2026 ANNUAL SECURITY & FIRE SAFETY REPORT

The University of Tennessee

Space Institute

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MESSAGE FROM LEADERSHIP

The University of Tennessee Space Institute (UTSI) Annual Security and Fire Safety Report contains important information for the campus community and is published to comply with the provisions of the Jeanne Clery Campus Safety Act. The Clery Act requires all colleges and universities that receive federal student financial aid to annually report crime data and to disclose important campus safety and security policies.

At the University, we are committed to creating and maintaining a safe and welcoming learning, living and working environment. This report describes the policies, procedures, and shared efforts to provide a safe learning, living and working environment for the UTSI community. It includes data on reportable Clery crimes, crime prevention and awareness programming, fire safety, timely warnings, emergency notifications, emergency response, disciplinary procedures, and other matters of importance related to security and safety on campus. The report also contains information for the three previous calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the University, and on public property within or immediately adjacent to and accessible from the campus.

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.

You can request a hard copy at the Safety Office C103A, 411 BH Goethert Pkwy, Tullahoma, TN 37388 or have a hard copy mailed to you by emailing jwoolst1@utsi.edu

ANNUAL DISCLOSURE OF CRIME STATISTICS

This report covers crime safety policies and statistics on campus, including residential fire safety policies and statistics of certain fires.

Preparation for this Report

UTSI Safety & Security Office is responsible for preparing and distributing this Annual Security and Fire Safety Report to comply with the Clery Act. Within the Safety & Security Office, the responsibility for preparing the Annual Security and Fire Safety Report is assigned to the Safety & Security Officer (SSO). The Annual Security and Fire Safety Report is published and distributed every year by October 1st. The Annual Security and Fire Safety Report includes statistics for the previous three years concerning reported crimes that occurred on the university's Clery geography. Statistics for Clery Act offenses that did not occur within Clery geography are not included in the university's Clery Act crime statistics even if university students or employees were involved.

The UTSI SSO prepares the Annual Security and Fire Safety Report, including the annual disclosure of crime, arrest, and referral statistics, with input from various sources, including Campus Security; the university's Office of Title IX; the university's Division of Student Life; university Campus Security Authorities (CSAs); and local law enforcement agencies, including the *Franklin*

County Sherriff's Office(FCSO). The UTSI SSO works to reconcile statistics from HR department consisting of Title IX and Student Conduct to reduce the instance of missing or double counting incidents. For statistical purposes, crime statistics reported to any CSA are recorded in the calendar year in which the crime was reported. The statistics represent offenses that were reported to any of those sources, regardless of whether the alleged offense was investigated or whether there was a finding of guilt or responsibility. To collect reported crime information occurring at non-campus properties during student school-sponsored travel, UTSI receives crime data from the local law enforcement agency of the respected jurisdiction or from the CSA. This information is used to request reported crime information from local law enforcement agencies with jurisdiction over the areas considered to be non-campus property.

The UTSI SSO submits the crime statistics published in the Annual Security and Fire Safety Report to the United States Department of Education (ED), who make crime statistics available to the public through the ED website. In addition, a copy of the Annual Security and Fire Safety Report and a daily crime log are available for review 24 hours a day on the university's Safety & Security website, https://www.utsi.edu/about/safety-office/clery-act/ The university provides an electronic notice of availability of the Annual Security and Fire Safety Report to: (1) all current university faculty, staff, and students; and (2) prospective university students, faculty, and staff.

In compliance with the Clery Act, the university shares its annual crime statistics contained in **Appendix A.** All statistics enclosed in the Annual Security and Fire Safety Report are anonymous.

Clery Geography

For more information on the university's Clery geography, you may visit Clery Act - Space Institute for a detailed map and geography descriptions.

JURISDICTION AND LAW ENFORCEMENT AUTHORITY

UTSI SSO:
University of Tennessee Space Institute
411 BH Goethert Parkway, Tullahoma TN 37388
E-mail: jwoolst1@utsi.edu
Telephone: (931) 393-7156
Emergency: 911

UTSI SSO employs state licensed armed security officers on campus. Each officer has met all university and state requirements. Licensing requires that each officer pass both a classroom and range session and receive refresher training every two (2) years. These officers do not obtain arrest authority but will hold violators and offenders until Franklin County Sherriff's Department arrives. Additionally, one UTSI Security Officer maintains Special Deputy status with Franklin County Sheriff's Office and completes 40 hours of Peace Officer Standards and Training (POST) annually. This training may include topics such as:

Child Abuse	*Basic First Aid*	*Policy and Procedures*
Domestic Violence	*Drug Recognition*	*Defensive Tactics*
Firearms	*Crime Scene Protection*	*Firearms*

Working Relationships with State and Local Law Enforcement Agencies

UTSI security officers are not sworn or certified as law enforcement and do not have powers of arrest beyond those granted to individual citizens. Authority of employees to serve as armed security is granted by the State of Tennessee Private Protective Services Division by completing requirements for licensing. Additionally, UTSI is registered with the State of Tennessee Department of Commerce as a Proprietary Security Organization, which gives authority to the Institute to employ licensed security officers. Each UTSI security officer shall, in all cases, use only the minimum amount of force that is consistent with the accomplishment of their mission, and shall exhaust every other reasonable means of defense before considering the use of a firearm.

UTSI SSO employs armed guards that serve during daytime business hours. After hours, weekends and holidays, security is through a contract security agency that provides armed, uniform security guards. This allows for the Institute campus and its surrounding areas to be patrolled 24 hours a day, 365 days a year. These patrols include vehicle and foot patrols as weather permits or need arises. Patrols also include building, and facility checks for suspicious activity, those in need of assistance and/or to assure all areas are otherwise secure.

UTSI is listed as a Limited Account Non-Terminal Agency with Franklin County 911. Authorized security officers may request registration information for vehicles on our campus, to include the owner's name and address. No criminal or NCIC information may be obtained. Any crime reported to UTSI SSO is passed along immediately to Franklin County Sheriff's Office (FSCO) for investigation. Criminal matters involving Institute students may also be referred to the appropriate Institute administrative office for disciplinary action.

UTSI maintains a working relationship with the Franklin County Sheriff's Office, which serves as jurisdictional law enforcement agency covering the UTSI campus and surrounding area. A written memorandum of understanding between UTSI and FCSO has been adopted. Although crime is exceedingly rare on campus, UTSI and FCSO communicate should an incident occur on and around the campus area.

UTSI also maintains a working relationship with the FBI, however UTSI does not maintain a written agreement with this agency.

The Clery Act requires the Institute to include in this report a statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities. With respect to criminal activity in which students engage at off-campus locations of registered student organizations, UTSI does not assist with responding to or investigating student-related incidents in a law enforcement

capacity as UTSI has no authority in those matters. If UTSI is contacted by law enforcement about criminal activity occurring off campus involving Institute students, they may face disciplinary action per university policy.

Franklin County Sheriff's Office:
494 George Fraley Pkwy, Winchester TN 37398
Telephone: (931) 962-0123
Emergency: 911

REPORTING CRIMES OR OTHER EMERGENCIES

The University of Tennessee Space Institute encourages anyone who is a victim of crime, witnesses or learns about a crime, or who would like information on whether what they witnessed or learned about is a crime to contact the UTSI Safety Office or Franklin County Sherriff's Office and provide accurate and prompt information about all crimes. These offices are staffed 24/7, are trained in this specific work, and work closely with other offices across the UTSI campus to respond to crimes.

Emergencies

In case of an emergency, your first call should be to the UTSI Safety Office or Franklin County Sherriff's Office. To contact first response, dial 911 and a dispatcher can direct you to UTSI Safety & Security or the appropriate local law enforcement.

Reporting Crimes

UTSI strongly encourages students, employees, and visitors to report criminal incidents, suspicious activity, and other public safety related emergencies and incidents promptly and accurately to Franklin County Sheriff's Office, another appropriate law enforcement agency, UTSI Security or to designated Institute officials. This includes situations in which the victim of such crime either elects or is unable to report an incident. Promptly reporting criminal incidents, suspicious activity, and other emergencies and incidents to UTSI SSO or other designated Institute officials assists the Institute in issuing **UTSI Alerts** or **Safety Notices**, as required by the Clery Act, and including the incident in the Institute's annual crime statistics.

UTSI cannot overemphasize the importance of prompt and accurate reporting of criminal incidents. If a criminal incident is not reported promptly, evidence can be destroyed and/or the potential to apprehend a suspect can be lost. Without accurate reports, investigative leads could be missed, and the investigation could proceed in the wrong direction. If you witness a crime, promptly report it to Franklin County Sheriff's Office by calling directly or via 911 and be prepared to answer questions as accurately as you can. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, or you have seen or received information of criminal activity, please contact FCSO or call 911 immediately.

Emergencies

Call ***911*** to report criminal incidents, suspicious activity, or other incidents that are emergencies, whether on campus or off campus. All 911 calls placed on campus telephones are routed to the Franklin County E911 emergency center. The call will then be dispatched to FCSO for response.

All campus elevators have emergency phones that transmit to an outside line. In the event of an emergency, use this phone to call 911. Police, fire, or medical services ARE NOT automatically dispatched. Other emergency calls during working or after hours may require contact with the Institute's **Facilities Services (**Facilities & Operations - Space Institute**)** department or the **Safety and Security Office (**Safety & Security - Space Institute**)**

Non-Emergencies

Franklin County Sheriff's Office

Franklin County Sheriff's Office

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

- Call ***9-931-962-0123*** (from a campus phone) or ***931-962-0123*** (from an off-campus phone or cell phone)
- Report in person at ***494 George Fraley Pkwy, Winchester TN 37398*.**

Reporting to Other Officials

As an alternative to reporting a criminal incident to UTSI Safety Office, an individual may report criminal incidents, suspicious activity, or other incidents that are not emergencies to the following university offices for the purposes of making timely warning reports and the annual statistical disclosure:

University Office	**Campus Address**	**Phone Number**
UTSI Executive Director	Bldg. 8101 Room A-204	(931) 393-7113
HR/Title IX Coordinator	Bldg. 8101 Room B-103	(931) 393-7265
Student Affairs	Bldg. 8101 Room C-102	(931) 393-7234
Support Services (Dorm)	Bldg. 8103 Room 226	(931) 393-7419
Director of Infrastructure / Facilities	Bldg. 8101 Room A-203	(931) 393-7311

Campus Security Authorities

The term Campus Security Authority (CSA) describes university officials required to report Clery Act crimes that occur within the UTSI Clery geography. Not every UTSI employee is a CSA. Some are confidential employees (such as pastoral and professional counselors) exempt from providing this information. Community members who do not qualify as CSA under the Clery Act are not considered CSAs. Reportable Clery crimes are collected, categorized, and documented in the UTSI

annual crime statistics included in **Appendix A**. Clery Act statistics do not disclose any personally identifiable information.

While the University encourages victims of crime to seek assistance with UTSI SSO and/or off campus law enforcement agencies, UTSI employees will notify law enforcement when the victim of the crime elects to or is unable to notify. Per the Clery Act and University Policy, the victim of a crime has the right to:

- Notify University and/or local law enforcement;
- be assisted by the University in notifying law enforcement if they choose to do so; or
- decline to notify law enforcement.

Confidentiality

The university has policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. UTSI SSO encourages anyone who is the victim of or witness to any crime to promptly report the incident to FCSO or another law enforcement agency. However, it cannot ensure that a report will remain confidential because police reports relating to closed cases are subject to inspection by any citizen of Tennessee under the Tennessee Public Records Act.

The Institute does not publish personally identifiable information of crime victims in its Annual Security and Fire Safety Report, nor does it disclose personally identifiable information regarding victims in the campus police department's Daily Crime Log.

Resources Exempt from Reporting Under the Clery Act

The Clery Act exempts pastoral and professional counselors from bringing forward information about Clery Act crimes reported to them in their role as a pastoral or professional counselor and not otherwise subject to an exception (such as a threat of a future crime of violence). A pastoral counselor is an employee associated with a religious order or denomination and recognized by that religious order or denomination as someone who provides confidential counseling. The Institute does not employ any pastoral counselors. A professional counselor is an employee whose official responsibilities include providing psychological counseling to members of the Institution's community.

The Institute does not have procedures that encourage professional and pastoral counselors to inform people they are counseling of the University's procedures to report crimes on a voluntary, anonymous basis for inclusion in the University's annual disclosure of crime statistics, or for the purposes of issuing a timely warning.

MISSING STUDENT NOTIFICATION PROCEDURES

Missing Student Policy

Students, employees, or other individuals who want to report that an on campus residential student has been missing for 24 hours should contact UTSI SSO immediately at ***(931) 393-7156*** or Franklin County Sherriff's Office at ***(931) 962-0123***. They may also dial 911. Missing students may be reported at any time, there is no requirement to wait 24 hours.

Most missing student reports in a campus environment result from students changing their routines without informing friends. If a member of the University community has reason to believe that a student is missing, all efforts will be made to locate the student to determine their state of health and well-being.

UTSI SSO and FCSO are responsible for investigating each report of a missing student and for determining whether the student is missing in accordance with the Policy.

Confidential Contact

As part of the process of moving into the campus residence hall, every student is asked to identify a confidential contact to be notified if that student is determined to be missing by the UTSI SSO or the local law enforcement agency.

Annually, upon contracting with the Institute to live in on-campus housing, all students can identify and provide confidential emergency contact information for the Institute's use when the Institute or a local law enforcement agency has officially determined that a student is missing. Upon checking into on-campus housing, students are provided with a written reminder of the opportunity to identify and provide confidential emergency contact information for the Institute's use when the Institute or a local law enforcement agency has officially determined that a student is missing. Students living in on-campus housing may add or change confidential emergency contact information by visiting the Coordinator of Support Services, building 8101, Office C-102 or by calling 931-393-7234. Students are advised that emergency contact information will be accessible to authorized Institute officials only and that emergency contact information will not be disclosed to others except to FCSO or other law enforcement personnel in furtherance of a missing person investigation.

Confidentiality of Emergency Contact

Contact information is registered confidentially, and the information is accessible only to authorized University officials and law enforcement. The contact information may not be disclosed outside of a missing person's investigation.

Students Under Age 18

Parents or guardians of people under the age of 18 who are not emancipated will be notified in addition to any additional contact person designated by the student, within 24 hours of determining that they are missing.

Notifications to Law Enforcement

UTSI notifies local law enforcement, FCSO, within 24 hours of determining a student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing. This occurs regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor.

Procedure if a Student is Determined Missing

If a student residing in an on-campus housing facility is reported missing, UTSI SSO will initiate an investigation into the status of the missing student.

Upon confirming a student residing in an on-campus housing facility has been missing for 24 hours, the following procedures will be followed:

- Notification of university personnel:

Safety & Security Officer	(931) 393-7156
HR/Title IX Coordinator	(931) 393-7265
Student Affairs	(931) 393-7234
Support Services (Dorm)	(931) 393-7419

- UTSI SSO initiates whatever action is deemed appropriate under the circumstances in the best interest of the missing student.

- UTSI SSO, or designee, will make the following notifications within 24 hours after determining the student is missing:
  - The missing person contact, regardless of age, provided by the student
    - If the missing student is under the age of 18 and not emancipated, the custodial parent or guardian will also be contacted
  - Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, the local law enforcement agency that has jurisdiction in the area that the student is missing will be notified

TIMELY WARNINGS - SAFETY NOTICES

The Institute will send timely warnings, in the form of a Safety Notice of Clery Act crimes occurring in Clery Act geography and reported to a Campus Security Authority or local law enforcement that

represent an ongoing threat to students and employees. Warnings will be issued in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar circumstances.

The University is not required to issue a timely warning for crimes that are disclosed to a professional or pastoral counselor within the scope of their responsibility.

Timely Warnings Notifications

Timely warnings are notifications about Clery Act crimes that may have already occurred but represent an ongoing threat and apply to crimes that occur within UTSI's Clery Act geography. Clery Act geography is described in this Report. Such warnings may include, but are not limited to the following information:

- Type of crime or incident
- Date, time, and location of crime
- Description of suspect(s) if enough detail is known
- Public safety reminders

Circumstance for which a Warning will be Issued

The Institute will issue a timely warning for any Clery Act crime that occurs within Clery geography that is reported to campus security authorities or local police agencies; and is considered by the institution to represent a threat to students and employees.

A timely warning will not include information that, in the judgment of the UTSI SSO or their designee, would compromise law enforcement efforts. There is no requirement for issuing a timely warning for a report made to a professional or pastoral counselor.

The decision whether to issue a Safety Notice is made by UTSI SSO Safety Coordinator or their designee on a case-by-case basis considering all the facts known concerning the crime, such as the nature of the crime and whether Institute students and employees are at risk of becoming victims of a similar crime. The apprehension of the alleged perpetrator typically removes the risk to Institute students and employees. A Safety Notice may not be issued for an incident for which a report was filed more than five days after the alleged incident.

The Clery Act does not require the Institute to issue a Safety Notice for: (1) a Clery Act crime that occurs outside of the Institute Clery Geography; or (2) for a crime that is not a Clery Act crime, even if that crime occurs on the Institute's Clery Geography.

Issuing a Timely Warning

Safety Notices typically are written by the Safety Coordinator or their designee and distributed to all students through the Safety and Security Office. Safety Notices also may be distributed through the Institute's social media accounts (e.g., Facebook, The University of Tennessee Space Institute | Tullahoma TN | Facebook, and X (formerly Twitter), UT Space Institute at Tullahoma (@UT_Space_Inst) / X). If an incident occurs on property owned or controlled by the Institute, a Safety Notice may be distributed through a flyer on buildings adjacent to the incident area, to individuals located in the incident area, or to the entire campus community.

The UTSI SSO, or their designee may, in their discretion, issue special messaging for incidents the Clery Act does not require the university to issue a timely warning.

EMERGENCY NOTIFICATIONS – UTSI ALERTS

The Institute will immediately notify the campus community upon confirmation of an emergency or dangerous situation that poses an immediate threat to the health or safety of students or employees on campus. An emergency notification will be issued utilizing the UTSI Alerts System.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the Institute will follow its emergency notification procedures and adequate follow-up information will be provided to the community, as needed.

Emergency Notification Procedures

An emergency notification informs recipients about an event that is currently occurring or imminently threatening the campus. Such warnings may include, but are not limited to the following information:

- Type of emergency
- Date, time, and location of crime/incident
- Immediate action being recommended
- Public safety reminders

Confirming a Significant Emergency or Dangerous Situation
The Institute will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The Institute utilizes multiple methods to notify the campus community of emergency situations.

Examples of situations in which an emergency notification is likely to be issued include: a building fire; a hazardous material spill/leak impacting a large area; severe weather-related threat; or an active shooter.

As used in this section, "confirmation" means that the Institute has verified that a legitimate emergency or dangerous situation exists involving an immediate threat to the health or safety of students or employees occurring on the campus. The UTSI Safety Coordinator is the primary person who determines whether such a situation exists; however, the Assistant Safety Coordinator, Contract Security Guards, Facilities Director, the Assistant Executive Director, and the Executive Director could also make such a determination. In the process of verifying whether such a situation exists, those persons may rely on information received from witnesses, first responders, Institute departments/units, and entities outside of UTSI SSO with information relevant to the situation including, but not limited to: The Franklin County Sheriff's Office; AEDC Security Force; Estill Springs Volunteer Fire Department; AEDC Fire Department; National Weather Service; and local EMA. So that there is no undue delay in notification, confirmation does not necessarily mean that all the pertinent details about the situation are known or even available.

Determining the Appropriate Segment(s) of the Campus Community to Receive an Emergency Notification
UTSI Alert text and e-mail messages will reach subscribers regardless of their actual location when the emergency notification system is activated. Due to the small size of the UTSI community, geographic segments are not identified for notification distribution. However, UTSI Alerts can be sent to the general population or to the Emergency Operations Team, which includes administration.

Determining the Contents of an Emergency Notification
The content of UTSI Alert text and e-mail messages for most potential campus emergencies are not pre-scripted and are written as the situation dictates. The initial UTSI Alert message is primarily designed for quick notification of a dangerous situation. Each UTSI Alert will have a subsequent final message with a resolution of the incident. The campus community is encouraged to seek

additional information after becoming aware of an emergency by monitoring their utsi.edu e-mail and the utsi.edu website. The Institute's emergency notification system uses various communication methods that vary in delivery speed, and more details can be provided by e-mail and on the internet.

Initiating the Emergency Notification System

UTSI SSO, while responding to an emergency or dangerous situation, typically will gather the necessary information pertinent to share with the campus community about incidents on campus that present an ongoing risk. Additionally, he or she will draft the message and send it as well.

Distributing Emergency Notifications

Emergency notifications may be sent to the entire community as required by law and as appropriate to the specific emergency. The University will, without delay, and taking into account the safety of the community, determine the content of an emergency notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If a crime is covered by both emergency notification and timely warning requirements and an emergency notification is issued, UTSI may not also issue a timely warning but will provide follow up information as necessary. Follow-up information will be provided to the community through the UTSI Alerts Emergency Notification methods of text, email, and social media.

Timely warnings and emergency notifications may, where appropriate, be distributed to or shared with the larger community by, as stated above, the Office of Computer Services with social media and Public Relations with local media.

Special messaging may be issued in other circumstances when an emergency notification is not required, but the Institute deems the information important for the safety and well-being of the campus community.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Emergency Response

The Institute's Emergency Operations Plan (EOP) is updated annually and is available in the UTSI Safety and Security Office for anyone wishing to view it. The EOP provides information on how the Institute will prepare and organize to respond to emergencies. The EOP provides detailed guidance on roles and responsibilities for emergency response personnel and guidance for colleges and departments' continuity and emergency action planning. The EOP is administered by the Institute's **Safety and Security Office** following the principles of the National Incident Management System.

The EOP establishes an annual exercise to test and evaluate the EOP and to improve the skills of the Institute personnel assigned emergency management responsibilities. The exercises may be training and workshops, a tabletop exercise, or a full-scale exercise.

Evacuation Procedures

Evacuation drills are conducted in Institute buildings on a schedule based on the occupancy and functionality of the building. The purpose of the evacuation drill is to prepare building occupants for an organized evacuation in case of fire or another emergency. Drills are used as practice and to familiarize students, faculty, and staff with exit locations and assembly areas, educate them on emergency procedures and test the emergency notification system. Documentation of Institute building evacuation/fire drills is maintained by UTSI SSO and maintained in accordance with the procedure (GS 43) for Records Retention for Safety, Health, and Environmental Protection procedure. Key performance measures are established, evaluated, and feedback is provided to the building occupants.

Sheltering inside a building is often the safest action depending on the emergency, such as tornadoes, hazardous materials release, or an active shooter situation. The campus community may be instructed to seek shelter via a **UTSI Alert** message at which time they should proceed to the best available shelter in the building they are in. Shelter locations are designated on signage in the building and available at (UTSI Recommended Shelters). Individuals should know the basic characteristics of good shelter so they can respond properly when informed of an emergency. More information on what to do during an emergency is available at UTSI Emergency Preparedness.

The following is basic shelter guidance:

- If you are inside when directed to seek shelter, find the best available shelter in that building. If you are outdoors, proceed to the closest building as quickly as possible. Continue to monitor campus communications and do not exit the building unless directed by competent authority.
- For sheltering from severe weather or other threats to the building's integrity, you should seek an interior room as low in the building as possible, preferably with no windows.
- For sheltering from hazardous materials release, you also want to shut off ventilation, air handling systems, and use available materials to seal windows and doors.
- The reaction to an active shooter event depends on your location regarding the threat. Barricading in a room is a form of sheltering and the proper response for most of the campus.

Disseminating Emergency Information to the Campus Community

Emergency notifications are sent using some or all the following methods, based upon the situation and availability:

NOTIFICATION METHOD	USES	TYPES OF WARNINGS	CONTENT ADMINISTRATOR
UTSI Alert Text (SMS) Message, Email & Voice	Campus-wide emergency requiring immediate action	Text messages	UTSI Safety Coordinator
"Giant Voice" External Speakers	Campus-wide emergency requiring immediate action	PA system	UTSI Safety Coordinator or Facilities Director
UTSI Email	Emergency Information	Email	UTSI Safety Coordinator or Facilities Services Director
Digital Signage	Campus-wide Emergency	RSS feed	UTSI Safety Coordinator or Facilities Services Director
NOAA Weather Radio & Wireless Emergency Alerts	National, state, and local hazards	Voice and tone	National Weather Service & TEMA
Social Media	Issue emergency statements	X (formerly Twitter) & Facebook	Safety Coordinator, Facilities Services Director, or Public Relations
Local Media	Issue emergency statements	Radio, TV, web & print	Public Relations

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

Annual Tests

To ensure the university is sufficiently prepared for emergency situations on campus, tests on emergency procedures are conducted to identify and improve any weaknesses. Procedures to test emergency response and evacuation procedures on an annual basis will be publicized in conjunction with at least one test per calendar year. Tests may be announced or unannounced. Each test will be documented including a description of the exercise, the date, time, and whether it was announced or unannounced.

Other Emergency Procedures

In some emergency situations, such as severe weather, utility failures, etc., an evacuation of the campus may be ordered. A campus evacuation or closure is an organized withdrawal from campus facilities where the time of return is determined by the circumstances of the emergency event. When such action is warranted, the campus community will be appropriately advised.

Things to Watch For

- Watch for people who need help, particularly people with limited mobility or physical disabilities.
- Activate an alarm if told to do so by police or emergency workers.
- Remain at an emergency assembly point. A head count may be taken, and emergency workers may have additional instructions.
- Do not go back into a building until firefighters, police or UTSI officials say it is safe.

How to Prepare for an Emergency

- Know your building's floor plan. Remember where the stairs, fire extinguishers and emergency exits are located.
- If you regularly visit the same location within a building, know exactly how many doors you will pass along your evacuation route before you reach the nearest exit.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.

Severe Weather

- Choose a location with as few windows as possible.
- Try to locate to the lowest level of the building.
- Keep a radio or television on to listen for news updates.

Chemical Contamination

- Select an interior space above the ground floor with the fewest windows or vents. The room should have adequate space for everyone to be able to sit. Use more rooms to avoid overcrowding.
- Seal cracks around the door with material that will block air flow.
- Shut off ventilation systems and fans.
- Keep a radio or television on to listen for news updates.

Active or Armed Intruder

- Close and lock exterior doors and turn off lights. Be quiet.
- If your room cannot be locked, determine if there is a nearby location that can be reached safely and securely.
- Block windows or stay out of view from the outside. Get down on the floor or hide behind furniture.
- Put cell phones in silent mode.
- If you know the shooter is nearby call 911. Tell the dispatcher what is happening and report your location. Do not hang up until instructed.
- Do not set off fire alarms as this will draw people who are unaware of the situation into hallways and into danger.

SECURITY AND ACCESS TO CAMPUS FACILITIES

UTSI SSO conducts random foot and vehicle patrols of non-residential Institute facilities (e.g., academic, and administrative buildings) as time permits; however, buildings do not have officers exclusively assigned to them. Most buildings are open to students, staff, and faculty during normal business hours. Facilities on campus have varied levels of access including key access and fob access.

The Institute has numerous cameras on campus. The Safety Office, IT Office and Facilities Services are jointly responsible for overseeing camera operation, including camera placement. Both entities have the authority to select, coordinate, operate, manage, and monitor all campus video surveillance equipment.

Special Considerations for Residence Halls

The institute offers one residence hall to accommodate the needs of our students. This building is an apartment style consisting of twenty (20) rooms capable of single or double occupancy. One room is ADA compliant.

The Office of Support Services manages the residence hall at the University of Tennessee Space Institute in Tullahoma. The residence hall staff primarily consists of one full-time, live-in Resident Assistant (RA) and one Assistant Resident Assistant.

The Resident Assistant and Assistant Resident Assistant may be contacted 24 hours a day. In the event the RA or Assistant RA cannot be contacted, the Coordinator of Support Services, Facilities Services Director, Security Coordinator, or security guards may be contacted for guidance depending upon the situation. Residents may have overnight guests per the following guidelines:

a. Notify the Coordinator of Support Services at extension 37419 or email at tjohnson@utsi.edu to provide the name of guest, dates of visit, and make and model of vehicle.

b. Guests must be 18 or older.

c. The maximum length of any visit is three (3) consecutive nights.

d. Double occupancy residents must receive the prior expressed consent of the roommate.

All guests are governed by Institute and residence hall regulations, and it is the host's responsibility to make guests aware of these policies. In cases where the guest is in violation of Institute regulations, disciplinary action may be brought against the host.

All maintenance and service personnel are required to maintain two-person integrity while in residences in the residence hall.

All exterior doors in residence halls are locked 24 hours to limit entrance to the hall. During nightly rounds by security personnel, all exterior doors are checked to ensure that they are secure. All exterior doors utilize locks with control keys. Control keys are highly restricted by Facilities Services and only issued to dorm residents, designated security/emergency personnel, Facilities Services Director, and the Coordinator of Support Services.

Residence hall room doors have individual key locks and slide-chains on the inside. If a key is lost or misplaced, the room's lock may be re-cored and new keys are issued dependent upon circumstances. The determination is made by the Facilities Services Director. Residents are urged to always keep their doors locked. All windows are non-opening. Door viewers have been installed in all student room doors. All internal rooms have connecting doors to adjoining rooms. These doors are back-to-back (one in each room) and access to the adjoining room cannot be had unless both parties allow it as they are each locked from inside residence.

Noncampus Locations

UTSI **does not** have noncampus locations of registered or recognized student organizations.

SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

UTSI's Facilities Services strives to ensure that campus facilities, grounds, and landscaping are maintained in such a way as to eliminate natural obstructions that could become safety concerns. Lighting surveys have been performed by a group of campus representatives and based on those results, significant improvements in outdoor lighting were made. UTSI Facilities Services personnel, as part of their normal duties, report malfunctioning lights and other potentially unsafe physical conditions to the Physical Plant Supervisor for correction. Such reports to Facilities Services may be made via email **WorkOrder@utsi.edu** or voice mail ***(931-393-7311)*** 24 hours a day, seven days a week.

PROGRAMMING: PREVENTING CAMPUS CRIME

We all have a part to play in keeping our campuses safe. All students and employees of UTSI are encouraged to review and keep up to date on safety and security information and to take responsibility for their own security and the security of others. Crime prevention programs are designed to inform students and employees about crime and prevention strategies. Security awareness programs are offered to inform the campus community about campus security procedures and practices and encourage the campus community to be responsible for their security and the safety of others.

Security Awareness and Crime Prevention Programs

PROGRAM	DESCRIPTION	FREQUENCY	GROUP
Personal Safety	A simple approach with realistic safety tips. Optional overview of self-defense devices can be included.	Semesters: Spring, Fall	Students, Employees
Community Response to Active Shooter	One of the most frightening situations that can occur on a college campus is dealing with an active shooter. An active shooter is a person who is actively threatening lives or prepared to threaten lives in a populated area. This program focuses on how to deal with a potential active shooter situation. The course gives information on past occurrences, warning signs, and what to do if a shooting occurs in your immediate area.	Semesters: Spring, Summer, Fall	Students, Employees

DRUG AND ALCOHOL LAWS

Drugs

Various federal and Tennessee laws make it unlawful to manufacture, distribute, dispense, deliver, or sell or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances.

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	**First Offense:** Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual. **Second Offense:** Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.	5 kgs or more mixture	**First Offense:** Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual. **Second Offense:** Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual. **2 or More Prior Offenses:** Life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine	5–49 grams pure or		50 grams or more pure or	
(Schedule II)	50–499 grams mixture		500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	

PENALTIES		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	**First Offense**: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine $1 million if an individual, $5 million if not an individual. **Second Offense**: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	**First Offense**: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual. **Second Offense**: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.
All other Schedule IV drugs	Any amount	**First Offense**: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual. **Second Offense**: Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	

All Schedule V drugs	Any amount	**First Offense**: Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual. **Second Offense**: Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.

Federal Trafficking Penalties- Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd Offense
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine $1 million if an individual, $5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants; 1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than $250,000, $1 million if other than an individual	Not less than 10 yrs. Fine $500,000 if an individual, $2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to $20 million if an individual and $75 million if other than an individual.

Drugs – State Law

§ 39-17-418- Simple possession or casual exchange.

It is an offense for a person to knowingly possess or casually exchange a controlled substance, unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice.

Depending on the circumstances, this offense is either a Class A misdemeanor or a Felony. In Tennessee, Class A misdemeanors carry up to 11 months, 29 days in jail, and or fines up to $2,500.00.

Almost all other violations of drug laws are felonies under § 39-17-417, including the following:

- Manufacturing a controlled substance
- Delivering a controlled substance
- Selling a controlled substance
- Possessing a controlled substance with intent to manufacture, deliver, or sell it

Criminal penalties for a controlled substance conviction will depend on numerous factors, including one's prior convictions for drug offenses or other crimes. Possible penalties include:

- Jail or prison time
- Fines
- Probation
- Forfeiture of property
- Suspension of one's driver's license
- Community service

Alcohol – State Law

All members of the university community and guests are required to comply with university policies and federal, state and local laws regarding the distribution, possession and consumption of alcoholic beverages. UTSI SSO strictly enforces those laws and policies.

Tennessee State Law

§ 1-3-113- Underage purchasing, possession, transportation or consumption of alcoholic beverages, wine or beer is a Class A misdemeanor

§ 39-15-404- It is a Class A misdemeanor offense for a person to give or buy alcoholic beverages or beer for or on behalf of a minor or to cause alcohol to be given or bought for or on behalf of a minor for any purpose.

Additionally, it is unlawful in Tennessee for:

- any person to purchase an alcoholic beverage for or at the request of a person under 21 years of age;
- any person who is younger than 21 years of age to purchase or attempt to purchase any alcoholic beverage;

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

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

UTSI POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

Drug and Alcohol Policies for Students

Alcohol

All members of the Institute community and guests are required to comply with Institute policies and federal, state, and local laws regarding the distribution, possession, and consumption of alcoholic beverages. FCSO enforces those laws and UTSI SSO enforces policies.

It is unlawful in Tennessee for:

- any person under 21 years of age to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer;
- any person to purchase an alcoholic beverage for or at the request of a person under 21 years of age;
- any person who is younger than 21 years of age to purchase or attempt to purchase any alcoholic beverage;
- any person under 21 years of age to knowingly make a false statement or exhibit false identification to the effect that the person is 21 years of age or older to any person engaged in the sale of alcoholic beverages for the purpose of purchasing or obtaining the same;
- any person to give or buy alcoholic beverages or beer for or on behalf of any minor or to cause alcohol to be given or bought for or on behalf of any minor for any purpose;
- a driver to consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle in this state;

- any person to persuade, entice or send a minor to any place where alcoholic beverages or beer; and/or
- any owner, occupant or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow a person to consume alcoholic beverages, wine, or beer on the property; provided, that the owner, occupant, or other person knows that, at the time of the offense, the person consuming is an underage adult.

UTSI's Standards of Conduct for students, state that a student may be disciplined for engaging in the following misconduct:

- Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on Institute-controlled property or in connection with an Institute-affiliated activity.
- Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law.
- Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law.

These and other Standards of Conduct for students, in addition to the possible sanctions for violating the Standards of Conduct can be found in the Standards of Conduct Overview - Student Conduct & Community Standards.

Drug

Various federal and Tennessee laws make it unlawful to manufacture, distribute, dispense, deliver, or sell or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances. The penalty imposed for violating one or more of those laws depends upon many factors, which include the type and amount of controlled substance involved, the number of prior offenses, if any, and whether any other crimes were committed in connection with the use of the controlled substance.

UTSI's Standards of Conduct for students, state that a student may be disciplined for engaging in the following misconduct:

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

These and other Standards of Conduct for students, in addition to the possible sanctions for violating the Standards of Conduct can be found in the Standards of Conduct Overview - Student Conduct & Community Standards.

Student Disciplinary Sanctions

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

Possible sanctions include incarceration up to and including life imprisonment and imposition of substantial monetary fines. FCSO strictly enforces those laws and policies.

Drug and Alcohol Policies for Employees

Alcohol

All members of the Institute community and guests are required to comply with Institute policies and federal, state, and local laws regarding the distribution, possession, and consumption of alcoholic beverages. FCSO enforces those laws and UTSI SSO enforces policies.

It is unlawful in Tennessee for:

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

The University of Tennessee's Code of Conduct for employees, a copy of which can be found at HR0580 - Code of Conduct - UT System Policies , prohibits: "The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in an Institute vehicle on or off Institute property; possession or use of alcohol while on duty (except at Institute sponsored events and other events an employee is expected to attend as part of their duties); or reporting to

work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances." Violation of the Code of Conduct is grounds for disciplinary action, up to and including termination of employment, pursuant to University of Tennessee Human Resources Policy 0525, a copy of which can be found at HR0525 - Disciplinary Action - UT System Policies.

Drug

A copy of the following policy can be found at: HR0720 - Drug Free Campus and Workplace - UT System Policies**.**

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

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

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

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

The University of Tennessee's Code of Conduct for employees, a copy of which can be found at HR0580 - Code of Conduct - UT System Policies, prohibits: "The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in an Institute vehicle on or off Institute property; possession or use of alcohol while on duty (except at Institute sponsored events and other events an employee is expected to attend as part of their duties); or reporting to work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances." Violation of the Code of Conduct is grounds for disciplinary action, up to and including termination of employment, pursuant to University of Tennessee Human Resources Policy 0525, a copy of which can be found at HR0525 - Disciplinary Action - UT System Policies.

Employee Disciplinary Sanctions

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

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

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

Additional sanctions may include incarceration up to and including life imprisonment and imposition of substantial monetary fines. FCSO strictly enforces those laws and policies.

Alcohol and Drug Education Programs and Resources

Programs and resources required by the Drug Free Schools and Campuses Regulations.

UTSI does not operate student counseling facilities due to limited size of operations and budgetary constraints. However, students needing help with drug or alcohol issues may be referred to units at the Knoxville campus such as the Center for Health Education and Wellness, the Student Health Center, the Student Counseling Center, and the Office of the Dean of Students in certain situations. More information about Knoxville campus' Center for Health Education and Wellness programs for Alcohol & Other Drugs can be found at Request a Presentation | Center for Health Education & Wellness (utk.edu). UTSI is committed to promoting responsible decision-making regarding alcohol and drugs.

The university's **Employee Assistance Program** (855-437-3486) manages the alcohol & drug abuse and rehabilitation program for benefits-eligible employees. The Employee Assistance Program also provides counseling and referral services.

The Drug-Free Schools and Communities Act requires institutions of higher education that receive federal funding to execute a drug and alcohol abuse prevention program for the campus community. The following link provides information about the various prevention and education programs, resources, policies, and laws: Information and Prevention Efforts

If you or someone else needs medical attention from using alcohol or drugs, contact UTSI SSO, Student Life Services, or 911 immediately. Stay with them until help arrives.

The University does not condone underage drinking or the use of illegal drugs. The Institute encourages students to reach out to professional staff for help, regardless of whether they, or their friend, have been using alcohol or other drugs.

Health Risks Associated with Alcohol and Other drugs

The following information on health risks is from the Centers for Disease Control and Prevention:

Alcohol

Drinking too much can harm your health. Excessive alcohol use led to approximately 95,000 deaths and 2.8 million years of potential life lost (YPLL) each year in the United States from 2011 – 2015, shortening the lives of those who died by an average of 29 years. Further, excessive drinking was responsible for 1 in 10 deaths among working-age adults aged 20-64 years. The economic costs of excessive alcohol consumption in 2010 were estimated at $249 billion, or $2.05 a drink. The Dietary Guidelines for Americans defines moderate drinking as up to 1 drink per day for women and up to 2 drinks per day for men. In addition, the Dietary Guidelines do not recommend that individuals who do not drink alcohol start drinking for any reason. Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including: High blood pressure, heart disease, stroke, liver disease, and digestive problems; cancer of the breast, mouth, throat, esophagus, liver, and colon; learning and memory problems, including dementia and poor school performance; mental health challenges, including depression and anxiety; social problems, including lost productivity, family problems, and unemployment; alcohol dependence, or alcoholism. By not drinking too much, you can reduce the risk of these short- and long-term health risks.

Cannabis/Marijuana

Marijuana is the most used drug in the United States, and marijuana use may have a wide range of health effects on the body and brain. About 1 in 10 marijuana users may experience some form of addiction. For people who begin using before the age of 18, that number rises to 1 in 6. People who are addicted to marijuana may also be at a higher risk of other negative consequences of using the drug, such as problems with attention, memory, and learning. Some people who are addicted may need to smoke more and more marijuana to get the same high. It is also important to be aware that the amount of tetrahydrocannabinol (THC) in marijuana (i.e., marijuana potency or strength) has increased over the past few decades. The higher the THC content, the stronger the effects on the brain. In addition, some methods of using marijuana (e.g., dabbing, edibles) may deliver very high levels of THC to the user. In many cases, marijuana is smoked in the form hand-rolled cigarettes (joints), in pipes or water pipes (bongs), in bowls, or in blunts—emptied cigars that have been partly or completely refilled with marijuana. Smoked marijuana, in any form, can harm lung tissues and cause scarring and damage to small blood vessels. Smoke from marijuana contains many of the same toxins, irritants, and carcinogens as tobacco smoke. Smoking marijuana can also lead to a greater risk of bronchitis, cough, and phlegm production. These symptoms generally improve when marijuana smokers quit. Marijuana use, especially frequent (daily or near daily) use and use in high doses, can cause disorientation, and sometimes cause unpleasant thoughts or feelings of anxiety and paranoia. Marijuana use is associated with temporary psychosis (not knowing what is real,

hallucinations and paranoia) and long-lasting mental health challenges, including schizophrenia (a type of mental illness where people might see or hear things that aren't there). Marijuana use has also been linked to depression and anxiety, and suicide among teens. However, it is not known whether this is a causal relationship or simply an association.

UNIVERSITY OF TENNEESSEE'S RESPONSE TO SEXUAL AND INTERPERSONAL MISCONDUCT

UTSI maintains a Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (Prohibited Conduct) that may be accessed in this report in **Appendix D** or at [UTSI-2023-2024-Full-Policy.pdf]. Questions about the Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (Policy), or whether a specific fact pattern is covered by the Policy may be forwarded to the Title IX Office at any time:

UTSI Title IX Office
Address: *411 BH Goethert Pkwy*
Tullahoma, TN 37388
Phone: (*931) 393-7265*
Email: *rsemelro@utsi.edu*

The Violence Against Women Act amendments to the Clery Act requires that each institution include certain policy statements that are reflective of the university Policy. The Policy provides information on the university's procedures and response to reports of prohibited conduct, including:

Confidentiality

The Policy for handling a situation in which a person reports an incident of prohibited conduct, sexual exploitation, and retaliation to the university but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken. The policy also provides information on confidential resources that serve as alternatives to reporting an incident of prohibited conduct to the University.

The University will maintain the confidentiality of accommodation or supportive measures provided to those who report these incidents, to the extent that maintaining such confidentiality will not impair the ability of the University to provide the supportive measures. Further, while the University will include statistics of certain crimes in Clery Act geography within its Annual Security Report and analyze violations for potential warnings, it will complete this publicly available recordkeeping without the inclusion of personally identifying information about harmed persons.

What to do if you have been the victim of sexual assault, dating violence, domestic violence or stalking

After an incident of sexual assault, domestic violence, or dating violence, the harmed person should consider seeking medical attention as soon as possible. It is crucial that a harmed person seek medical attention as soon as possible, to assess any injuries, pregnancy, sexually transmitted infections, and any other medical harm. The sooner one seeks medical attention, the better medical professionals can address their needs.

It is important to preserve evidence that may assist law enforcement personnel. If possible, place each item of clothing you were wearing at the time of the assault in a separate paper bag and do not shower, bathe, douche, wash, or clean any part of your body, including brushing your teeth, until you have had a forensic medical exam. If possible, do not clean the area or move anything around where the assault has occurred, in case law enforcement and detectives need access to the area. Especially in instances of stalking, individuals are encouraged to also preserve evidence by saving text messages, direct messages, social networking pages, and other communications, as well as keeping pictures, logs or other copies of documents, if they have any, as such evidence may be useful to the UTSI process and the criminal justice process. Although the University strongly encourages all members of its community to report violations to law enforcement, it is the individual's choice whether to make such a report and they have the right to decline involvement with the police.

Reporting Sexual Assault, Dating and Domestic Violence, and Stalking

The University encourages students who have experienced, have knowledge of, or have witnessed Prohibited Conduct to promptly report the incident to the police or the University. 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 concerning options for reporting sexual assault, dating violence, domestic violence, and stalking can be found in the university's Policy. The policy also provides information on confidential resources that are alternatives to reporting an incident to the university.

Reporting to Police

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.

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

INCIDENT LOCATION	**CONTACT**
Regardless of where the incident occurred	Call 911 in an emergency
On Campus or in Franklin County area or adjoining property	Franklin County Sherriff's Department 494 George Fraley Pkwy, Winchester, TN 37398 (931) 962-0123
Off Campus Crimes	The jurisdictional law enforcement agency for the location

Upon the Complainant's request, a Title IX Official will assist a Complainant in contacting FCSO or another appropriate local police department.

A Title IX Official or the police can assist with arranging an appointment to discuss options for pursuing an order of protection and other legal remedies. This is a legal order issued by a court and differs from a no contact directive, which is an administrative order of the University.

Retaliation

No university officer, employee, or agent shall retaliate, intimidate, threaten, coerce, seek retribution, or otherwise discriminate against any person for exercising their rights or responsibilities under any provision of the Clery Act.

Retaliation means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. The Policy prohibits retaliation.

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

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

Preservation of Evidence

Preserving evidence is crucial for successful criminal investigation and prosecution, especially in incidents related to sexual misconduct, intimate partner violence, and stalking. Preserving evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Harmed persons and witnesses of a crime are encouraged to preserve evidence by not altering the crime scene, not washing or changing clothes, and maintaining any electronic communications related to the incident.

The Title IX Office, UTSI SSO, or local law enforcement is available to assist with the preservation of evidence and provide guidance on the steps to take. Reporting to law enforcement is not mandatory; however, it is strongly encouraged, as doing so can help with the preservation of evidence and ensure access to protective measures and support services.

Institutional Disciplinary Procedures

The University is committed to providing a prompt, fair, and impartial process from the initial investigation to the final result. The procedures will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and how to investigate and conduct a hearing process that protects the safety of victims and promotes accountability.

Proceedings will include a process that allows for the extension of timeframes for good cause with written notice to the Complainant and the Respondent of the delay and the reason for the delay.

All proceedings will be conducted in a manner that is consistent with the University's policies and transparent to the parties; this includes timely notice of meetings at which the parties individually, or collectively, may be present; and provides timely and equal access for the Complainant, the Respondent, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.

The University will provide the Complainant and Respondent with the same opportunities to have others present during any University disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.

Parties will be permitted to have an advisor of choice through the proceedings. The University will not limit the choice of advisor or presence in any meeting or disciplinary proceeding for any party. Any restriction regarding the extent to which advisors may participate will be applied equally to both parties.

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 advisor may be, but is not required to be, an attorney. The role of the advisor in the Formal Hearing depends on the type of Formal Hearing used to resolve the Formal Complaint. The role of the advisor is described in the Code. In general, an advisor is not permitted to speak for or on behalf of a Complainant or Respondent, appear in lieu of a Complainant or Respondent, or participate directly in any other manner during any phase of the student conduct process, except in a Title IX

Hearing. In a Title IX Hearing, the advisor, and not the party, must ask the other party and any witnesses all relevant questions and follow-up questions.

Further procedures the institution will follow when dating violence, domestic violence, sexual assault, or stalking is reported can be found in the Title IX policy in **Appendix D**.

PREVENTION OF SEXUAL AND INTERPERSONAL MISCONDUCT

Sex Offender Registry Information

Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) provides for the tracking of registered sex offenders and instructs states to post sex offender data on the internet.

In Tennessee, convicted sex offenders must register with the Tennessee Sex Offender Registry maintained by the Tennessee Bureau of Investigation (TBI). TBI is responsible for maintaining the Tennessee Sex Offender Registry. The following link will provide access to the Tennessee Sex Offender Registry: **https://www.tn.gov/tbi/general-information/tennessee-sex-offender-registry.html.**

Definition of Terms

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

Local Jurisdiction

Stalking (TCA Code § 39-17-315): A willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

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

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

“Harassment” means conduct directed toward a victim that includes, but is not limited to, repeated or continuing 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.

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

> **Rape** TCA 39-13-503: 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.
>
> **Sexual Battery** TCA 39-13-505: 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.

Statutory Rape TCA 39-13-506: defines 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.

Incest TCA 39-15-302: A person who engages in sexual penetration as defined in § 39-13-501, with a person, knowing the person to be, without regard to legitimacy:

(1) The person's natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child; or

(2) The person's brother or sister of the whole or half-blood or by adoption.

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

Domestic Violence: 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, (1) “Abuse” means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including

inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor; (2) “Adult” means any person eighteen (18) years of age or older, or who is otherwise emancipated.

Dating Violence: TCA does not define dating violence. In Tennessee, dating violence is defined as domestic assault committed when the relationship falls within TCA 39-13-111 for Domestic Assault.

Consent: In Tennessee, Consent with respect to most criminal offenses relating to sexual activity, sexual activity is criminal if:

(1) the activity was accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the activity that the victim did not consent;
(2) force or coercion is used to accomplish the activity;
(3) the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless; or
(4) the sexual activity is accomplished by fraud.

“Consent” is not explicitly defined in Tennessee statutory law, for purposes of criminal offenses relating to sexual activity.

“Coercion” means a threat of kidnapping, extortion, force, or violence to be performed immediately or in the future (Tennessee Code Annotated § 39-13-501(1)).

“Mentally defective” means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of the person's conduct (Tennessee Code Annotated § 39-13-501(3)).

“Mentally incapacitated” means that a person is rendered temporarily incapable of appraising or controlling the person's conduct due to the influence of a narcotic, anesthetic or other substance administered to that person without the person's consent, or due to any other act committed upon that person without the person's consent (Tennessee Code Annotated § 39-13-501(4)).

“Physically helpless” means that a person is unconscious, asleep or for any other reason physically or verbally unable to communicate unwillingness to do an act (Tennessee Code Annotated § 39-13-501(5)).

With respect to criminal offenses relating to sexual activity with a person under the age of eighteen (18) years of age, consent is irrelevant because Tennessee law deems a minor as incapable of consenting to sexual activity. However, Tennessee law provides a close-in-age exception to that general rule that allows minors who are at least the age of thirteen (13) and less than the age of eighteen (18) to give consent to sexual acts with another person who is less than four (4) years older than the minor.

CLERY ACT TERMS

The Clery Act specifically defines the geography of the University which is used to report crimes and in certain cases arrests and referrals for discipline.

On Campus

(i) 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

(ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On Campus Residential

Crimes that occur in on campus residence halls are counted in the On Campus category as well as the On Campus residential category. On Campus Residential is a sub-set of On Campus, and the crime counts should not be added together.

Noncampus

(i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(ii) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public property

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

The following are definitions of crimes that are reportable under the Clery Act reporting requirements.

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.

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.

Fondling

The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their 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.

Robbery

The taking or attempting to take anything of value from the care, custody or control of a person or

persons by force or threat of force or violence, and/or by putting the victim in fear.

Aggravated assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault 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 which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

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

Motor vehicle theft

The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.

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.

Liquor law violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

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.

Weapon law violations

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Offense Definitions Relating to Hate/Bias-Related Crime

A hate crime is a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, gender, gender identity, religion, disability, sexual orientation, or ethnicity/national origin.

In addition to the Primary Crime offenses defined above, there are also four additional criminal offenses related to Hate Crimes, they are: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. The following are definitions of Hate/Bias crimes that are reportable under the Clery Reporting Requirements:

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.

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.

Intimidation

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

Destruction/damage/vandalism of property

To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Violence Against Women Act Crimes

Domestic violence

A felony or misdemeanor crime of violence committed—

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

Dating violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
2. For the purposes of this definition—
   a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   b. Dating violence does not include acts covered under the definition of domestic violence.

Stalking

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
   a. Fear for the person's safety or the safety of others; or
   b. Suffer substantial emotional distress.

For the purposes of this definition—

1. Course of conduct means two or more acts, including, but not limited to, acts that the stalker directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

UTSI is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from sexual assault, domestic violence, dating violence, and stalking (collectively, "Prohibited Conduct"). Prohibited Conduct is prohibited, will not be tolerated, and will be grounds for disciplinary action up to and including expulsion from the University and termination of employment. Prohibited Conduct is defined in the university's Policy.

The programs UTSI provides to prevent Prohibited Conduct include both *primary prevention and awareness programs* directed at incoming students and new employees, and *ongoing prevention and awareness campaigns* directed at students and employees.

UTSI programming is comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end Prohibited Conduct that:

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

Primary prevention and awareness training for all incoming students and employees collectively address UTSI's prohibition of Prohibited Conduct, the definition of Prohibited Conduct and consent for our local jurisdiction, UTSI's definition of consent, safe and positive options for bystander intervention, information on risk reduction, and procedures that the institution will follow when one of these crimes is reported.

UTSI implements training for incoming students and new employees that inform them about:

- UTSI's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking, including: the Institute's prohibition against prohibited conduct (e.g. sexual assault, dating violence, domestic violence, and stalking); the definitions of Tennessee Sex Offense Crimes and Tennessee Relationship Violence Crimes; the definition of consent with respect to crimes relating to sexual activity in the State of Tennessee; and the information that is included in the Institute's Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence, and Stalking (which includes the University's definition of consent and the purposes for which that definition is used) in accordance with 34 C.F.R. § 668.46(b)(11) and 34 C.F.R. § 668.46(k)(2);
- Bystander Intervention; and
- Risk Reduction.

Questions about UTSI's current Primary Prevention Programs should be directed to the Title IX Coordinator. The University's primary prevention program for incoming students is a mandatory online module called, "Think About It."

Ongoing prevention and awareness campaigns include programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and including information intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

These programs and campaigns include:

Ongoing annual training for UTSI employees about sexual assault, harassment, and other important topics, help create and sustain a safe and healthy workplace. The annual training promotes greater awareness and enables action about sexual assault, stalking, intimate partner violence and sexual harassment.

Questions about UTSI's ongoing prevention and awareness campaigns should be directed to the Title IX Coordinator. A description of ongoing prevention and awareness campaigns can be found at Title IX Sexual Harassment - Space Institute (utsi.edu).

BYSTANDER INTERVENTION

Bystander Intervention

Bystander intervention is crucial in keeping the campus community safe and preventing sexual violence, dating violence, domestic violence, and stalking. Bystanders witness violence or its contributing factors and choose to act or speak up. UTSI aims to foster a culture of community accountability and encourages bystanders to intervene if the situation is safe to do so. 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.

Safe and Positive Options for Bystander Intervention

If you or someone else is in immediate danger and it is not safe for you to intervene, call 911. If you do feel safe intervening, there are ways you can step in. Here are three key steps to being an active bystander:

1. **Acknowledge the situation.**

Trust the voice within yourself that senses when something is wrong. Pay attention to your surroundings. If you feel like a situation you witness is off, wrong, or harmful, listen to that feeling.

2. **Consider your options.**

   Consider your options for intervening. Think about what you could do. What factors do you need to consider? Some include:

   - Time of day
   - Location
   - Safety
   - Situational power

3. **Take action.**

   After acknowledging that you should intervene and considering your options and safety concerns, it's time to take action! You can act using the 3 D's: Direct, Distract, Delegate.

What are the 3 D's and how can I use them?

The 3 D's are strategies that you can use to intervene in a situation.

Direct
Step in and address the situation directly.
Example: "What you are doing is wrong." "Hey, that's not cool. You shouldn't be doing that." "Are you okay?"

Distract
Provide a distraction that shifts the focus of the situation. This can include doing something to separate the victim from the situation or causing a physical distraction, like spilling a drink and asking for help cleaning it up. Example: "Can you show me where the bathroom is?"

Delegate
Find others who can help you to intervene in the situation. There is power in numbers. This can include asking a friend to intervene with you or getting help from security or staff. Example: "Hey, I'm NAME, will you help me?"

Your safety is important

When deciding how to act, it is important to keep yourself safe. It may not be safe to directly intervene sometimes, so distracting or delegating may be the better option. In other situations, you might decide to use all 3 D's.

RISK AWARENESS AND REDUCTION

Risk Recognition, Risk Avoidance, and Risk Reduction is 90% of self-defense: Be present in your situation and aware of your surroundings:

- General Awareness
  - Vehicle
    - Keep valuables in a secure place and out of sight
    - Don't leave your vehicle running unattended
    - Lock your doors when exiting your vehicle, even if you will only be away for a short time. Many modern cars retract the side mirrors when locked. A modern car parked with mirrors extended is a sign that doors are unlocked.
    - Don't leave your key fob or spare key in your vehicle when unattended – this can enable anyone to access your vehicle by simply touching the door handle (a thief will look for this specifically)
    - Lock your vehicle immediately after entering your vehicle
  - Building
    - Check your locks
    - Ensure outdoor lighting is in working order
    - Look for and repair any broken doors or windows
    - Keep shrubs and bushes trimmed to avoid potential areas where someone could hide out of sight
    - Know the visitor policy for where you live
    - Have an emergency contact text list
  - When possible, stay off your phone and keep your eyes up while walking, and only use one headphone
  - No attacker wants to be seen, heard, or discovered
    - Make eye contact
    - Acknowledging their presence with clear verbal statements
- Using Self-Defense
  - Use when required for escape
  - Defense should be objectively reasonable, and proportionate to the situation
  - Apply yourself 100%
- Reporting Suspicious Activity
  - Get a detailed description and direction of travel
  - Avoid confrontation
- If you are a victim of a crime
  - Get to a safe location
  - Preserve any evidence
  - For emergencies call 911 – especially if you are injured
- Weapons
  - Potential weapons could be pepper spray, Taser, keys, sound devices, flashlight (However, ensure you follow UTSI Policy and understand what you can and can't use or carry on campus)
  - Personal Weapons

    - Voice – This is your number one personal weapon! Use clear verbal statements (don't just yell). A loud, articulated "No!" can be very effective.
- Reporting incidents
    - Avoid panic
    - Get to a safe location
    - Use 911
    - Articulate each use of force

All child abuse or neglect should be reported to the Tennessee Department of Children's Services – this report can be confidential or anonymous.

STOP CAMPUS HAZING ACT (SCHA)

On December 23, 2024, the Stop Campus Hazing Act (SCHA) was signed into law. The SCHA amends the Clery Act and requires institutions to disclose statistics on hazing (to be included in the 2026 report), as well as other policies and procedures to support campus-wide anti-hazing efforts.

UTSI's Policy on Hazing

UTSI is committed to a safe learning environment that allows for students' personal growth and development in the most positive manner possible. As such, UTSI does not permit hazing and is committed to fostering environments where students and student organizations alike can thrive. Hazing is prohibited by the Student Code of Conduct, as required by Tennessee State Law (Tennessee Code Annotated Title 49, Chapter 7, Section 123 (T.C.A. § 49-7-123).

UTSI's Definition of Hazing

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, safety, or welfare of that student, or which induces or coerces a student to endanger their mental or physical health, safety, or welfare. 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 regardless of the student's willingness to participate. [Student Code of Conduct, Section 4.10.]

How to Report Incidents of Hazing

Report Hazing incidents to UTSI SSO, Student Services, Title IX Office, or online at Report Hazing.

Process Used to Investigate Hazing Incidents

A formal investigation will be conducted upon receiving any Hazing Incidents. UTSI follows the process outlined in the Office of Investigation and Resolution (OIR) at UTK [Process Overview | Office of Investigation and Resolution].

Upon receipt of a complaint or report, the OIR will open the case and compete the intake review. The case then proceeds to investigation, where information will be gathered and reviewed. The report will then be finalized and issued. The complainant and/or respondent will be given to appeal the findings if deemed necessary.

Alternative resolutions are available at OIR's discretion at any point before investigative findings are deemed final.

Applicable Local, State, and Tribal Laws on Hazing

There are no additional local laws on Hazing. Tennessee State Law (Tennessee Code Annotated Title 49, Chapter 7, Section 123 (T.C.A. § 49-7-123) Prohibits Hazing as stated:

- **(a)** As used in this section, unless the otherwise requires, "hazing" means anyintentional orreckless act in this state, on or off LEA property, by one (1) student actingalone or withothers, that is directed against any other student, that endangers the mentalor physicalhealth or safety of that student or that induces or coerces a student to endangerthatstudent's mental or physical health or safety. "Hazing" does not include customaryathleticevents or similar contests or competitions and is limited to those actions takenandsituations created in connection with initiation into or affiliation with any organization.
- **(b)** The governing body of each LEA shall adopt a written policy prohibiting hazing byanystudent or organization operating under the sanction of the LEA. The policy shallbedistributed or made available to each student at the beginning of each school year.Duringthe first month of each new school year, time shall be set aside to specificallydiscuss thepolicy and its ramifications as a criminal offense and the penalties that may beimposed bythe LEA.

Prevention and Awareness Programs Related to Hazing

To provide the campus community with reliable information and prevention strategies to stop hazing before it occurs, UTSI has developed prevention and awareness programs related to hazing. The following information is a description of research-informed campus-wide prevention programs designed to reach students, staff, and faculty. For more information on these programs, visit Hazing Prevention.

THE ANNUAL FIRE SAFETY REPORT

Federal law requires the Institute to produce an annual fire safety report outlining fire safety policies, fire safety systems, fire statistics, and other information relating to on-campus student housing. The following information satisfies that requirement.

Reporting Fires

The Institute is required by federal law to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing facilities. In these instances, please contact one of the following:

DEPARTMENT	PHONE NUMBER
Safety and Security Office	(931) 393-7156
Campus Housing	(931) 393-7419
Facilities Services	(931) 393-7313

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

In the event of an emergency, call UTSI SSO or 911.

Policies or rules for portable electrical appliances, smoking; and open flames in a student housing facility

Portable Electrical Appliances

Individual dorm room kitchens are provided for residents to use for cooking. Other refrigerators are not permitted in student residence hall rooms. One microwave unit and one toaster are permitted in kitchens in apartment style halls.

Smoking

The University of Tennessee system's policy on smoking can be found at: SA0900 - Smoking - UT System Policies**.** As used in this section, "smoke" or "smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including electronic cigarette) pipe or other lighted tobacco product in any manner or in any form. Smoking devices, including, but not limited to electronic cigarettes, pipes, bongs, and hookahs, are not permitted in residence halls.

Entrances to all Institute buildings, including residence halls, are designated as smoke free. Unless otherwise posted, smoking is prohibited within twenty-five (25) feet of all doorways, windows, and ventilation systems of all Institute buildings.

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

Evacuation Procedures for Student Housing in Case of a Fire

Evacuation procedures are both general and specific for the Institute's on-campus student housing facilities. In case of a fire, all students are directed to leave their room, close the door, and proceed to the nearest exit upon fire alarm activation. Elevators are not to be used during evacuation. Once outside the building students assemble at a designated location. Additional site-specific evacuation information is provided on the front door of the dorm.

Fire Safety Education and Training Programs Provided to the Students and Employees

Fire safety training and education programs are required for all staff and students. These training sessions are provided online via K@TE. In addition, the Security and Safety Office offer an annual course in the use of fire extinguishers. This course includes a classroom session and practical exercise. Training and education programs describe the procedures that students and employees should follow in case of a fire.

Procedures Students and Employees Should Follow in Case of a Fire

The Estill Springs Volunteer Fire Department is the community organization that responds to fires on campus. In addition, Arnold Engineering Development Complex Fire Department may respond as well.

The following are general procedures for Institute staff in the event of a fire or other emergency that requires evacuation:

R— Rescue anyone in danger if it is safe to do so.

A— Alarm If you are inside a building, sound the alarm by activating the building's fire alarm system or use another method to alert occupants of the building. Pulling a fire alarm in 8101, Main Academic Building will send a signal to an alarm monitoring company. The alarm company will notify Franklin County 911 Communications who will dispatch the Estill Springs Volunteer Fire Department and a Franklin County Sheriff's Office officer to the building. All other buildings are local alarm only and are NOT monitored by a service company. If you pull an alarm, always call 911 as soon as possible. If you are outside a building and can't readily access a fire alarm pull station, call 911. This number connects you with Franklin County 911 Communications Center, which will dispatch the Estill Springs Volunteer Fire Department.

C— Close all doors.

E — Extinguish the fire if safe to do so or evacuate the building to a defined assembly point for a head count and do not to re-enter the building until approval is given by police or fire officials.

Designated Institute staff should check the area to ensure everyone hears the alarm and evacuates.

The following are general procedures for Institute students in the event of a fire or other emergency that requires evacuation:

1. Activate the nearest fire alarm pull station.
2. Students are not encouraged to use portable fire extinguishers.
3. Upon hearing the alarm, leave the building using the nearest exit stairway.
4. Close doors while exiting the building.
5. Meet at the designated assembly point for a head count.
6. Do not re-enter the building until approval is given by police or fire officials.

Plans for Future Improvements in Fire Safety

Residence Halls:

- Plans for fire alarm system improvements to the dorm rooms and hallways**.**

Campus-wide Buildings:

- Plans for installation of fire alarm systems in all buildings.
- Plans for off-campus notification to emergency responders for all buildings.

FIRE STATISTICS

Statistics for reported fires in on-campus student housing facilities are contained in **Appendix B** to this report.

FIRE SAFETY SYSTEMS

Appendix C to this report contains a description of each on-campus student housing facility's fire safety system, including the number of fire drills held during the previous year.

Appendix A
Crime Statistics

CAMPUS CRIME STATISTICS For the University of Tennessee Space Institute

Jeanne Clery Campus Safety Act

Criminal Offenses or Primary Crimes	Calendar Year	On Campus (Including Residential)	Non-Campus	Public Property	Total	On Campus (Residential Only)
Murder & Non-Negligent Manslaughter	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Manslaughter by Negligence	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Rape	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Fondling	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Incest	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Burglary	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Motor Vehicle Theft	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Arson	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0

VAWA Offenses, Hazing, Arrests, and Referrals	Calendar Year	On Campus (Including Residential)	Non-Campus	Public Property	Total	On Campus (Residential Only)
Domestic Violence	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Dating Violence	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Stalking	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Hazing	2025	0	0	0	0	0
Liquor Law Violation Arrests	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Drug Law Violation Arrests	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Weapons Law Violation Arrests	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	1	0	0	1	0
Drug Law Violations Referred for Disciplinary Action	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0

*Per the Stop Campus Hazing Act, collecting incidents of hazing for Clery Act statistics began in 2025

Hate Crime Statistics	
2024	0
2023	0
2022	0

Unfounded Crimes	
2024	0
2023	0
2022	0

Appendix B

Fires in On-Campus Student Housing Facilities

2025
Fires in On-campus Student Housing Facilities

Housing Facility	Total Fires in Housing Faciltiy	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
UTSI Housing, 411 B.H. Goethert Pkwy, Tullahoma TN 37388	0	N/A	N/A	N/A	N/A

2024
Fires in On-campus Student Housing Facilities

Housing Facility	Total Fires in Housing Faciltiy	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
UTSI Housing, 411 B.H. Goethert Pkwy, Tullahoma TN 37388	0	N/A	N/A	N/A	N/A

2023
Fires in On-campus Student Housing Facilities

Housing Facility	Total Fires in Housing Faciltiy	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
UTSI Housing, 411 B.H. Goethert Pkwy, Tullahoma TN 37388	0	N/A	N/A	N/A	N/A

Appendix C

Fire Safety Systems in On-Campus Student Housing Facilities

2025
Fire Safety Systems in On-campus Student Housing Facilities

Housing Facility	Fire Alarm Systems	Sprinkler System	Fire Extinguisher Devices	Smoke Detection	Evacuation Plans and Placards	Number of Evacuation (Fire) Drills Conducted in 2025
UTSI Housing, 411 B.H. Goethert Pkwy, Tullahoma TN 37388	Yes	No	Yes	Yes	Yes	2

Appendix D

Policy on Sexual Harassment, Sexual Assault, Dating Violence, and Stalking

Section 1: Introduction

Overview

The University of Tennessee Space Institute 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.

The primary purposes of this Policy on Sexual Harassment, Sexual Assault, Dating and Domestic Violence and Stalking ("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 each campus's procedures and training and prevention programs relating to Prohibited Conduct can be found online at UTSI-2023-2024-Full-Policy.pdf.

Scope and Applicability

Individuals Covered by this Policy

This Policy applies to the conduct of and protects:

- Students at the University of Tennessee Space Institute;
- Employees and affiliates of the University[1]; and
- University contractors and third parties participating or attempting to participate in the University's operations or education.

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

- The "Complainant" means 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 this Policy.
- The "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct.

Those terms do not imply pre-judgment concerning whether Prohibited Conduct occurred. Other key terms used in this Policy are defined in other places in this Policy and are capitalized throughout this Policy.

1 "University" in this Policy means the University of Tennessee Space Institute

Jurisdiction

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

The University's jurisdiction concerning misconduct by students is governed by the University's Student Code of Conduct ("Code"). The Code applies to Prohibited Conduct which occurs on university-controlled property. The Code also applies to Prohibited Conduct that occurs off of University-controlled property in certain situations, including Prohibited Conduct which: (1) occurs in connection with a University-affiliated activity including, without limitation, an overseas study program or a clinical, field, internship, or in-service experience; (2) is prohibited by local, state, or federal law, and the conduct was committed within Coffee County or Franklin County; (3) is fairly attributable to a student organization based on a consideration of the criteria in the Code; (4) is committed against another member of the University community; or (5) threatens, or indicates that the student poses a threat to, the health, safety, or welfare of others or the security of any person's property.

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

Other University System Policies

Except for University of Tennessee System Safety Policy 0575 (Programs for Minors)

(SA0575 – Programs for Minors - UT System Policies)and as otherwise provided in this Policy, this Policy takes precedence over other University policies and procedures concerning Prohibited Conduct in the event of a conflict.

In addition, for employees, conduct that is not Prohibited Conduct under this Policy may also violate other federal or state antidiscrimination laws, including Title VII, and other University policies, including, without limitation: University of Tennessee System Human Resources Policies 0220 ("Equal Employment Opportunity Affirmative Action and Diversity") (HR0220 - Equal Employment Opportunity - UT System Policies), 0280 ("Sexual Harassment and Other Discriminatory Harassment") HR0280 - Sexual Harassment & Other Discriminatory Harassment - UT System Policies, and 0580 ("Code of Conduct") (HR0580 - Code of Conduct - UT System Policies).

Consensual romantic or sexual relationships between members of the University community are subject to other University policies. For example, the University's policy on amorous or sexual relationships between faculty and students can be found in Section 2.2.6 of the UTK Faculty Handbook

(Faculty Handbook | The University of Tennessee, Knoxville).Even if an amorous or sexual relationship between members of the University community begins as consensual and welcome, it can evolve into situations that lead to allegations of Prohibited Conduct.

Section 2: Prohibited Conduct

Introduction

This Policy prohibits the following conduct:[2]

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

Definitions of Prohibited Conduct

Sexual Harassment[3]

"Sexual Harassment" is conduct based on sex that satisfies one or more of the following:

1. An employee of the University conditioning the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct

[2] The University's Nondiscrimination Statement (Access and Engagement - Space Institute) prohibits Sex Discrimination in any University education program or activity, including employment and admissions. Sex Discrimination means conduct directed at a specific person or a group of identifiable persons that subjects the person or group to treatment that adversely affects their employment, education, or ability to participate in or benefit equally in any University program or activity, based on sex. Sex Discrimination may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Complaints of Sex Discrimination should be reported to the Title IX Coordinator and will be handled in accordance with the procedures on the Office of Equity and Diversity's website Access and Engagement - Space Institute.

[3] With respect to conduct by employees, the University also prohibits sexual harassment in accordance with University of Tennessee System Human Resources Policy 0280 ("Sexual Harassment and Other Discriminatory Harassment")(HR0280 - Sexual Harassment & Other Discriminatory Harassment - UT System Policies). Conduct by employees that does not necessarily violate this Policy may be a violation of University of Tennessee System Human Resources Policy 0280. Complaint of sexual harassment prohibited by University of Tennessee System Human Resources Policy 0280 should be reported to the Title IX Coordinator (UTSIDiscriminationComplaintForm01232018.pdf) and will be handled in accordance with the procedures on the Office of Equity & Diversity website Access and Engagement - Space Institute

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
3. Sexual Assault, Dating Violence, Domestic Violence, and/or Stalking.

For the definition of Sexual Harassment, *"reasonable person"* means a reasonable person under similar circumstances as and with similar identities to the complainant.

To determine whether words and/or conduct constitute Sexual Harassment, the University will consider the totality of the circumstances, including without limitation: the context in which the conduct and/or words occurred; and the frequency, nature, and severity of the words and/or conduct.

In no event shall the term "Sexual Harassment" be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., mere insulting or offensive speech).

"Sexual Assault" is an umbrella term for any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes Rape, Fondling, Incest, and Statutory Rape.

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

"Fondling" means 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" means sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.

"Statutory Rape" means sexual intercourse with a person who is under the statutory age of consent.

"Dating Violence" means violence committed by a person—

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
    a. The length of the relationship.
    b. The type of relationship.
    c. The frequency of interaction between the people involved in the relationship.

"Domestic Violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an

adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs.

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

"Stalking" means 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.

"Course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the definition of Stalking, *"reasonable person"* means a reasonable person under similar circumstances and with similar identities to the complainant.

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

Examples of Sexual Exploitation include, without limitation:

- Surreptitiously observing, photographing, audiotaping, videotaping, or recording an image of a person who is engaging in sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy.
- Allowing or enabling a person to surreptitiously observe, photograph, audiotape, videotape, or record an image of another person who is engaging in sexual act(s), or another person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in which the person has a reasonable expectation of privacy.
- Showing, posting, or sharing video, audio, or an image that depicts a person who is engaging in sexual act(s), or a person's breasts, buttocks, groin, or genitals, when the person being observed/photographed/audiotaped/videotaped/recorded is in a place in

which the person has a reasonable expectation of privacy, if all persons who are depicted have not agreed to having the video/audio/image shown, posted, or shared

- Prostituting another person or engaging in sex trafficking
- Knowingly exposing another person to a sexually transmitted infection or disease without informing the other person that one has a sexually transmitted infection or disease.
- Forcing a person to participate in sexual act(s)with a person other than oneself.
- Forcing a person to expose the person's breasts, buttocks, groin, or genitals.
- Forcing a person to act against that person's will by threatening to show, post, or share video, audio, or an image that depicts the person's nudity or depicts the person engaging in sexual act(s).
- Forcing a person to act of a sexual nature against that person's will by threatening to disclose information that would harm a person's reputation.
- Forcing a person to take an action against that person's will by threatening to disclose information of a sexual or intimate nature that would harm a person's reputation; or
- Causing or requesting an incapacitated person to expose the person's breasts, buttocks, groin, or genitals or to participate in sexual act(s) with a person other than oneself.

"Retaliation" means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this Policy constitutes retaliation.

1. The exercise of rights protected under the First Amendment does not constitute retaliation.
2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith during a grievance proceeding under this part does not constitute retaliation. Retaliation is a violation of this Policy regardless of whether the underlying allegation of a violation of this Policy is found to have merit. Determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

<u>Related Definitions: Consent, Force, Incapacitation</u>

"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.

"Force (Forced)" means words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity.

Examples of Force include, without limitation:

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

"Incapacitation" means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is different from legal intoxication.

A person violates this Policy when they engage in sexual activity with another person who is Incapacitated when a reasonable person would have known the other person to be Incapacitated. For evaluating Incapacitation, a "reasonable person" means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the Respondent.

Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements

(e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

Section 3: Grievance Procedures Used to Address Prohibited Conduct

The University has specific grievance procedures for addressing reports of Prohibited Conduct after the report to the Title IX Coordinator (Section 4.5.2.3). The procedures the University uses are based on the nature of the allegations and the relationship of the Respondent to the University.

Grievance Procedures when the Respondent is Both a Student and an Employee

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.

Grievance Procedures when the Respondent is a Third Party

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 are determined not appropriate.

Section 4: Supportive Measures and Reporting Options

Complainants and Respondents have a wide range of options for care, support, and reporting options in response to Prohibited Conduct. For comprehensive information about those options, students and employees should refer to Appendix A. Third parties should contact the University's Title IX Coordinator.

Title IX Coordinator/Title IX Officials

The University is subject to the requirements of Title IX of the Education Amendments of 1972, which states:

No person in the United States shall, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

UTSI's Title IX Coordinator is responsible for coordinating the University's efforts to comply with and fulfill its responsibilities under Title IX.

UTSI's Title IX Coordinator is:

Rory Semelroth

The University of Tennessee Space Institute

411 B. H. Goethert Parkway

Tullahoma, TN 37388 (931) 393-7265 rsemelro@utsi.edu

Title IX Sexual Harassment - Space Institute

Reports or complaints of Prohibited Conduct or questions about the University's policies, procedures, resources, or programs concerning Prohibited Conduct, may be directed to the University's Title IX Coordinator or other Title IX Officials, who are trained and accessible to members of the University community for consultation and assistance.

The term "Title IX Official" in this Policy means the Title IX Coordinator, a Deputy Title IX Coordinator, or one of their designees.

The responsibilities of Title IX Officials are described in more detail at Title IX Sexual Harassment - Space Institute. The Title IX Coordinator is available to meet with any student, employee, or third party to answer questions about this Policy. Inquiries or complaints concerning Title IX also may be referred to the United States Department of Education, Office for Civil Rights, 61 Forsyth Street, S.W.,

Suite 19T10, Atlanta, GA 30303-8927, (404) 974-9406 (phone), (404) 974-9471 (fax), OCR.Atlanta@ed.gov.

Distinction between Privacy and Confidentiality

Under this Policy, privacy should be distinguished from confidentiality.

- Confidentiality: If a Complainant desires to communicate with someone who, by law or by university policy, can keep information confidential, then the Complainant should contact one of the resources outlined in Section 4.
- Privacy: Information communicated to a Title IX Official (Section 4), or a Mandatory Reporter will be kept as private as possible, which means that the information will be shared only with the University employees whom a Title IX Official determines need to be involved in responding to the incident, except as required or permitted by law. When speaking with a Title IX Official, Complainants are free to limit the details they share while they decide whether to report an incident to the University.

Reporting Options

A Complainant has multiple options for reporting Prohibited Conduct. A Complainant may report Prohibited Conduct to the University, to the police, to both, or to neither.

Report to the Police

Prohibited Conduct may constitute both a violation of this Policy and criminal law. Therefore, the University encourages Complainants to report incidents of Prohibited Conduct to the police. Prompt reporting of an incident to the police is especially critical because the collection and preservation of evidence is essential for police investigations and criminal prosecutions. A Complainant has the right to decline to report the incident to the police. Even if a Complainant does not report the incident to the police, the Complainant may still request Supportive Measures by reporting the incident to a Title IX Official.

Report to the University

A **Report** means notification to the Title IX Coordinator or designee of Prohibited Conduct, (whether the person reporting is the person alleged to be the victim of conduct that could constitute Prohibited Conduct). A Report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written notification. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Mandatory Reporters

A Mandatory Reporter is a university employee who is required to report information about known or suspected Prohibited Conduct to a Title IX Official, whether the employee received the information by means of a complaint, report, personal observation, or otherwise, including information learned from third parties. **A University employee is always a Mandatory Reporter when either the Complainant or Respondent is a student**. Employees who have questions about their reporting responsibilities, or students who have questions about an employee's reporting responsibilities, should contact the Title IX Coordinator.

A University employee is a Mandatory Reporter if *either* of the following apply:

1. The Prohibited Conduct **involves either a Complainant who is a student or a Respondent who is a student**.

OR

2. The employee is the **supervisor of either a Complainant who is an employee or a Respondent who is an employee,** or otherwise has the authority to redress the Prohibited Conduct (e.g., human resources administrators, UTSI Office of Equity and Diversity (OED) employees, Title IX Officials, department heads, deans, vice chancellors, chancellors, vice presidents, campus police).

Exceptions – No Duty to Report:

- The employee is a Confidential Employee and receives the information while acting in a professional, confidential capacity,
- The employee receives the information during a public awareness event such as "Take Back the Night," candlelight vigils, protests, "survivor speak outs" or other public forums including online forums such as social networking sites and blogs,
- The employee receives the information through a person's participation as a subject in an Institutional Review Board-approved human subjects research protocol,
- The employee receives information through an in-class discussion, a class paper, or other academic assignment; or
- The employee is a student employee (e.g., graduate assistant) and did not receive notice of the incident in the student employee's University employment capacity.

Mandatory Reporters are required to inform a Title IX Official about all information known to them about the Prohibited Conduct. Failure to adhere to one's duty to report Prohibited Conduct to a Title IX Official may result in disciplinary action, up to and including termination of employment.

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

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

- University employees also may have reporting responsibilities under other University policies, such as: Child Abuse: Employees who receive information about suspected child abuse or child sexual abuse must comply with University of Tennessee System Safety Policy 0575 (Programs for Minors) SA0575 – Programs for Minors - UT System Policies. Safety Policy 0575 takes precedence over this Policy with respect to reporting suspected child abuse and child sexual abuse. Note that under Tennessee law, the obligation to report child abuse or child sexual abuse is not limited to situations involving University-related activities and programs.
- Campus Security Authorities - Clery Act: Mandatory Reporters who have been designated by the UTSI Safety Office as Campus Security Authorities for purposes of compliance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act") satisfy their reporting duties with respect to this Policy and the Clery Act if they report the incident to a Title IX Official. The Title IX Official is responsible for timely communicating the appropriate non- personally identifying information to the UTSI Safety Office. **Employees who have been designated as Campus Security Authorities may have an obligation to report misconduct to the UTSI Safety Office even when they do not have an obligation to report misconduct under this Policy. Questions about the reporting obligations of Campus Security Authorities should be directed to John Woolston, the University's Clery Compliance Coordinator, at jwoolst1@utsi.edu or (931) 393-7311**

Benefits of Reporting Prohibited Conduct 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.

Initial Response and Assessment by the Title IX Coordinator

Title IX Coordinator will take the following steps after receiving a report of Prohibited Conduct.

Limited Action

When the University receives notice of a potential incident of Prohibited Conduct, the Title IX Coordinator will communicate with the Complainant about the following:

- How the Complainant can file a formal complaint
- Supportive measures that the University can take to support the Complainant; and
- On and off campus resources that the Complainant can access for assistance.

If the Complainant declines to respond to outreach, or states that they do not wish to file a formal complaint or participate in an investigation, the University will take Limited Action. Limited Action includes providing supportive measures like academic support, safety escorts, no contact directives, and campus support services. For more information about supportive measures, please visit section 4.

There are limited circumstances in which the Title IX Coordinator may determine that the University must continue with an investigation without the Complainant's participation or assent, because of the University's commitment to providing a safe and non-discriminatory learning, living, and working environment free from Prohibited Conduct. These limited circumstances are referred to as University- Initiated Investigations. For example, if the University has credible information that the Respondent is alleged to have committed one or more other acts of Prohibited Conduct, then the balance of factors might compel the University to investigate the allegation, and, if appropriate, pursue disciplinary action.

When evaluating whether the University must conduct a university-initiated investigation, the Title IX Coordinator will consider a range of factors, including, without limitation, the following factors:

- The risk that the Respondent will commit additional acts Prohibited Conduct, such as:
    - Whether there have been other reports of Prohibited Conduct or other relevant misconduct concerning the same Respondent,
    - Whether or not the incidents occurred while the Respondent was a university student or employee.
    - Whether the Respondent threatened further Prohibited Conduct or other misconduct against the Complainant or others; and
    - Whether the Prohibited Conduct was committed by multiple perpetrators

- The nature and scope of the Prohibited Conduct, including whether the Prohibited conduct was perpetrated with a weapon.
- The ages and roles of the Complainant and the Respondent
- Whether the University can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the Prohibited Conduct such as security cameras or physical evidence)
- Whether the Complainant's report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group)
- The University's commitment to providing a safe, non-discriminatory environment, including the risk posted to any individual or to the campus community by not proceeding with an investigation; and
- Complainant safety.

If the Title IX Coordinator determines the University must investigate, then the Title IX Coordinator will inform the Complainant of the decision prior to starting/continuing the grievance process and will, to the extent possible and unless otherwise required by law, only share information with people responsible for overseeing the University's response. The University will honor a request by the Complainant that the University inform the Respondent that the Complainant asked the University not to investigate or seek discipline. The University will take ongoing steps that it determines are reasonable and appropriate to protect the Complainant from Retaliation or harm and may collaborate with the Complainant to create a safety plan. The University will also assist the Complainant to access the support resources identified in Appendix A and inform the Complainant of the right to report a crime to campus or local law enforcement (and provide the Complainant with assistance in reporting if the Complainant requests it). The University will not tolerate Retaliation against any person, including the Complainant.

Because the University is under a continuing obligation to address the issues of Prohibited Conduct campus-wide, reports of Prohibited Conduct (including non-identifying reports and reports for which the University only takes Limited Action) may also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported Prohibited Conduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting additional climate assessments/victimization surveys; and/or revisiting its policies and practices.

Complainant's Participation in an Investigation or Disciplinary Proceeding

The University will not require a Complainant to participate in any investigation or hearing before a university hearing officer or board. A Complainant may be required to participate in a hearing held by an administrative judge pursuant to the Uniform Administrative Procedures Act if the Complainant receives a subpoena from a party other than the University. If a Complainant chooses not to participate in an investigation or disciplinary hearing, the University's ability to discipline the Respondent may be affected.

Amnesty

The University recognizes that a student who is under the influence of alcohol and/or drugs at the time of an incident of Prohibited Conduct may be hesitant to report the incident to the University

because of a fear of university disciplinary sanctions for the person's own violation of the University standards of conduct. Because of the importance to the University of responding to incidents of Prohibited Conduct, a student who reports Prohibited Conduct to the University or provides information in a University investigation into alleged Prohibited Conduct will not be subject to disciplinary action by the University of Tennessee, Knoxville (UTK) Office of Student Conduct and Community Standards for personal consumption of alcohol or other drugs, or minor offenses, at or near the time of the reported incident, but may be responsible for other, more serious conduct that harmed or placed the health or safety of any other person at risk ("Amnesty").The University may, however, initiate an educational discussion or pursue other educational remedies with the student regarding alcohol or drugs. The Title IX Coordinator, in coordination with the UTK Title IX Coordinator, has the discretion to grant Amnesty to persons other than the person who reported Prohibited Conduct (e.g., Complainant, Respondent, witnesses). The Student Code of Conduct, Section 11, also contains a policy on Amnesty for individuals acting as Good Samaritans and students in need of emergency medical attention. This section does not apply to reports to the police; rather, it applies only to discipline for violations of the University's Code of Conduct.

False Reports

A person who makes a report of Prohibited Conduct to the University that is later found to have made materially false statement(s) in bad faith may be subject to university disciplinary action. This provision does not apply to reports made in good faith, even if an investigation of the incident does not find a Policy violation. Similarly, a person who intentionally provides materially false statement(s) in bad faith to the University during a University investigation or disciplinary proceeding action may be subject to disciplinary action.

Supportive and Remedial Measures

After receiving a report of Prohibited Conduct, the Title IX Coordinator may implement supportive 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.

Supportive Measures are available:

- Even if the Complainant does not want to report the incident to the police.
- Even if the Complainant does not make a formal report. (The University may be limited in the Supportive Measures it can implement while keeping the identity of the Complainant

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).

private, such as: providing support services to the Complainant; changing living arrangements or course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the Prohibited Conduct occurred)

- To the Complainant, the Respondent, and witnesses, when determined to be appropriate by the Title IX Coordinator or designee and
- Prior to, during, or after the investigation or resolution of a report of Prohibited Conduct.

Individuals are encouraged to report to the Title IX Coordinator concerns about the failure of another person to abide by the terms of a Supportive Measure; however, in the event of an immediate health or safety concern individuals should call 911. The University will take immediate and responsive action to enforce a previously implemented Supportive Measure and alleged violations will be investigated and addressed by the appropriate office. The Title IX Coordinator or designee will strive to communicate with the Complainant and the Respondent throughout the grievance process to ensure that the Supportive Measures in place are necessary and effective based on the evolving needs of the parties. The Title IX Coordinator has the discretion to issue, modify, or remove any Supportive Measure at any time.

With respect to non-student employees and third parties, the Title IX Coordinator may delegate the authority to determine and implement appropriate Supportive Measures.