if desired.

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

REPORTING CRIMES TO CAMPUS SECURITY AUTHORITIES

Although UTC wants the campus community to report criminal incidents to UTCPD, we know that this doesn't always happen. A victim of a crime may be more inclined to report it to someone other than the campus police. For this reason, the Clery Act requires universities to collect crime reports from CSA's for purposes of inclusion in the annual disclosure of crime statistics.

The crime statistics in the Annual Security Report must reflect crimes that are reported to the campus police department or to a campus security authority. CSA's have an important role in university compliance with the Clery Act. CSA crime reports are used by the University to fulfill its responsibility to annually disclose Clery crime statistics, and to issue timely warnings for Clery Act crimes that pose a serious or continuing threat to the campus community.

CSA's can report criminal incidents on your behalf without identifying you, if you do not wish to be identified. If a CSA receives a report, the CSA must report the incident to the Manager of Clery Compliance; however, a police report will not be made. Reports to CSA's of sexual harassment, sexual assault, sexual violence, or other sexual misconduct against students and employees are also required to be reported to the Title IX Coordinator.

If a crime is reported to a CSA, but goes no further than that, the University will not have fulfilled its obligation under the law, and campus community members might not have the information they need to stay safe on campus. UTC is required to collect crime statistics from CSA's even if there is no police investigation.

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

1. A campus police department. All individuals who work for the police department are CSA's.
2. Individuals who have responsibility for campus security but are not members of the campus police department. Examples, include, but are not limited to, the following:
 - Security at a campus parking booth;
 - People who monitor access into a campus facility;
 - Event security, such as for sporting events or large registered parties; and

- Those who escort students around campus after dark (including other students).
3. Any individual or organization specified in University policies as an individual or organization to which students and employees should report criminal offenses. Examples, include, but are not limited to, the following:
- Title IX Coordinator;
 - Housing and Residence Life staff; and
 - Dean of Students Office.
4. An official who has significant responsibility for student and campus activities. “Official” is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the University. Examples, include, but are not limited to, the following:
- A dean of students who oversees student housing, a student center or student extracurricular activities;
 - Faculty advisor to a student group;
 - Victim advocates or others responsible for providing victims with advocacy services, such as assisting with housing relocation, disciplinary action, etc.; and
 - Athletic Administrators including: Director, Assistant Directors and Coaches, Trainers.

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

- Provost, Associate, and Assistant Provost
- All Executive Vice, Vice & Associate Vice Chancellors
- Dean, Associate Deans, and Assistant Deans of Students
- Title IX Coordinator
- Director of Housing & Residence Life
- Director of Career & Student Employment Center
- Housing & Residence Life Professional Staff
- Director of Counseling Center
- Director of Student Health Services
- University Center Director & Assistant Director
- Disability Resource Center Director & Assistant Directors
- 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 Department - all staff

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

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

COMMUNICATION ABOUT CAMPUS CRIMES & SAFETY

TIMELY WARNINGS

A Timely Warning is an alert issued after review of all available information concerning an incident or event occurring on campus that is considered to be a serious or continuing threat to UTC students or employees, or to property.

Timely Warnings will be issued to the campus community concerning crimes reported to UTCPD, a CSA or to a local law enforcement agency that are determined to represent a serious or continuing threat to campus and that occur on the University's Clery geography (which includes university owned or controlled property on campus and public property that is within or immediately adjacent to the campus) and in non-campus properties as defined by the Clery Act. The information is provided with the intent to enable persons to protect themselves and to aid in the prevention of similar crimes.

These notifications will be made without delay unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency.

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

TIMING & DECISION CRITERIA

A Timely Warning must be sent to the entire campus community and will be issued when it is determined that the reported incident may pose an ongoing or serious threat to members of the UTC community.

Decisions whether to issue a Timely Warning are made on a case-by-case basis in light of all facts surrounding the crime, including factors such as:

- The nature of the crime;
- Whether the crime appears to be a one-time occurrence or a pattern of incidents;
- When and where the incident occurred, and when it was reported (If a crime is reported long after it occurred, there would be no ability to issue a timely warning and, thus, one would not be issued);
- The continuing danger to the campus community;
- The possible risk of compromising law enforcement efforts;
- Whether the perpetrator has been apprehended; and,
- Whether the perpetrator targeted specific individuals to the exclusion of others, such as with domestic violence.

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

- Murder/Non-Negligent Manslaughter
- Manslaughter by Negligence
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the larger UTC community)

- Robbery involving force or violence (cases involving pocket-picking and purse snatching will typically not result in the issuance of a notification, but will be assessed on a case by case basis)
- Burglary involving force or unlawful entry-no force (the facts and circumstances are considered on a case by case basis)
- Sexual Assault, including rape, incest, fondling, statutory rape (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by UTC PD)
- Major incidents of Arson
- Other crimes as determined necessary by the Chief of Police, or his designee in his absence

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

(1) Emergency situations that are life threatening. Examples include, but are not limited to:

- Persons on campus with weapons and the intent to use
- Threat of violent crime
- Situations where the identity or location of a suspect(s) is not known

(2) Any act or immediate threat of interpersonal violence. Examples include, but are not limited to:

- Domestic violence
- Dating violence
- Stalking
- Hate crimes (larceny-theft, simple assault, intimidation)
- Consistent pattern of violent behavior

(3) Serious acts or threats to campus-owned or personal property. Examples include, but are not limited to:

- Civil unrest or rioting
- Damage/Destruction/Vandalism of Property
- Motor Vehicle Theft

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

1. The suspect(s) are apprehended and the threat of imminent danger for members of the UTC community has been mitigated by the apprehension. The apprehension of the alleged perpetrator typically removes the risk to university students and employees.
2. A report was not filed with UTCPD or a Campus Security Authority was not notified of the crime in a manner that would allow the department to issue a “timely” warning to the community. As a general guideline, a report that is filed more than ten (10) days after the date of the reported incident may not allow UTCPD to issue a “timely” warning to the community. This type of situation will be evaluated on a case-by-case basis.

The university is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

RETRACTION

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

STATUS UPDATE

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

ALL CLEAR NOTIFICATION

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

CRIMES OUTSIDE CLERY GEOGRAPHY & NON CLERY ACT CRIMES

The Clery Act does not require the university to issue a Timely warning for: (1) a Clery Act crime that occurs outside of the university Clery Geography; or (2) for a crime that is not a Clery Act crime, even if that crime occurs on the university's Clery Geography. However, the Chief of UTCPD or his/her designee may, in his/her discretion, issue a Timely Warning for a crime for which the Clery Act does not require the university to issue a timely Warning. This decision is made on a case by case basis.

NOTIFICATION CONTENT

A Timely Warning will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts*:

- Date and time or timeframe of the incident
- Type of crime reported, including a brief description of the incident
- The location of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)
- Suspect description(s) when deemed appropriate and if there is sufficient detail**
- Police/Emergency Services agency contact information
- Other information as deemed appropriate by the Chief of Police or his designee

A Timely Warning notice **WILL NOT** include any information that would identify the victim.

***NOTE:** Specific details, such as the exact location, the specific date, etc. may be withheld if releasing that information may compromise law enforcement efforts (such as conducting an investigation, serving a warrant, or conducting an undercover operation). However, the institution will not withhold a basic description of the reported crime under the auspices of the risk of compromising law enforcement efforts.

The description of subjects or suspects in a case will only be included in the notice if there is a sufficient amount of detail to describe the individual. If the only known descriptors are gender and race, that will not be included in the notice.**

NOTIFICATION RESPONSIBILITY & AUTHORITY

UTCPD, in conjunction with Safety and Risk Management, University Relations, and the Chancellor's Office, issues Timely Warnings. The decision to issue a Timely Warning is made in coordination with and consultation by at least two members of the UTC Alert Team.

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

- 1) Executive Vice Chancellor for Finance and Administration
- 2) Vice Chancellor of Emergency Services

- 3) Chief of Police
- 4) Captain
- 5) Director of Safety and Risk Management
- 6) Vice Chancellor of Communications and Marketing
- 7) Assistant Vice Chancellor of Communications and Marketing

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

If a Timely Warning is necessary, a member of Communications and Marketing is given detailed information of the incident. Communications and Marketing will review the information provided, draft the contents of the Timely Warning, and review the draft with one of the following members of Emergency Services Administration: (1) Executive Director of Emergency Services, (2) Chief of Police, or (3) Captain. Upon confirmation that the Timely Warning contains adequate information, Communications and Marketing member will distribute the Timely Warning via UTC ALERT.

Upon approval, Communications and Marketing will then transmit the Timely Warning to the UTC community with UTC ALERT. Communications and Marketing will also draft and transmit Retractions, Status Updates and/or All Clear Notifications.

In emergency situations or if a member of Communications and Marketing is unavailable, a member of Emergency Services Administration can draft the contents of the Timely Warning and transmit the notice to the UTC community with UTC ALERT.

HOW TIMELY WARNINGS ARE ISSUED

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

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

- **Raven E-mail:** A mandatory University issued e-mail account. Messages sent through e-mail are labeled as UTC-URGENT or UTC-SAFE & SECURE. Raven E-mails are used independently or in conjunction with one to two other communication pathways for campus wide Timely Warnings.
- **Rave E-mail:** A voluntary, opt-in e-mail system available to all persons with an active UTC MOCS ID number. If users, opt-in, they will receive e-mails labeled as UTC-ALERT. Rave E-mails are used independently or in conjunction with one to two other communication pathways for campus wide notifications.
- **SMS Text Messaging:** A voluntary, opt-in text messaging system available to all persons with an active UTC MOCS ID number. If users opt-in, they will receive a text message on their cell phone with specific instructions. Users also have the option to register multiple phone numbers.
- **Fire Alarm and Voice Announcements:** The fire alarm is a siren system equipped to alert building occupants of a fire or evacuation emergency. Certain facilities on campus contain Voice Announce speakers which can also be utilized to provide emergency information/instructions.
- **Alertus Desktop & Alertus Exit Signs (Beacons):** Wall-mounted devices, installed in many classrooms throughout campus, which sound an alarm to notify when an emergency has occurred. The devices also have screens to display messages which contain important instructions for how to respond to the emergency situation.
- **UTC Website (RSS Feed):** During an emergency, the UTC website will provide updates, instructions, and information for the campus community.
- **UTC Facebook, Instagram, & Twitter feeds:** Voluntary, opt-in social media outlets. Allows users to keep up with what's happening on campus and also receive emergency information. Social media sites that are not supported by the University are not considered to have verifiable and accurate information.
- **UTC Phone Line (425-4SNO):** Provides recorded messages regarding inclement weather, closings, and emergency information to the campus community.

- **Media Release/Press Conference:** Depending on the nature and severity of the emergency, the local media may post breaking news or periodic updates regarding an emergency at UTC.
- **Vehicle Public Address Speakers:** In cases where an isolated or targeted message may be required, UTCPD vehicles equipped with public address speakers may utilize this method.

IMMEDIATE NOTIFICATIONS

It is the policy of the UTCPD, in conjunction with Safety and Risk Management, University Relations, and the Chancellor's Office, to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus and/or the surrounding area.

TIMING AND DECISION CRITERIA

The department will immediately notify the campus community once it is confirmed that an emergency or dangerous situation exists. Confirmation means that the department or other university officials have verified that a legitimate emergency or dangerous situation exists.

The department will not issue the notification if it will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Immediate Notifications **will** be issued for events or incidents on campus that meet the following criteria:

- The event or incident is ongoing in nature in that it continues to pose a real or likely threat;
- The event or incident may be mitigated by the quick release of information to the campus community; and
- The release of information regarding the possible threat in a more immediate fashion may significantly reduce the chance of individuals or groups becoming victims.

Examples of events or incidents that may result in the issuance of an immediate notification:

- Active Shooter

- Armed Robbery (including attempts)
- Bomb Threat
- Tornado Warning

WHO RECEIVES THE NOTIFICATION?

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

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

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

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

NOTIFICATION CONTENT

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

After the initial notification, follow-up information or a status update will be disseminated to the community via the communication pathways described

above to (1) provide an update on the situation, or (2) provide a change in response or evacuation actions.

NOTIFICATION RESPONSIBILITY & AUTHORITY

UTCPD is responsible for issuing Immediate Notifications. The decision to issue an Immediate Notification is made in coordination and consultation by at least two members of the UTC Alert Team, as described above. Each of these individuals must appoint one or more alternates in the event that they are unavailable.

PROCESS & NOTIFICATION METHODS

UTCPD will inform members of the University community of any immediate threat to the health or safety of students or employees occurring on the campus and/or the surrounding area. University currently uses an emergency notification system known as UTC ALERT, as described above.

Upon confirmation of an emergency situation that requires an immediate response, a member of the Decision Team will communicate without delay to implement the notification process.

- A. A police supervisor or officer in charge (OIC) will report to the scene of the incident, and together with local first responders on the scene of a critical incident or dangerous situation, will confirm and verify the nature of the incident or emergency.
- B. The police supervisor or OIC will communicate the information to the On Call Administrator who will immediately determine whether an Immediate Notification is warranted.
- C. If an Immediate Notification is deemed necessary, the details of the emergency or incident will be given to a member of Marketing and Communications to request activation of UTC ALERT.
- D. Marketing and Communications will review the information provided, draft the contents of the notification, and forward the draft to be reviewed by one of the following members of Emergency Services Administration: (1) Director of Public Safety, (2) Chief of Police, (3) Deputy Chief of Police, or (4) Operations Lieutenant.
- E. Upon approval, Marketing and Communications will then determine the means of dissemination and transmit the Immediate Notification to the UTC community with UTC ALERT. Marketing and Communications will also draft and transmit Follow-Up Information/Status Updates.

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

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

CRIME LOGS

The Tennessee College and University Security Act of 1989 (T.C.A. § 49-7-2201 through 49-7-2207) and the Clery Act describe the means by which colleges and universities in the State of Tennessee must publish particularly pertinent campus information along with reporting campus crimes to the Tennessee Bureau of Investigation (TBI).

DAILY CRIME LOG

Under the Clery Act, campuses that maintain a police department are required to maintain a daily crime log that contains specified information about all alleged crimes that occur within the patrol jurisdiction of the campus police and those reported to the campus police department.

UTCPD enters information in the daily crime log for all criminal incidents reported to the police department from calls for service that are received through dispatch, local law enforcement agencies, and campus security authorities. The crime log contains information regarding the date and time the crime was reported, the nature of the crime (offense), the complaint number, general location of the crime, the date and time the crime occurred, and the disposition of the complaint, if known.

All crimes reported to UTCPD are entered into the daily crime log within two (2) business days of the report. A business day is Monday through Friday, except for days when the University is closed. The only exceptions are if the disclosure is prohibited by law; if the disclosure would jeopardize the confidentiality of the victim; or when there is clear and convincing evidence that the release of the information would jeopardize an ongoing investigation or the safety of an

individual; cause a suspect to flee or evade detection; or result in the destruction of evidence.

The University must make the daily crime log for the most recent 60-day period open to public inspection, free of charge, upon request, during normal business hours. UTC PD's Daily Crime & Fire Log is available for inspection during normal business hours at the UTC PD or online at <https://new.utc.edu/finance-and-administration/emergency-services/police/clery-act>. If you would like to see records beyond 60 days, you must make a request by contacting the Manager of Clery Compliance at 423-425-5961 or clery@utc.edu. The records will be made available within two business days of your request. The Department maintains both electronic and hard copies of the daily crime log.

CUSIA ARREST LOG

Per T.C.A. § 49-7-2206, UTC PD is also required to publish an arrest log. This is a chronological log of all crimes against persons or property reported to the UTC PD in which an arrest is made. The Department is required to keep and maintain this log daily. Each entry in the log must contain the date, time and general location of the crime and, if an arrest is made, the names and addresses of all persons arrested and charges against the persons arrested. The log is available for inspection without charge to the public during regular business hours at the dispatch window of the UTC PD. The CUSIA Arrest Log is also available online for inspection at: <https://new.utc.edu/finance-and-administration/emergency-services/police/clery-act>.

PROGRAMMING: PREVENTING CAMPUS CRIME

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

At UTC, positive changes and crime prevention efforts complement reactive measures. A variety of proactive crime prevention efforts are in use by UTC PD. Officers either walk the campus or patrol on bicycles, Segway's or in marked vehicles. The department is available to provide walking escorts across campus.

CAMPUS SAFE RIDE

The UTC Police Department has an available escort service on campus during the academic year. Students, staff, and faculty may use this service to address any personal safety concerns by calling our Communication Center (423-425-

4357). The escort may or may not be in a vehicle, as Campus Security Officers or Patrol Officers may often walk with the caller to a more comfortable location.

CRIME PREVENTION PROGRAMS

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

Crime prevention is a top priority at UTC. The UTCPD offers a wide variety of security awareness and crime prevention programming for students and employees. UTCPD supports the mission of the University by promoting a safe and secure higher education environment while providing proactive police and customer-related services aimed at reducing crime and disorder. Services provided full time (24/7/365) inside the University community include:

- Police services including emergency response, victim services, preventative patrol, and investigations.
- Security services including physical security of all University properties, fire prevention, and access control.
- Crime prevention services including personal protection training, community awareness, and escort service, lost and found property division and motorist assistance.

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

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

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

Representatives from UTCPD and the Manager of Clery Compliance participate in Resident Assistant training annually to ensure that Residence Life staff are fully aware of safety issues and resources available to UTC students. Resident Directors and Resident Advisors are also present at these trainings. Residence hall policies, Clery Act compliance, and issues related to general safety and security are among the discussion items. Specific policy issues and problems are routinely addressed at residence hall floor meetings conducted by Resident Assistants. Safety & Risk Management and UTCPD staff are available to attend floor meetings, upon request, to discuss safety concerns. Additional details concerning student or residence hall regulations are included in the [UTC Student Handbook 2020-2021](#).

Additionally, Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis throughout the year. Periodically during the academic year, and upon request, UTCPD, in coordination with other university organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), domestic violence/dating violence, stalking, alcohol as a gateway drug, Rohypnol abuse, theft, and vandalism, as well as educational sessions on personal safety and security in the residence halls.

UTC also offers Rape Aggression Defense (RAD) training to students, employees and the public. It is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. Certified RAD instructors teach the courses provided. The training was offered from March 20-22, 2019 and on August 26, 2019.

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

SAFETY & SECURITY: CAMPUS FACILITIES

The UTC campus is part of the city of Chattanooga and, as such, is open to the public. Administrative and academic buildings are open to the public, at a minimum, during normal business hours, Monday to Friday, from 8:00 a.m. to 5:00 p.m. Its facilities are limited to university, academic and administrative activities and programs sponsored by university groups. Access to all University facilities, after business hours, is by key or key card (MOCS Card), if issued, or by admittance via UTCPD or Residence Life staff. Students, faculty, and staff should have their University identification with them when they are on campus.

SECURITY CAMERAS

UTC has more than 900 security cameras throughout the campus, which includes most residence halls. Many streets and all parking garages currently have security cameras in place. Additionally, the Housing and Residence Life Department has upgraded the existing video surveillance systems in many residence life areas.

PANIC ALARMS

There are numerous panic alarms at various university facilities. These alarms are provided at locations at which monetary transactions are conducted, have a high potential for disturbances or threatening activity, or large numbers of students and/or employees are present. These alarms are transmitted directly to UTCPD and UTCDP officers respond appropriately.

TRESPASSING

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

GUEST USE OF FACILITIES

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

using the facility whenever necessary to insure implementation of the University's policy regarding guests.

SECURITY ASSESSMENT

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

PHYSICAL CAMPUS SECURITY CONSIDERATIONS

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

Additionally, UTC PD regularly patrols the campus, to observe, correct, and/or report any safety or other unsafe conditions that would impact safety or convenience of the University community, on a daily basis. Any issues or problems are reported to Facilities Planning & Management for correction. Safety & Risk Management staff also conduct scheduled evaluations of campus access. Other members of the University community are also encouraged to report equipment problems to UTC PD or to Facilities Planning & Management.

Security surveys are conducted for any areas that are revealed as problematic. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Administrators from the Dean's Office, Physical Plant, Housing and Residence Life, and other departments review the survey results to determine appropriate actions that may need to be taken.

ACADEMIC AND ADMINISTRATIVE BUILDINGS

As a rule, visitors are not authorized in buildings after normal business hours unless faculty, staff, or a University official escorts them. Students are admitted into buildings after normal business hours only when they are listed on an authorized access list issued by the department head or his designee. UTC PD requests that all persons notify the police department if they will be working in academic or administrative buildings after 10:00 p.m., for their personal safety while here at the University.

Most facilities may have individual hours, and the hours may vary at different times of the year. Examples are the Aquatics and Recreation Center (ARC), the Library, and the University Center. The facilities will be secured according to

schedules developed by the department responsible for the facility. Emergency situations may necessitate changes or alterations to any schedule that has been posted. Access to some of these buildings is controlled by card access after normal business hours, and all of these buildings have varied levels of access. Most academic and administrative buildings do not have a UTCPD officer assigned to them. However, UTCPD officers and/or security officers patrol the academic and administrative buildings on a regular basis, 24 hours per day.

SAFETY & SECURITY: HOUSING & RESIDENCE LIFE

Student housing at UTC consists of 11 buildings on-campus and 1 building off - campus. All buildings are apartment style with a variety of shared and private bedrooms.

Freshmen only buildings are Guerry Apartments, West Campus Housing and Palmetto Place Apartments (UTC's newest addition for Fall 2020, pending Board approval). Mixed (upperclassmen and freshmen) buildings are Lockmiller I and II and Boling Apartments. Upperclassmen only buildings are Johnson O'Bear and Decosimo Apartments. Stagmaier Hall houses UTC Honors and freshmen. Stophel houses upperclassmen and Residential Learning Communities. Walker houses upperclassmen and Business Residential Learning Community. UC Foundation Apartments houses upperclassmen and Residential Colleges.

NUMBER OF STUDENTS ENROLLED

During the 2019 fall semester, Spring and Summer 2020 semesters there were 11,205 undergraduate students and 1,694 graduate students enrolled at UTC.

UNIVERSITY HOUSING CAPACITY

The University had a housing capacity of 3,650 students in the fall of 2019. This includes students living in overflow housing. In spring 2020, the University had a housing capacity of 3,610 students.

NUMBER OF STUDENTS LIVING IN STUDENT HOUSING

For the fall 2019, spring and summer 2020 academic terms, 3,563 students were living in residence halls on campus (19 graduate students and 3,544 undergraduate students). In the spring of 2019 there were 3,128 undergraduate and 11 graduate students living in residence halls. In the summer of 2019, there were 106 undergraduate and one graduate student living in residence halls.

OVERFLOW HOUSING

The University provided overflow housing for Fall 2019 at Palmetto Place Apartments located at 910 E. 8th Street, Chattanooga, TN 37403. Students lived at this location from August 12, 2019 to December 2, 2019. UTC students occupied 10 rooms throughout the building. The rooms were two bedroom, four person rooms.

PROGRAMS REGARDING HOUSING SECURITY & ENFORCEMENT PROCEDURES

Resident Assistants meet with residents every semester to cover policies and procedures for Housing & Residence Life. Additionally, programs are held, informational bulletins are created, and newsletters are shared throughout the semester regarding security.

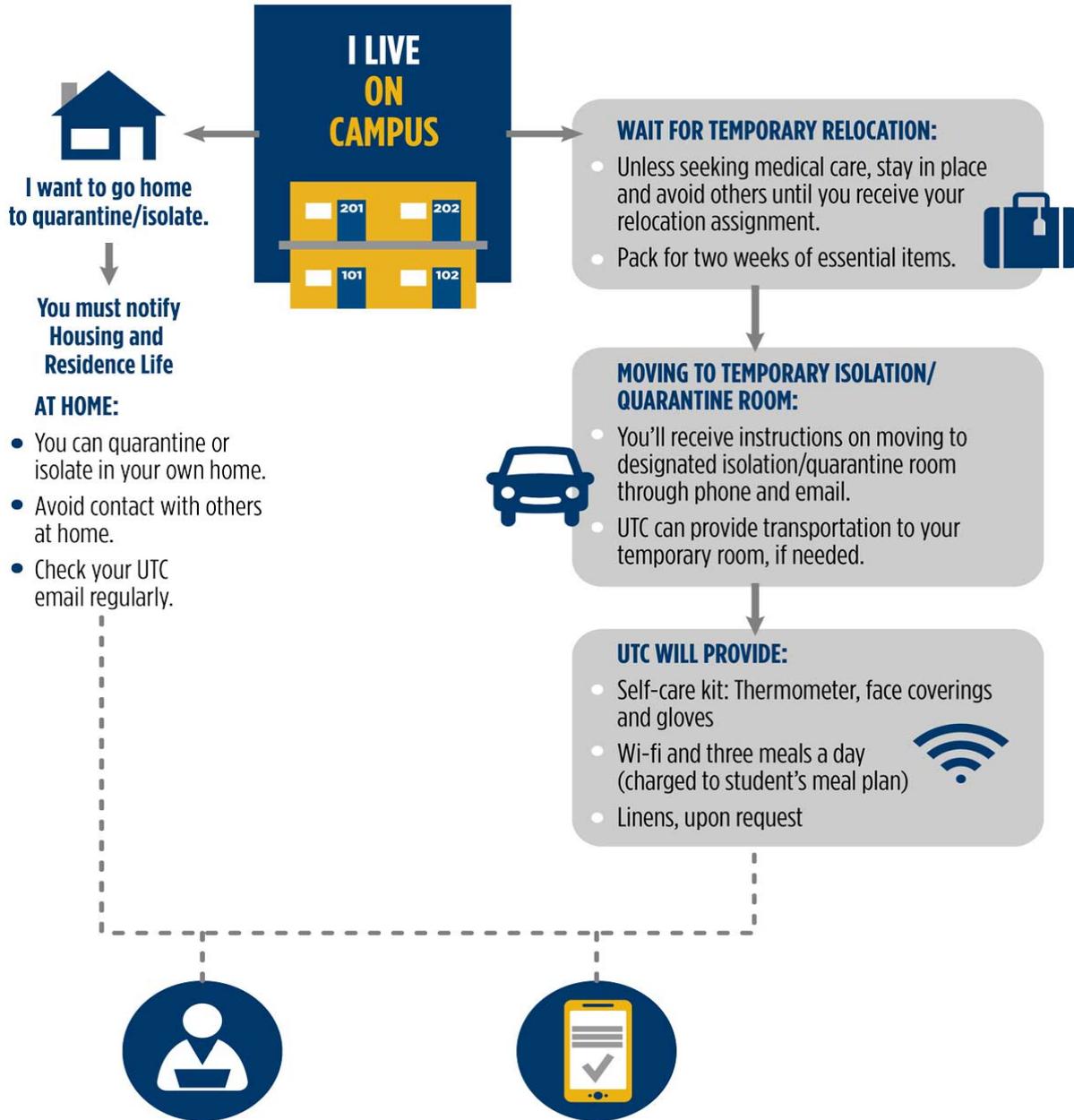
HOUSING & COVID-19

Your health care provider, public health officials or the UTC COVID-19 Campus Support Team will determine your need to quarantine or isolate. If you are asked to quarantine or isolate by the COVID-19 Campus Support Team, you will have access to guidance and support throughout the process.

QUARANTINE/ISOLATION PROCESS

Here's a quick overview of the quarantine/isolation process for UTC students. Read below for details and additional information for employees.

Receive notification to quarantine or isolate.



- ACADEMICS:**
- Notify professors of your situation—that you are unable to attend classes.
 - Complete online coursework if you can.
 - Reach out to SOS if you need help communicating with professors at 423-425-2299 or UTC_COVID19-Students@utc.edu

- WAIT TO BE CLEARED:**
- You will receive an official release to reintegrate with campus via email.
 - Read your email thoroughly.
 - At this time, UTC will reactivate your Mocs Card access.

Receive notification to quarantine or isolate.

**I LIVE
OFF
CAMPUS**



AT HOME:

- You can quarantine or isolate in your own home.
- Avoid contact with others at home.
- Check your UTC email regularly.



ACADEMICS:

- Notify professors of your situation—that you are unable to attend classes.
- Complete online coursework if you can.
- Reach out to SOS if you need help communicating with professors at 423-425-2299 or UTC_COVID19-Students@utc.edu



WAIT TO BE CLEARED:

- You will receive an official release to reintegrate with campus via email.
- Read your email thoroughly.
- At this time, UTC will reactivate your Mocs Card access.

VISITATION AND OVERNIGHT GUESTS

At this time students are only to have other on-campus residents as guests between 12pm-10pm every day of the week. No guests from off campus are permitted within the residential complexes.

ACCESS TO RESIDENCE HALLS

Residents can gain access to the building, to their floor, and to their individual rooms only by a key or keycard issued to them by the Housing Office. Misuse or loss of keys may jeopardize the safety of others and constitutes grounds for

disciplinary action. There is a charge for lost keys and other security measures that must be taken due to the loss of such keys.

All apartment doors have deadbolt locks. Residents are urged to keep them closed and dead bolted at all times. Windows are screened, and those windows that are accessible from the ground or roofs are equipped with security bars and/or screen.

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

SECURITY OF RESIDENCE HALLS

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

Numerous safety and security brochures, pamphlets, and flyers are distributed to all residents on a regular basis. Security personnel hold regular floor meetings with students as well as conduct periodic fire drills. On occasion, guest lectures or video presentations are presented to student residents covering such topics as date rape, theft prevention, fire safety, etc.

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

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

Currently, there are 4 full-time housing security officers assigned to the student housing facilities. Each is assigned to a specific area or post and their hours are staggered seven days a week from 6:00 p.m. to 6:00 a.m. All housing security officers are trained annually on fire panel location, activation and deactivation of fire alarms, clearing residence halls, and monitoring and reporting suspicious activity. Each security officer is issued a portable two-way radio and is trained

on the proper radio jargon, as well as how to contact police officers regarding suspicious persons or activity. Security officers are also required to monitor PowerDMS for in-service updates and policies or general orders that pertain to their role as housing security officers. Housing security officers also receive annual Campus Security Authority training.

HOUSING INCIDENT REPORTS

Incident reports are written by the Resident Assistants to communicate the facts of an incident to the Resident Director, the Housing Office, and Student Code of Conduct office. Incident reports are used to document policy 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 Code of Conduct Office. Students found to be responsible for the behavior described in a report may be assigned sanctions.

HOUSING & RESIDENCE LIFE STAFF

Housing and Residence Life employs a wide variety of student and professional staff members who work to ensure that our on-campus residents have the best experience. Staff receive background checks every four years and receive extensive training during the summer which covers topics such as: health and safety, crisis response, incident report writing, and mental health. Below are descriptions of some of the staff members you will find in your complex along with what they do.

- **Director of Housing and Residence Life** oversees the overall operation of the department's administrative services and Residence Education.
- **Associate Director for Administrative Services** supervises the Assistant Director of Occupancy Management, Assistant Director for Guest Relations and the Marketing Coordinator. The Associate Director works to ensure the department is serving the students in the areas of room assignments, move-in, room changes, billing, marketing, communication, and guest housing.
- **Assistant Director of Occupancy Management** oversees room assignments, room selection, room changes and student housing charges. The Administrative Services Coordinator supervises two full-time assignments specialists.
- **Associate Director for Residence Education** supervises three Assistant Directors for Residence Education and Academic Initiatives. The Associate Director works to ensure the department is serving the students in the areas of Residential Curriculum, programming, Residential Learning Communities and conflict resolution.

- **Assistant Director for Residence Education** are full-time professionals who are responsible for developing and administering a comprehensive residence life program in an area of campus. There are two Assistant Directors, one serving North Campus and one serving South Campus. Each AD supervises four Resident Directors and indirectly supervises student staff in the area.
- **Assistant Resident Director (ARD)** are the Graduate students who assist the Resident Director in the management and operation of the complex, which they are located. Our ARDs are currently located in Stagmaier Hall and West Campus Housing.
- **Resident Director(s)** serve as full-time, live-in professionals who are responsible for community development, management and overall operation of a housing complex. The University currently employs seven full-time RD's and two Graduate RD's. The RDs supervise a team of Senior Resident Assistants (SRA) and Resident Assistants (RA).
- **Resident Assistants** are student staff members that are responsible for community development on a floor or section of an apartment complex on campus. RAs perform many roles in the Residence Halls including resource, educator, policy enforcer, and community developer. There are 3-14 RAs per complex.
- **Building Assistants** are in each complex to assist with both facilities and residence education concerns. They are involved in the day-to-day operations involved in our complexes. They assist with everything from mail to maintenance requests. They are an excellent resource if you have any questions during your time on campus.

RESIDENCE LIFE COMMUNITY ACTIVITIES

Residence Hall Association (RHA) is an organization dedicated to the community of students living on campus at the University of Tennessee Chattanooga. RHA believes in the importance of community and the well-being of all on-campus residents. RHA will strive to make the on-campus housing experience meaningful and educational. RHA will provide many leadership opportunities and learning experiences through programming, leadership conferences, student advocacy, and community involvement.

RESIDENT CURRICULUM MODEL

This model provides a framework for us to justify everything that we do in Housing & Residence Life. Nothing is done without a purpose or a learning objective for students. You will work mostly with the "Engagement" learning outcome as a RA, but all areas are important in creating a learning environment for residents.

- **Personal Identity: Who you are and who you want to become**
 - Students should be knowledgeable of available campus nonacademic resources.
 - Students should understand that personal identities are intersectional.
 - Students should be able to identify strategies to engage in conflict resolution in a solution-focused way.

- **Engagement: Creating lifelong relationships**
 - Students should feel connected to their residence hall community.
 - Students should feel a sense of belonging to the UTC community.
 - Students should be able to form connections with individuals from diverse backgrounds.

- **Academic Success: Preparing you for graduation**
 - Students should be knowledgeable of available campus academic resources.
 - Students should recognize that living on campus supports their academic success.

- **Self-Ownership: Taking responsibility for your decisions and actions**
 - Students should develop skills to learn how to live independently.
 - Students should be able to make responsible decisions about alcohol & drug use.
 - Students should be able to recognize the impact their actions or language have on others in their community

ROOM ASSIGNMENTS & ROOM CHANGES

The University expects students to continue residency in the room to which they are assigned. However, it realizes that changes are sometime mutually beneficial.

Once on campus, a resident may submit a Request for Room Change. Requests made require a meeting with the Resident Director to establish the need for a room change. If the request is granted, a room change fee of twenty-five dollars (\$25.00) will be assessed. Room changes are contingent upon room availability. Failure to obtain the written prior approval of both the Resident Director and Housing Office will result in a minimum \$25 assessment for administrative costs and could result in the imposition of disciplinary sanctions.

LOCK OUT

When students are locked out of their room, they should visit the Complex Office in order to reach the RA on duty or a Housing staff member who will let them back into their room. After two lockouts in a semester, a service charge will be assessed.

KEYS

Residents are issued keys to their apartment/bedroom and mailbox where applicable. Misuse of keys, such as loss or lending to others, jeopardizes safety and may be grounds for disciplinary action. Loss of a key or damaged key should be reported to the Resident Director. If keys are lost, the locks will be changed at the resident's expense. In the event a resident loses their key, the resident should report it to their Resident Assistant. The resident may be given up to 24 hours to find their key before changing the core. The resident may be issued a loaner key while a core change is being performed.

If the resident knows where their key is, the Resident Director may choose to give the student up to 72 hours to recover the key and notify their RD. In the meantime, a loaner key may be issued. If the resident doesn't know where their key is, the Resident Director will request a lock core change. It is expected that cores will be changed on the same business day.

LOANER KEYS

Loaner keys may be temporarily issued to a resident if they are reasonably certain that they know where their key(s) are located, and the key(s) can be retrieved within 72 hours. It is up to the Resident Director to determine if there is a reasonable chance that the key(s) will be returned within 72 hours. If the Resident Director deems appropriate, then a loaner key will be issued to the resident for up to 72 hours until the resident's key(s) are found. If the resident fails to return loaner key within 72 hours, then the core change will occur at the resident's expense.

If a loaner key is lost, the resident is financially responsible for replacing that key.

SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, & STALKING PREVENTION AND RESPONSE

POLICY

The University of Tennessee at Chattanooga is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Domestic

Violence, Dating Violence, and Stalking), Sexual Exploitation, and Retaliation (collectively, “Prohibited Conduct”). Prohibited Conduct will not be tolerated and will be grounds for disciplinary action up to and including expulsion from the University and termination of employment.

UTC's Policy on Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking (“Policy”) can be found in Appendix [C] of this report. The primary purposes of the Policy are to: (1) define, eliminate, prevent, and remedy the effects of Prohibited Conduct; (2) identify care, support, and reporting options for students and employees; (3) explain the obligations of employees to report Prohibited Conduct to the University; and (4) identify the grievance procedures the University will follow to thoroughly, equitably, and promptly investigate and resolve reports of Prohibited Conduct. Additional information about UTC's procedures and training and prevention programs relating to Prohibited Conduct can be found online at <https://www.utc.edu/sexual-misconduct/>

PROHIBITED CONDUCT

The University prohibits the following conduct:

- Sexual Harassment
 - **Sexual Assault**
 - Rape
 - Fondling
 - Incest
 - Statutory Rape
 - **Dating Violence**
 - **Domestic Violence**
 - **Stalking**
- Sexual Exploitation
- Retaliation

SCOPE, APPLICABILITY AND JURISDICTION

The Policy applies to the conduct of and protects:

- Students of the University of Tennessee at Chattanooga;
- Employees and affiliates of the University¹; and

¹ “University” under the Policy means the University of Tennessee at Chattanooga.

- University contractors and third parties participating or attempting to participate in the University's operations or education.

The Policy applies regardless of an individual's sex, sexual orientation, gender identity, or gender expression. Prohibited Conduct can occur between individuals regardless of their relationship status and can occur between people of the same or of different sexes, sexual orientations, gender identities, or gender expressions.

With respect to employees and other non-students, the Policy applies to conduct which: (i) occurs on University-controlled property; (ii) occurs in the context of a University education program or activity, including University employment; and/or (iii) occurs outside the context of a University education program or activity, but has continuing adverse effects or creates a sexually hostile environment on University-controlled property or in any University education program or activity, including University employment.

The University's jurisdiction concerning misconduct by students is governed by the University's Student Code of Conduct ("Code"). The Code applies to the conduct of a student that occurs on University-controlled property. With respect to conduct that does not occur on University-owned property, the University has the discretion to discipline a student for conduct in violation of the Code if the student's conduct adversely affects the interests of the University, including, without limitation, when the conduct: a) occurs during or in connection with a University affiliated activity, including, without limitation, an overseas study program, clinical or field placement, internship, or in-service experience; b) consists of academic dishonesty or research misconduct; c) is prohibited by local, state, or federal law; d) involves another member of the University community; or e) threatens, or indicates that the student may pose a threat to, the health or safety of the student or other person, or the security of any person's property, including, without limitation, alcohol-related misconduct, drug-related misconduct, arson, battery, fraud, hazing, participation in group violence, sexual misconduct, relationship violence, stalking, and theft.

The University may address Prohibited Conduct that occurs off-campus regardless of whether the University has a duty under Title IX to address the conduct.

Under the Policy, a "**Complainant**" is an individual who is alleged to be the victim of conduct that could constitute Prohibited Conduct, regardless of whether that person makes a report or seeks action under the Policy.

The "**Respondent**" is an individual who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct.

PROCEDURES STUDENTS SHOULD FOLLOW

PRESERVING EVIDENCE

The University strongly encourages Complainants, as soon as possible after experiencing Prohibited Conduct, to take steps to preserve evidence of the Prohibited Conduct, such as:

- Have a forensic sexual assault nurse examination performed as soon as possible after the incident, but no later than 120 hours after the incident;
- When possible, prior to having a forensic sexual assault nurse examination performed, avoid changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair;
- Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter);
- Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and
- Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator.

SEEKING MEDICAL ATTENTION

In cases of Sexual Assault, it is important to seek immediate medical attention to determine the presence of physical injury, address pregnancy concerns, determine the possibility of exposure to sexually transmitted diseases, and, if the victim later decides to pursue legal options, to obtain evidence to assist in criminal prosecution, a civil action, or in obtaining a civil protection order.

More information regarding medical care and the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order can be found in Appendix C of this report.

REPORTING PROHIBITED CONDUCT

The University encourages students who have experienced, have knowledge of, or have witnessed Prohibited Conduct to promptly report the incident to the police or the University². Those reporting options are not mutually exclusive. A student may report Prohibited Conduct to the University, to the police, to both, or to neither. **Information about the procedures students should follow and how and to whom the alleged offense should be reported can be found in Appendix C of this report.**

REPORTING TO POLICE

Prohibited Conduct may constitute both a violation of the Policy and criminal law. Therefore, the University encourages Complainants to report Prohibited Conduct to the police immediately. Prompt reporting of an incident to the police is especially critical for certain incidents of Sexual Assault because the collection and preservation of evidence relating to Sexual Assault often is essential for police investigations and criminal prosecutions. Complainants should report Prohibited Conduct to the police because the police have unique legal authority to investigate and respond to Prohibited Conduct, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking emergency protective orders.

A Complainant has the right to decline to report the incident to the police. Even if a Complainant does not report the incident to the police, the Complainant may still request Supportive Measures from the University by reporting the incident to a Title IX Official.

INCIDENT LOCATION	CONTACT
Regardless of where the incident occurred/On-campus	Call 911 in an emergency or UTCPD 400 Palmetto Street. Chattanooga, TN 37403 423-425-4357 utc.edu/public-safety/
In the City of Chattanooga	Chattanooga Police Dept. (CPD) (423-698-2525) 3410 Amnicola Hwy. Chattanooga, TN 37406 chattanooga.gov/police-department or UTCPD

² Student-employees who are Mandatory Reporters are required to report information they receive about Prohibited Conduct. See Appendix C of this report for more information about Mandatory Reporters.

In Hamilton County but outside of the City of Chattanooga	Hamilton County Sheriff 600 Market St. G10 Chattanooga, TN 37402 423-209-7000 hcsheriff.gov or UTCPD
Outside of Hamilton County	Contact the law enforcement agency that has jurisdiction over the location where the incident occurred or Contact UTCPD for assistance in contacting another jurisdiction's law enforcement agency

REPORTING TO THE UNIVERSITY

Reporting Prohibited Conduct enables the University to provide Supportive Measures and information regarding the University's grievance process. If an incident is not reported to the University, then the University will not be able to discuss the availability of Supportive Measures or the grievance process with the Complainant. **Complainants are not required to report Prohibited Conduct if they do not want the University to respond to the incident or assist with Supportive Measures.** A Complainant may opt to report an incident of Prohibited Conduct but decline to disclose the identity of the Respondent; in that case, a Title IX Official will offer Supportive Measures to the Complainant, but the University's ability to investigate the incident and pursue disciplinary action against the Respondent or take other remedial action will be limited. If a person reports an incident of Prohibited Conduct to the University, there is no requirement that the Complainant pursue criminal prosecution or University discipline against a Respondent. The University recognizes that a Complainant's decision on how to proceed after a report is filed is a process that may unfold over time; thus, at the time a report is made to the University, a Complainant does not have to decide whether to request any particular course of action.

Students are encouraged to report Prohibited Conduct to Title IX Officials, who are trained to respond to Complainants. The University's Title IX Coordinator is:

Stephanie Rowland
 Title IX Coordinator
 Enrollment Management and Student Affairs
 303 University Center, Dept. 1951
 615 McCallie Avenue Chattanooga, TN 37403
 Phone: 423-425-4255
 Fax: 423-5357
stephanie-rowland@utc.edu
titleix@utc.edu
utc.edu/sexual-misconduct

The University's other Title IX officials are:

NAME	TITLE(S)	CONTACT INFORMATION
Rosite Delgado	Director, Office of Equity and Inclusion; Deputy Title IX Coordinator for Employees	Office of Equity and Inclusion Department 5455 720 McCallie Ave., Human Resources Building Chattanooga, TN 37403 (423) 425-5468 rosite-delgado@utc.edu utc.edu/equity-inclusion
Brett Fuchs	Associate Dean of Students; Deputy Title IX Coordinator for Student Conduct	Office of the Dean of Students Department 1951 615 McCallie Ave., 399 University Center Chattanooga, TN 37403 (423) 425-4301 brett-fuchs@utc.edu utc.edu/student-conduct/index.php
Kristofer Swanson	Compliance Investigator and Inclusion Strategist	Office of Equity and Inclusion Department 5455 720 McCallie Ave., Human Resources Building Chattanooga, TN 37403 (423) 425-5670 kristofer-swanson@utc.edu utc.edu/equity-inclusion
Laura Herron	Executive Associate Athletics Director/Senior Woman Administrator; Deputy Title IX Coordinator for Athletics	Division of Athletics Department 3503 615 McCallie Ave., 407-B Arena Chattanooga, TN 37403 (423) 425-4583 laura-herron@utc.edu
James S. Hicks	Assistant Vice Chancellor for Student Affairs and Dean of Students; Deputy Title IX Coordinator for Students	Office of the Dean of Students Department 1951 615 McCallie Ave., 399 University Center Chattanooga, TN 37403 (423) 425-4761 jim-hicks@utc.edu utc.edu/dean-students/
Matthew Holzmacher	Assistant Director of Student Conduct & Student Conduct Investigator	Office of Student Conduct Department 1951 615 McCallie Ave., 310 University Center Chattanooga, TN 37403 (423) 425-4301 matthew-holzmacher@utc.edu utc.edu/student-conduct/index.php

Mark Szydlowski	Coordinator for Student Conduct & Student Conduct Investigator	Office of Student Conduct Department 1951 615 McCallie Ave., 310 University Center (423) 425-4301 mark-szydlowski@utc.edu utc.edu/student-conduct/index.php
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PROCEDURES THE INSTITUTION WILL FOLLOW

INITIAL RESPONSE & ASSESSMENT BY TITLE IX COORDINATOR

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

- Promptly contact the Complainant to offer to meet with, or otherwise communicate with, the Complainant;
- Discuss the availability of Supportive Measures;
- Consider the Complainant's wishes with respect to Supportive Measures;
- Inform the Complainant of the availability of Supportive Measures with or without filing of a formal complaint;
- Explain to the Complainant the process for filing a formal complaint;
- Implement Supportive Measures to eliminate and prevent the recurrence of Prohibited Conduct, deter Retaliation, and remedy the effects of Prohibited Conduct through reasonable support services, accommodations, and other assistance;
- In cases of Sexual Assault, Domestic Violence, Dating Violence, or Stalking, **whether the Prohibited Conduct occurred on or off campus**, provide a Complainant with a paper or electronic copy of this Policy and/or another written publication approved by the Title IX Coordinator that informs the Complainant of the Complainant's rights and options under this Policy (if that has not already been done by a Mandatory Reporter), which will include: (1) notification about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community; and (2) notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;

- If the Complainant chooses to file a formal complaint, the Title IX Coordinator must make an initial evaluation based on the nature of the conduct alleged and the reported location of the alleged conduct to determine whether the alleged conduct meets the definition of Sexual Harassment that occurs in a University education program or activity in the United States, in which case the formal complaint will be received as a Title IX Sexual Harassment Complaint. If the Title IX Coordinator determines that the alleged conduct is not Title IX Sexual Harassment that occurs in a University education program or activity in the United States but is otherwise Prohibited Conduct to which this Policy applies, the formal complaint will be received as a Prohibited Conduct Complaint. Regardless of the designation of the formal complaint,³ the Title IX Coordinator will initiate the grievance procedures outlined in *Appendix C* or *Appendix D* of the Policy; and
- **If the Complainant requests, assist the Complainant in reporting the incident to the police.**

SUPPORTIVE AND REMEDIAL MEASURES

After receiving a report of Prohibited Conduct, the Title IX Coordinator may implement supportive protective and remedial measures (“Supportive Measures”) while the University assesses, investigates, and resolves the report. Supportive Measures may be implemented upon request or at the Title IX Coordinator’s initiative. The specific Supportive Measures implemented and the process for implementing those measures will usually be determined by the Title IX Coordinator or designee and will vary and be individualized, reasonable, and appropriate depending on the facts of each case and the student or employee status of the Complainant and the Respondent.⁴ In fairly assessing the need for an individual to receive Supportive Measures, the Title IX Coordinator does not rely on fixed rules or operating assumptions in favor of one party over another.

Examples of Supportive Measures, including protective measures that the University may offer, are listed in *Appendix A* of the Policy.

³ If the formal complaint is received as a Title IX Sexual Harassment Complaint, and the conduct alleged in the formal complaint would not constitute Title IX Sexual Harassment as defined in this Policy, did not occur in the University’s education program or activity, or did not occur against a person in the United States, the Title IX Coordinator is required by federal law to dismiss the formal complaint. However, that dismissal does not preclude the University from taking action under this Policy, including by treating the alleged conduct as Prohibited Conduct to which this Policy applies.

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

PROTECTION ORDERS

For assistance in pursuing orders of protection in Hamilton County Circuit Court and other legal remedies, a person may contact:

Family Justice Center

7505 Uptain Rd. Chattanooga, TN 37411
423-643-7600
connect.chattanooga.gov/fjc/

Hamilton County Circuit Court Clerk

500 Courthouse 625 Georgia Ave.
Chattanooga, TN 37402
423-209-6700

Legal Aid of East Tennessee

535 Chestnut St. #360
Chattanooga, TN 37402
423-756-4013
laet.org/

Southeast Tennessee Legal Services

821 Houston Street Chattanooga, TN 37403
423-756-0128

A member of UTC's Survivor Advocacy Services can assist a Complainant with pursuing an order of protection and other legal remedies. Please call (423) 425-5648 or visit utc.edu/center-women-genderequity/survivor-advocacyservices/survivoradvocacy.php for more information.

Information about the rights of the Complainant and the University's responsibilities regarding orders of protection, "no contact" orders, restraining orders or similar lawful orders issued by a criminal, civil, or tribal court or by the University can be found in Appendix C of this report.

PROTECTING CONFIDENTIALITY

Information about how the institution will protect the confidentiality of Complainants and other necessary parties can be found in *Appendix A* of the Policy.

- Certain University employees, called Campus Security Authorities, have a duty to report certain incidents of Sexual Assault, Domestic Violence, Dating Violence, and Stalking to the University's Clery Compliance Coordinator to comply with the Clery Act. Campus Security Authorities are not required to report personally identifiable information to the Clery Compliance Coordinator for Clery Act purposes, but statistical information must be sent to the Clery Compliance Coordinator regarding the type of incident that occurred and its general location (e.g., on or non-campus) for publication in an annual report of crime statistics, called the Annual Security Report. Statistics published in the Annual Security and Fire Safety Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not personally identify Complainants or Respondents. Information about how the University will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim can be found in Appendix C of this report.
- Information about how the University 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 can be found in Appendix C of this report.

PROCEDURES FOR DISCIPLINARY ACTION

The University has specific grievance procedures and disciplinary proceedings for addressing reports of Prohibited Conduct after the report to the Title IX Coordinator. The procedures the University uses are based on the nature of the allegations and the relationship of the Respondent to the University.

The Policy includes information about the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding. The Policy also describes how to file a disciplinary complaint and how the University determines which type of proceeding to use based on the circumstances of an allegation.

- Appendix C of the Policy describes the procedures the University uses to investigate and resolve allegations of Prohibited Conduct when the Respondent is a **student**.

- *Appendix D and D.1* of the Policy describe the procedures the University uses to investigate and resolve allegations of Prohibited Conduct when the Respondent is an **employee**.
- *Appendix D* of the Policy describes the procedures the University uses to investigate and resolve allegations of Prohibited Conduct when the Respondent is a **third party**, such as a visitor or vendor. The University's ability to take disciplinary, remedial, and/or protective measures with respect to a third party will depend on the nature of the relationship between the third party and the University. The Title IX Coordinator (or designee) has the authority to alter the manner of resolving a report of Prohibited Conduct alleged to be committed by a third party if the procedures in *Appendix D* of the Policy are not appropriate.
- When the Respondent is **both a student and an employee** the Title IX Coordinator will determine the appropriate procedures to use to address the report of Prohibited Conduct based on the facts and circumstances of the situation.

The possible sanctions that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of Prohibited Conduct can be found in *Appendices C and D* of the Policy.

PROMPT, FAIR, AND IMPARTIAL PROCEEDINGS

Disciplinary proceedings will be conducted in a prompt, fair, and impartial manner from the investigation to the final result. Throughout the grievance process, investigators and decision makers will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

TRAINING

Disciplinary proceedings relating to Prohibited Conduct will be conducted by persons who receive annual training on the issues related to Prohibited Conduct. Information about training for University officials can be found in *Appendices C and D* of the Policy.

PREPONDERANCE OF THE EVIDENCE STANDARD

The standard of proof used in disciplinary proceedings is the preponderance of the evidence standard, i.e., whether it is more likely than not that the Respondent engaged in Prohibited Conduct.

RIGHT TO AN ADVISOR

The Complainant and the Respondent have the right to be assisted by an advisor during all stages of a disciplinary proceeding, including all meetings, investigative interviews, and hearings. The University will not limit the choice of advisor or presence of either the Complainant or the Respondent in any meeting or institutional disciplinary proceeding. Information about advisors can be found in *Appendices C and D* of the Policy.

NOTIFICATION TO THE COMPLAINANT & RESPONDENT

The University will provide simultaneous notification, in writing, to both the Complainant and the Respondent the result of any institutional disciplinary proceeding that arises from an allegation of Prohibited Conduct. Information about this notification and other notifications to both the Complainant and the Respondent regarding disciplinary proceedings and appeals can be found in *Appendices C and D* of the Policy.

DISCLOSURE TO VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES

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

DISCLOSURE OBLIGATIONS UNDER FEDERAL & TENNESSEE LAW RELATING TO REPORTS OF PROHIBITED CONDUCT

CLERY ACT

Certain University employees, called Campus Security Authorities, have a duty to report certain incidents of prohibited conduct to UTC PD to comply with the Clery Act. Campus Security Authorities are **not** required to report personally identifiable information, but statistical information must be sent to UTC PD regarding the type of incident that occurred and its general location (e.g., on or off-campus, in the surrounding area, but no address are given to UTC PD) for publication in an annual report of crime statistics, called the Annual Security Report.

A copy of the Annual Security Report can be found on the website of the Department of Emergency Services, <https://new.utc.edu/administration-and-finance/emergency-services/police>.

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

Complainants of prohibited conduct should also be aware that the Clery Act requires UTC to issue timely warnings for Clery Act crimes reported to UTCPD or Campus Security Authorities that pose an ongoing threat to the safety of the campus community. UTC will undertake reasonable efforts to avoid disclosing a complainant's name and other identifying information, while still providing enough information for community members to make safety decisions in light of the potential danger.

Personally identifying information about the victim, is defined in the Violence Against Women Act of 1994. Per section 40002(a) (20) of the Violence Against Women Act of 1994, "individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- A first and last name;
- A home or other physical address;
- Contact information (including a postal, e-mail, or Internet protocol address, or telephone or facsimile number);
- A social security number, driver license number, passport number, or student identification number; and
- Any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual."

FERPA

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

ROBERT (ROBBIE) NOTTINGHAM CAMPUS CRIME SCENE INVESTIGATION ACT

The Robert (Robbie) Nottingham Campus Crime Scene Investigation Act (Nottingham Act), Tennessee Code Annotated § 49-7-129, requires UTC PD to notify the Chattanooga Police Department upon UTC PD’s receipt of a report from a victim alleging that any degree of rape has occurred on University property.

The Nottingham Act requires UTC PD and the Chattanooga Police Department to participate in a joint investigation of the rape, with UTC PD leading the investigation.

TENNESSEE PUBLIC RECORDS ACT

Incident reports prepared by UTC PD for law enforcement purposes are generally considered public records under the Tennessee Public Records Act and are not protected by FERPA, which means UTC is obligated by law to make them available to any Tennessee citizen upon request unless the report is part of an ongoing criminal investigation.

Local law enforcement agencies may also be required to make their records available under similar circumstances. In addition, investigative reports prepared by other UTC officials (e.g., the Office of Equity & Inclusion) that do not contain personally identifiable student information also are generally considered public records under the Tennessee Public Records Act.

Upon request by a citizen of Tennessee, the Tennessee Public Records Act requires UTC to disclose the final results of any disciplinary proceeding conducted by UTC against a student who is an alleged perpetrator of any crime of violence, as that term is defined in 18 U.S.C. § 16, or a non-forcible sex offense, if UTC determines as a result of that disciplinary proceeding that the student committed a violation of UTC's rules or policies with respect to such crime or offense. "Final results" includes only the name of the student who committed the violation, the violation committed, and any sanction imposed by UTC on the student. The names of other students, such as a Complainant, are not disclosed without the other student's consent.

PREVENTION AND AWARENESS PROGRAMS

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

PRIMARY PREVENTION PROGRAMS

UTC implements programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to prevent incidents of prohibited conduct (e.g. sexual assault, dating violence, domestic violence, and stalking) through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe Bystander Intervention, and seek to change behavior and social norms in healthy and safe directions.

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

- The fact that the University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined by the Clery Act regulations, 34 C.F.R. § 668.46(a); the definitions of dating violence, domestic violence, stalking, and sexual assault under Tennessee criminal law; the definition of consent with respect to crimes relating to sexual activity in Tennessee; and the information that is included in the University's Policy on Sexual

Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking in accordance with Clery Act regulations, 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);

- Bystander Intervention; and
- Risk Reduction.

Questions about the University's current Primary Prevention Programs should be directed to the Title IX Coordinator, the Deputy Title IX Coordinator for Student Conduct, or the Center for Women and Gender Equity.

PRIMARY AWARENESS PROGRAMS

UTC implements comprehensive, intentional, and integrated community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent prohibited conduct (e.g. sexual assault, dating violence, domestic violence, and stalking), promote safety, and reduce the perpetration of prohibited conduct.

Questions about UTC's Primary Awareness Programs should be directed to the Title IX Coordinator, the Deputy Title IX Coordinator for Student Conduct, or the Center for Women and Gender Equity.

The University's primary prevention and awareness programs for incoming students include:

- **Orientation:** UTC provides in-person training regarding Title IX, consent, UTC support and resources and many other related topics to all incoming freshmen, transfer, graduate and international students. Freshman Orientation training is conducted by the Title IX Coordinator, the Director of the Center for Women and Gender Equity and UTC Police Department's Sexual Assault Relationship Violence Liaison Officer. Presentations at the transfer, graduate and international student orientations are conducted solely by the Title IX Coordinator. During summer and fall 2019, 18 presentations were conducted and approximately 3,323 students were reached.
- **Online Education:** UTC utilizes many online training modules to augment in-person training events. Everfi's Sexual Assault Prevention for Undergraduates is completed by incoming freshmen and transfer students. Incoming graduate students complete Everfi's Sexual Assault Prevention for Graduate Students. UTC's student-athletes complete Everfi's Sexual Assault Prevention for Student-Athletes. UTC also offers ongoing educational programming through Everfi's Sexual Assault Prevention – Ongoing Training program, which is available at utc.edu/sexualmisconduct. All of the online

modules include information about consent, prohibited conduct, bystander intervention and available UTC support and resources. A total of 2,966 students completed one of these programs in 2019.

- **Step UP! Bystander Intervention Training:** Step UP! is a bystander intervention program administered by the Center for Student Wellbeing. It is designed to educate students to be proactive in helping others. Step UP! is offered to all students and is required for student-athletes and fraternity and sorority new members. Twenty-five sessions were offered and 1,040 students completed the program in 2019. For more information about the Step UP! bystander intervention program, please see utc.edu/step-up/.

The University's primary prevention and awareness programs for new employees include:

- **Online Education:** UTC utilized several of Everfi's online education modules to train employees regarding sexual misconduct, relationship violence and stalking prevention, reporting and response. Current employees were required to complete Bridges: Taking Action, which is intended to provide a yearly refresher regarding these topics. Approximately 1,250 employees completed this program in 2019. New employees were required to complete Bridges: Building A Supportive Community, which provides more expansive knowledge. Employees in Athletics were required to complete Sexual Assault Prevention for Athletic Staff.
- **In-person Mandatory Reporter Training:** UTC's Title IX Coordinator conducted 40+ in-person training sessions about employee mandatory reporter responsibilities with different groups and departments across campus in 2019, including: Resident Assistants, Aquatic and Recreation Center student-staff and professional staff, Veteran Student Services, Athletic staff, Resident Directors, Study Abroad faculty, Orientation leaders, UTCPD, SUSI mentors, Summer Bridge Peer Mentors, Facilities staff, First-Year Experience instructors, International Orientation leaders, teaching and graduate assistants, College of Arts and Sciences department heads, University Center student-staff and professional staff, the Department of History and the Department of Art.
- **Employee Onboarding:** In partnership with the Office of Human Resources, the UTC Title IX Coordinator conducted four in-person education sessions with new employees that covered a wide variety of topics, including Title

IX, resources and support available for students, faculty and staff, and mandatory reporting of sexual misconduct, relationship violence and stalking.

- **New Faculty Orientation:** UTC's Title IX Coordinator conducted an hour-long session during New Faculty Orientation in August 2019. Topics included Title IX, resources and support available for students, faculty and staff, and mandatory reporting.

ONGOING PREVENTION AND AWARENESS CAMPAIGNS

UTC implements programming, initiatives, and strategies for students and employees that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing prohibited conduct (e.g. sexual assault, dating violence, domestic violence, and stalking) using a range of strategies with audiences throughout the University and including information about:

- The fact that the University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined by the Clery Act regulations, 34 C.F.R. § 668.46(a); the definitions of dating violence, domestic violence, stalking, and sexual assault under Tennessee criminal law; the definition of consent with respect to crimes relating to sexual activity in Tennessee; and the information that is included in the University's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking in accordance with Clery Act regulations, 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);
- Bystander Intervention; and
- Risk Reduction.

Questions about the University's ongoing prevention and awareness campaigns should be directed to Title IX Coordinator, the Deputy Title IX Coordinator for Student Conduct, or the Center for Women and Gender Equity. The University's ongoing prevention and awareness campaigns include:

- **Consent T-shirt Campaign:** The Title IX Coordinator, in partnership with the Center for Student Wellbeing and the Office of Student Conduct, gave away 2,500 Obtained & Affirmative & Voluntary & Continual T-shirts during six general giveaways open to the campus and as part of consent and Title IX education to various student groups, including: First-Year Experience students, Resident Assistants, Student-Athletes, new members of fraternities

and sororities, Aquatic and Recreation Center student-staff, international students, Marching Mocs, The Perch, The Echo, Brother-to-Brother, Student Government Association, Freshman Senate and Honors College new students. All students were encouraged to wear their consent T-shirts during T-shirt Tuesday, which took place every Tuesday during the fall semester.

- **Bathroom Resource Flyers:** Approximately 400 bathroom stall flyers are posted in 23 buildings around campus each semester. The fall 2019 flyer included information about resources and reporting options, about consent T-shirt giveaways and T-shirt Tuesday events throughout the fall semester.
- **Resource Magnets:** In fall 2019, resource magnets were placed in all on-campus housing units. The magnets detailed confidential and non-confidential resources available to students who may have experienced sexual misconduct, relationship violence and stalking.
- **Consent Bulletin Boards:** In October 2019, Housing and Residence Life Resident Assistants created and displayed bulletin boards in residence halls that discussed consent and resources available on campus.

CAMPUS EVENT HIGHLIGHTS

The following are some of the on-campus events provided for students, faculty and staff. Many of these events were conducted by campus partners, including the Office of the Dean of Students, the Center for Student Wellbeing, the Center for Women and Gender Equity and Athletics.

- **Consent Workshops:** UTC's Center for Student Wellbeing hosted several consent workshops in residence halls during fall 2019. In addition, the Center for Women and Gender Equity held two events: Cookies and Consent and Consent and Cocoa to engage students in learning more about consent.
- **Domestic Violence Awareness Month:** UTC's Center for Student Wellbeing hosted several events during Domestic Violence Awareness Month (October). Events included Domestic Violence Awareness Month chalking, tabling and educational programs like Intimate Partner Violence in LGBTQ+ Communities and Debunking Interpersonal Violence: From Prevention to Advocacy, which was hosted in partnership with the Center for Women and Gender Equity.

- **Tennessee Title IX Summit 2019:** UTC planned and hosted the Tennessee Title IX Summit 2019, a statewide Title IX conference attended by 110 participants from 33 public and private universities within the state of Tennessee. The featured speaker was Peter Lake, a renowned Title IX expert. Lake provided insight into Title IX compliance, prevention programming and more.
- **Take Back the Night:** Take Back the Night is a yearly event at UTC. The Oct. 23, 2019 event included tabling and resources from campus and local partners, a march and an opportunity for survivor speak-outs. Volunteers at this year's Take Back the Night celebration gave away 250 Obtained & Affirmative & Voluntary & Continual sweatshirts. Take Back the Night is a signature program of the Center for Women and Gender Equity.

BYSTANDER INTERVENTION

Safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of Prohibited Conduct. Bystander Intervention includes: 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.

RISK REDUCTION

Options designed to decrease perpetration and bystander inaction, and to increase empowerment for Complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence.

DRUGS AND ALCOHOL

DRUG & ALCOHOL POLICY STATEMENT

UTCPD enforces Federal and State drug laws and State underage drinking laws. UTC's compliance with provisions of the Department of Education's *Drug-Free Schools and Communities Act (DFSCA)* is achieved through a comprehensive alcohol and other drug prevention program, which includes policy enforcement, education programs, counseling supports and referral to treatment services.

UTC will provide a biennial review of the university's prevention efforts, disciplinary sanctions, and procedures for distributing the annual alcohol and drug notification to students and employees. The UTC Biennial Review will

include data related to alcohol and drug incidents and arrests and recommendations for revising university prevention, education, and disciplinary efforts.

The UTC Biennial Review is conducted by the UTC Counseling Center's Assistant Director for Alcohol, Other Drugs, and Mental Health Prevention. The UTC Biennial Review will utilize information provided by the UTC Dean of Students Office, UTC Counseling & Personal Development Center, UTC General Counsel, UTC Police Department, UTC Residence Life, and UTC Athletic Department.

As mandated by DFSCA, UTC's Annual Notification is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. A copy of the Biennial Review reports can be found at: <https://www.utc.edu/center-student-wellbeing/>

STANDARDS OF CONDUCT FOR STUDENTS

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

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

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off campus), is prohibited by the UTC Student Code of Conduct (Updated August 14, 2020, Section 4. Standards of Conduct, which provides that all students are prohibited from engaging in the following:

(19) Alcohol-Related Misconduct: Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, on University-controlled property or in connection with a University-affiliated activity, unless expressly permitted by University rules or policy.

(20) Violation of Federal, State, or Local Alcohol Laws: Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, if prohibited by federal, state, or local law.

(21) **Providing Alcohol to Minors:** Providing alcohol to a person younger than twenty-one (21) years of age, unless permitted by law.

(22) **Drug-Related Misconduct:** Using, manufacturing, possessing, distributing, selling, or dispensing drugs or drug paraphernalia, or being under the influence of drugs, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription is not issued to the student using or in possession of the prescription drug; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws.

A separate policy addresses violations by University staff.

CODE OF CONDUCT FOR EMPLOYEES: HR 0720-DRUG FREE CAMPUS AND WORKPLACE POLICY

It is the policy of the University of Tennessee to maintain a safe and healthful environment for its students and employees. Therefore, university policy *HR0720*, prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on university property or during university activities.

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

A complete copy of [HR0720-Drug Free Campus and Workplace](https://policy.tennessee.edu/wp-content/uploads//policytech/system-wide/hr/HR0720-Drug-Free-Campus-and-Workplace.pdf) can be found at <https://policy.tennessee.edu/wp-content/uploads//policytech/system-wide/hr/HR0720-Drug-Free-Campus-and-Workplace.pdf>.

PARENT/GUARDIAN NOTIFICATION

On June 19, 2008, Tennessee Governor Bredesen signed a law requiring Tennessee public colleges and universities notify the parents or legal guardians of students under twenty-one years of age that have violated the alcohol or drug policies of the institution (T.C.A. 49-7-146). This state law is pursuant to an exception in the Family Educational Rights and Privacy Act (FERPA) that allows,

but does not require, colleges and universities to notify parents of this information.

Given the seriousness of alcohol and drug issues, as well as the potentially negative impact that these issues can have on college students and campus communities, we hope that parents will address these concerns with their students to help students make better choices in the future. While we recognize that students are adults and need to assume responsibility for their actions, we also acknowledge that parents and guardians play a critical role in their personal development.

The University of Tennessee at Chattanooga sends parent/guardian notifications at the conclusion of the student conduct process via mailed letter. **Please note that the University is unable to discuss further information about the student's conduct record without written consent from the student.**

UTC'S EVENT ALCOHOL SERVICE AND USE POLICY

UTC, in compliance with all state and local laws, regulations, rules and ordinances, allows lawful and responsible alcohol consumption at UTC-sponsored events, subject to the restrictions of this policy. This policy has been adopted to provide guidance to UTC employees and units (e.g., departments, colleges, divisions, etc.) and non-UTC persons and entities on the authorized possession, use, and purchase of alcoholic beverages at UTC-sponsored events.

This policy applies to all employees and constituent units of UTC, and to any non-UTC persons or entities holding events at any facilities owned, leased, or controlled by UTC. This policy is intended to be consistent with all state and local laws, rules, and regulations. In the event of a conflict between this policy and any state or local law, rule, or regulation, the state or local law, rule, or regulation will prevail. This policy is also intended to be consistent with all University of Tennessee System and Board of Trustee policies. In the event of a conflict between this policy and any University of Tennessee System or Board of Trustee policy, the University of Tennessee System or Board of Trustee policy will prevail. To review the policy in its entirety visit <https://new.utc.edu/academic-affairs/university-policies-and-procedures/administration-and-operations/event-alcohol-service-and-use-policy>

AVAILABILITY OF COUNSELING RESOURCES

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

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

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. Students can contact the UTC Counseling Center 423-425-4438 for counseling and crisis services and 423-425-4357 for after-hours crisis services.

Faculty and staff can contact the Employee Assistance Program (EAP) at 1-855-HERE4TN (1-855-437-3486), 24 hours a day, seven days a week. The EAP can help with issues such as family and relationships; child and elder care; anxiety and depression; workplace conflicts; dealing with addiction; suicide prevention; grief and loss; legal and financial issues; work/life balance. Individuals receive up to 5 (five) free counseling sessions per episode at no cost to the participant; however, sessions must be pre-authorized by calling phoning 1-855-HERE4TN (1-855-437-3486).

HEALTH RISKS

The following information on health risks is from What Works: Schools Without Drugs, U. S. Department of Education (2012). The drugs students are taking today are more potent, more dangerous, and more addictive than ever. Adolescents are particularly vulnerable to the effects of drugs. Drugs threaten normal development in a number of ways:

- Drugs can interfere with memory, sensation, and perception. They distort experiences and cause a loss of self-control that can lead users to harm themselves and others.
- Drugs interfere with the brain's ability to take in, sort, and synthesize information. As a result, sensory information runs together, providing new sensations while blocking normal ability to understand the information received.
- Drugs can have an insidious effect on perception; for example, cocaine and amphetamines often give users a false sense of functioning at their best while on the drug. Drug suppliers have responded to the increasing demand for drugs by developing new strains, producing reprocessed, purified drugs, and using underground laboratories to create more powerful forms of illegal drugs. Consequently, users are exposed to heightened or unknown levels of risk.
- The marijuana produced today is from five to 20 times stronger than that available as recently as 10 years ago. Regular use by adolescents has been associated with an "a motivational syndrome," characterized by

apathy and loss of goals. Research has shown that severe psychological damage, including paranoia and psychosis, can occur when marijuana contains 2 percent THC, its major psychoactive ingredient. Since the early 1980s, most marijuana has contained from 4 to 6 percent THC—two to three times the amount capable of causing serious damage.

- Crack is a purified and highly addictive form of cocaine.
- Phencyclidine (PCP), first developed as an animal tranquilizer, has unpredictable and often violent effects. Often children do not even know that they are using this drug when PCP-laced parsley in cigarette form is passed off as marijuana, or when PCP in crystal form is sold as lysergic acid (LSD).
- Some of the new "designer" drugs, slight chemical variations of existing illegal drugs, have been known to cause permanent brain damage with a single dose.

Drug Use and Learning

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

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

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness,	toxic psychosis, physical

		headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing , vomiting, breathing difficulties, unconsciousness, coma, blackouts,	dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep,	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy,	euphoria, decreased	memory loss, depression, severe

	G, georgia homeboy,	inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, Abombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence

MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical dependence, psychological dependence
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement, slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature,	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs	constipation, loss of appetite, collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary

			complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,
Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver

			damage, psychological dependence
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FEDERAL DRUG LAWS

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

Denial of Federal Aid (20 USC 1091) Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

Forfeiture of Personal Property and Real Estate (21 USC 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 USC 841) Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Drug/Substance- Amount-Penalty - 1st Conviction

Barbiturates: Any amount Up to 5 years prison. Fine up to \$250,000

Cocaine: 5 kgs. or more Not less than 10 years prison, not more than life. Fine up to \$4 million

Less than 100 grams 10-63 months prison. Fine up to \$1 million

Crack Cocaine: 50 grams or more Not less than 10 years prison, not more than life. Fine up to \$4 million

-5-49 grams Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

-5 grams or less 10-63 months prison. Fine up to \$1 million

Ecstasy: Any amount Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)

GHB: Any amount Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)

Hashish: 10-100 kg Up to 20 years imprisonment. Fine up to \$1 million.

-10 kg or less Up to 5 years imprisonment. Fine up to \$250,000

Hash Oil: 1-100 kg Up to 20 years imprisonment. Fine up to \$1 million.

-1 kg or less Up to 5 years imprisonment. Fine up to \$250,000

Heroin: 1 kg or more Not less than 10 years prison, not more than life. Fine up to \$4 million

-100-999 grams Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

-100 grams or less 10-63 months prison. Fine up to \$1 million

Ketamine: Any amount Up to 5 years imprisonment. Fine up to \$250,000. 2 years supervised release

LSD: 10 grams or more Not less than 10 years prison, not more than life. Fine up to \$4 million

-1-10 grams Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

Marijuana: 1000 kg or more Not less than 10 years prison, not more than life. Fine up to \$4 million

-100-999 kg Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

-50-99 kg Up to 20 years imprisonment. Fine up to \$1 million

-50 kg or less Up to 5 years imprisonment. Fine up to \$250,000

Methamphetamine: 50 grams or more Not less than 10 years prison, not more than life. Fine up to \$4 million

-10-49 grams Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

-10 grams or less 10-21 months prison. Fine up to \$1 million

PCP: 100 grams or more Not less than 10 years prison, not more than life. Fine up to \$4 million

-10-99 grams Not less than 5 years prison, not more than 40 years. Fine up to \$2 million

-10 grams or less 10-21 months prison. Fine up to \$1 million

Rohypnol: 1 gram or more Up to 20 years imprisonment. Fine up to \$1 million

-less than 30 mgs Up to 5 years imprisonment. Fine up to \$250,000

Federal Drug Possession Penalties (21 USC 844) Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

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

A. It is a first conviction and the amount of crack possessed exceeds 5 grams;

B. It is a second conviction and the amount of crack possessed exceeds 3 grams;

C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

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

STATE OF TENNESSEE LAWS & SANCTIONS

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

Level of Offense	Punishment(s)
Capital Crime	Death; life imprisonment
Class A felony	Not less than fifteen (15) nor more than sixty (60) years in prison. In addition, the jury may assess a fine not to exceed fifty thousand dollars (\$50,000), unless otherwise provided by statute

Class B felony	Not less than eight (8) nor more than thirty (30) years in prison. In addition, the jury may assess a fine not to exceed twenty-five thousand dollars (\$25,000), unless otherwise provided by statute
Class C felony	Not less than three (3) years nor more than fifteen (15) years in prison. In addition, the jury may assess a fine not to exceed ten thousand dollars (\$10,000), unless otherwise provided by statute

Class D felony	Not less than two (2) years nor more than twelve (12) years in prison. In addition, the jury may assess a fine not to exceed five thousand dollars (\$5,000), unless otherwise provided by statute
Class E felony	Not less than one (1) year nor more than six (6) years in prison. In addition, the jury may assess a fine not to exceed three thousand dollars (\$3,000), unless otherwise provided by statute
Class A misdemeanor	not greater than eleven (11) months twenty-nine (29) days in jail or a fine not to exceed two thousand five hundred dollars (\$2,500), or both, unless otherwise provided by statute
Class B misdemeanor	not greater than six (6) months in jail or a fine not to exceed five hundred dollars (\$500), or both, unless otherwise provided by statute
Class C misdemeanor	not greater than thirty (30) days in jail or a fine not to exceed fifty dollars (\$50.00), or both, unless otherwise provided by statute

Tennessee Sanctions Under 21 Alcohol Offenses

<https://www.nashvilletnlaw.com/criminal-defense/dui-defense/under-21-alcohol-related-criminal-offenses/>

OFFENSE	PENALTY
Tenn. Code Ann. § 1-3-113 Unlawful for person under 21 to purchase, possess, transport or consume alcoholic beverages unrelated to employment.	The class of offense is not specified but is a misdemeanor per 39-11-111. Pursuant to TCA 39-11-114, it is a Class A misdemeanor. Therefore, 11 mos. 29 days and fine of up to \$2500 applies. <u>Statute makes no mention of impact to driving privileges. However for individuals under 18, T.C.A. 55-10-701 would require the denial of driving privileges.</u>

<p>Tenn. Code Ann. § 37-1-156 Contributing to the delinquency of a minor</p>	<p>Class A misdemeanor.</p>
<p>Tenn. Code Ann. 39-15-404 Relates to the furnishing of alcohol to a minor by an adult.</p>	<p>Class A misdemeanor and punishable as such and additionally the offender <u>shall</u> be sentenced to 100 hours of community service work. The court <u>in its discretion</u> may send an order to the Dept. of Safety denying the offender's driving privileges. If the offender does not have driving privileges then the court may impose 200 hours of community service.</p>
<p>Tenn Code. Ann § 55-10-415 Driving while impaired 18 to 21 for driving under the influence of any intoxicant or with a BAC over .02</p>	<p>>18 years and <21 years old: Class A Misdemeanor that is punishable only by suspension of driving privileges for 1 year and by a fine of \$250. Court may impose community service. No provision for restricted license. Not eligible for judicial diversion since no incarceration and thus no probation is permitted, but would be eligible for pre-trial diversion. >16<18: Same as above, but delinquent act not misdemeanor. Note that no jail time is applicable in conflict with general penalty relating to delinquent children, see T.C.A. § 37-1-131.</p>
<p>Tenn. Code Ann. § 57-3-412 (a)(3)(A) Prohibits the possession, consumption, or transporting of alcoholic beverages unrelated to employment by anyone under 21.</p>	<p>Class A misdemeanor. <u>Regardless of disposition, the record can be expunged 6 months after the date of the violation and such offense cannot be used against them in any criminal proceeding.</u> <u>Under section (a)(5)(C), an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</u></p>

<p>Tenn. Code Ann. § 57-3-412 (a)(4) Prohibits the purchase of alcohol for or at the request of anyone that is under 21.</p>	<p>Class A misdemeanor. 1st offense: fine of not less than \$25 nor more than \$500, 2nd and subsequent offenses: minimum \$50 fine with max of \$1,000. In addition to the fines stated above, all offenders are additionally subject to all penalties imposed by T.C.A. 39-15-404. (see above, 100 hours community service work, potential loss of license).</p>
<p>Tenn. Code Ann. § 57-3-412 (a)(5)(A) Prohibits the purchase or attempted purchase of alcoholic beverages by anyone under 21.</p> <p>Tenn. Code Ann. § 57-3-412 (c) Penalty for someone under 21 using a fake id.</p> <p>Tenn. Code Ann. § 57-4-203 (b)(2) (A) Prohibits the purchase, attempted purchase, or possession of alcohol by a person under 21 <u>in a public place</u>. (B) Exhibiting a fake id saying you are 21.</p>	<p>Class A misdemeanor. "In addition to any criminal penalty imposed by this section (see above)," an order denying the offender of driving privileges is required, and the court and dept of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</p> <p>Class A misdemeanor. (1) Less than 18: fine of \$50 and not less than 20 hours community service. (2) >18<21: Fine of not less than \$50 but no more than \$200 OR by imprisonment in jail for a minimum of 5 days and a max of 30 days. In addition to above, an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</p> <p>Exact same penalty as stated in 57-3-412 (c). see above.</p>
<p>Tenn. Code Ann. § 57-5-301(d)(1)(A) Unlawful for minor to purchase or attempt to purchase any "such beverage." (presumed beer).</p>	<p>Such Statutes under Title 57, Part 5 appear to relate particularly to beer. Punishment is under 57-5-303, which defines it as a Class C misdemeanor. An order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</p>

Tenn Code. Ann. § 57-5-301(d)(1)(A)(2)	Class A misdemeanor that shall also be punished pursuant to 39-15-404.
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Prohibits purchasing beer for someone under 21.	
Tenn Code. Ann. § 57-5-301(d)(1)(A)(3)	
Making a fake Id to show you are 21 or presenting such.	Statute provides exact same punishment as in 57-3-412(c).
Tenn. Code Ann. § 57-5-301(e) unlawful for someone under 21 to have beer in their possession.	Class A misdemeanor. <u>Regardless of disposition, the record can be expunged 6 months after the date of the violation and such offense cannot be used against them in any criminal proceeding. Under section (d)(1)(B)(i), an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</u>

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

(<https://www.tn.gov/safety/publicsafety/duioutline.html>)

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

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

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

- 48 hours up to 11 months, 29 days for offenders in violation of 55-10-401
- .20 BAC or greater minimum jail time 7 consecutive days
- License revocation for 1 year -Restricted License available
- You will be ordered to participate in an alcohol and drug treatment program
- Pay restitution to any person suffering physical injury or personal loss
- \$350-\$1,500 fine

- With towing, bail, attorney, high risk insurance, court costs, school, and reinstatement fees, your first offense average costs could add up to \$4,900
- Judge can order you to install an Ignition Interlock Device at your expense. Minimum first year costs could exceed \$1,000.00
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense
- Drug and Alcohol Treatment may be required at the judge's discretion

2nd Time DUI Offender

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

3rd Time DUI Offender

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

4th and Subsequent DUI Offender

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

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

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

Child Endangerment - DUI with passenger under 18 years old

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

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

Vehicular Homicide

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

Aggravated Vehicular Assault While Driving Intoxicated

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

Fees to reinstate a driver license after alcohol-related offenses

Implied Consent Refusal to Submit to Blood Alcohol T.C.A. 55-10-406

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

Drug Free Youth Act Offenses (Ages 13 – 17) (T.C.A. 55-10-701) & Underage Possession of Alcohol (Age 18 -21) (T.C.A. 57-5-301)

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

All other DUI Type Offenses

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

Penalties for drug and alcohol-related offenses committed by minors

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

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

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

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

Driving While Impaired (Age 16 – 20) T.C.A 55-10-415

- License revocation for 1 year/No provision for restricted license
- \$250 fine
- Court may impose public service work

TENNESSEE STATUTORY SANCTIONS FOR ILLEGAL DRUGS MANUFACTURE OR DELIVERY

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

Schedule I High potential for abuse; no accepted medical use in treatment or lacks accepted safety for use in treatment under medical supervision. This includes certain opiates (e.g., heroin); hallucinogens (e.g., LSD) depressants (e.g., methaqualone) and stimulants (e.g., MDMA).

Schedule II High potential for abuse; has currently accepted medical use in treatment, or currently accepted medical use with severe restrictions; abuse of the substance may lead to severe psychic or physical dependence Examples: cocaine, morphine, amphetamines, amobarbital.

Schedule III Potential for abuse less than the substances listed in Schedules I and II; has currently accepted medical use in treatment; and may lead to moderate or low physical dependence or high psychological dependence. Examples: Anabolic steroids.

Schedule IV Low potential for abuse relative to substances in Schedule III; has currently accepted medical use in treatment; and may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. Examples: Phenobarbital and Fenfluramine

Schedule V Low potential for abuse relative to the controlled substances listed in Schedule IV; has currently accepted medical use in treatment in the United States; and has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV. Example: A medicine containing not more than two hundred (200) milligrams of codeine per one hundred (100) grams;

Schedule VI Tetrahydrocannabinols Marijuana; hashish; synthetic equivalents

Schedule VII Butyl nitrite and any isomer thereof

The following table sets forth the basic levels of offenses involving manufacture, sale, distribution, or possession with intent distribute, the various levels of scheduled controlled substances. However, one must understand that the law

provides additional penalties for violations involving large amounts of numerous substances, including heroin, cocaine, LSD, morphine, peyote, barbiturates and amphetamines.

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

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

Marijuana	Hashish	Level of Offense (and additional fine)
Less than ½ ounce	--	Class A misdemeanor
1/2 ounce to 10 lbs.	up to 2 lbs.	Class E felony + \$5,000 fine
10 to 70 lbs.; 10 to 19 plants regardless of weight	2 to 4 lbs.	Class D felony + \$50,000 fine
20 to 99 plants regardless of weight	4 to 8 lbs.	Class C felony + \$100,000 fine
70 to 300 lbs.; 100 to 499 plants regardless of weight	8 to 15 lbs.	Class B felony + \$200,000 fine
More than 300 lbs.; 500 or more plants regardless of weight	15 lbs. or more	Class A felony + \$500,000 fine

EDUCATIONAL AND AWARENESS PROGRAMMING

UTC Counseling Center, Center for Student Wellbeing, and the Office of the Dean of Students provides educational and awareness programming,

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

For more information concerning current programs, interventions and policies, contact Tricia Henderson at triciahenderson@utc.edu or 423-425-4301.

AMNESTY FOR GOOD SAMARITANS AND IMPAIRED STUDENTS

The University holds paramount the health, safety, and welfare of students. Accordingly, all students are expected to alert appropriate officials in the event of a health, safety, or welfare emergency, including, without limitation, a situation involving the abuse of alcohol or drugs. [Refer to the *UTC Student Code of Conduct, Updated August 14, 2020* to review the policy in its entirety]

EXPECTATIONS

When a student knows or reasonably should know that another student is in need of emergency medical attention, the student is expected to: (i) contact appropriate persons (including, but not limited to, University faculty or staff members, law enforcement officials, etc.) to report the incident and request assistance, including providing his or her name and contact information and the name and contact information of the impaired student; and (ii) demonstrate cooperation and care by remaining with the impaired student and providing reasonable assistance during and after the incident. A student who complies with the expectations described in this Section 17 is referred to as a "Good Samaritan." A student in need of emergency medical attention is referred to as an "impaired student" under this Section 17.

AMNESTY FOR GOOD SAMARITANS

Unless a Good Samaritan has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), a Good Samaritan will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, a Good Samaritan may be required to meet with the Office of Student Conduct

to discuss the Good Samaritan's Code violation(s) and adhere to appropriate remedial and/or educational recommendations.

AMNESTY FOR IMPAIRED STUDENT

Unless an impaired student has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), an impaired student will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, the impaired student may be required to meet with the Office of Student Conduct to discuss the impaired student's Code violation(s), participate in educational activities, and/or establish that he or she has addressed the issues that contributed to the Code violation(s).

APPLICATION TO STUDENT ORGANIZATIONS

Student organizations, through their officers and members, are also expected to take responsible action in emergency situations in accordance with the expectations under Section 17(2) of this Chapter. A student organization may receive amnesty for any Code violation(s) discovered by the University as a result of the Good Samaritan reports of its officers and/or members, but if not granted amnesty, the responsible actions of its officers and/or members will be considered a mitigating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible. Conversely, the failure of a student organization's officers and/or members to take responsible action in emergency situations in accordance with the expectations under Section 17(2) of this Chapter may be considered an aggravating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible.

PRESCRIPTION DRUG TAKE-BACK BOX

Prescription drug take-back boxes provide a place where unused prescription drugs can be safely disposed. These permanent boxes prevent prescription and over-the-counter medications from getting into the hands of children and into the waterways. They make sure they are disposed of in a safe, environmentally-friendly manner. Medication collection events and programs are part of a nationwide effort to reduce the amount of pharmaceutical products being flushed or poured down drains.

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

Items Accepted for the Pharmaceutical Collection Program

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

Items Not Accepted in the Program

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

WEAPONS ON CAMPUS

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

TENNESSEE CRIMINAL LAW

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

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

any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

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

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

Pursuant to T.C.A. § 49-7-118, all campus police officers and their supervisors carry regulation firearms while on duty. These weapons may be used only when there is a serious, imminent, identifiable threat to life or a threat of great bodily harm. Other duly sworn law enforcement officers and agents of the state and federal governments are also permitted to follow their departmental guidelines and state laws regarding possession and use of weapons, as described in T.C.A.

UNIVERSITY POLICIES

At UTC, no person other than police department personnel, or permitted full-time university employees who have properly notified UTCPD, may carry or possess firearms on campus.

Students who violate this regulation may face disciplinary sanctions and criminal charges and have the potential to receive the maximum sentence by the courts of 6 years in prison and a \$3,000 fine.

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

Per the UTC Student Code of Conduct (Updated August 14, 2020), Section 4. Standards of Conduct, all students are prohibited from engaging in the following: "Possessing, using, storing, or manufacturing any weapon on University-controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police (or his or her designee) of the University Police Department or unless federal or state law affirmatively gives a student a right, irrespective of the Code, to possess or carry a weapon on University-controlled property or in connection with a University-affiliated activity.."

Weapons that are brought to campus by students for sporting purposes must be checked in and stored at the UTC PD. Students must contact the UTC PD prior to arriving on campus with the weapon.

The University of Tennessee system's policy on firearms can be found at: <https://policy.tennessee.edu/wp-content/uploads//policytech/system-wide/sa/SA0875-Firearms.pdf>.

CAMPUS CONCEALED CARRY

As of July 1, 2016, T.C.A. § 39-17-1309 allows generally all University of Tennessee full-time employees with a valid handgun permit to carry a concealed handgun on University of Tennessee property.

NOTICE OF INTENT TO CARRY A CONCEALED HANDGUN

Full-time employees who work in the Chattanooga area and intend to carry a concealed handgun on UT property in the Chattanooga area are required to appear at the UTC Police Department to notify police of their intent by completing registration paperwork in the presence of a sworn officer. The police department is located in the Administrative Services Building at 400 Palmetto Street, Chattanooga, TN 37403.

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

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

Registrants must bring their:

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

EXCEPTIONS

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

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

PROHIBITED LOCATIONS

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

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

VOLUNTARY TRAINING

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

For more information: *please contact the UTC Police Department: (423) 425-4357* or visit the following website that contains information for commonly asked questions about firearms <https://policy.tennessee.edu/sa0875-firearms-faq/>.

THE LAW & OTHER UNIVERSITY POLICIES

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.

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

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

STUDENTS OR EMPLOYEES WITH CRIMINAL RECORDS

Universities, like society as a whole, encompass a widely diverse global population. It is possible that some members of this population have committed past crimes of which the University may or may not be aware. There are a total of 1,789 non-student employees working on the campus.

Background investigations are conducted, as a matter of University policy, for all new faculty and staff hires and for all individuals associated with programs in which minor children are participants. Decisions for staff hires will reside with the

Director of Human Resources. Decisions for faculty hires will reside with the Provost. A decision not to hire based on results of any background checks, including any approved alternative background check, will not be made without approval of the Director of Human Resources or designee (staff hires) or the Provost or designee (faculty hires).

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

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

EEO/AA NON-DISCRIMINATION POLICY STATEMENTS

The full University of Tennessee Chattanooga, Non-Discrimination Statement EEO/AA statement reads as follows:

All qualified applicants will receive equal consideration for employment and admissions without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability or covered veteran status. Eligibility and other terms and conditions of employment benefits at the University of Tennessee Chattanooga are governed by laws and regulations of the state of Tennessee, and this non-discrimination statement is intended to be consistent with those laws and regulations.

In accordance with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, the University of Tennessee affirmatively states that it does not discriminate on the basis of race,

sex or disability in its education programs and activities, and this policy extends to employment by the University.

Inquiries and charges of violation of Title VI (race, color, national origin), Title VII (sex, race, color, national origin, and religion), Section 504 of the Rehabilitation Act (disability), ADA (disability), Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Director of the Office of Equity and Inclusion.

The Director of the Office of Equity and Inclusion is also the ADA Coordinator and is located at 201 Human Resources Center, Dept. 5455, 615 McCallie Ave, Chattanooga, Tennessee 37403-2598; telephone 423-425-5468 or loed@utc.edu.

Requests for accommodation of a disability should be directed to the Director of Disability Resource Center, Michelle Rigler, 423-425-4006 (V/TTY).

Questions about Title IX and complaints of violations should be directed to the University of Tennessee at Chattanooga Title IX Coordinator Stephanie Rowland, at 423-425-4255 or via email at stephanie-rowland@utc.edu.

If the student or employee does not wish to contact UTC's Title IX Coordinator, he or she may contact the Department of Education Office for Civil Rights at 61 Forsyth Street S.W., Suite 19T10, Atlanta, Georgia 30303-8927, telephone: 404-974-9406, Email: OCR.Atlanta@ed.gov.

This statement must be included in the following:

- Position announcements (which are not paid advertisements) sent to potential referral sources and other institutions of higher education to solicit applications or nominations.
- Catalogs, application forms, posters and other material used in conjunction with the referral and/or recruitment of students, faculty or staff.
- Publications which contain general information and are made available to alumni/ae, faculty, staff, students or other participants in or beneficiaries of University programs.

SHORT EEO

The University of Tennessee Chattanooga is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA institution in the provision of its education and employment programs and services. All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability or covered veteran status.

Inclusion of the short EEO/AA/Non-Discrimination Statement is required in, but not limited to, the following:

- Paid advertisements to solicit applications for faculty and staff positions of employment.
- Contracts for goods or services.
- Purchase orders.
- Brochures and newsletters.

Please note that in meeting the requirements of the federal regulations, it is permissible to use reduced-size print.

ONLINE EEO

The University of Tennessee at Chattanooga is an equal employment opportunity/affirmative action/Title VI/Title IX/Section 504/ADA/ADEA institution.

ABBREVIATED EEO

UTC is an EEO/AA/Titles VI and IX/Section 504/ADA/ADEA institution.

Required Statements

All publications that require publication numbers also require the EEO statement and the affiliation statement.

These statements can be small on the publication so as not to interfere with the design. A common placement is at the bottom or on the back of the publication.

- **When space permits, the statements should appear as follows:** The University of Tennessee at Chattanooga is a comprehensive, community-engaged campus of the University of Tennessee System. The University of Tennessee at Chattanooga is an equal employment opportunity/affirmative action/Title VI/Title IX/Section 504/ADA/ADEA institution.
- **When space is limited, you may use:** UTC is a comprehensive, community-engaged campus of the UT System. UTC is an EEO/AA/Titles VI and IX Section 504/ADA/ADEA institution.
- For details about the EEO statement and its meaning, visit the [Equal Employment Opportunity webpage](#).

SEXUAL HARASSMENT POLICY

The University of Tennessee at Chattanooga recognizes that harassment in the University on the basis of sex is a violation of Section 703 of Title VII.

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

In the case of such harassment, an employee or student has the right to pursue the EEO grievance procedure for redress. The Office of Equity and Inclusion should be contacted for this procedure. They can be reached at (423) 425-5468.

UT's policy on sexual harassment can be viewed at:

https://new.utc.edu/sites/default/files/2020-06/unlawful-discrimination-sexual-harassment_0.pdf.

POLICY ON SEXIST LANGUAGE

It is the policy at UTC to avoid the use of sexist words and terms in all official correspondence and publications. Every reasonable attempt should be made to comply with this policy and to assist in making UTC a model for real as well as perceived equal treatment in organizational communications. The following serves as a guideline for all written materials.

- Avoid sexist words and terms. Do not avoid them, however, at the expense of correct grammar. Almost all sexist language problems—especially "he or she" constructions—can be eliminated by careful writing or rewriting.
- When possible, use chair instead of chairman, chairwoman, chairperson, etc.
- The use of non-academic titles (Ms., Mr., Miss, etc.) should be avoided, if possible, and replaced with Professor or Dr. For a female, if such a title is necessary, use Ms. When marital status is known and the individual in question has expressed a preference, use the appropriate designation.

See the Office of Equity and Inclusion for additional information.

COMPLAINT PROCEDURES

The University of Tennessee, Chattanooga, welcomes and respects 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 Inclusion, 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.

Employees and students are encouraged to attempt to resolve a complaint through the administrative structure of the employment unit or academic department. The Director of Equity and Inclusion will provide assistance to the complainant, employment unit, and/or academic department in order to resolve the complaint. **Supervisors and other administrators who become aware of unlawful discrimination or harassment must take immediate and appropriate action to stop such practices or behaviors and prevent their recurrence.** It is the

responsibility of the administrator who receives a complaint or becomes aware of the existence of unlawful discrimination or harassment, to contact the Director of Equity and Inclusion to seek counsel regarding appropriate action.

Complaints received directly to the Director of Equity and Inclusion will be reported by the director to the appropriate administrator(s), who will attempt to resolve the matter working in conjunction with the Director of Equity and Inclusion Confidentiality will be maintained **to the extent possible**.

If the complaint is not resolved through the methods described above, the Director of Equity and Inclusion may use the following:

- Complaints should be submitted in writing to the Director of Equity and Inclusion. The complaint must include (1) the name of the complainant, (2) an explanation of the action or conduct complained of, and (3) the person or department responsible for the action. The complainant should include the resolution sought by the complainant. The head of the responding unit or academic department and the party against whom the complaint has been lodged (respondent) will be notified of the complaint.
- The Office of Equity and Inclusion will conduct an investigation, the nature and scope of which will be determined by the Director of Equity and Inclusion on a case-by-case basis. The investigation may include any or all of the following, as well as such other action as the Director of Equity and Inclusion deems appropriate: interviewing the complainant, interviewing the respondent, interviewing witnesses, submitting questions to or taking statements from parties or witnesses, reviewing documents, and/or setting up an investigative committee.
- If an investigative committee is deemed appropriate, the relevant chancellor/vice chancellor/vice president or the president (in the event that the complaint is made against a chancellor/vice chancellor/vice president) will be asked by the Director of Equity and Inclusion to appoint the members of such a committee. The Director of Equity and Inclusion may assist the appropriate administrator in appointing committee members.
- The investigative committee, or the Director of Equity and Inclusion if there is no investigative committee, will make findings of fact and will determine whether sufficient evidence exists to support a charge of discrimination. Those findings, together with a statement outlining the basis for them, will

be transmitted by the Director of Equity and Inclusion to the appropriate administrator. A copy will also be available to the complainant.

- The appropriate vice chancellor or the chancellor will review the findings, make a determination, and notify the complainant in writing. Within 15 workdays after receipt of that decision, complainants who are in staff nonexempt positions may pursue a grievance under UTC Personnel Policy and Procedure, contained in the UTC Policy and Procedures Manual, if they are not satisfied with the determination.
- If the complainant is not satisfied with the determination and is not eligible to or has not elected to file a grievance, the complainant may appeal in writing within 15 workdays after receipt of the decision to the next higher administrative level. The decision on the appeal will be provided in writing to the complainant. Decisions by the chancellor/vice chancellor/vice president may be appealed to the president.

Individuals who wish to file a Title VI complaint with the Tennessee Human Rights Commission (THRC) have up to 180 days from the date of the discriminatory act. Individuals who wish to file a complaint about employment discrimination may do so with the U.S. Equal Employment Opportunity Commission within 300 days from the date of the discriminatory act.

PROGRAMS FOR MINORS POLICY AND CHILD ABUSE REPORTING

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

UNIVERSITY SECURITY POLICY

To comply with state and federal laws, UTCPD collects and maintains statistics concerning crime on campus and in areas of the University community,

including a public crime log accessible during business hours or online at: <https://www.utc.edu/police/clery/daily-crime-logs.php>. UTCPD also sends monthly reports on campus crime to the Tennessee Bureau of Investigation (TBI) via the *Tennessee-Incident Based Reporting System (TIBRS)*. These statistics are then reported by TBI to the Federal Bureau of Investigation.

To comply with the Clery Act, UTCPD also sends reports regarding crime on and around campus to the United States Department of Education. Each October, UTCPD publishes the Annual Security and Fire Safety Report which contains statistics for the past three years not including the year of production. A free copy of this report may be obtained from UTCPD, 400 Palmetto Street, Dept. 3954, Chattanooga, TN 37403-2598. For more current statistics and helpful links for research, please refer to <http://www.utc.edu/police> .

ANNUAL DISCLOSURE OF CRIME STATISTICS

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

The Annual Security & Fire Safety Report contains crime statistics compiled from the 2019 calendar year and a reprint of the crime statistics from the two previous calendar years. UTCPD collects statistics of campus crime, arrests and referrals including those reported to student conduct, the Title IX Coordinator, Campus Security Authorities, and from the appropriate law enforcement agencies for non-campus properties as well as public property within or immediately adjacent to UTC's campus. UTCPD submits the annual crime statistics published in this report to the Department of Education.

The statistics reflect reports of specified crimes that occur on and adjacent to, a university campus and certain properties associated with the campus. This statistical compilation must be broken down by specified types of crimes and campus disciplinary referrals, and must indicate if a specified crime is a hate crime.

Campuses must also provide a geographic breakdown of the crime statistics reported according to defined geographic areas.

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

DEFINITIONS

DEFINITIONS OF TERMS USED IN THIS REPORT

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

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

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

Clery Act: The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

Clery Geography: Property for which the Institute is required to report crime statistics pursuant to the Clery Act (i.e., On-Campus buildings or property, Non-Campus buildings or property, and Public Property). **[See UTC Clery Geography & Patrol Jurisdiction Map]**

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

- i. An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- ii. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. For the purpose of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed by: (1) a current or former spouse of the victim; (2) a person with whom the victim shares a child in common; (3) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

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

Disciplinary Referral(s): Those individuals referred to the Office of Student Conduct for liquor law, drug law, and illegal weapons violations.

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

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

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

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

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

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

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

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

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

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

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

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

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit

any of the aforementioned activities (Public Intoxication and driving under the influence are not included in this definition).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

University, Institute or UTC: The University of Tennessee at Chattanooga.

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

DEFINITIONS OF TERMS FOR LOCAL JURISDICTION

For the community's education and awareness, the terms stalking, sexual assault, domestic violence and dating violence are defined by the University's local jurisdiction. The local jurisdiction uses the Tennessee Code Annotated (TCA) to define criminal offenses. These definitions may differ from those within the Clery Act and are not used for the purposes of reporting Clery Act statistics.

TCA Code § 39-17-315 defines **Stalking** as a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened,

harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Under TCA, "Course of Conduct" means a pattern of conduct composed of a series of two (2) or more separate, noncontinuous acts evidencing a continuity of purpose, including, but not limited to, acts in which the defendant directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to a person, or interferes with a person's property;

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

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

"Unconsented contact" means any contact with another person that is initiated or continued without that person's consent, or in disregard of that person's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:

- (A) Following or appearing within the sight of that person;
- (B) Approaching or confronting that person in a public place or on private property;
- (C) Appearing at that person's workplace or residence;
- (D) Entering onto or remaining on property owned, leased, or occupied by that person;
- (E) Contacting that person by telephone;
- (F) Sending to that person mail or any electronic communications, including, but not limited to, electronic mail, text messages, or any other type of electronic message sent using the Internet, web sites, or a social media platform; or
- (G) Placing an object on, or delivering an object to, property owned, leased, or occupied by that person; and

“Victim” means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

TCA does not define **Sexual Assault** specifically but categorizes a number of crimes under *Sexual Offenses* including:

- TCA § 39-13-503 *Rape* is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:
 - (1) Force or coercion is used to accomplish the act; (2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent; (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual penetration is accomplished by fraud.
- TCA § 39-13-505 *Sexual battery* is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:
 - (1) Force or coercion is used to accomplish the act; (2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent; (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual contact is accomplished by fraud.
- TCA § 39-15-302 A person commits *Incest* who engages in sexual penetration as defined in TCA § 39-13-501, with a person, knowing the person to be, without regard to legitimacy: (1) The person's natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child; or (2) The person's brother or sister of the whole or half-blood or by adoption.
- TCA § 39-13-506 *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 but less than fifteen years of age and the defendant is at least four years but less than ten years older than the victim; or
 - (2) The victim is at least fifteen but less than eighteen years of age and the defendant is more than five but less than ten years older than the victim.

Several other offenses are included under TCA Sexual Offenses. For a list of offenses and their definitions, see TCA codes § 39-13-501 through 39-13-511.

TCA does not define **Domestic Violence** specifically as there is no criminal offense code for Domestic Violence. However, TCA § 39-13-111 defines *Domestic Assault* and a domestic abuse victim as the following:

Any person who falls within the following categories:

(1) Adults or minors who are current or former spouses; (2) Adults or minors who live together or who have lived together; (3) Adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two individuals in a business or social context; (4) Adults or minors related by blood or adoption; (5) Adults or minors who are related or were formerly related by marriage; or (6) Adult or minor children of a person in a relationship that is described in subdivisions (1)-(5). For purposes of this definition, TCA § 39-13-101 defines “assault” as (a) A person commits assault who: (1) Intentionally, knowingly or recklessly causes bodily injury to another; (2) Intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) Intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.

Per TCA § 36-3-601, “Abuse” means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor; (2) “Adult” means any person eighteen (18) years of age or older, or who is otherwise emancipated;

TCA does not define **Dating Violence**. Anyone in a dating relationship would fall within TCA § 39-13-111 for Domestic Assault (see above).

In Tennessee, **Consent** with respect to most criminal offenses relating to sexual activity, sexual activity is criminal if: (1) the activity was accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the activity that the victim did not consent; (2) force or coercion is used to accomplish the activity; (3) the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless; or (4) the sexual activity is accomplished by fraud. “Consent” is not explicitly defined in

Tennessee statutory law, for purposes of criminal offenses relating to sexual activity. "Coercion" means a threat of kidnapping, extortion, force, or violence to be performed immediately or in the future. (TCA § 39-13-501(1)) "Mentally defective" means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of the person's conduct. (TCA § 39-13-501(3)) "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling the person's conduct due to the influence of a narcotic, anesthetic or other substance administered to that person without the person's consent, or due to any other act committed upon that person without the person's consent. (TCA § 39-13-501(4)) "Physically helpless" means that a person is unconscious, asleep or for any other reason physically or verbally unable to communicate unwillingness to do an act. (TCA § 39-13-501(5)) With respect to criminal offenses relating to sexual activity with a person under the age of eighteen (18) years of age, consent is irrelevant because Tennessee law deems a minor as incapable of consenting to sexual activity. However, Tennessee law provides a close-in-age exception to that general rule that allows minors who are at least the age of thirteen (13) and less than the age of eighteen (18) to give consent to sexual acts with another person who is less than four (4) years older than the minor.

University's Definition of Consent:

Consent means an active agreement to participate in a sexual act.

An active agreement is words and/or conduct that communicate a person's willingness to participate in a sexual act.

Examples of sexual act(s) include, without limitation:

- vaginal intercourse;
- anal intercourse;
- oral sex;
- any other intrusion, however slight, of a person's finger or any object into any other person's genitals or anus;
- the intentional touching of a person's intimate parts (genital area, groin, inner thigh, buttock or breast),
- the intentional touching of the clothing covering the immediate area of a person's intimate parts, or

- the intentional touching of any other person with a person's own intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual gratification.

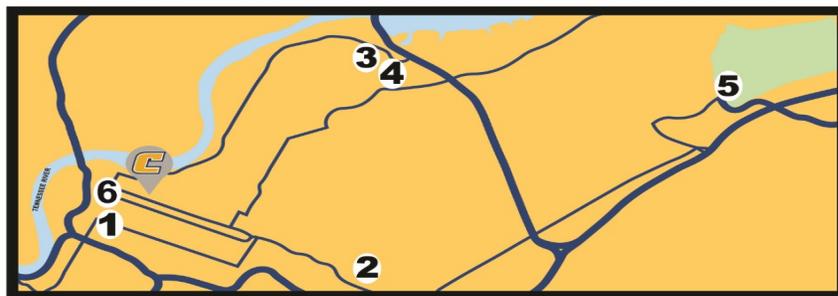
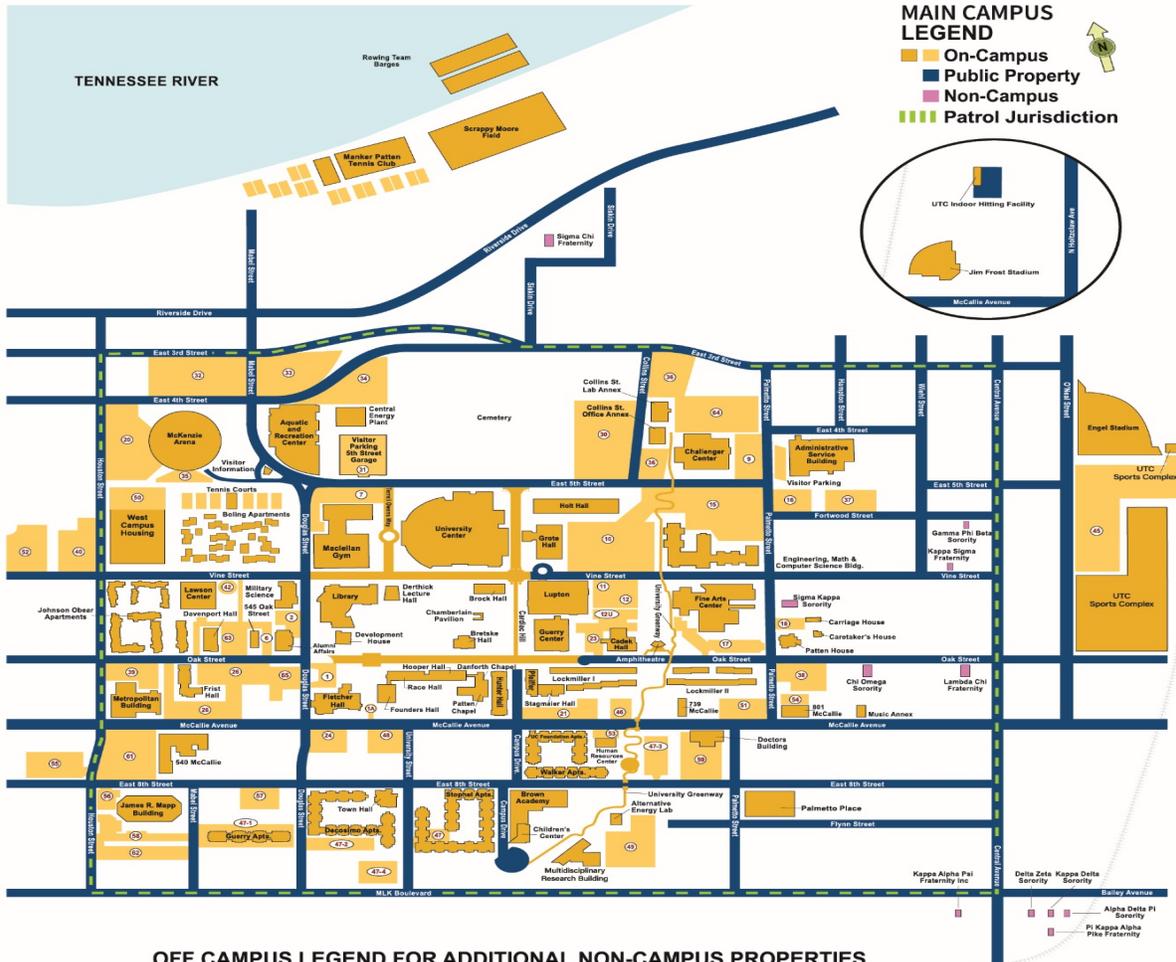
Consent can be revoked at any time.

Valid Consent cannot be given if:

- A person is Incapacitated and a Reasonable Person in the same situation as the Respondent would have known that the person is Incapacitated;
- A person is Forced; or
- The sexual penetration of a person by the Respondent would constitute mitigated statutory rape, statutory rape, or aggravated statutory rape under state law, based on the ages of the Respondent and the other person.

Appendix B of the University's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking explains how the University determines whether Consent was obtained.

UTC CLERY GEOGRAPHY & PATROL JURISDICTION



- 1 Battle Academy**
1601 South Market Street
- 2 Clarence T. Jones Observatory**
10 N. Tuxedo Avenue
- 3 Advance Vehicle Test Facility**
4605 Amincola Highway
- 4 TVA Test Track**
4800 Amincola Highway
- 5 Enterprise South Visitor Center and Nature Park**
190 Still Hollow Loop
697 Still Hollow Loop (Gate 1A)
698 Still Hollow Loop (Gate 1)
- 6 The Chattanooga Hotel**
1201 Broad Street



CRIME STATISTICS FOR 2017 - 2019

Type of Offense	Year	On-Campus	Non-Campus	Public Property	TOTAL	On-Campus Residential Facility
Murder and Non-Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2017	19	0	0	19	8
	2018	19	0	2	21	13
	2019	9	0	0	9	8
Incest	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Fondling	2017	1	0	0	1	0
	2018	3	0	0	3	3
	2019	6	0	0	6	5
Robbery	2017	1	0	3	4	0
	2018	0	0	3	3	0
	2019	1	0	0	1	0
Aggravated Assault	2017	5	0	1	6	3
	2018	6	1	3	10	5
	2019	3	0	6	9	1
Burglary	2017	6	2	0	8	3
	2018	17	1	0	18	8
	2019	13	4	0	17	6
Arson	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Motor Vehicle Theft	2017	8	0	7	15	0
	2018	9	0	9	18	0
	2019	2	1	4	7	0

*Statistics for On-campus Residential Facilities are also counted under the On-Campus category.

VAWA OFFENSES: DOMESTIC VIOLENCE, DATING VIOLENCE & STALKING

Type of Offense	Year	On Campus	Non-Campus	Public Property	TOTAL	On-Campus Residential Facility
Stalking	2017	17	0	0	17	2
	2018	22	0	0	22	2
	2019	30	0	0	30	12
Domestic Violence	2017	2	0	1	3	1
	2018	7	0	0	7	5
	2019	10	1	2	13	10
Dating Violence	2017	3	0	0	3	2
	2018	8	0	1	9	1
	2019	3	0	0	3	2

NOTE: Roommates are included for our jurisdiction's family protection laws and their relationship is included for domestic violence incidents.

ARRESTS FOR ALCOHOL, DRUG & WEAPONS LAW VIOLATIONS

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

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

NOTE: The statistics listed below includes citations issued in lieu of arrest.

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

Type of Offense	Year	On Campus	Non-Campus	Public Property	TOTAL	Residential Facility
Liquor Law Violations	2017	17	0	14	31	12
	2018	4	0	2	6	2
	2019	0	0	1	1	0
Drug Law Violations	2017	21	0	28	49	15
	2018	12	0	24	36	10
	2019	8	1	14	23	3
Weapons Law Violations	2017	0	0	1	1	0
	2018	1	0	2	3	0
	2019	0	0	3	3	0

DISCIPLINARY REFERRALS FOR ALCOHOL, DRUG & WEAPON VIOLATIONS

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

Type of Offense	Year	On Campus	Non-Campus	Public Property	TOTAL	Residential Facility
Liquor Law Violations	2017	304	0	14	318	301
	2018	224	0	3	227	220
	2019	410	6	7	423	391
Drug Law Violations	2017	129	0	2	131	129
	2018	132	0	5	137	118
	2019	148	0	21	169	126
Weapons Law Violations	2017	1	0	0	1	1
	2018	0	0	0	0	0
	2019	1	0	0	1	1

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

HATE CRIMES

There were no reports of hate crimes in 2017 or 2019. There was 1 Hate Crime reported in 2018* [Vandalism-Race Basis]

***NOTE:** Update to incident on 2/7/18 which was classified as an act of vandalism. This incident was later identified as reportable for Clery statistics and added to this report as a Hate Crime.

UNFOUNDED CRIMES

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

Year	On Campus	Residential Facility	Non-Campus	Public Property	TOTAL
2017	1-Motor Vehicle Theft 1-Aggravated Assault	0	1-Rape	0	3
2018	0	0	0	0	0
2019	3-Motor Vehicle Theft 1-Burglary	1-Burglary 2-Domestic Violence	0	1-Rape 1-Domestic Violence	9

The 2017 rape offense was reported as unfounded by Chattanooga Police Department in their response to UTCPD’s request for annual crime statistics from local law enforcement. The other crimes reported in 2017 were investigated by UTCPD and found to be false or baseless: (1) Motor Vehicle Theft report was a misremembering of where the individual parked (parked at an off campus location and the vehicle was towed from that location); and (1) Aggravated Assault report was determined to not have occurred.

The crimes reported in 2019 were investigated by UTCPD and found to be false or baseless: (1) Motor Vehicle Theft-Investigation determined the vehicle was misplaced by owner (parked in another lot); (2) Motor Vehicle Theft-Investigation determined the vehicle was misplaced by owner (left at an off campus location); (3) Motor Vehicle Theft-Investigation determined the vehicle was misplaced by owner (vehicle left at friend’s home). (1) Burglary-On Campus-Investigation determined that no theft was attempted or occurred; (1) Burglary-On Campus-Residential Facility-Investigation determined that the items were misplaced by owner; burglary did not occur and was not attempted; (1) Rape-Public Property-Victim stated that she did not say she was raped, told hospital staff that she felt pain in her anal area and did not know how it happened; (1) Domestic Violence-Public Property-Involved parties stated that they had a verbal argument and no physical altercation occurred as reported; (1) Domestic Violence-On Campus-Residential Facility-Victim, suspect and witness denied reported allegations (no assault attempted or occurred); (1) Domestic Violence-On Campus-Residential Facility-Victim and suspect denied reported allegations (no assault attempted or occurred).

UTC CRIME STATISTICS FOR TENNESSEE REPORTING PURPOSES

TBI: CRIME ON CAMPUS REPORTS

We believe an informed public is a safety conscious public. The “*Crime on Campus*” reporting program is operated pursuant to the requirements of the “College and University Security Information Act”, (T.C.A. §49-7-2201 *et seq.*). The Act requires each institution of higher education to report to the Tennessee Bureau of Investigation (TBI) data relating to crimes occurring on the campus and in student housing. All crimes that occur on campus are reported by UTCPD on a monthly basis to TBI for publication in the annual *Crime in Tennessee* and *Crime on Campus Reports* <https://www.tn.gov/content/tn/tbi/divisions/cjis-division/recent-publications.html>. The *Crime on Campus Report* is compiled using data from the Tennessee Incident Based Reporting System (TIBRS). The TIBRS offense classifications are based on FBI definitions, which are used as the national standard for statistical crime reporting.

Below are statistics submitted by UTCPD to TBI for the most recent three-year period (2016-2018). To view a full copy of crime statistics published by TBI, including statistics from each institution in Tennessee, go to: <https://crimeinsight.tbi.tn.gov/>

CRIME ON CAMPUS 2017

University of Tennessee at Chattanooga - 2017

GROUP A OFFENSES	Offense	Rate per 1,000	Cleared	% Cleared
Homicide Offenses (Total)	0	0.0	0	0.0
Murder	0	0.0	0	0.0
Negligent Manslaughter	0	0.0	0	0.0
Negligent Vehicular Manslaughter	0	0.0	0	0.0
Kidnapping/Abduction	0	0.0	0	0.0
Sex Offenses (Forcible) (Total)	4	0.0	0	0.0
Forcible Rape	2	0.0	0	0.0
Forcible Sodomy	0	0.0	0	0.0
Sexual Assault W/Object	0	0.0	0	0.0
Forcible Fondling	2	0.0	0	0.0
Robbery	1	0.0	0	0.0
Assault Offenses (Total)	24	0.0	5	20.8
Aggravated Assault	4	0.0	2	50.0
Simple Assault	6	0.0	3	50.0
Intimidation	7	0.0	0	0.0
Stalking	7	0.0	0	0.0
Arson	0	0.0	0	0.0
Extortion/Blackmail	0	0.0	0	0.0
Burglary	11	0.0	2	18.2
Larceny/Theft Offenses (Total)	83	0.0	5	6.0
Theft - Pocket-picking	2	0.0	0	0.0
Theft - Purse Snatching	0	0.0	0	0.0
Theft - Shoplifting	0	0.0	0	0.0
Theft From Building	22	0.0	1	4.5
Theft From Coin Machine	0	0.0	0	0.0
Theft From Motor Vehicle	13	0.0	0	0.0
Theft of Motor Vehicle Parts	8	0.0	0	0.0
Theft - All Other Larceny	38	0.0	4	10.5
Motor Vehicle Theft	5	0.0	0	0.0
Counterfeiting/Forgery	1	0.0	0	0.0
Fraud Offenses (Total)	11	0.0	1	9.1
Fraud - Computer Hacking/Invasion	0	0.0	0	0.0
Fraud - Credit Card/ATM	7	0.0	0	0.0
Fraud - False Pretenses	2	0.0	0	0.0
Fraud - Identity Theft	0	0.0	0	0.0
Fraud - Impersonation	2	0.0	1	50.0
Fraud - Welfare	0	0.0	0	0.0
Fraud - Wire	0	0.0	0	0.0
Embezzlement	0	0.0	0	0.0
Stolen Property Offenses	3	0.0	1	33.3
Destruction/Damage/Vandalism	35	0.0	4	11.4
Drug/Narcotic Violations (Total)	155	0.0	150	96.8
Drug/Narcotic Violations	79	0.0	76	96.2
Drug/Narcotic Equipment Violations	76	0.0	74	97.4

GROUP A OFFENSES	Offense	Rate per 1,000	Cleared	% Cleared
Sex Offenses (Nonforcible) (Total)	0	0.0	0	0.0
Incest	0	0.0	0	0.0
Statutory Rape	0	0.0	0	0.0
Pornography/Obscene Material	0	0.0	0	0.0
Gambling Offenses (Total)	0	0.0	0	0.0
Gambling - Betting/Wagering	0	0.0	0	0.0
Gambling - Operating/Promoting	0	0.0	0	0.0
Gambling - Equipment Violations	0	0.0	0	0.0
Gambling - Sports Tampering	0	0.0	0	0.0
Prostitution Offenses (Total)	0	0.0	0	0.0
Prostitution	0	0.0	0	0.0
Prostitution Assisting/Promoting	0	0.0	0	0.0
Purchasing Prostitution	0	0.0	0	0.0
Human Trafficking Offenses (Total)	0	0.0	0	0.0
Commercial Sex Acts	0	0.0	0	0.0
Involuntary Servitude	0	0.0	0	0.0
Bribery	0	0.0	0	0.0
Weapon Law Violations	0	0.0	0	0.0
Animal Cruelty	0	0.0	0	0.0

GROUP B OFFENSES	Offenses	Rate per 1,000
Bad Checks	0	0.0
Curfew/Vagrancy	0	0.0
Disorderly Conduct	8	0.0
DUI	9	0.0
Drunkenness	24	0.0
Family-Non Violent	0	0.0
Liquor Law Violations	149	0.0
Peeping Tom	0	0.0
Trespass	10	0.0
All Other Offenses	35	0.0

2017 Fall Term Campus Population	
Undergraduate Enrollment	9,300
Graduate Enrollment	1,010
Staff Personnel	1,191
Faculty Personnel	696
Security Personnel	70
Total Campus Population	12,267



Crime on Campus 2017

CRIME ON CAMPUS 2018

University of Tennessee at Chattanooga - 2018

GROUP A OFFENSES	Offense	Rate per 1,000	Cleared	% Cleared
Homicide Offenses (Total)	0	0.0	0	0.0
Murder	0	0.0	0	0.0
Negligent Manslaughter	0	0.0	0	0.0
Negligent Vehicular Manslaughter	0	0.0	0	0.0
Kidnapping/Abduction	0	0.0	0	0.0
Sex Offenses (Forcible) (Total)	4	0.3	0	0.0
Forcible Rape	3	0.2	0	0.0
Forcible Sodomy	0	0.0	0	0.0
Sexual Assault W/Object	0	0.0	0	0.0
Forcible Fondling	1	0.1	0	0.0
Robbery	0	0.0	0	0.0
Assault Offenses (Total)	26	2.0	9	34.6
Aggravated Assault	5	0.4	5	100.0
Simple Assault	9	0.7	4	44.4
Intimidation	4	0.3	0	0.0
Stalking	8	0.6	0	0.0
Arson	0	0.0	0	0.0
Extortion/Blackmail	1	0.1	0	0.0
Burglary	28	2.1	2	7.1
Larceny/Theft Offenses (Total)	84	6.4	4	4.8
Theft - Pocket-picking	0	0.0	0	0.0
Theft - Purse Snatching	0	0.0	0	0.0
Theft - Shoplifting	0	0.0	0	0.0
Theft From Building	16	1.2	0	0.0
Theft From Coin Machine	9	0.7	1	11.1
Theft From Motor Vehicle	17	1.3	0	0.0
Theft of Motor Vehicle Parts	2	0.2	0	0.0
Theft - All Other Larceny	40	3.0	3	7.5
Motor Vehicle Theft	9	0.7	0	0.0
Counterfeiting/Forgery	0	0.0	0	0.0
Fraud Offenses (Total)	5	0.4	1	20.0
Fraud - Computer Hacking/Invasion	0	0.0	0	0.0
Fraud - Credit Card/ATM	1	0.1	0	0.0
Fraud - False Pretenses	2	0.2	0	0.0
Fraud - Identity Theft	0	0.0	0	0.0
Fraud - Impersonation	2	0.2	1	50.0
Fraud - Welfare	0	0.0	0	0.0
Fraud - Wire	0	0.0	0	0.0
Embezzlement	0	0.0	0	0.0
Stolen Property Offenses	0	0.0	0	0.0
Destruction/Damage/Vandalism	39	2.9	4	10.3
Drug/Narcotic Violations (Total)	105	7.9	105	100.0
Drug/Narcotic Violations	56	4.2	56	100.0
Drug/Narcotic Equipment Violations	49	3.7	49	100.0

GROUP A OFFENSES	Offense	Rate per 1,000	Cleared	% Cleared
Sex Offenses (Nonforcible) (Total)	0	0.0	0	0.0
Incest	0	0.0	0	0.0
Statutory Rape	0	0.0	0	0.0
Pornography/Obscene Material	0	0.0	0	0.0
Gambling Offenses (Total)	0	0.0	0	0.0
Gambling - Betting/Wagering	0	0.0	0	0.0
Gambling - Operating/Promoting	0	0.0	0	0.0
Gambling - Equipment Violations	0	0.0	0	0.0
Gambling - Sports Tampering	0	0.0	0	0.0
Prostitution Offenses (Total)	0	0.0	0	0.0
Prostitution	0	0.0	0	0.0
Prostitution Assisting/Promoting	0	0.0	0	0.0
Purchasing Prostitution	0	0.0	0	0.0
Human Trafficking Offenses (Total)	0	0.0	0	0.0
Commercial Sex Acts	0	0.0	0	0.0
Involuntary Servitude	0	0.0	0	0.0
Bribery	0	0.0	0	0.0
Weapon Law Violations	2	0.2	2	100.0
Animal Cruelty	0	0.0	0	0.0

GROUP B OFFENSES	Offenses	Rate per 1,000
Bad Checks	0	0.0
Curfew/Vagrancy	0	0.0
Disorderly Conduct	0	0.0
DUI	3	0.2
Drunkenness	17	1.3
Family-Non Violent	0	0.0
Liquor Law Violations	44	3.3
Peeping Tom	0	0.0
Trespass	3	0.2
All Other Offenses	14	1.1

2018 Fall Term Campus Population	
Undergraduate Enrollment	9,859
Graduate Enrollment	822
Staff Personnel	1,795
Faculty Personnel	674
Security Personnel	71
Total Campus Population	13,221



Crime on Campus 2018

CRIME ON CAMPUS 2019

University of Tennessee at Chattanooga - 2019

GROUP A OFFENSES	Offense	Rate per 1,000	Cleared	% Cleared
Homicide Offenses (Total)	0	0.0	0	0.0
Murder	0	0.0	0	0.0
Negligent Manslaughter	0	0.0	0	0.0
Negligent Vehicular Manslaughter	0	0.0	0	0.0
Kidnapping/Abduction	1	0.1	0	0.0
Sex Offenses (Forcible) (Total)	3	0.2	1	33.3
Forcible Rape	2	0.2	1	50.0
Forcible Sodomy	0	0.0	0	0.0
Sexual Assault W/Object	0	0.0	0	0.0
Forcible Fondling	1	0.1	0	0.0
Robbery	1	0.1	1	100.0
Assault Offenses (Total)	37	2.9	12	32.4
Aggravated Assault	8	0.6	2	25.0
Simple Assault	12	0.9	9	75.0
Intimidation	8	0.6	0	0.0
Stalking	9	0.7	1	11.1
Arson	0	0.0	0	0.0
Extortion/Blackmail	2	0.2	0	0.0
Burglary	19	1.5	1	5.3
Larceny/Theft Offenses (Total)	118	9.1	5	4.2
Theft - Pocket-picking	0	0.0	0	0.0
Theft - Purse Snatching	0	0.0	0	0.0
Theft - Shoplifting	1	0.1	0	0.0
Theft From Building	21	1.6	0	0.0
Theft From Coin Machine	0	0.0	0	0.0
Theft From Motor Vehicle	63	4.9	2	3.2
Theft of Motor Vehicle Parts	4	0.3	0	0.0
Theft - All Other Larceny	29	2.2	3	10.3
Motor Vehicle Theft	4	0.3	1	25.0
Counterfeiting/Forgery	11	0.8	5	45.5
Fraud Offenses (Total)	16	1.2	6	37.5
Fraud - Computer Hacking/Invasion	0	0.0	0	0.0
Fraud - Credit Card/ATM	3	0.2	1	33.3
Fraud - False Pretenses	7	0.5	2	28.6
Fraud - Identity Theft	0	0.0	0	0.0
Fraud - Impersonation	6	0.5	3	50.0
Fraud - Welfare	0	0.0	0	0.0
Fraud - Wire	0	0.0	0	0.0
Embezzlement	0	0.0	0	0.0
Stolen Property Offenses	0	0.0	0	0.0
Destruction/Damage/Vandalism	26	2.0	5	19.2
Drug/Narcotic Violations (Total)	169	13.1	139	82.2
Drug/Narcotic Violations	91	7.0	75	82.4
Drug/Narcotic Equipment Violations	78	6.0	64	82.1

GROUP A OFFENSES	Offense	Rate per 1,000	Cleared	% Cleared
Sex Offenses (Non forcible) (Total)	0	0.0	0	0.0
Incest	0	0.0	0	0.0
Statutory Rape	0	0.0	0	0.0
Pornography/Obscene Material	0	0.0	0	0.0
Gambling Offenses (Total)	0	0.0	0	0.0
Gambling - Betting/Wagering	0	0.0	0	0.0
Gambling - Operating/Promoting	0	0.0	0	0.0
Gambling - Equipment Violations	0	0.0	0	0.0
Gambling - Sports Tampering	0	0.0	0	0.0
Prostitution Offenses (Total)	0	0.0	0	0.0
Prostitution	0	0.0	0	0.0
Prostitution Assisting/Promoting	0	0.0	0	0.0
Purchasing Prostitution	0	0.0	0	0.0
Human Trafficking Offenses (Total)	0	0.0	0	0.0
Commercial Sex Acts	0	0.0	0	0.0
Involuntary Servitude	0	0.0	0	0.0
Bribery	1	0.1	1	100.0
Weapon Law Violations	4	0.3	4	100.0
Animal Cruelty	0	0.0	0	0.0

GROUP B OFFENSES	Offenses	Rate per 1,000
Bad Checks	0	0.0
Curfew/Vagrancy	0	0.0
Disorderly Conduct	6	0.5
DUI	3	0.2
Drunkenness	17	1.3
Family-Non Violent	0	0.0
Liquor Law Violations	60	4.6
Peeping Tom	0	0.0
Trespass	13	1.0
All Other Offenses	12	0.9

2019 Fall Term Campus Population	
Undergraduate Enrollment	9,939
Graduate Enrollment	1,136
Staff Personnel	1,102
Faculty Personnel	692
Security Personnel	75
Total Campus Population	12,944



Crime on Campus 2019

ANNUAL FIRE SAFETY REPORT

As required under the Clery Act, an institution with on-campus student housing facilities is required to:

- Maintain a log of all reported fires that occur in those on-campus student housing facilities,
- Publish an annual fire safety report that contains fire safety policies and fire statistics for those facilities, and
- Submit fire statistics from the fire safety report annually to the Department of Education.

The Clery Act defines an on-campus student housing facility as housing built by institutionally-related foundations or third parties, such as developers.

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

FIRE LOG AND REPORTING NON-EMERGENCY FIRES

Emergency Services maintains a log of all reported crimes for the past 60 days, which is available for public inspection. In addition to crimes, the log also contains all actual fires reported or discovered within University-owned residence halls for the past 60 days.

UTCPD's Daily Crime & Fire Log is available for inspection, in person, during normal business hours at the UTCPD or 24 hours a day online at <https://www.utc.edu/police/clery/daily-crime-logs.php>. Log entries older than 60 days will be made available, upon request, within two business days, free of charge, during normal business hours. If you would like to see records beyond 60-days you must contact the Manager of Clery Compliance at 423-425-5961 or clery@utc.edu.

For purposes of including a fire in the statistics of the Annual Fire Safety Report, students and employees should report that a fire occurred to the Housing and Residential Life at (423) 425-4304, UTCPD at (423) 425-4357, or Safety and Risk Management at (423) 425-5209. These are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing facilities. These are fires for which you are unsure whether UTCPD, Housing and Residential Life, or Safety and Risk Management may already be

aware of. If you find evidence of such a fire or if you hear about such a fire, please contact one of those departments. When calling, please include as much information as possible about the location, date, time, and cause of the fire.

FIRE STATISTICS

The **2017** fire statistics are as follows:

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

The **2018** fire statistics are as follows:

Residential Facility	Facility Address	# of Fires	Cause of Fire	# of Injuries	# of Deaths	Property Damage
Stagmaier Hall	705 McCallie Ave.	0	None	None	None	None
Lockmiller I Apts.	720 Oak St.	0	None	None	None	None
Lockmiller II Apts.	742 Oak St.	0	None	None	None	None
Boiling Apts.	541 Vine St.	1	Unintentional -Pizza box in the oven	None	None	\$0-99
Johnson Obear Apts.	501 Oak St.	0	None	None	None	None
Guerry Apts.	805 Douglas St.	0	None	None	None	None
Decosimo Apts.	815 University St.	0	None	None	None	None
Stophel Apts.	818 University St.	0	None	None	None	None
Walker Apts.	801 E. 8 th St.	1	Unintentional -Cooking	None	None	\$0-99
UC Foundation Apts.	718 McCallie Ave.	0	None	None	None	None
West Campus Housing	515 Vine St.	0	None	None	None	None

The **2019** fire statistics are as follows:

Residential Facility	Facility Address	# of Fires	Cause of Fire	# of Injuries	# of Deaths	Property Damage
Stagmaier Hall	705 McCallie Ave.	0	None	None	None	None
Lockmiller I Apts.	720 Oak St.	0	None	None	None	None
Lockmiller II Apts.	742 Oak St.	0	None	None	None	None
Boiling Apts.	541 Vine St.	0	None	None	None	None
Johnson Obear Apts.	501 Oak St.	0	None	None	None	None
Guerry Apts.	805 Douglas St.	0	None	None	None	None
Decosimo Apts.	815 University St.	1	Unintentional -Electrical	None	None	\$0-99
Stophel Apts.	818 University St.	2	1 Unintentional-Cooking	None	None	\$0-99
			1 Unintentional-Cooking	None	None	\$0-99
Walker Apts.	801 E. 8 th St.	0	None	None	None	None
UC Foundation Apts.	718 McCallie Ave.	0	None	None	None	None
West Campus Housing	515 Vine St.	1	Unintentional -Pizza box in the oven	None	None	\$0-99

Value Ranges for Estimated Property Damage Due to Fire	
0 – 99	50,000 – 99,999
100 – 999	100,000 – 249,999
1,000 – 9,999	250,000 – 499,999
10,000 – 24,999	500,000 – 999,999
25,000 – 49,999	>1,000,000

FIRE SAFETY SYSTEMS

All UTC housing facility fire alarm systems report to the UTCPD where they are monitored 24 hours a day, 365 days a year.

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

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

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

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

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

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

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

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

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

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

West Campus Housing -515 Vine Street - Interior entrance to all apartments, smoke detectors, duct detectors, horn strobes, sprinkler systems, and pull stations. **NOTE:** This facility opened in the Fall of 2018.

FALSE REPORTS AND INTERFERENCE WITH FIRE SAFETY SYSTEMS

Per the UTC Student Code of Conduct (Updated August 14, 2020), all students are prohibited from engaging in the following: Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment.

Students who are found to be in violation of this Standard of Conduct will be subject to discipline in accordance with the procedures outlined in the Student Code of Conduct.

Additionally, any person who willfully causes a false fire alarm, in a residential housing facility, and is convicted will be fined no less than \$10 and no more than \$500 and is subject to imprisonment for a period of no more than six months, or both.

FIRE SAFETY EDUCATION & TRAINING PROGRAMS

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

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

FIRE DRILLS

Fire drills are conducted at all of the housing facilities. Two fire drills are conducted in both the spring and fall semesters, for a total of four fire drills per year at each housing facility.

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

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

EVACUATION PROCEDURES & GUIDELINES

UTC buildings are equipped with fire evacuation alarm systems that include smoke and heat detectors, sprinkler water flow alarms, horn strobes, and wall-mounted pull stations.

If an occupant hears a fire alarm horn sounding or sees a fire alarm strobe flashing, they should evacuate the building immediately. Buildings are equipped with emergency egress lighting and exit signs to direct occupants to get out of the building.

Many buildings have areas of refuge for occupants who, for whatever reason, cannot evacuate the building on their own. The areas of refuge have call boxes that connect directly to the UTCPD Communications Center, which is staffed 24 hours a day.

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

- Never assume a fire alarm is false.
- When a fire alarm sounds, immediately evacuate.

- Once outside, move approximately 500 feet from the building. Stay clear of streets and driveways. In case of inclement weather, move to the nearest building lobby.
- Do not re-enter the building until you are instructed to do so by a UTCPD officer.

Additional information can be found at: <https://new.utc.edu/finance-and-administration/emergency-services/safety-and-risk-management/emergency-evacuation>

RESIDENTS OF STUDENT HOUSING

Residents of student housing should follow these protocols:

- Fire extinguishers are located under the kitchen sink in apartments that have kitchens, and are available for students who want to use the extinguisher against an incipient fire.
- When an alarm sounds, housing staff should immediately evacuate. Never assume a fire alarm is false.
- Once outside, move approximately 500 feet from the building. Stay clear of streets and driveways. In case of inclement weather, move to the nearest building lobby.
- Evacuation locations for each residential complex are described in the housing handbook maintained by the Housing office.
- Do not re-enter the building until you are instructed to do so by a UTCPD officer.

RESIDENT WITH ACCESS AND FUNCTIONAL NEEDS

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

STAFF IN STUDENT HOUSING

Staff in residence halls should follow these protocols:

- When a fire alarm sounds, immediately evacuate your residents (whether on duty or not). Knock on each door as you pass by, moving quickly to alert residents of the fire alarm and to evacuate.
- In going through the building, do not open doors that feel warm or have smoke coming from under them. Use the back of your hand to feel the temperature of doors. If you open any doors, do so slowly, staying behind the door.
- Do not stay in the building. It is the responsibility of each resident to evacuate the building when the alarm sounds. Close doors as you leave. Closed doors can greatly slow the spread of fire and smoke.
- Once evacuated, move your residents approximately 500 feet from the building. Stay clear of streets and driveways. In case of inclement weather, move to the nearest building lobby.
- Resident Directors will strategically place Resident Assistants to restrict students from re-entering the building.
- If you think you know the source of the fire alarm, notify UTC PD or the fire department.
- Do not re-enter the building until you are instructed to do so by a UTC PD officer.

FIRE SAFETY VIOLATIONS AND PROHIBITIONS

PROHIBITED ITEMS AND CONDUCT

In group living situations, special care must be exercised so as not to threaten the life or property of any one individual. Each employee and student is expected to be safety conscious and do what is necessary to avoid hazardous conditions. Monthly safety reports are compiled by Housing and Residence Life staff to report the identification and correction of any of the following prohibited items or conduct inside the residence halls:

- (1) No candles (with or without wicks), candle warmers, oil burners, open flames, or incense burning.

- (2) Extension cords must be Underwriter Laboratories- approved or equal. The cords protective covers must be in good condition. Plugs and cords must be the same size or larger than appliance wire and not hidden under rugs, debris, paper, clothing, books, or near heat sources.
- (3) Smoking is prohibited in all buildings owned or operated by UTC.
- (4) No use of heaters/heating units, hookahs, fog machines, percolators, hotplates, immersion heaters, grills, popcorn poppers, flammable liquids, outside antennae, and halogen lamps.
- (5) 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.
- (6) Small amounts of paint thinner, rubber cement or other art supplies may be kept in rooms, but only in metal containers away from heat sources.

SMOKING POLICY

Effective January 1, 2019, UTC became a smoke free campus. The purpose of this policy is to protect the health and safety of University of Tennessee at Chattanooga (UTC) students, employees, and visitors; to promote a healthy and safe work, educational, and living environment; and to comply with applicable state laws regarding smoking. This policy is enacted by UTC pursuant to the express authority granted by the Board of Trustees in [UT Policy BT0022 - Policy on Smoking](#).

DEFINITIONS

A. "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including an electronic cigarette or similar device), pipe, or other lighted tobacco product, in any manner or in any form.

B. "University" or "UTC" for purposes of this policy, means the institution, departments, offices, programs and services of the University of Tennessee at Chattanooga.

C. "University-controlled property" means:

1. All land, grounds, buildings, structures, and any other physical property owned, operated, or otherwise controlled by the University; and

2. All motor vehicles owned, leased, or operated by the University.

SCOPE AND APPLICATION

This policy applies to all University students, employees, contractors, and visitors. This policy is intended to comply with, and shall be interpreted consistently with, all applicable state law, including Tennessee Code Annotated § 49-7-135; the Non-Smoker Protection Act, Tennessee Code Annotated § 39-17-1801 et seq.; and Tennessee Code Annotated § 50-1-304.

PROHIBITION OF SMOKING AND LITTERING OF TOBACCO PRODUCTS IN OR ON UNIVERSITY CONTROLLED PROPERTY

- A. The campus of UTC is a smoke-free campus. Smoking is prohibited in and on all University-controlled property, including in private vehicles when parked or operated on University-controlled property.
- B. Littering with tobacco products or the remains of any tobacco products on University controlled property is prohibited.

CESSATION RESOURCES FOR STUDENTS AND EMPLOYEES

Assistance with smoking cessation for students and employees is available through Student Health Services, the Office of Alcohol, Other Drug, and Mental Health Education, and the Employee Assistance Program (EAP). More information about cessation resources can be found at <https://www.utc.edu/smoke-free-utc>.

COMPLIANCE AND ENFORCEMENT

- A. Any individual may report a good-faith concern about a violation of this policy using the following procedure:
 1. Concerns about employees should be directed to the employee's immediate supervisor or Office of Human Resources;
 2. Concerns about students should be directed to the Office of Student Conduct;
 3. Concerns about contractors should be directed to the contract administrator or the Office of Budget and Finance; and
 4. Concerns about visitors should be directed to the UTC Police Department.
- B. Violation of this policy may subject individuals according to the following:

1. Violations by an employee may result in disciplinary action in accordance with applicable University policies (e.g., [UT Policy HR0580 - Code of Conduct](#), [UT Policy HR0525 – Disciplinary Action](#), or the [UTC Faculty Handbook](#));

2. Violations by a student may result in disciplinary action in accordance with the Student Code of Conduct;

3. Violations by a contractor may result in a contractor being directed to leave University property, in accordance with Comp. R. & Regs. § 1720-01-02; and

4. Violations by a visitor may result in a visitor being directed to leave University property, in accordance with Comp. R. & Regs. § 1720-01-02.

C. Nothing in this policy shall be construed to limit a supervisor's ability to establish, regulate, or limit employee work breaks, whether for smoking or otherwise.

EXCEPTIONS

This policy does not apply to smoking for controlled research or educational, theatrical, or religious ceremonial purposes, provided prior written approval has been obtained from the dean, director, or department head responsible for the facility in which the smoking will occur.

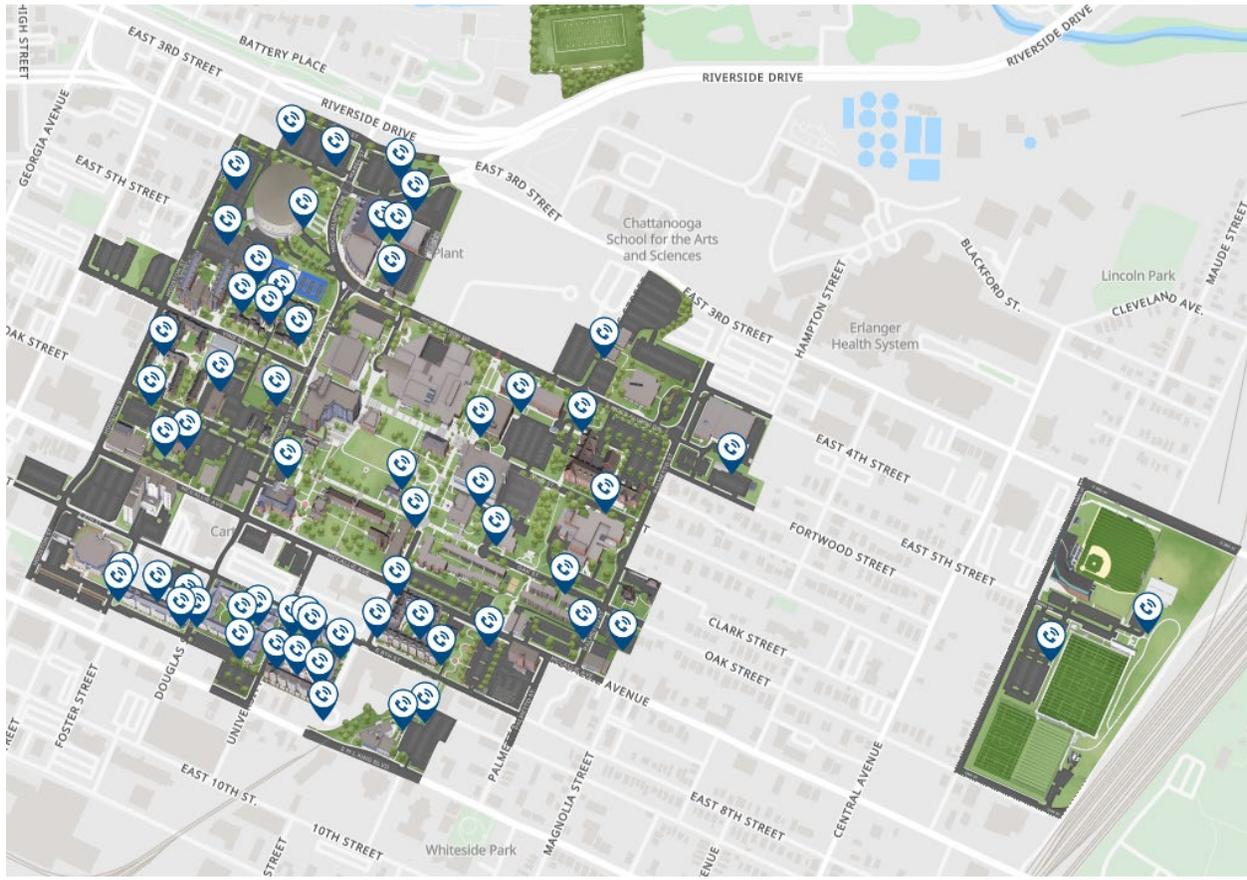
Smoking is prohibited on all university property. This includes the use of e-cigarettes and all other electronic smoking devices. UTC's Smoke-Free Campus Policy can be found at: <https://www.utc.edu/academic-affairs/policies-procedures/safety-environmental-health/smoke-free-campus.php>The University of Tennessee system's policy on smoking can be found at: <https://policy.tennessee.edu/wp-content/uploads//policytech/system-wide/sa/SA0900-Smoking.pdf>

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

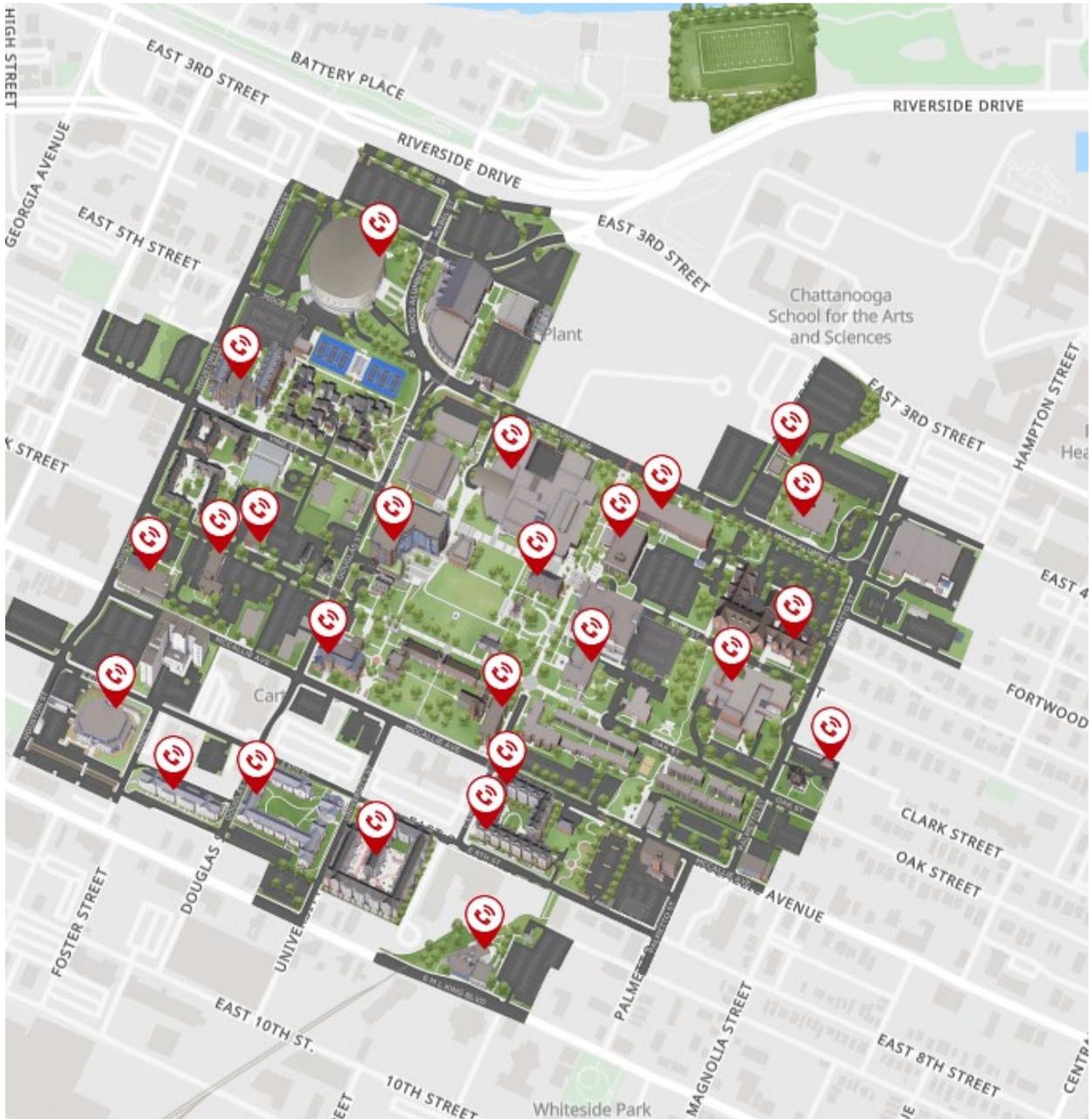
UTC regularly evaluates its fire safety systems at the residence halls. Topics for review include information to students, training for staff and students, documentation, maintenance workflow, drills, and building systems which contribute to the prevention, mitigation, and reporting of fire emergencies.

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

APPENDIX A-BLUE LIGHT PHONES MAP



APPENDIX B-RED PHONES MAP



**APPENDIX C-UTC'S POLICY ON SEXUAL HARASSMENT, SEXUAL ASSAULT,
DATING AND DOMESTIC VIOLENCE & STALKING**

APPENDIX D-QUICK REFERENCE RESOURCES

Other Important Contacts on Campus

Exec. Vice Chancellor of Administration and Finance, Dr. Richard L. Brown, Jr.	4393
Assistant Vice Chancellor of Emergency Services, Dr. Robie Robinson	4167
Chief of Police, Robert Ratchford	4004
Captain John Boe	4074
Safety and Risk Management Director, Bob Jackson	5949
Center for Women and Gender Equity Director, Sara Peters	5605
Counseling Center Director, Dr. G. Keilan Rickard	4438
Dean of Students, Jim Hicks	4761
Housing and Residence Life Director, Ms. Valara Sample	4304
Human Resources Assistant Vice Chancellor, Laure Pou	5742
Office of Equity and Inclusion Director, Rosite Delgado	5760
University Health Services	2266

Other Important Phone Numbers Off Campus

Chattanooga Police Department	423-698-2525
Domestic Violence and Sexual Assault Crisis	423-755-2700
Hamilton County Sheriffs Department	423-209-7000
Hamilton County District Attorney's Office	423-209-7400
Johnson Mental Health Center	423-634-8884
Legal Aid of East Tennessee	423-756-4013
Tennessee State Victim Compensation Information	615-741-2734