

**TENNESSEE COLLEGE OF APPLIED TECHNOLOGY-
MURFREESBORO**

Annual Security Report

2015

**Tennessee College of Applied Technology- Murfreesboro
10/1/2015**

TCAT-M, a Tennessee Board of Regents institute, is an equal opportunity, non-rationally identifiable, educational institution that does not discriminate against individuals with disabilities.

Annual Security Report

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ANNUAL SECURITY REPORT

A. Emergency Numbers:

Murfreesboro Police Department 615-893-1311

Rutherford County Sheriff's Office 615-898-7770

Murfreesboro Fire Department 615-893-1422

Saint Thomas Rutherford Hospital Emergency Room
615-849-4100

StoneCrest Medical Center Emergency Department
615-768-2034

Rutherford County Health Department 615-898-7880

RESOURCES NUMBERS: Calls to the following resources are typically answered during regular business hours Monday through Friday when the Center is open.

The Guidance Center – Murfreesboro 615-895-6051
Crisis Line 800-704-2651

Crisis Pregnancy Support Center 615-893-0228

Rape Recovery and Prevention Center 615-494-9262 OR
615-494-9881

Suicide Prevention and Crisis Prevention 615-244-7444

B. The Clery Act Requirements

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

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

C. Introduction to the Clery Act Policies and Procedures

Tennessee College of Applied Technology- Murfreesboro (TCAT-M) is committed to disseminating relevant and pertinent information regarding reported criminal activities in a reasonable manner to its community and to interested parties. To that end, TCAT-M is implementing and maintaining policies and procedures in compliance with the reporting requirements of the Clery Act and the Higher Education Opportunity Act (HEOA), two pieces of federal legislation that provide guidance in disseminating certain types of information to campus communities and to the general public. Because the Clery Act and the HEOA encompass several areas of campus responsibility, TCAT-M utilizes its administrative staff to issue information that pertains to the criminal reporting requirements and policies of these two federal laws.

D. Policies for Preparing the Annual Disclosure of Crime Statistics

Crime statistics which are provided in this institution's Annual Security Report are based upon incidents reported by local police agencies. This institution shall annually report statistics for the three most recent calendar years concerning the occurrence on campus, in or on non-campus buildings or property, and on public property (as those terms are defined and interpreted for purposes of the Clery Act) for occurrences of murder, manslaughter, sexual assault (forcible

and non-forcible), robbery, arson, aggravated assault, burglary, and motor vehicle theft; statistics on arrests for violations of liquor or drug abuse as well as weapons possession violations; disciplinary referrals for liquor, drug and weapons violations; and statistics on Hate Crimes that are reported to local police agencies.

TCAT-M administration will make the determination as to whether a reportable offense has occurred. These reports will be compiled to prepare the annual Campus Crime and Security Survey for submission to the United State Department of Education, Office of Postsecondary Education.

This report will be made available to the public by October 1st of each year. This report will be posted to the TCAT-M website for viewing at: <http://www.tcatmurfreesboro.edu>.

E. TCAT-M Facts (Student Enrollment)

The number of students enrolled:

There are more than 528 full and part-time students enrolled at TCAT-M.

The total number of non-student employees working on the campus:

There are more than 40 regular full-time and part-time non-student employees working on the campus.

Our facility is located at 1303 Old Fort Pkwy, Murfreesboro, TN 37129. Our property is surrounded on three sides by public access roadways (no sidewalks) controlled by Murfreesboro Police Dept. and on one side by the Crestwood Suites, a public hotel owned by InterContinental Hotels Group, which also rely on the Murfreesboro Police Department for public safety.

For more information about TCAT-M, click on the TCAT-M website link:

<http://www.tcatmurfreesboro.edu>

Law Enforcement

The working relationship of campus security personnel with state and local law enforcement agencies, including whether the institution has agreements with such agencies, such as written memoranda of understanding, for the investigation alleged criminal offenses:

TCAT-M has a close working relationship with local, state, and federal law enforcement agencies including the City of Murfreesboro Police Department and the Rutherford County Sheriff's Office.

Policy on reporting criminal incidents to state and local law enforcement agencies:

TCAT-M will actively investigate any crime information it receives concerning or involving a member of the campus community or it will supply information regarding the incident as needed or required to local, state or federal law enforcement authorities.

In addition to the requirements of the Clery Act, TCAT-M forwards a monthly report to the Tennessee Bureau of Investigation of crimes that occur within our campus community. Each year the Bureau takes these monthly reports and publishes a compilation from all institutions of higher education in Tennessee.

Statistics will be gathered for the following crime categories based on the federal definitions as found in the Uniform Crime Report (UCR).

Offenses

1. Murder and non-negligent manslaughter
2. Negligent manslaughter
3. Forcible sex offenses
4. Non-forcible sex offenses
5. Robbery
6. Aggravated assault
7. Burglary
8. Motor vehicle theft
9. Arson
10. Liquor law violations, drug law violations, illegal weapons possession
11. Hate crimes (any crime involving bodily injury that manifests evidence the victim was intentionally selected because of the perpetrator's bias; to be reported by category of bias)
 - a. Race
 - b. Gender
 - c. Religion
 - d. National Origin
 - e. Sexual Orientation
 - f. Gender Identity
 - g. Ethnicity
 - h. Disability
12. Domestic violence
 - a. (1) A felony or misdemeanor crime of violence committed--
 - b. (i) By a current or former spouse or intimate partner of the victim;
 - c. (ii) By a person with whom the victim shares a child in common;
 - d. (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - e. (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

- f. (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- g. (2) Domestic violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual, or physical abuse.

13. Dating Violence

- a. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- b. (1) The existence of such a relationship shall be determined 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.
- c. (2) For the purpose of this definition-
- d. (i) A social relationship of a romantic or intimate nature means a relationship which is characterized by the expectation of affection or sexual involvement between the parties.
- e. (ii) Dating violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- f. (iii) Dating violence does not include acts covered under the definition of domestic violence.

14. Stalking

- a. (1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to--
- b. (i) Fear for his or her safety or the safety of others; or
- c. (ii) Suffer substantial emotional distress.
- d. (2) For the purpose of this definition--
- e. (i) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- f. (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Misconduct

Sexual misconduct is a form of sex discrimination prohibited by Title IX. TCAT Murfreesboro is committed to rid its campuses of any and all acts of sexual misconduct and discrimination. As set

forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking and sexual assault. TCAT Murfreesboro and its campuses strictly prohibit these offenses. Any allegation of sexual misconduct as defined herein will be investigated and adjudicated according to this policy.

Following are the definitions for sexual misconduct offenses:

Dating violence. Violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. ("Dating" and "dated" do not include fraternization between two individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to,

- (1) inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
- (2) placing the accuser in fear of physical harm;
- (3) physical restraint;
- (4) malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
- (5) placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser.

Domestic violence. Violence against a person when the accuser and accused:

- (1) Are current or former spouses;
- (2) live together or have lived together;
- (3) are related by blood or adoption;
- (4) are related or were formally related by marriage; or,
- (5) are adult or minor children of a person in a relationship described above.

Domestic violence includes, but is not necessarily limited to, the following:

- (1) inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
- (2) placing the accuser in fear of physical harm;
- (3) physical restraint;
- (4) malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
- (5) placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser.

Sexual assault. The nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know

at the time of the contact that the accuser did not or could not consent. Sexual contact includes, but is not limited to, the intentional touching of the accuser's, the accused's, or any other person's intimate parts, or the intentional touching of the clothing covering the immediate area of the accuser's, the accused's, or any other person's intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification.

Stalking. 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 accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Harassment means conduct directed toward the accuser 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 accuser to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Consent. An informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

TCAT Murfreesboro is developing an educational program that will describe safe/positive options for bystander intervention.

TCAT Murfreesboro is developing an educational program that will include information on reducing the risk of sexual misconduct incidents.

1. A written explanation of the victim's rights and options when a student or employee reports to TCAT Murfreesboro they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus.

In the meantime, TCAT Murfreesboro will rely on local police department officers to deliver sexual assault education and information programs upon request.

Reporting Sexual Misconduct

If a sex offense, domestic/dating violence or stalking occurs on campus against a student, the student should contact the following:

Murfreesboro Main Campus– Assistant Director

Immediate Actions A Victim Should Take

In the immediate aftermath of a sexual assault, domestic violence, dating violence or similar event, the most important thing is for the victim to get to a safe place.

When a feeling of safety has been achieved, the victim should seek medical attention, regardless of his or her decision to report the crime to the police. It is very important for the victim of sexual assault to seek medical attention immediately so that the victim can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries.

A victim has the right to accept or decline any or all parts of a medical exam. However, critical evidence may be lost or missed if not collected or analyzed.

Valuable physical evidence can be obtained from the victim and the victim's clothing. A victim should make every effort to save anything that might contain the offender's DNA. Therefore, a victim should not:

Bathe or shower;

Wash his/her hands;

Brush his/her teeth;

Use the restroom;

Change clothes;

Comb hair;

Clean up the crime scene; or

Move anything the offender may have touched

Even if the victim has not yet decided to report the crime, receiving a forensic medical exam and keeping the evidence safe from damage will improve the chances that the police can access and test the stored evidence at a later date.

Victims of sexual misconduct are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to investigators.

Reporting Sexual Misconduct

The College encourages victims of sexual violence to talk to somebody about what happened so they can get the support they need and so the College can respond appropriately. Though reports will be kept as confidential as possible, the College cannot guarantee the confidentiality of every report or complaint. The following provisions detail the confidentiality options available to individuals.

Crisis Pregnancy Support Center – 615-893-0228

Rape Recovery and Prevention Center – 615-494-9262 OR 615-494-9881

The Guidance Center – 615-893-0770 EMERGENCY 1-800-704-2651

Suicide Prevention and Crisis Prevention – 615-244-7444

IF YOU ARE RAPED OR SEXUALLY ASSAULTED:

- **Get to a safe place as soon as you can.**
- **Try to preserve all physical evidence.** Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- **Get medical attention** as soon as possible to make sure you are physically well and to permit collection of important evidence in the event you may later wish to take legal action.
- **Contact TCAT-M .**
- **Talk with an advocate or a counselor** who will maintain confidentiality, help explain your options, give you information, and provide emotional support.
- **Contact someone you trust** to be with you and support you.

Past Abuse

Many individuals experience sexual assault and never tell anyone about it at the time of the incident. If you were victimized weeks or years ago, assistance is still available to you. Talking with someone now may help you cope better with abuse from the past, whether it was rape, child sexual abuse, incest, or sexual harassment.

A. Filing an Institutional Complaint

Reports of acts of sexual misconduct to any other employee of the College must be reported to the Title IX Coordinator, and the College will take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

The College shall not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.

Before a complainant reveals any information to an employee, the employee must ensure that the complainant understands the employee’s reporting obligations.

If the complainant wants to maintain confidentiality, the employee must direct the victim to confidential resources as detailed in ¶IV.A.

If the complainant wants to tell an employee what happened but also maintain confidentiality, the employee must advise the complainant that the College will consider the request, but cannot guarantee that it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will also inform the Coordinator of the complainant’s request for confidentiality.

An institutional complaint can be filed directly with either or both of the following:

Title IX Coordinator
Judy S. Henegar
1303 Old Fort Parkway
Murfreesboro, TN 37129
Front Office
jhenegar@tcatmurfreesboro.edu
615-898-8010 ext. 116

Student Services
Cindy Beverley
1303 Old Fort Parkway
Murfreesboro, TN 37129
Room 140
cbeverley@tcatmurfreesboro.edu
615-898-8010 ext. 132

B. Filing a complaint with local law enforcement.

If the victim chooses to make a complaint for the purposes of filing criminal charges, the victim may contact the local law enforcement agencies listed below. If the victim chooses the College will assist the victim in filing this complaint. The victim should contact the Title IX Coordinator for assistance.

Murfreesboro City Police	302 South Church St. Murfreesboro, TN 37129 615-849-2670
Rutherford County Police	940 New Salem Road Murfreesboro, TN 37129 615-898-7770

Role of Title IX Coordinator

The College's Title IX Coordinator is responsible for overseeing all Title IX incidents reported to the institution and for implementation of this policy, including but not limited to, identifying and addressing any systemic gender-based harassment, discrimination, and sexual misconduct. The Title IX Coordinator's responsibilities include, but are not limited to, the following:

Investigation or oversight of investigations of allegations related to Title IX;

Coordination and oversight of educational programs including mandatory training for new students and employees and awareness campaigns for current students and employees;

Coordination with local law enforcement on matters related to allegations related to sexual misconduct;

Coordination and oversight of training for anyone involved in responding to, investigating, or adjudicating sexual misconduct;

Coordination and oversight of training for employees related to their responsibility when they are aware of sexual misconduct;

Coordination and oversight of annual training for investigators, decision makers, hearing officers and hearing committee members on the issues related to sexual misconduct and on how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability; and

Attending appropriate training annually on topics related to responding to or investigating allegations of sexual misconduct.

The Title IX Coordinator may designate deputies and investigators ("designees") to assist in carrying out any of the responsibilities related to implementing this policy.

The Title IX Coordinator shall report at the beginning of each new school year, or any time there is a change in the assignment, to TBR's Office of General Counsel and the TCAT System Office the name of and contact information for the College's Title IX Coordinator.

Investigation Requirements and Procedures

All proceedings will include a prompt, fair, and impartial investigation and result. The College will provide the respondent and complainant equitable rights during the investigative process.

Subject to the Institution's Confidential Policy, all complaints of sexual misconduct shall be presented to the Title IX Coordinator for investigation and appropriate disposition.

Mediation between the complainant and respondent will never be considered an appropriate resolution in sexual misconduct cases.

Initiating an investigation

Immediately upon receipt of a complaint, the Title IX Coordinator shall communicate with the complainant to identify and implement any reasonable interim measures. Absent good cause, within three (3) business days of receipt of a report of sexual misconduct the Title IX Coordinator or designee shall attempt to get a written statement from the complainant that includes information related to the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complainant should be encouraged to complete a complaint form and submit a detailed written report of the alleged incident.

When the complainant chooses not to provide a written complaint, the Title IX Coordinator or designee will still investigate and take appropriate action.

In addition to immediate interim measures, the Title IX Coordinator shall consult with the complainant during the pendency of the investigation and consider what, if any, administrative measures may be necessary.

Complaints made anonymously or by a third party will be investigated to the extent possible.

After consultation with TBR General Counsel, if the Title IX Coordinator determines that the complaint contains an allegation of sexual misconduct, the Title IX Coordinator shall follow the procedures set forth in this policy to investigate and adjudicate the complaint.

The Title IX Coordinator may appoint a qualified, sufficiently trained person to investigate the allegations made in the complaint.

Only one person shall be identified as the investigator for a complaint.

Investigations shall be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.

If the complainant or respondent believes the assigned investigator has a conflict of interest, that party must submit a written explanation of the reason for that belief to the College's (Determine whether this will be your Director or Assistant Director and include here and below....) The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The Director or Asst. director will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the Director or Assistant Director shall be final.

What the investigation should and should not entail

Once the investigator receives the complaint, the investigator shall notify the complainant in writing of his/her rights and request a meeting.

The investigator shall also notify the respondent in writing of the complaint and his/her rights and request a meeting with the respondent.

The investigator shall notify the complainant, respondent and all individuals interviewed during the investigation that retaliation is strictly prohibited and may be grounds for disciplinary action. In addition, the investigator shall advise all interviewees that they should contact the investigator immediately if they believe they are being retaliated against.

The investigation shall include interviews with both the complainant and respondent, unless either declines an in-person interview.

The complainant and respondent shall be provided with the same opportunities to have others present during an interview, including the opportunity to be accompanied by the advisor of their choice to any related meeting or proceeding.

The College will not limit the choice of advisor for either the complainant or respondent; however, the investigator may limit the participation of advisors during the investigation.

The investigation shall include interviews with relevant witnesses identified by the complainant and respondent or any other potential, relevant witness made known to the investigator via other means.

The investigation shall include the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.

The investigator is expected to request a list of relevant witnesses and evidence from complainant and respondent and take such into consideration.

The investigator shall not consider any evidence about the complainant's prior sexual conduct with anyone other than the respondent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

Outcome of Investigation and Determination of Appropriate Action

Upon completion of the investigation, the investigator shall prepare a written report that includes the allegations made by the complainant, the response of the respondent, corroborating or non-

corroborating statements of the witnesses, review of other evidence obtained, and conclusions that may be drawn from the evidence gathered.

It is the responsibility of the investigator to weigh the credibility of all individuals interviewed and to determine the weight to be given to information received during the course of the investigation.

The report shall be delivered to the appropriate decision maker, the Director.

After review of the report, the decision maker shall make a determination based on a preponderance of the evidence presented as to whether or not a violation of this policy occurred.

The decision maker's determination shall be communicated in writing simultaneously to the complainant and respondent, along with notice to the parties of their right to request an institutional hearing on the determination that a policy violation did or did not occur.

Timeframe for conducting the investigation

Every reasonable effort shall be made to conclude the investigation and resolve the complaint within sixty (60) calendar days following receipt of the complaint. Within this sixty (60) day timeframe, absent good cause, it is expected that the investigator will conclude the investigation, that the investigator will present a report to the decision maker, and that the investigator will notify the parties in writing of decision maker's determination.

If the investigator or decision maker determines that additional time is needed, both parties shall be notified in writing of the delay, the anticipated date that the investigation will be concluded, and the reasons for such delay.

If either party determines that additional time is needed, that party shall request such in writing to the investigator. The written request for additional time shall include the reasons for the requested delay and the number of additional days needed. The investigator shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the request and shall notify both parties in written as to whether or not the request is granted.

Institutional Hearing

Either party may request an institutional hearing on the determination that a policy violation did or did not occur by providing written notice of the request to the investigator within ten (10) business days of receipt of the decision maker's decision.

If a request is not received within ten (10) days, the decision maker's determination is final.

The hearing shall be held before a hearing committee. The Director of the College shall appoint individuals to serve on the hearing committee. All hearing committee members shall receive, at a minimum, annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

If the complainant or respondent believes the any hearing committee member has a conflict of interest, that party must submit a written explanation of the reason for that belief to the . The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew of should have known the facts that would give rise to the alleged conflict of interest. The Director will determine if the facts warrant the appointment of a different committee member and respond to the party in writing within three (3) business days, absent good cause. The decision of the Director shall be final.

If such a hearing is requested, every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the Director within thirty (30) days following the College's receipt of the party's request for a hearing.

The parties to the hearing may not engage in formal discovery.

Each party is entitled to have an advisor of choice available; however, the advisor may not participate in the proceeding other than to render advice to the party.

The College will not limit the choice of advisor for either the complainant or respondent.

The complainant and respondent shall be timely notified in writing of all meetings relevant to the proceeding.

The chair of the hearing committee shall control the procedures of the hearing with due consideration given to the parties' requests related to procedures such as, but not limited to, limitations on cross-examinations, recesses so the parties may consult with their advisors, and scheduling of hearings. The chair of the hearing committee shall conduct the proceedings in a manner that does not allow the respondent to directly question the complainant in person.

The hearing committee shall use a preponderance of the evidence standard when reaching a decision.

Absent good cause, within five (5) business days of the close of evidence, the committee shall issue a written determination as to whether or not a violation of this policy occurred and the justification for this decision.

Each party shall be simultaneously notified of the hearing committee's decision in writing, which shall include notice of their rights to appeal the hearing officer's or committee's determination to the Director.

Appeal of Hearing Decision to the Director

If either party chooses to appeal the hearing committee's decision, the party shall notify the investigator in writing of the decision to appeal within five (5) business days of receipt of the hearing committee's determination.

If a written request for appeal is not received within five (5) days, the decision of the hearing committee is final.

The appealing party(ies) must explain why it is believed the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this would change the determination in the case.

The Director will issue a written response to the appeal as promptly as possible. This decision will constitute the College's final decision on the complaint.

Effect of a Finding of a Violation of this Policy

If a final decision has been made that a policy violation occurred, the respondent shall be referred to the Director for a determination of discipline.

If the respondent is a student, the College will follow the procedures for disciplining students as described in TBR Policy 3:02:00:01 and the TCAT Murfreesboro Student Handbook (<http://www.tcatmurfreesboro.edu/sites/default/files/murfreesboro/documents/Student%20Handbook%202014-2015.pdf>) Sanctions will depend on the circumstances of each case and can range up to, and including expulsion from the College.

If the respondent is an employee, the College will follow the procedures related to disciplining employees as described in applicable employee policies. Sanctions will depend on the circumstances of each case and can range up to, and including termination of employment at the College.

Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:

The complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.

The complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.

The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.

The complainant shall be allowed access to any evidence presented during any disciplinary meeting or hearing.

The Title IX Coordinator or designee shall be appointed as the complainant's contact person for any questions or assistance during the disciplinary process.

The complainant shall receive written notice of the outcome of the disciplinary process.

If a final decision has been made that a policy violation occurred, the Title IX Coordinator or designee shall determine if any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus. For example, the Title IX Coordinator or designee may determine that specific training is needed for a student group whose members have been accused of sexual assault.

Interim Measures

In situations that require immediate action because of safety or other concerns, the College will take any reasonable administrative action that is appropriate. Examples of such interim actions include, but are not limited to:

Providing an escort to ensure that the complainant can move safely between classes and activities;

Ensuring that the complainant and respondent do not attend the same classes;

Providing references to counseling services;

Providing references to medical services;

Providing academic support services, such as tutoring; and

Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

These remedies may be applied to one, both, or multiple parties involved.

Student respondents may be placed on interim suspension under the appropriate circumstances pending the outcome of the investigation. The College shall follow TBR Policy 3:02:00:01 and the TCAT Murfreesboro Student Handbook

(<http://www.tcatmurfreesboro.edu/sites/default/files/murfreesboro/documents/Student%20Handbook%202014-2015.pdf>) placing a student respondent on interim suspension.

Employee respondents may be, consistent with Human Resource policies, placed on administrative leave pending the outcome of the matter.

Education and Prevention Programs

The College will engage in comprehensive educational programming to prevent sexual misconduct. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students, faculty, and staff that:

Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;

Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee;

Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander; and

Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

Assistance for Victims of Sexual Misconduct: Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual misconduct and will provide each victim with a written explanation of her/his rights as a member of the College. (<http://www.tcatmurfreesboro.edu/jeanne-clery-act>)

Additionally, in the Tennessee court system, a victim of domestic violence, dating violence, sexual assault and stalking has the following rights: the right to confer with the prosecution, right to be free from intimidation, harassment and abuse throughout the criminal justice system, the right to be present at all proceedings where the defendant has the right to be present, the right to be heard, when relevant, at all critical stages of the criminal justice process as defined by the

General Assembly, the right to be informed of all proceedings, and of the release, transfer or escape of the accused or convicted person, the right to a speedy trial or disposition and a prompt and final conclusion of the case after the conviction or sentence, the right to restitution from the offender and the right to be informed of each of the rights established for victims. Information related to these rights may be found at <http://www.tndagc.com/vr.htm>.

Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> and additional information related to such orders may be found at <http://tncoalition.org/resources/legal-resources.html>.

The College does not publish the name of crime victims nor maintain identifiable information regarding victims in the Daily Crime Log or in the release of timely warnings.

Information for Victims of Sexual Misconduct

TCAT Murfreesboro will provide the following information, in writing, to victims of sexual misconduct:

1. Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred. These procedures will include the following information:
2. Written information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Because TCAT Murfreesboro has no police force, local law enforcement authorities will be called in to take control of evidence.
3. How and to whom the alleged offense should be reported.
4. Options about the involvement of law enforcement and campus authorities, including the victim's option to notify local police, be assisted by campus authorities in notifying local police, and the victim's right to decline to notify local police.
5. The rights of the victims and the institution's responsibilities for orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution.
6. Information regarding the College's practices for maintaining publicly available record-keeping, including Clery reporting, without identifying information about the victim.
7. That the College will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
8. Notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both within the institution and in the community.
9. Notification to victims about options for, and available assistance in, changing academic, transportation, and working situations. TCAT Murfreesboro will make such accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.
10. An explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.
11. An explanation of the victim's rights and options when a student or employee reports to TCAT Murfreesboro they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus.

The Student Services Associate serves as the student advocate refers issues to Assistant Director. The Assistant Director provides referrals to more in-depth, specific, off-campus counseling, mental health or other services for victims of sex offenses. Simultaneously while referring students to appropriate law enforcement authorities, the affected student will be referred to the

Mobile Crisis Line (1.800.681.7444) staffed by The Guidance Center. Students and employees with health issues are referred to the local health department, urgent care clinics, area doctor's offices or area emergency rooms. For victim advocacy and/or legal assistance, students and employees are referred to the district attorney's office. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The proceeding will provide a prompt, fair and impartial investigation and resolution and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Both the accuser and the accused will be simultaneously informed in writing of the outcome of any institutional disciplinary proceeding that is brought alleging a sexual assault, domestic violence, dating violence or stalking; the institution's procedures for the accused and victim to appeal the results of the disciplinary proceeding; of any change to the results that occurs prior to the time that such results become final and when such results become final. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

College officials will change a student's academic situation after an alleged sex offense if those changes are requested by the victim and are reasonably available, regardless of whether the victim is guilty or not.

Resources for Victims of Sexual Misconduct

The resources listed below are not exhaustive or limited to victims who wish to make an official report or participate in an institutional hearing, police investigation or criminal prosecution. However, in cases where a victim wishes to maintain complete confidentiality, the victim should review carefully Section IV above related to the limits on the College's ability to maintain confidentiality.

A. On Campus Resources

Office of the Title IX Coordinator	Judy Henegar, Assistant Director	615-898-8010 ext. 116 jhenegar@tcatmurfreesboro.edu
Student Services/ Student Advocate	Cindy Beverley, Student Services	615-898-8010 ext. 132 cbeverley@tcatmurfreesboro.edu

B. In the TOWN Area

Murfreesboro City Police	302 S Church St. Murfreesboro, TN 37129	615-893-2717
Rutherford County Sheriff	940 New Salem Road Murfreesboro, TN 37129	615-898-7770
StoneCrest Medical Center	200 StoneCrest Blvd. Smyrna, TN 37167	615-768-2000
St. Thomas Rutherford Hospital	1700 Medical Center Parkway Murfreesboro, TN 37129	615-396-4100
Crisis Intervention Center		615-244-7444
Rape Recovery & Prevention Center		615-494-9881
Domestic Violence Intake Center (Protective Orders)		http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms
Legal Aid Society of Middle Tennessee		615-890-0905

C. On-line Resources:

<http://tncoalition.org/> - State Coalition Against Rape

<http://tncoalition.org/> - State Coalition Against Domestic Violence

<http://www.thehotline.org/> - Website for LGBTQ survivors of sexual or domestic violence and minority women survivors of sexual or domestic violence

<http://www.pandys.org/malesurvivors.html> -Website for male survivors

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.html> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Retaliation

The College, its officers, employees, or agents are strictly prohibited from retaliating, intimidating, threatening, coercing, or otherwise discriminating against any individual for exercising their rights or responsibilities under any provision of this policy. Retaliation will result in disciplinary measures, up to and including termination or expulsion.

Clery Crime Statistics

The following offense categories, known as Group A offenses, are those for which extensive crime data are collected in the NIBRS.

1. Arson
2. Assault Offenses - Aggravated Assault, Simple Assault, Intimidation
3. Bribery
4. Burglary/Breaking and Entering
5. Counterfeiting/Forgery
6. Destruction/Damage/Vandalism of Property

7. Drug/Narcotic Offenses - Drug/Narcotic Violations, Drug Equipment Violations
8. Embezzlement
9. Extortion/Blackmail
10. Fraud Offenses - False Pretenses/Swindle/Confidence Game, Credit Card/Automatic Teller Machine Fraud, Impersonation, Welfare Fraud, Wire Fraud
11. Gambling Offenses - Betting/Wagering, Operating/Promoting/Assisting Gambling, Gambling Equipment Violations, Sports Tampering
12. Homicide Offenses - Murder and Nonnegligent Manslaughter, Negligent Manslaughter, Justifiable Homicide
13. Kidnapping/Abduction
14. Larceny/Theft Offenses - Pocket-picking, Purse-snatching, Shoplifting, Theft from Building, Theft from Coin-Operated Machine or Device, Theft from Motor Vehicle, Theft of Motor Vehicle Parts or Accessories, All Other Larceny
15. Motor Vehicle Theft
16. Pornography/Obscene Material
17. Prostitution Offenses - Prostitution, Assisting or Promoting Prostitution
18. Robbery
19. Sex Offenses, Forcible - Forcible Rape, Forcible Sodomy, Sexual Assault With An Object, Forcible Fondling
20. Sex Offenses, Nonforcible - Incest, Statutory Rape
21. Stolen Property Offenses (Receiving, etc.)
22. Weapon Law Violations

If one of these offenses is committed against a staff member on any campus, the staff member should contact the Director or Assistant Director.

Once officials at the campus have been notified, and if the student requests the assistance of these personnel, the officials will work with the victim to notify the proper law enforcement authorities who have jurisdiction over the campus on which the incident allegedly occurred. The victim has the right to decline notifying law enforcement authorities.

A. Victim's Rights

Victim's Disclosure Policy Statement

A statement that the institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph:

Crimes of Violence Notification

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary proceeding conducted by TCAT-M against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for notification purposes.

Other resources for victims of crimes of violence can be located at the Rutherford County District Attorney Victim/Witness Office or click here for their website:

<http://www.tndagc.org/contact.htm>

Victims of sex crimes are afforded specific rights. Please see the Sex Offense Section of this report for more information on students' rights.

TCAT-M policy statement regarding students or employees with criminal records:

TCAT-M does not collect information on criminal records on applications for admission of students to the College. The application for employment of all employees except faculty requires that the applicant state whether he/she has been convicted of a misdemeanor or a felony. Only certain employees have to have a background check for employment. Acknowledged conviction of any crime results in an evaluation of the applicant's fitness for employment in consultation with legal staff. TCAT-M requires that employees notify the institution of any drug convictions resulting from a violation in the workplace no later than five days after the conviction.

Current College students convicted of a violation of a law or ordinance off-campus, whose violation also adversely affects the College's pursuit of its educational objectives, will become subject to judicial sanction by the Administration. Students committing a crime on-campus are subject to arrest and prosecution, and are subject to judicial sanction by the Administration.

B. Timely Warnings and Emergency Notifications

Policies for making timely warning reports to members of the campus community regarding the occurrence of Clery Act crimes:

An Immediate Notification or a Timely Warning will be distributed campus wide by when it could be reasonably believed that a reported violent crime may endanger additional campus citizens, i.e., employees, students and guests.

Internal Emergency Procedures

TCAT-M is committed to notifying persons regarding significant types of threatening events or situations that may occur on or near its campus properties. TCAT-M defines *emergency notification* as the attempt to properly and to immediately notify affected persons of events, incidents, or situations that potentially threaten or endanger lives or significant property, and in such cases that the information contained within the notification may substantially reduce the likelihood of individuals or groups being victimized. “Properly” is defined as the reasonable issuance of information given the capabilities of the College and its notification systems. “Immediately” is defined as the release of information as soon as verifiable or credible information can be reasonably received, understood, formatted and delivered via useable mass notification systems. This definition takes into account the fact that everything cannot happen at once: information must be received by decision-makers, a determination must be made that the information should be released, the material must be put together in an understandable manner, and the information must be released and received by viable stakeholders. “Affected persons” includes members of the campus community (i.e., TCAT-M employees and TCAT-M students) and visitors while on the TCAT-M campus. For this designation, members of the TCAT-M campus community include any currently employed TCAT-M employee and any currently enrolled TCAT-M student.

It is the intent of TCAT-M to immediately notify all members of its community of incidents and situations on or near TCAT-M campus property that have the potential to immediately threaten or endanger lives or that threaten severe bodily injury or extensive loss of property. These incidents and situations will typically be characterized as: on-going in nature in that they continue to pose a real or likely threat; they may be mitigated by the quick release of information to the campus community; or the release of information regarding the possible threats in a more immediate fashion may significantly reduce the chances of individuals or groups becoming victims.

It is the intent of TCAT-M to make timely warnings to all members of its community of incidents and situations that pose a potential on-going threat or risk in which the threat or risk is not likely to require immediate notification in order to greatly reduce the victimization risk to individuals or groups.

Notification for those previously described incidents that pose a grave and immediate threat to people and/or property will be made using any number of notification systems currently employed by Tennessee College of Applied Technology- Murfreesboro. Currently, the notification systems utilized by TCAT-M include: e-mail, text messages, phone calls, fire alarm

notification systems only to specified emergency personnel, web pages, social media, and a voice mail box.

TCAT-M utilizes a private vendor (High Ground Solutions, Inc.) to send emergency notifications to all TCAT-M employees and TCAT-M students via their School Cast accounts. These accounts are established/maintained by College “bulk uploading” of information periodically from the College’s BANNER system. BANNER is a database system that maintains information regarding each employee and each student at TCAT-M. The School Cast accounts may be utilized in sending each TCAT-M employee and each TCAT-M student an e-mail in the event the campus community is notified of a situation or an event. TCAT-M employees and TCAT-M students may personalize their School Cast accounts in order to personally and individually choose their own most appropriate notification methods. TCAT-M employees and TCAT-M students cannot opt out of receiving e-mails via their School Cast accounts, but they can choose whether to receive text messages and/or voice alerts (phone calls); they can also add additional phone numbers and e-mail addresses for notification purposes.

The decision to immediately notify the TCAT-M campus community will be made on a case-by-case basis by either the Director of the College (or his designee), These decision-makers may also determine that a particular building or structure on campus, an area of TCAT-M campus, the entire TCAT-M campus, or other TCAT-M property should be immediately evacuated in order to create or maintain a safer situation for persons inhabiting those areas. In these instances, the aforementioned authorities may require evacuated persons to temporarily refrain from remaining or entering specified areas of campus or TCAT-M property for safety purposes. In those cases, TCAT-M employees, TCAT-M students and visitors may be informed as to how to leave TCAT-M campus or TCAT-M property. They may also be informed as to where they should assemble or disperse.

In making the decision about whether or not to activate emergency notification systems or to order an evacuation of TCAT-M campus and/or property, a decision-maker should consider:

- Does the event pose a significant or likely threat to the general campus community?
- Is the threat from the event likely to still exist?
- Is there evidence that the threat has subsided or moved away thereby no longer posing a danger or a hazard?
- Has there been a significant amount of time transpired from the time of the incident to the present that would reasonably lead one to presume that the threat or the danger is no longer in the area?
- Will notification about the incident provide persons with knowledge that, if utilized, would likely reduce or reasonably eliminate the possibility that they would be victimized by the threat?

Each situation requires that decisions regarding the public’s safety be measured and determined on a case-by-case basis.

A statement regarding the institution’s emergency response and evacuation procedures:

The procedures the institution will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus:

The methods of communication include network emails, emergency text messages that can be sent to a phone or PDA, and audio announcements made via automated phone calls (called “Voice Alerts”). Members of the campus community are automatically entered into the TCAT-M Emergency Notification System during student orientation, employee new hire procedure, and by complying with volunteer contact information uploads to TCAT-M emergency information data base which is maintained by a private company, High Ground Solutions, Inc. All campus community members’ e-mail addresses and other personal contact information are uploaded into the system, so that they will automatically receive emergency notification messages via e-mail and any other method of contact they have supplied to the system.

A description of the process the institution will use to:

- **Confirm that there is a significant emergency or dangerous situations as described above;**
- **Determine the appropriate segment or segments of the campus community to receive a notification;**
- **Determine the content of the notification;**
- **Initiate the notification system.**

TCAT-M typically receives information from individuals and various offices/departments on campus regarding suspicious activity and criminal incidents. If TCAT-M confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the TCAT-M Community, and TCAT-M administration will collaborate to determine the content of an emergency notification message and will use some or all of the systems described below to communicate the threat to the TCAT-M Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

A statement that the institution will, without delay, and taking into account the safety of the community, determine the content of the 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.

TCAT-M administration, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: TCAT-M , Murfreesboro Police, Rutherford County Sheriff’s Office and/or the Murfreesboro Fire and Emergency Medical Services), compromise the efforts to assist a victim, to conduct an adequate and competent criminal investigation or to contain, respond to, or otherwise mitigate the emergency.

A list of the titles of the person or persons; or, organization or organizations responsible for carrying out the actions described above:

TCAT-M Administration list is located in section: **Campus Security Authorities**

The institution's procedures for disseminating emergency information to the larger community:

TCAT-M Administration will work with Tennessee Board of Regents who may notify local news agencies to distribute press releases, as they are made available, concerning critical incidents.

Local Agency Cooperation

The TCAT-M Administration has met with the Murfreesboro Police Department requesting their cooperation in informing the institution about situations reported to them that may warrant an emergency response.

The institution's procedures to test the emergency response and evacuation procedures on at least an annual basis, including:

Emergency Evacuation Procedures

In an effort to better prepare for emergencies TCAT-M faculty and staff participate in two fire drills each year. Two fire drills are conducted unannounced each year. The purpose of these drills is to prepare building occupants for an organized evacuation in case of fire or other emergencies.

Tornado drills are also done at least once annually. These drills are typically announced with one drill simulating an actual warning requiring students, faculty, and staff to take shelter in their designated "safe place".

TCAT-M has also implemented a series of training sessions to discuss "active shooter" situations on campus. These sessions discuss the police response to active shooter, sheltering in place, and the survival mindset needed in this type of encounter.

Policies on responding to specific emergency situations on campus:

Fires or Fire Alarms: Persons should activate the building alarm system upon detecting a fire or visible smoke and immediately evacuate the building. Persons should REPORT ALL FIRES, regardless of size (even if extinguished); smoke; or fire alarms on campus to the Fire Department by dialing 911. *Be prepared to state your location.*

Medical Emergencies: Request an Ambulance and immediate medical assistance on campus by dialing 911. *Be prepared to state your location.* TCAT-M First Responder is only available for

non-emergency medical issues. First Responder is a selected individual from the Practical Nursing Department who holds a current TN State Board of Nursing RN license.

Bomb Threats: Report bomb threats or the discovery of suspicious objects or devices on campus by dialing 911. *Be prepared to state your location.*

Tornadoes: Alert other building occupants and move to the safest place in your building and/or complex. **DO NOT PULL A FIRE ALARM** - do not leave the safety of the building unless it is to seek shelter in a designated “safer place” in a nearby structure or building. If a tornado designated “safer place” is unavailable, seek shelter in the middle of the building. Take cover next to heavy furniture or in an interior hallway against a strong, inside wall on the lowest floor. Do not leave a relatively safe place nor get in a vehicle and attempt to drive. Follow the instructions of emergency response personnel or remain in your area until TCAT-M or other emergency response personnel give the all clear signal.

Other Emergencies: All other emergencies on campus may also be reported by dialing 911. *Be prepared to state your location.*

PERSONS WITH DISABILITIES: If you have a disability you should notify your instructor in each of your classes or your supervisor that you have a disability and will require assistance in case of an emergency. Instructors or supervisors must notify emergency response personnel, either police or fire department, of any persons with disabilities in their classes or area of responsibility.

For more information, see the TCAT-M Emergency Action Plan & Protocol for Emergency handbook located in each instructors office as well at all administration offices. The EAPPE is update at least annually.

Reporting Crimes and Other Emergencies on Campus

A. Report All Crimes Administration

Policies which encourage accurate and prompt reporting of all crimes to administration and the appropriate law enforcement agencies:

In addition to all faculty, staff, students, general visitors, and all guests of the College are urged to report crime and suspicious activity to TCAT-M as soon as possible. This allows law enforcement officers and/or the appropriate personnel to respond and assist. All emergency calls for fire, medical, or police assistance should be made by dialing 911.

TCAT-M personnel respond to all calls for assistance that involve potential criminal incidents, medical injuries or other emergencies that occur on TCAT-M’s campus. Occasionally complainants may be referred to other TCAT-M Departments or to agencies outside TCAT-M for appropriate assistance or guidance depending on the particular incident. TCAT-M personnel will also contact other agencies, such as the Rutherford County Emergency Medical Services or

the Murfreesboro Fire Department, to assist with ongoing or reported incidents that require additional resources, expertise, or specialized assistance.

B. Anonymous Reporting

This statement must also disclose whether the institution has any institutional policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report:

TCAT-M encourages anyone who is the victim or witness to any crime to promptly report the incident to the TCAT-M administration and/or police. Because police reports are public records under state law, cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to TCAT-M administration.

Campus Security Authorities

A list of titles of each person or organization to whom students and employees should report criminal offenses described in the law for the purpose of making timely warning reports and the annual statistical disclosure.

To report a crime:

Contact TCAT-M Administration (Director, or directors duly appointed representative) (non-emergencies), dial 9-1-1- (emergencies only), or by using any campus telephones and dialing 911. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around any structure located on campus property should be reported to the TCAT-M administration. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other TCAT-M administration authorities as identified below. Administration Authorities are:

- Individuals having responsibility for campus security, who are not members of any local law enforcement department, such as those responsible for monitoring the access to College facilities or property.
- All employees who work in a position where they control or monitor access to some part of campus.
- Any person specified in campus security policy as one to which student and employees should report criminal offenses.
- All College officials who have significant responsibility for student and campus activities.

Campus Security Authorities:

Administration to contact in case of an emergency:

Director:	Dr. Lynn Kreider	Ext. 112
Assistant Director:	Judy Henegar	Ext. 116
Student Services:	Cindy Beverley	Ext. 132
Plant Operations	Mike Bailey	Ext. 122
Coordinator Workforce Development /Evening Programs	Charles Rosenbaum	Ext. 113
First Responder:	Amy Curtis	Ext. 148

Students may report incidents to the Campus Security Authorities listed above. Incidents reported to these organizations or individuals will be included in Clery Statistics, even if no criminal action can be taken.

C. Professional Counselors

A description of procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate to inform the person they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics:

Crimes disclosed to a mental health counselor, serving in that capacity at the time of disclosure, are not subject to mandatory reporting. The term "mental health counselor" is defined as a fully qualified and/or licensed professional whose official responsibilities include providing mental health counseling to members of the College's community and is functioning within the scope of his/her license or certification.

This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual of voluntary disclosure procedures.

Security Of and Access to Campus Facilities

A. Security of and access to campus facilities:

The campus and facilities of the College are restricted to students, faculty, staff, guests, and invitees of the College, except when part or all of the campus, buildings, or facilities, are open to the general public for an approved and designated time and purpose. All persons on the campus of the College, including faculty, staff, guests, and invitees, shall be subject to all rules and regulations of the College and the Tennessee Board of Regents which are applicable to the conduct of students on campus, and to all applicable federal and state laws and regulations. For security reasons, not all TCAT-M buildings are open to the public. The campus and facilities of TCAT-M are governed by the Tennessee Board of Regents (Policy No. 3:02:02:00). Furthermore, most buildings open to the public are closed and locked after regular business hours.

All persons on the campus of the College shall provide adequate identification upon request to appropriate officials of the College. All students, faculty and staff are issued an TCAT-M Identification Card and are required to carry it while on campus. Personnel and students of the College who refuse to provide such identification may be subject to disciplinary action; other persons who refuse to provide such identification shall be requested to leave campus, and if they refuse, may be subject to lawful removal and prosecution.

Security considerations used in the maintenance of campus facilities:

Personnel report all hazardous or unsafe campus conditions found to exist. These conditions may include overgrown trees or landscaping and a lack of outdoor lighting or inoperable lights. These reports are documented on a Maintenance Request form which is reviewed by the College's director to ensure expeditious corrective measures are taken. Maintenance Request forms are located at the main lobby information/receptionist desk.

Safety inspections will be conducted on a monthly basis in all departments according to an announced schedule. Maintenance inspections will be conducted by Center plant operations personnel during reasonable hours.

In Plant Operations, the Maintenance Request form is processed and coordinated by the Plant Operations staff. They strive to ensure that all buildings and structures are properly maintained to meet fire, safety, health and other required codes and regulations. This includes providing climate controlled, clean, properly supplied facilities, so that faculty, staff and students have comfortable surroundings in which to live, work, and receive training and education. They also serve as a communication link and liaison between facilities services employees and the campus community.

Crime Prevention

A. Type and Frequency of Programs To Inform Students/Employees About Campus Security Procedures

A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others:

In addition to the information in this report, information designed to inform students/employees about security procedures are available, these include: Frequent postings of crime prevention tips, workshops presented by local law enforcement dealing with gang related topics.

TCAT-M Human Resource Services offers a new employee orientation to all new employees. The orientation is an overview of the TCAT-M campus and the many services available to its employees. TCAT-M calendars are provided to all TCAT-M employees annually.

A description of programs designed to inform students and employees about the prevention of crimes:

TCAT-M personnel welcomes new students each trimester during the orientation function. A security program is presented and an information packet is distributed to all new students who attend the orientation session.

A New Employee Orientation is offered to all new employees by TCAT-M Human Resources Services. The orientation is an overview of the TCAT-M campus and the many services available to its employees.

Nottingham Act

TCA 49-7-129 - TCA Title 49, Chapter 7, Part 1 has been amended to add section 49-7-129 which states in essence "... the chief security officer or chief law enforcement officer of such institution shall immediately notify the local law enforcement agency with territorial jurisdiction over the institution if the medically unattended death of a person occurs on the property of such institution or if such officer or any other official of the institution is in receipt of a report alleging that any degree of rape has occurred on the property of such institution. Upon notification pursuant to subsection (b), it shall be the duty of each agency to participate in a joint investigation of the death or alleged rape. In case of a medically unattended death, the local law enforcement agency shall lead the investigation. In the case of an alleged rape, the institution's law enforcement agency shall lead the investigation".

A. A statement that the institution will assist the student in notifying these authorities, if the student requests the assistance of these personnel:

The College will assist victims in notifying the appropriate legal authorities should the victim wish to do so. The College will also assist victims in finding alternate on-campus housing

accommodations, if requested, and in making any additional accommodations to remedy the effects of the misconduct.

B. Student Rights

Change Academic and Living Situations

The Clery Act requires notification to students that the institution will change a victim's academic and living situations after an alleged sex offense, and the options for those changes if those changes are requested by the victim and are reasonably available:

Assistance is available in changing academic and living situations (TCAT-M has no on campus resident students) after an alleged sexual assault if requested by the victim and if such changes are reasonably available. The assistant director will assist the victim in making these any academic changes.

Accuser and Accused Entitled To Have Others at Hearing

The Clery Act requires that the accuser and accused are entitled to the same opportunities to have others present during a disciplinary proceeding:

In cases of sexual assault, both the accuser and the accused shall be informed of the following: both the accuser and the accused are entitled to the same opportunity to have others present during a disciplinary proceeding.

The accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense:

Both the accuser and the accused shall be informed of the outcome of any on-campus disciplinary proceeding, and of any right to appeal the outcome.

Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or non-forcible sex offense:

Any student found responsible for a sexual assault shall be appropriately sanctioned. A range of sanctions up to and including suspension or expulsion from the College are possible depending upon individual circumstances.

C. Sex Offender Registration Information

A statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained, such as the law enforcement agency with jurisdiction for the campus or a computer network address

Any person who is required under the laws of the state of Tennessee to register as a sex offender is also required to provide notice that they are enrolled as a student, carry on a vocation, or are employed by Tennessee College of Applied Technology- Murfreesboro. Furthermore, the student or employee is required to provide written notice of each change in enrollment or employment to the Rutherford County Sheriff's Office. The Sex Offender registry for the State of Tennessee is located on the Tennessee Bureau of Investigation website or click on the link below:

http://www.tbi.state.tn.us/sex_ofender_reg/sex_ofender_reg.shtml

Alcohol and Drugs

A. A policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws:

The following information is presented in compliance with the Drug-Free Schools and Communities Act Amendment of 1989:

TCAT-M prohibits the possession, use, or distribution of illegal drugs and alcohol on the campus proper or on institutionally owned, leased, or otherwise controlled property. Various federal and state statutes 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 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. Possible sanctions include incarceration up to and including life imprisonment and imposition of substantial monetary fines. Tennessee statutes provide that it is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer, such offense being classified a Class A misdemeanor punishable by imprisonment for not more than 11 months, 29 days or a fine of not more than \$2,500 or both. The receipt, possession, or transportation of alcoholic beverages without the required revenue stamp is also a misdemeanor punishable by imprisonment of not more than thirty (30) days or a fine of not more than \$50 or both.

TCAT-M does not currently provide drug/alcohol counseling, treatment, or rehabilitation programs for students. Referral to community treatment facilities may be made in appropriate cases.

TCAT-M will impose sanctions against individuals who are determined to have violated rules prohibiting the use, possession, or distribution of illegal drugs or alcohol.

Sanctions for students using or possessing illegal drugs or alcohol include disciplinary probation and, in appropriate cases, suspension from the College. Referral for criminal prosecution may be made in appropriate cases. Individuals involved in the sale or distribution of illegal drugs will be suspended from the College and referred to the appropriate authorities for criminal prosecution. All employees, including students, agree as a condition of employment to abide by this policy. Sanctions against employees for use or possession of illegal drugs or alcohol in the workplace include termination of employment. Additionally, employees are

required to notify the institution of any drug convictions resulting from a violation in the workplace no later than five days after the conviction.

No alcoholic beverages, illegal drugs, or drug paraphernalia are permitted on the campus of TCAT-M. Empty alcohol containers (including but not limited to bottles, cans, and kegs) may not be used for display purposes.

The use and/or possession of alcoholic beverages on College owned or controlled property is prohibited (Tennessee Board of Regents Policy No. 3:05:01:01).

B. A policy regarding the possession, use and sale of illegal drugs and enforcement of federal and state drug laws:

The following information is presented in compliance with the Drug-Free Schools and Communities Act Amendment of 1989:

TCAT-M prohibits the possession, use, or distribution of illegal drugs and alcohol on the campus proper or on institutionally owned, leased, or otherwise controlled property.

Various federal and state statutes 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 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. Possible sanctions include incarceration up to and including life imprisonment and imposition of substantial monetary fines. Tennessee statutes provide that it is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer, such offense being classified a Class A misdemeanor punishable by imprisonment for not more than 11 months, 29 days or a fine of not more than \$2,500 or both. The receipt, possession, or transportation of alcoholic beverages without the required revenue stamp is also a misdemeanor punishable by imprisonment of not more than thirty (30) days or a fine of not more than \$50 or both.

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No alcoholic beverages, illegal drugs, or drug paraphernalia are permitted on the campus of TCAT-M. Empty alcohol containers (including but not limited to bottles, cans, and kegs) may not be used for display purposes.

C. TCAT-M policy concerning a drug free workplace:

It is the policy of TCAT-M that a drug-free workplace be maintained. The **unlawful** manufacture, distribution, possession, or use of any **controlled** substance (including prescription drugs) is banned in the workplace. Controlled substances are defined in 21 USCA 812 (listing available in the Human Resource Services Office) and include such things as opium, hallucinogens (like marijuana, mescaline, etc.), cocaine, amphetamines, heroin, and morphine. This policy does not prohibit the **lawful** use of prescribed drugs which are taken under a doctor's care.

TCAT-M strives to maintain a workplace environment for all employees who are safe and free of illegal drugs, in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

Description of assistance or counseling programs available to employees and students

The Employee Assistance Program (EAP) is a short-term counseling service available to you and your immediate family members who may be experiencing personal or workplace problems. The EAP is also a part of the Blue Cross and Blue Shield health insurance plan which provides mental health and substance abuse benefits.

Eligible employees may participate in the statewide EAP to receive consultation and referral for alcoholism or substance abuse. All center employees are eligible for referral assistance through the TCAT-M Employee Assistance Program, coordinated by TCAT-M Human Resources Services. The Office of Human Resources Services maintains a list of community agencies which provide referral information, and/or counseling to students and employees.

D. Drug and Alcohol Abuse Education Programs

A description of any drug or alcohol abuse education programs as required under Section 120(a) through (d) of HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials it uses to comply with Section 120(a) through (d) of HEA:

TCAT-M recognizes that the use of alcohol and drugs can have a negative impact on students and the learning process.

TCAT-M does not currently provide drug/alcohol counseling, treatment, or rehabilitation programs for students. Referral to community treatment facilities may be made in appropriate cases.

<http://state/tn/us/mental/MentHealtSerProviders.html>

Clery Crime Statistics	2014				2013				2012			
Crime Classification	On Campus	Non-Campus	Public Property	Total	On Campus	Non-Campus	Public Property	Total	On Campus	Non-Campus	Public Property	Total
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes

The Clery act requires that TCAT-M disclose hate or bias motivated offenses. A hate crime is a criminal offense committed against a person or property which 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 race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Bias Motivated Offenses (Hate Crimes)	
2014	No (0) Hate Crimes Reported
2013	No (0) Hate Crimes Reported
2012	No (0) Hate Crimes Reported