



**TENNESSEE COLLEGE  
OF APPLIED TECHNOLOGY**  
— **DICKSON** —  
**& CLARKSVILLE CAMPUS**

**CAMPUS SECURITY REPORT  
2019**

Reporting Period January 1, 2018 to December 31, 2018

Tennessee College of Applied Technology-Dickson  
740 Highway 46 S Dickson, TN 37055

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The following is the annual Campus Security Report for Tennessee College of Applied Technology-Dickson (TCAT Dickson) for the year 2018. The Office of the President prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The report can also be accessed on the TCAT's web page at <https://tcatdickson.edu/about/campus-safety-and-security-disclosures>. This report contains security policies, procedures, and guidelines. Crime statistics for the period of 2016-2018 are included in the report. These statistics are based on incidents reported at five (5) campus locations. You may request a paper copy from the Student Services Office on the TCAT campus located at 740 Highway 46 S, Dickson, TN 37055 or at the Clarksville Campus located at 135 International Blvd., Clarksville, TN, 37040.

### **Crime Statistics: Statement Concerning Law Enforcement (All Campuses)**

The TCAT does not have security personnel and is not authorized as a law enforcement agency. Instead, the institution utilizes local law enforcement agencies as deemed necessary in the event that criminal activity occurs or is suspected. The following is a list of TCAT campuses along with the law enforcement agency with jurisdiction over each one:

- The main campus is located in the city of Dickson, TN, and is under the jurisdiction of Dickson City Police, 202 S. Main St, Dickson, TN 37055, (615) 446-5403.
- The Advanced Manufacturing Campus is located in the city of Dickson, TN, and is under the jurisdiction of Dickson City Police, 202 S. Main St, Dickson, TN 37055, (615) 446-5403.
- An extension campus is located in the city of Clarksville, TN, and is under the jurisdiction of the Montgomery County Police Department, 120 Commerce St., Clarksville, TN 37040, (931) 648-0611.
- An instructional service center was located in the city of Ashland City, TN, through the end of December 2016, and was under the jurisdiction of the Ashland City Police Department, 233 TN Waltz Pk., Ashland City, TN 37015, (615) 792-2098.
- An instructional service center is located in the city of Franklin, TN, and is under the jurisdiction of the Franklin Police Department, 900 Columbia Ave., Franklin, TN 37064, (615) 794-2513.

### **Crime Statistics [34 CFR §668.46(b)(1)] (All Campuses)**

The TCAT has published the crime statistics described in 34 CFR 668.46(c) for the last three reporting periods for all campuses on its website at <https://tcatdickson.edu/about/campus-safety-and-security-disclosures>. Additionally, copies of the crime statistics for the reporting period covered under this report have been included as Appendix A-C of this report.

Copies of the TCAT Dickson Daily Crime Log are available for public inspection in our Business Office located on the Main Campus. Off-campus locations have access to the log through the TCAT Dickson intranet. The log is available during normal hours of operation of the college.

## How to Report Criminal Offenses [34 CFR §668.46(b)(2)] (All Campuses)

To report an emergency, always dial 911. To report a crime to the local law enforcement agency, contact the numbers listed below depending on your campus location. Any suspicious activity or person seen in the parking lots or loitering around vehicles and inside buildings should be reported to the Office of the Vice President or Campus Coordinator in Clarksville.

### Law Enforcement Agency Contacts by Campus Location:

Dickson Main Campus	Dickson Police Department	(615) 446-5403
Advanced Manufacturing Campus	Dickson Police Department	(615) 446-5403
Clarksville Extension Campus	Montgomery Co. Sheriff's Office	(931) 648-0611
Franklin Instructional Service Center	Franklin Police Department	(615) 794-2513

### Campus Security Authorities:

In addition to reporting crimes to local law enforcement, a crime may be reported to any institutional campus security authority (CSA). The CSAs for the TCAT are listed below:

#### Dickson Main Campus

Ray Bauhs, Vice President, [Ray.Bauhs@tcatdickson.edu](mailto:Ray.Bauhs@tcatdickson.edu), (615) 441-6220.  
Kimberly Zills, Student Services Coordinator, [Kimberly.Zills@tcatdickson.edu](mailto:Kimberly.Zills@tcatdickson.edu), (615) 441-6220.  
Cathleen Clark, Human Resources Assistant, [Cathleen.Clark@tcatdickson.edu](mailto:Cathleen.Clark@tcatdickson.edu), (615) 441-6220.  
Steve Davis, Facilities Associate, [Steve.Davis@tcatdickson.edu](mailto:Steve.Davis@tcatdickson.edu), (615) 441-6220.  
Mark Michael, IT Coordinator, [Mark.Michael@tcatdickson.edu](mailto:Mark.Michael@tcatdickson.edu), (615) 441-6220.  
Laura Travis, Health Careers/Academic Affairs Coordinator, [Laura.Travis@tcatdickson.edu](mailto:Laura.Travis@tcatdickson.edu), (615) 441-6220.  
Stephanie Murphy, SkillsUSA Advisor, [Stephanie.Murphy@tcatdickson.edu](mailto:Stephanie.Murphy@tcatdickson.edu), (615) 441-6220.  
Brandon Rives, SkillsUSA/Student Government Association Advisor, [Brandon.Rives@tcatdickson.edu](mailto:Brandon.Rives@tcatdickson.edu), (615) 441-6220.

#### Advanced Manufacturing Campus

Ed Hutchinson, Instructor, [Ed.Hutchinson@tcatdickson.edu](mailto:Ed.Hutchinson@tcatdickson.edu), (615) 446-5420  
Bryan Johnson, Instructor, [Bryan.Johnson@tcatdickson.edu](mailto:Bryan.Johnson@tcatdickson.edu), (615) 446-5420.

#### Clarksville Extension Campus

Debbie Griffin, Campus Coordinator, [Debbie.Griffin@tcatdickson.edu](mailto:Debbie.Griffin@tcatdickson.edu), (931) 572-1694.  
Deanna Wallace, SkillsUSA/Student Government Association Advisor, [Deanna.Wallace@tcatdickson.edu](mailto:Deanna.Wallace@tcatdickson.edu), (615) 441-6220.  
Randy McPherson, Facilities Associate, [Randy.McPherson@tcatdickson.edu](mailto:Randy.McPherson@tcatdickson.edu), (931) 572-1694.  
Lisa Sullivan, Student Services Counselor, [Lisa.Sullivan@tcatdickson.edu](mailto:Lisa.Sullivan@tcatdickson.edu), (931) 572-1694.

#### Franklin Instructional Service Center

Laura Travis, Health Careers/Academic Affairs Coordinator, [Laura.Travis@tcatdickson.edu](mailto:Laura.Travis@tcatdickson.edu), (615) 441-6220.  
Loretta Bruce, Instructor, [Loretta.Bruce@tcatdickson.edu](mailto:Loretta.Bruce@tcatdickson.edu), (615) 330-1424

## **Emergency Notifications and Timely Warnings [34 CFR §668.46(b)(2)(i)] (All Campuses)**

TCAT Dickson has a process to determine when an emergency or dangerous situation warrants an emergency notification to students, staff, and the community at large.

### **Process for Confirmation**

The President of the institution is responsible for confirming emergencies or dangerous situations after receiving input from knowledgeable sources pertaining to the situation at hand. Once confirmed, the President will issue orders to release emergency notifications as needed. All employees are to reference the *Emergency Preparedness Response Guide*, which is posted in each classroom and office, for specific plans for individual emergency types.

All employees have the ability to contact the President directly with information related to emergencies and dangerous situations; or, information may be submitted to any member of the institutional senior staff: Vice President, Academic Affairs/Allied Health Coordinator, Business/HR Coordinator, Clarksville Campus Coordinator, IT Coordinator, or Student Services Coordinator. Senior staff members will relay information to the President. In the absence of the President, a minimum of two senior staff members shall discuss any situations and determine how to proceed with notifications.

### **Decisions to Notify Segments**

TCAT Dickson will notify students, employees, and staff based on the assessed need. In the case of large segments being affected, notifications may be made to all campuses (Dickson, Clarksville, Franklin). Notifications may be made to individual campuses when only localized segments are affected; however, a continuing assessment of situations may warrant additional notifications to other segments of the community.

### **Content of Notifications**

The President or the President's senior staff designee will determine what information will be contained in notifications; depending on the segments being affected, notifications may vary between targets.

### **Initiate the Notification System**

Notifications are initiated by means of electronic communication (email, text, cell), public address systems, or via alarms based on the timeliness of need for the message being communicated. Any senior staff member may initiate the notification systems.

### **Safety of the Campus**

TCAT Dickson will inform the community of a confirmed significant emergency or dangerous situations without delay. The institution will take into consideration the safety of the community,

will determine the content of any notifications, and will initiate the notification system. The institution may withhold a notification in situations where the professional judgment of responsible authorities indicates that issuing a notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

### **Emergency Personnel**

Emergency Confirmation: President/Senior Staff Designees (minimum of 2)

Emergency Notice Content: President/Senior Staff Designees (minimum of 2)

Emergency Notification Initiation: President/ Senior Staff Designees (minimum of 2)

Call 911: President/Senior Staff/Any Employee with immediate access to phone

Emergency Preparedness Operations: Lead Facility Associate

Emergency Preparedness Canvas Areas: Vice President/Campus Coordinator

Emergency Preparedness Traffic Control: Student Services Coordinator/Automotive Instructor

Emergency Preparedness First Aid: Health Careers Coordinator/Nursing Instructors

### **Preparation of Disclosure of Crime Statistics [34 CFR §668.46(b)(2)(ii)] (All Campuses)**

The Office of the President prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at <https://tcatdickson.edu/about/campus-safety-and-security-disclosures>. The report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites. Campus crime, arrest, and referral statistics include those reported to the campus officials and local law enforcement agencies. Upon completion of the Annual Security Report, an e-mail notification is made to all enrolled students, faculty and staff that provides the website to access this report. Copies of the report may also be obtained from the Student Services Office located at 740 Highway 46 S, Dickson, TN; from the Clarksville Student Services Office located at 135 International Blvd., Clarksville, TN, 37040; or, by calling (615) 441-6620.

### **Voluntary Confidential Reporting of Crimes [34 CFR §668.46(b)(2)(iii)] (All Campuses)**

The TCAT does not have procedures for voluntary, confidential reporting of crime statistics, except in cases of sexual misconduct. Violations of the law will be referred to law enforcement agencies and, when appropriate, to the appropriate disciplinary committee for review. When a potentially dangerous threat to the college community arises, timely reports or warnings will be issued. All reports will be investigated.

TCAT Dickson encourages anyone who is the victim or witness or has knowledge of any crime to promptly report the incident. The confidentiality of persons reporting criminal activity can be requested and will be respected when possible but cannot be ensured pending the nature of the crime reported.

### **Security and Access [34 CFR §668.46(b)(3)] (All Campuses)**

During business hours, the college will be open to students, parents, employees, contractors, guests and invitees. During non-business hours, access to all college facilities is by key, if issued. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the person responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules.

Safety and security have been considered in the landscape and lighting of the campus. Any maintenance needs may be reported to the Vice President, Clarksville Campus Coordinator or other administrative staff member, who will forward any identified security concern to be evaluated by the facility staff. The facility staff will evaluate the need and consult the Vice President and/or President as warranted. These evaluations examine security issues including, but not limited to, landscaping, locks, alarms, lighting, and communications.

### **Campus Law Enforcement Authority [34 CFR §668.46(b)(4)(i)] (All Campuses)**

TCAT staff members do not possess arrest power. Criminal incidents are referred to the local law enforcement agencies that have jurisdiction on the campuses. The TCAT personnel maintain a highly professional working relationship with the local law enforcement agencies in the communities of each campus location. All crime victims and witnesses are strongly encouraged to report the crime to a CSA and the appropriate police agency immediately. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

### **Memorandum of Understanding (MOU) with Local Law Enforcement [34 CFR §668.46(b)(4)(i)] (All Campuses)**

The TCAT staff at each campus location maintains a close working relationship with their local law enforcement agencies. This close working relationship does not include a written memorandum of understanding between the college and law enforcement agencies in Montgomery County, Ashland City or Franklin. However, the college does have a written MOU with the Dickson Police Department.

### **Encouragement of Accurate and Prompt Crime Reporting [34 CFR §668.46(b)(4)(ii)] (All Campuses)**

The campus community (students, faculty and staff) is strongly encouraged to report any criminal behavior or suspected criminal acts promptly to an institutional CSA or local police agency. In the event an emergency is occurring, call 911 to obtain immediate assistance from local law enforcement agencies, and then contact Ray Bauhs, Vice President. It is a core objective of the TCAT to maintain a safe environment for the entire campus population and public visitors. To ensure this, each person must take the proper reporting of criminal activity seriously and act promptly.

All incident reports are forwarded to the President, Arrita Summers, for review and potential action. Local law enforcement will investigate a report when it is deemed appropriate. The President will

notify the appropriate personnel of the incident for entry into the crime log. Additional information obtained via the investigation may also be forwarded to Student Services and/or human resources.

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the law enforcement agency can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the TCAT can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the institution's annual crimes statistics.

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Student Services Office in a timely manner. Your promptness in reporting a crime increases the chance of the suspect being apprehended and preventing future criminal activity.

### **Security Awareness Programs for Students and Employees [34 CFR §668.46(b)(5)] (All Campuses)**

During orientation, staff and students are informed of the need to exercise personal safety and help maintain security on the TCAT Dickson main campus and all extension campuses. Once enrolled in class, all students receive a program orientation that promotes personal security and safety. Using common sense safety practices such as walking in groups; reporting suspicious activities; keeping money, books and other personal items protected; locking car and office doors when leaving; wearing safety belts; observing speed limits; and, generally being alert to personal welfare will ensure personal safety on and off campus. This information is included in the Student Handbook and Catalog. New students are notified at orientation and returning students are notified each fall of the information provided in the Handbook and the web address to view the Handbook.

### **Programs Designed to Inform Students and Employees About Prevention of Crime [34 CFR §668.46(b)(6)] (All Campuses)**

In addition to the security awareness programs, information on how to prevent crime is presented to students and employees through a campus violence policy, bystander intervention strategies, and risk reduction strategies, which are available on the college's website and through document centers on the campuses.

### **Monitoring Off-campus Student Organizations [34 CFR §668.46(b)(7)] (All Campuses)**

The TCAT does not have officially recognized student organizations with off campus locations.

### **Alcohol and Illegal Drugs [34 CFR §668.46(b)(8) & (b)(9)] (All Campuses)**

TCAT students and employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use of or being under the influence of illicit drugs and/or



alcohol on any TCAT campus, property owned or controlled by the TCAT, or as part of any TCAT activity.

#### A. Penalties for Violation

##### 1. Legal Sanctions under Federal, State or Local Law

Various federal, state, and local statutes make it unlawful to manufacture, distribute, dispense, deliver, 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; whether death or serious bodily injury resulted from the use of such substance; and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment, a fine of up to \$4,000,000, supervised release, any combination of the above or all three. These sanctions are doubled when the offense involves either: (1) distribution or possession at or near a school or college campus; or (2) distribution to persons less than 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two (2) years the minor's senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. 39-17-417. (21 U.S.C. 801, et. Seq.; T.C.A. 39-12-417) It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his or her employment), or consume alcoholic beverages, wine or beer, such offenses being classified as Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2,500, or both. (T.C.A. 1-3-113 and T.C.A. 57-5-301) It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified a Class A misdemeanor. (T.C.A. 39-15-404) The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both. (T.C.A. S39-17-310)

##### 2. Students

In addition to penalties students may be subject to under local, state or federal law, students violating this policy will be subject to disciplinary action, including, but not necessarily limited to:

- a. Probation
- b. Suspension
- c. Expulsion from school

##### 3. Employees

In addition to penalties employees may be subject to under local, state or federal law, employees violating this policy will be subject to disciplinary action, including but not

limited to:

- a. Probation
- b. Suspension
- c. Demotion
- d. Termination

As a condition of employment, employees, including student employees, must abide by the terms of this policy and must notify their supervisor of any criminal drug statute or alcohol abuse conviction for a violation occurring in the workplace no later than five days after such conviction.

## **B. Dissemination of Policy**

### **1. Employees**

- a. The Student Services Office will provide new employees with a copy of this policy, as part of the new employees' orientation via the Student Handbook and Catalog.
- b. New employees will sign orientation forms acknowledging that the policy was disseminated as part of their orientation.
- c. The office of the President will send e-mail copies of this policy annually to all employees with e-mail access. The Human Resources office will provide a notice of the policy to all adjunct employees without e-mail access.

### **2. Students**

- a. A notice of this policy will be included with the TCAT Dickson Student Handbook and Catalog and on the college's web page.
- b. The Student Services office will notify new students at orientation and returning students each fall of the information provided in the Student Handbook and the web address to view the Student Handbook.

## **C. Violations**

### **1. Supervisor Notification**

Any supervisor becoming aware of an employee violation of this policy, whether by virtue of notification by an employee of a conviction or by other means, will immediately notify the Office of the President.

### **2. Employees Funded by Federal Grants**

The Office of the President will notify the appropriate sponsor or granting agency within ten days after the college receives actual notice of an employee conviction.

## **Policy Statement Addressing Substance Abuse Education [34 CFR §668.46(b)(10)]**

### **A. General**

#### **Drug and Alcohol Awareness**

The TCAT is committed to raising the awareness of students and employees of the health risks associated with the use of illicit drugs and the abuse of alcohol. A synopsis of those health risks is presented below.

### **B. Alcohol**

Alcoholism is a complex, progressive disease that interferes with health, social and economic functioning. Untreated alcoholism results in physical incapacity, permanent mental damage and/or premature death. Alcohol is involved in one-third of all suicides, one-half of all traffic accidents and one-fourth of all other accidents and is involved in over 50% of all arrests. Alcohol is the third leading cause of birth defects involving mental retardation. Use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Drinking is implicated in cancer, heart disease, gastrointestinal disease and other illnesses. Alcoholism has been estimated to reduce life expectancy by twelve years. Alcohol Beverage can damage all body organs, leading to liver, heart and digestive problems, circulatory system interference, change in personality, reproductive problems and central nervous system disorder such as poor vision, loss of coordination, memory loss, loss of sensation, mental and physical disturbances and permanent brain damage. The physical and psychological changes that occur as a result of addiction to alcohol can pave the way for addiction to pharmacologically similar drugs.

### **C. Illicit Drugs**

The use of illicit drugs results in many of the health risks that are involved with alcohol use. Illicit drug use increases the risk of mental deterioration, death from overdose, physical and mental dependence or addiction, hepatitis and skin infections from needle use, psychotic reactions, inducement to take stronger drugs, brain damage, danger of flashback phenomenon, hallucinations, unconsciousness, deep depression, distortion of time and space, permanent damage to lungs, brain, kidneys and liver, death from suffocation or choking, anemia, amnesia, AIDS and other infections. If used excessively, the use of alcohol and drugs singly or in certain combinations may cause death.

### **D. Counseling, Treatment and Rehabilitation Programs**

The Student Services Coordinator will assist students and/or employees by providing information concerning treatment resources in the surrounding area and assisting individuals in making initial contact with treatment providers. Regular employees may also use the Employee Assistance Program (EAP) by calling 1-855-437-3486 or on the web at <https://here4tn.com>. Information concerning the EAP is available in the Human Resources Office.

## **Crimes of Violence and Sexual Misconduct [34 CFR §668.46(b)(11)] (All Campuses)**

Sexual misconduct is a form of sex discrimination prohibited by Title IX. The TCAT is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. As set forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking, and sexual assault. The TCAT strictly prohibits these offenses. Any allegation of sexual misconduct as defined herein will be investigated and adjudicated according to this policy.

### **Definitions**

**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.

**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 (2) 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 – **TCA § 36-3-601(5)(c)**

**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:

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 – **TCA § 36-3-601**

**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.

**Sexual Misconduct**—for the purposes of this policy, "sexual misconduct" is defined as dating violence, domestic violence, stalking, and sexual assault.

**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– TCA § 39-17-315

### **Sexual Misconduct Educational Programs And Campaigns [34 CFR §668.46(b)(11)(i)]**

The TCAT engages in comprehensive online 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, staff, and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in the state of Tennessee;
4. 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;
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks;

## Bystander Intervention

Bystanders are the largest group of people involved in violence – they greatly outnumber both the perpetrators and the victims. Bystanders have a range of involvement in assaults. Some know that a specific assault is happening or will happen, some see an assault or potential assault in progress, and some know that assaults do happen. Regardless of how close to the assault they are, bystanders have the power stop assaults from occurring and to get help for people who have been victimized.

Take the example of the typical perpetrator of college sexual assaults. Most are men who are outwardly charming, have a lot of friends, and don't consider their actions to be wrong (Lisak, 2002). People who know this person (bystanders), and are potentially friends with this person, often do not want women they care about (sisters, friends, etc.) to date or hang around this man. When his behavior is directed at other women whom they are not close to, they often do not think it is a situation in which they need to get involved. Bystanders often know that this person's behavior is inappropriate and potentially illegal, but may not know what they can do to make a difference.

All persons have been bystanders at some point in their lives, and all will be in situations where they are bystanders in the future. The choice, then, becomes whether individuals are going to be active bystanders who speak up and say something, or whether they will be passive bystanders who stand by and say nothing.

TCAT Dickson is not advocating that individuals risk their own safety in order to be an active bystander. Remember, there is a range of actions that are appropriate, depending on the situation. If an individual or someone else is in immediate danger, calling 911 is the best action a bystander can take; as opposed to being the bystander who stands by and does nothing, we want to create a culture of bystanders who are actively engaged in the prevention of violence. The following information is provided to students and employees regarding the power of being a bystander:

### A. Power of Bystanders

Has anyone stopped a friend from going home with someone when the friend was drunk or high? Has anyone tried to stop a friend/teammate/peer from taking advantage of someone or doing something else inappropriate? Both of these actions are examples of bystanders using their power to stop violence.

What else can bystanders do to make a difference?

- **Believe someone** who discloses a sexual assault, abusive relationship, or experience with stalking or cyberstalking.
- **Be respectful** of yourself and others. Make sure any sexual act is OK with your partner if you initiate.
- **Watch out for your friends and fellow students**– if you see someone who looks like they are in trouble, ask if they are okay. If you see a friend doing something shady, say something.

- **Speak up**– if someone says something offensive, derogatory, or abusive, let them know that behavior is wrong and you don't want to be around it. Don't laugh at racist, sexist, homophobic jokes. Challenge your peers to be respectful.

## **B. Other Bystander Intervention Strategies**

(Adapted from Men Can Stop Rape, [www.mencanstoprape.org](http://www.mencanstoprape.org), 2006)

### **"I" statements**

- Three parts: 1. State your feelings, 2. Name the behavior, 3. State how you want the person to respond. This focuses on your feelings rather than criticizing the other person.
- Example: "I feel \_\_\_\_\_ when you \_\_\_\_\_. Please don't do that anymore."

### **Silent Stare**

- Remember, you don't have to speak to communicate.
- Sometimes a disapproving look can be far more powerful than words.

### **Humor**

- Reduces the tension of an intervention and makes it easier for the person to hear you.
- Do not undermine what you say with too much humor. Funny doesn't mean unimportant.

### **Group Intervention**

- There is safety and power in numbers.
- Best used with someone who has a clear pattern of inappropriate behavior where many examples can be presented as evidence of his problem.

### **Bring it Home**

- Prevents someone from distancing himself from the impact of his actions.  
Example: "I hope no one ever talks about you like that."
- Prevents someone from dehumanizing his targets.  
Example: What if someone said your girlfriend deserved to be raped or called your mother a whore?"

### **We're friends, right....?**

- Reframes the intervention as caring and non-critical.
- Example: "Hey Chad.....as your friend I've gotta tell you that getting a girl drunk to have sex with her isn't cool, and could get you in a lot of trouble. Don't do it."

### **Distraction**

- Snaps someone out of their "sexist comfort zone."  
Example: Ask a man harassing a woman on the street for directions or the time.
- Allows a potential target to move away and/or to have other friends intervene.  
Example: Spill your drink on the person or interrupt and start a conversation with the person.

Virginia Tech (2012). Be an active bystander. Retrieved September 11, 2014.

## **Risk Reduction Strategies**

The following information is provided to increase awareness and to provide strategies for protecting oneself.

### **A. Psychological Prevention**

- Trust instincts. If you feel uncomfortable about a person or situation, remove yourself from the situation immediately.
- Learn to be assertive. Enforce your rights without violating the rights of others. Be assertive but not defensive. When you become defensive you become more Vulnerable.
- Don't be predictable; remember that many sexual assaults are planned. If you must walk alone, walk a different route each time so that you don't have a fixed pattern.
- Don't be afraid to make a scene if you are confronted.

### **B. Be Alert When With Acquaintances**

- If you are at a party or other group function, don't leave with a person you don't know well.
- Remember that alcohol and drugs compromise your ability to make decisions. They lower your inhibitions and make you a more likely candidate for becoming a victim.
- If you are a female, avoid parties where men greatly outnumber women.
- Avoid secluded places where you put yourself into a vulnerable situation.
- Be careful when inviting someone to your residence or accepting an invitation to his or her residence.
- Set sexual limits and communicate those limits. Beware of partners who disregard your requests.

### **C. Be Alert When Walking**

- Avoid walking alone at night.
- Travel with a friend or in a group.
- Be alert and aware of your surroundings.
- If you must walk alone, stay in well-lighted areas, away from alleys, bushes, and entryways.
- Walk confidently, directly, and at a steady pace.
- Keep your hands free. Avoid overloading yourself with packages and books.
- Avoid dark, vacant or deserted areas; use well-lit, well-traveled routes.
- Dress in clothes and shoes which will not hamper movement.
- Become familiar with the lighted corridors on the campus.
- Be aware of your surroundings. Look, listen, and notice if someone is following you.

### **D. If You Sense You Are In Trouble**

- Move away from the potential threat if possible.
- Join any group of people nearby; cross the street and increase your pace.



- If a threatening situation is imminent, and people are close by to help, yell, scream, blow a whistle or make a commotion in any way you can to get their attention. Remember that people are more likely to respond to shouts of "Fire" and "Call 9-1-1" than to shouts of "Rape."
- Go to an open building or business.
- From a safe location, Call 911.

## **E. Be Alert Where You Live**

- Don't let anyone you do not know well inside your residence hall or apartment.
- Do not open your door unless you know who is there.
- Be sure that the doors of your residence are locked when you are there as well as when you are away. Lock your door even if you just go down the hall to visit a friend.
- Avoid being in isolated areas such as parking structures or laundry rooms by yourself, especially at night.
- Never indicate to anyone that you are alone.
- Use well lighted entrances to your apartment or residence hall.
- If anything appears out of the ordinary at your residence, to a safe place and call the police.

Oregon State University (2014). Sexual assault risk reduction strategies. Retrieved September 11, 2014 from <http://oregonstate.edu/dept/security/sexual-assault-risk-reduction>.

## **Immediate Actions A Victim Of A Sex Offense Should Take [34 CFR §668.46(b)(11)(ii)]**

A. 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.

B. 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.

C. 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.

D. 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:

1. Bathe or shower;
2. Wash his/her hands;
3. Brush his/her teeth;
4. Use the restroom;
5. Change clothes;

6. Comb hair;
7. Clean up the crime scene; or
8. Move anything the offender may have touched

E. 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.

F. 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.

A victim has the right to decline to notify local law enforcement. However, filing a police report with a local law enforcement agency will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam; and, the victim should save electronic messages, if possible); and,
- ensure the victim has access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

### **Assistance for Victims of Sexual Misconduct: Rights and Options**

- A. Regardless of whether a victim elects to pursue a criminal complaint or whether the offense occurred on or off campus, 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.
- B. 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 <https://www.tn.gov/correction/redirect-agency-services/redirect-victim->

[services/tennessee-crime-victims--bill-of-rights.html](http://services/tennessee-crime-victims--bill-of-rights.html).

- C. 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 <https://www.tncoalition.org/legal-clinics>.
- D. 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.

## 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 A “Reporting Confidentially” below related to the limits on the College’s ability to maintain confidentiality.

### A. On Campus Resources

Office of the Title IX Coordinator	740 Hwy 46 South Dickson, TN 37055	(615) 441-6220x109 <a href="mailto:Ray.Bauhs@tcatdickson.edu">Ray.Bauhs@tcatdickson.edu</a>
Student Services Coordinator	740 Hwy 46 South Dickson, TN 37055	615) 441-6220x102 <a href="mailto:Kimberly.Zills@tcatdickson.edu">Kimberly.Zills@tcatdickson.edu</a>
Clarksville Campus Coordinator	135 International Blvd. Clarksville, TN 37040	(931) 574-1694 <a href="mailto:Debbie.Griffin@tcatdickson.edu">Debbie.Griffin@tcatdickson.edu</a>

### B. 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

<https://www.justice.gov/usao-dc/information-victims-sexual-assault> -- Department of Justice

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

### C. Phone Number Resources:

NATIONAL DOMESTIC VIOLENCE HOTLINE 1-800-799-SAFE FREE (7233)

NATIONAL SEXUAL ASSAULT HOTLINE 1-800-656-HOPE FREE (4673)

NATIONAL STALKING RESOURCES 1-800-FYI-CALL FREE (1-800-394-2255 FREE)

NATIONAL TEEN DATING ABUSE 1-866-331-9474 FREE  
CRISIS INTERVENTION CENTER 2-1-1 OR 931-648-1000  
GATEWAY MEDICAL CENTER 931-502-1000  
CENTERSTONE – DICKSON LOCATION 615-446-3797  
CENTERSTONE 931-920-7200  
CENTERSTONE AT GATEWAY CRISIS CENTER 931-502-2025  
CENTERSTONE 24 HOUR CRISIS INTERVENTION 1-800-681-7444  
CRISIS LINE 1-888-291-HELP FREE (4357)

## **Reporting Crimes of Violence or Sexual Misconduct [34 CFR §668.46(b)(11)(ii)]**

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

### **A. Reporting Confidentially**

If a victim chooses to report an incident of sexual misconduct in a confidential manner, the victim can report the incident to the following agency who employs licensed counselors and is required by Tennessee State law to maintain confidentiality of a victim:

#### **Sexual Assault Center, Counseling & Education**

101 French Landing Dr., Nashville, TN 37228 (615) 259-9055  
24-hour hotline 1-800-879-1999.

1725-I Wilma Rudolph Blvde., Clarksville, TN 37040 (931) 241-4143  
[www.sacenter.org](http://www.sacenter.org)

### **B. Filing an Institutional Complaint**

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

1. The TCAT shall not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.
2. Before a Complainant reveals any information to an employee, the employee must ensure that the Complainant understands the employee's reporting obligations.
3. If the Complainant wants to maintain confidentiality, the employee must direct the victim to confidential resources as detailed in Section A above.
4. If the Complainant wants to tell an employee what happened but also maintain confidentiality, the employee must advise the Complainant that the TCAT 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.

5. In addition to all other employees on campus, an institutional complaint can be filed directly with either or both of the following:

Title IX Coordinator:

Ray Bauhs, Vice President

Main Campus Administration Building

740 Highway 46 S

Dickson, TN 37055

(615) 441-6220

[Ray.Bauhs@tcatdickson.edu](mailto:Ray.Bauhs@tcatdickson.edu)

Kimberly Zills, Student Services Coordinator

Main Campus Student Services Office

740 Highway 46

Dickson, TN 37055

(615) 441-6220

[Kimberly.Zills@tcatdicksonn.edu](mailto:Kimberly.Zills@tcatdicksonn.edu)

Debbie Griffin, Campus Coordinator

Administration Office, Clarksville Campus

135 International Blvd. Clarksville, TN 37040

(931) 572-1694

[Debbie.Griffin@tcatdickson.edu](mailto:Debbie.Griffin@tcatdickson.edu)

#### C. Filing a Criminal Complaint

If the victim chooses to make a complaint for purposes of filing criminal charges, the victim may contact local law enforcement where the assault occurred as listed on page 4 of this report. The local law enforcement agency will determine the subsequent steps. If the victim chooses, an advocate from the Sexual Assault Center or the TCAT's Title IX Coordinator will assist in the reporting process.

- D. The TCAT will, to the extent possible, complete publicly available record-keeping, including Clery reporting, without identifying information about the victim.
- E. The TCAT will, to the extent possible, 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.

## **Role of Title IX Coordinator**

- A.** 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:
1. Investigation or oversight of investigations of allegations related to Title IX;
  2. Coordination and oversight of educational programs including mandatory training for new students and employees and awareness campaigns for current students and employees;
  3. Coordination with local law enforcement on matters related to allegations related to sexual misconduct;
  4. Coordination and oversight of training for anyone involved in responding to, investigating, or adjudicating sexual misconduct;
  5. Coordination and oversight of training for employees related to their responsibility when they are aware of sexual misconduct;
  6. 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
  7. Attending appropriate training annually on topics related to responding to or investigating allegations of sexual misconduct.
- B.** 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 For Crimes of Violence and Sexual Misconduct [34 CFR §668.46(b)(11)(ii)]**

- A.** 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.
- B.** All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for investigation and appropriate disposition, subject to the confidentiality policy.

C. Mediation between the Complainant and Respondent will never be considered an appropriate resolution in sexual misconduct cases.

D. Initiating an investigation

1. Immediately upon receipt of a complaint, the Title IX Coordinator shall communicate with the Complainant to identify and implement any reasonable interim measures necessary. 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.
2. When the Complainant chooses not to provide or sign a written complaint, the Title IX Coordinator or designee will still investigate and take appropriate action.
3. 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.
4. Complaints made anonymously or by a third party will be investigated to the extent possible.
5. 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.
6. The Title IX Coordinator may appoint a qualified, sufficiently trained person to investigate the allegations made in the complaint.
7. Only one person shall be identified as the investigator for a complaint, though the investigator may have a second person present during interviews to take notes.
8. Investigations shall be conducted by officials who do not have a conflict of interest or bias for or against the Complainant or Respondent.
9. 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 Title IX Coordinator or the President. 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 President 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 President shall be final.

E. What the investigation should and should not entail

1. Once the investigator receives the complaint, the investigator shall notify the victim (Complainant) in writing of his/her rights and request a meeting.
2. The investigator shall also notify the accused (Respondent) in writing of the complaint and his/her rights and request a meeting with the Respondent.

3. 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.
4. The investigation shall include interviews with both the Complainant and Respondent, unless either declines an in-person interview.
5. 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.
6. The TCAT 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.
7. 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.
8. The investigation shall include the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.
9. The investigator is expected to request a list of relevant witnesses and evidence from Complainant and Respondent and take such into consideration.
10. 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**

- A. 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, conclusions that may be drawn from the evidence gathered, and recommendations about the disposition of the matter.
- B. 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.
- C. The investigator's report shall be delivered to the Title IX Coordinator, who shall make an official report to:
  1. The President if the Respondent is an employee; or,
  2. The President if the Respondent is a student
- D. After review of the report the President shall make a determination based on a preponderance of the evidence presented as to whether or not a violation of this policy occurred.



- E. The President'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**

- A. 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 President, and that the investigator will notify the parties in writing of President's determination.
- B. If the investigator or President 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.
- C. 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.
- D. 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 writing as to whether or not the request is granted.

### **Institutional Hearing [34 CFR §668.46(b)(11)(vi)]**

- A. 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 President's decision.
- B. If a request is not received within ten (10) days, the President's determination is final.
- C. The hearing may be held before either a hearing officer or hearing committee. The President of the College shall appoint individuals to serve on the hearing committee. All hearing officers and 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.
- D. If the Complainant or Respondent believes the hearing officer or any hearing committee member(s) has a conflict of interest, that party must submit a written explanation of the reason for that belief to the President. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew of or should have known the facts that would give rise to the alleged conflict of interest. The President will determine if the facts warrant the appointment of a different hearing officer or hearing

committee member and respond to the party in writing within three (3) business days, absent good cause. The decision of the President shall be final.

- E.** 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 President, within thirty (30) days following the TCAT's receipt of the party's request for a hearing
- F.** The parties to the hearing may not engage in formal discovery.
- G.** 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.
- H.** The TCAT will not limit the choice of advisor for either the Complainant or Respondent.
- I.** The Complainant and Respondent shall be timely notified of all meetings relevant to the proceeding. 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.
- J.** The hearing officer or 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 hearing officer or 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.
- K.** The hearing officer or hearing committee shall use a preponderance of the evidence standard when reaching a decision.
- L.** Absent good cause, within five (5) business days of the close of evidence, the hearing officer or hearing committee shall issue a written determination as to whether or not a violation of this policy occurred and the justification for this decision.
- M.** Each party shall be simultaneously notified of the hearing officer's or 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 President.

TCAT Dickson will 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 the college against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. A written request is not required for an alleged victim of dating violence, domestic violence, sexual assault or stalking.

### **Appeal Of Hearing Decision**

- A.** If either party chooses to appeal the hearing officer's/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.

- B. If a written request for appeal is not received within five (5) days, the decision of the hearing officer/committee is final.
- C. 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.
- D. The President will issue a written response to the appeal as promptly as possible. This decision will constitute the TCAT's final decision on the complaint.
- E. Should a change in the result be warranted, both the Complainant and Respondent will be notified in writing simultaneously.

#### **Effect Of A Finding Of A Violation Of This Policy [34 CFR §668.46(b)(11)(vii)]**

- A. If a final decision has been made that a policy violation occurred, the Respondent shall be referred to the appropriate personnel for a determination of discipline.
- B. The appropriate personnel will be determined by the status of the Respondent. For example, if the Respondent is a student, then the matter may be referred to the President. If the Respondent is an employee, the matter may be referred to the President.
- C. If the Respondent is a student, the TCAT will follow the procedures for disciplining students as described in TBR Policy 3:02:00:01 and TCAT Dickson's Student Handbook and Catalog: <https://tcatdickson.edu/current-students/student-handbookcatalog>.
- D. If the Respondent is an employee, the TCAT will follow the procedures related to disciplining employees as described in applicable employee policies.
- E. Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:
  - 1. The Complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.
  - 2. The Complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.
  - 3. 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.
  - 4. The Complainant shall be allowed access to any evidence presented during any disciplinary meeting or hearing.
  - 5. The Title IX Coordinator or designee shall be appointed as the Complainant's contact person for any questions or assistance during the disciplinary process.

6. The Complainant shall receive written notice of the outcome of the disciplinary process.
- F. If a final decision has been made that a policy violation occurred, the Title IX Coordinator or designee shall determine any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct or crime of violence 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.
  - G. Subject to federal law, state law, and TBR policies, the following sanctions may be imposed by the institution following the results of any institutional disciplinary proceeding for an allegation of a crime of violence or dating violence, domestic violence, sexual assault, or stalking:
    1. Restitution
    2. Warning.
    3. Reprimand.
    4. Service to the institution or community.
    5. Specified educational/counseling program.
    6. Apology.
    7. Fines.
    8. Restriction upon privileges.
    9. Probation.
    10. Suspension.
    11. Expulsion.
    12. Revocation of admission, degree, or credential.
    13. Interim suspension.
    14. Suspension of employment.
    15. Termination of employment.
    16. Demotion.
    17. Termination of tenure status.
    18. Other sanctions as deemed appropriate by the institution.

### **Interim Measures [34 CFR §668.46(b)(11)(v)]**

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

- A. Providing an escort to ensure that the Complainant can move safely between classes and activities;
- B. Ensuring that the Complainant and Respondent do not attend the same classes;
- C. Providing referrals or access to counseling services;
- D. Providing referrals to medical services;
- E. Providing academic support services, such as tutoring;
- F. 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.

- G. These remedies may be applied to one, both, or multiple parties involved.
- H. 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 TCAT Dickson's Student Conduct Policy, Student Handbook/Catalog, <https://tcatdickson.edu/current-students/student-handbookcatalog>, before placing a student Respondent on interim suspension.
- I. Employee Respondents may be, consistent with Human Resource policies, placed on administrative leave pending the outcome of the matter.

### **Sex Offender Registration [34 CFR §668.46(b)(12)] (All Campuses)**

In accordance to the *Campus Sex Crimes Prevention Act of 2000*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act* and the *Family Educational Rights and Privacy Act of 1974*, the TCAT is providing a link to the Tennessee State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student. Members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled, or volunteering at this institution from the TBI's website listing of sex offenders located at <https://www.tn.gov/tbi/general-information/redirect-tennessee-sex-offender-registry-search/sex-offender-registry-search.html>.

Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class 1 misdemeanor.

### **Emergency Response and Evacuation Procedures [34 CFR §668.46(b)(13)]**

The TCAT maintains emergency plans for each campus. In conjunction with an exercise or drill, TCAT Dickson publicizes via e-mail at least annually the location where TCAT Dickson's emergency response and evacuation procedures can be viewed. These procedures can be viewed by visiting the following link: <https://tcatdickson.edu/about/campus-safety-and-security-disclosures>.

Each of these plans document the procedures that the individual campus will use to immediately notify the campus community of significant emergencies or dangerous situations involving threats to human health or safety of students or employees occurring on campus.

In the event of a serious incident that poses an immediate threat to members of the TCAT community, the TCAT has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community or the community at large. These methods of communication include the RAVE message system (text/phone/email), the college e-mail system, TCAT Dickson's Facebook

page, computer desktop alert software, emergency notification beacons located at various points on campus, and TCAT Dickson's website.

The TCAT 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.

The TCAT conducts emergency preparedness drills to test the emergency response and evacuation procedures of each facility at all campuses on an at least annual basis. The results of each of these drills are recorded documenting the date, time, and whether it was an announced or unannounced drill.

#### **Missing Student Notification Procedures [34 CFR §668.46(b)(14)]**

The Department of Education requires under 34 CFR §668.46(b)(14) that any institution that provides any on-campus student housing facilities must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in its annual security report. The TCAT does not provide any on-campus student housing facilities.

## 2018 Clery Crime Statistics – Year 2016

Crime Classification	2016				
	Dickson Main (On-Campus)	Dickson Non-Campus*	Dickson Public Property	Clarksville Extension (On-Campus)	Clarksville Ext. Public Property
Murder / Non-negligent Manslaughter	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Liquor Law Violations (Arrests)	0	0	0	0	0
Drug Violations (Arrests)	0	0	0	0	0
Weapons Violations (Arrests)	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Hate Crimes	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0
<b>DISCIPLINARY REFERRALS</b>					
Liquor Law Violations	0	0	0	0	0
Drug Violations	0	0	0	0	0
Weapons Violations	0	0	0	0	0

\* Dickson Main Campus non-campus sites include the following locations: Ashland City, Franklin, and Advanced Manufacturing Campus (formerly the Green Sustainable Energy Campus). Locations designated as 'non-campus' sites do not have public property as defined by the 2016 edition of the U.S. Dept. of Education's Handbook for Campus Safety and Security Reporting. The following locations have closed: Ashland City Nursing – December 2016.

Incident reports are requested monthly from local law enforcement agencies with jurisdiction over TCAT Dickson campus locations. Statistics based on those reports are included in the chart above if provided by the law enforcement agencies.

## 2018 Clery Crime Statistics – Year 2017

Crime Classification	2017				
	Dickson Main (On-Campus)	Dickson Non-Campus*	Dickson Public Property	Clarksville Extension (On-Campus)	Clarksville Ext. Public Property
Murder / Non-negligent Manslaughter	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Liquor Law Violations (Arrests)	0	0	0	0	0
Drug Violations (Arrests)	0	0	0	0	0
Weapons Violations (Arrests)	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	1	0
Hate Crimes	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0
<b>DISCIPLINARY REFERRALS</b>					
Liquor Law Violations	0	0	0	0	0
Drug Violations	0	0	0	0	0
Weapons Violations	0	0	0	0	0

\* Dickson Main Campus non-campus sites include the following locations: Franklin and Advanced Manufacturing Campus (formerly the Green Sustainable Energy Campus). Locations designated as 'non-campus' sites do not have public property as defined by the 2016 edition of the U.S. Dept. of Education's Handbook for Campus Safety and Security Reporting.

Incident reports are requested monthly from local law enforcement agencies with jurisdiction over TCAT Dickson campus locations. Statistics based on those reports are included in the chart above if provided by the law enforcement agencies.



## 2018 Clery Crime Statistics – Year 2018

Crime Classification	2018				
	Dickson Main (On-Campus)	Dickson Non-Campus*	Dickson Public Property	Clarksville Extension (On-Campus)	Clarksville Ext. Public Property
Murder / Non-negligent Manslaughter	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0
Rape	1	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	1	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Liquor Law Violations (Arrests)	0	0	0	0	0
Drug Violations (Arrests)	1	0	0	0	0
Weapons Violations (Arrests)	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Hate Crimes	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0
<b>DISCIPLINARY REFERRALS</b>					
Liquor Law Violations	0	0	0	0	0
Drug Violations	0	0	0	0	0
Weapons Violations	0	0	0	0	0

\* Dickson Main Campus non-campus sites include the following locations: Franklin and Advanced Manufacturing Campus (formerly the Green Sustainable Energy Campus). Locations designated as 'non-campus' sites do not have public property as defined by the 2016 edition of the U.S. Dept. of Education's Handbook for Campus Safety and Security Reporting.

Incident reports are requested monthly from local law enforcement agencies with jurisdiction over TCAT Dickson campus locations. Statistics based on those reports are included in the chart above if provided by the law enforcement agencies.