

Campus Safety and Crime Prevention Programs

Annual Pioneer Safety Report

If this is your first exposure to our historic institution, please allow me to welcome you to Tusculum College. Founded in 1794, Tusculum College is the oldest college in Tennessee, the twenty-eighth oldest college in the nation, and the oldest coeducational institution affiliated with the Presbyterian Church (USA). The residential campus is located on 140 acres in Greeneville, Tennessee, at the base of the Smoky Mountains.

Within the TC Pioneer community, you will learn that students, faculty, staff and guests work together to maintain a safe and enjoyable environment. You also will learn that as members of the TC family, your participation in our continuing efforts to preserve that environment is important.

The College provides for the safety and welfare of the community through proactive programming and cooperation with community law enforcement. Additionally, our residential campus is supported by the College's Campus Safety Department. This program is designed to maintain and enhance the college environment through service and education. Campus Safety assists in maintaining accountability for the College's standards of behavior, support for safety through deterrence of negative external influences and educational efforts to support the community. Programs provided by Campus Safety on the Greeneville campus include a campus-wide escort service and crime awareness and prevention programs addressing topics such as personal safety, self-defense, personal property security, and alcohol and drug risk awareness.

TC measures success in living out our values by the success of our students, the personal growth of our employees, and tangible improvement in the quality of life in

communities where we have a presence, thus exemplifying the Civic Arts. In furtherance thereof, Campus Safety Officers employ a community engagement model to promote communication among members of the community and our Officers to help ensure that the campus is a safe and inviting place to live, study, and work.

This report is designed to provide information ranging from how to take advantage of Campus Safety services from general crime prevention and support to reporting a violation or crime impacting the TC community. The information herein complies with the or Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (or Clery Act). This report also supports compliance with the "Campus Sex Crimes Prevention Act," the Tennessee College and University Campus Sex Crimes Prevention Act (Tennessee Code Annotated 40-39-102),

Additional copies of this report are available at the Campus Safety Office in Niswonger Commons—Room 222. Written requests can be made to the following address: Tusculum College, Campus Safety Office, P.O. Box 5094, Greeneville, TN 37743.

Please feel free to contact Campus Safety or Student Affairs Office in Niswonger Commons, or the administrative office at one of our GPS sites if you have any further questions about campus safety or we can otherwise be of assistance.

Sincerely,

David M. McMahan, J.D.
Vice President for Student Affairs/
Dean of Students

Inside this issue:

Reporting of Criminal Offenses	2
Voluntary Confidential Reporting	2
Confidentiality of Pastors & Counselors	2
Reporting of Incidents & Criminal Reporting to Law Enforcement	2
Campus Safety Personnel	2
Campus Safety Authority & Law Enforcement	2
Campus Facilities Access	2-3
Campus Facilities Security	3
Criminal and Other Behavior Off-Campus	3
Reporting Crime Statistics Annually	3
Weapons on Campus	3-4
Criminal History Investigation	4
Timely Reports & Campus Alert Bulletins	4
Alcohol and Drug Policies and Programs	4-5
Alcohol and Substance Abuse Information	5
Sexual Harassment (Including Assault) Policy & Reporting	5-7
Sex Offender Registration	7
Safety Awareness Programs	7
Anti-Harassment Employment Policy	8
Safety Tips	9
Operation ID	9
Campus Lost & Found	9
Harassing & Obscene Phone Calls	9
Carbon Monoxide Poisoning	9
Student Records Policy	9-10
Statement of Non-Discrimination	10
Disabilities & Reasonable Accommodations	10-11
Peer Harassment and Relationship Policies & Reporting Procedure	11
Crime Statistics Report	12
Important Resource Contact Information	13

Reporting of Criminal Offenses

To report a crime at the residential campus, contact Campus Safety at 423/636-7318, x5318 or dial 9-111 for emergency services. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residence halls should be reported to the Department of Campus Safety or GPS site administrative office. Campus Safety is responsible for the coordination of campus safety and security efforts. The Campus Safety Office is located at the main entrance of Niswonger Commons Rm222. The Department of Campus Safety is open 365 days per year and utilizes Campus Safety Officers to patrol the residential campus by vehicle and on foot throughout the day. Key personnel to whom crimes may be reported include:

- Vice President for Student Affairs, Student Affairs—Niswonger 223, x5315
- Associate Dean of Students, Student Affairs-Niswonger 223, x5315
- Director of Campus Safety, Campus Safety—Niswonger 222, x5318

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the College Behavior Education Process or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Campus Safety (423/636-7318 or x5318) or a designee 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 College 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 annual crimes statistics for the institution.

Confidentiality of Pastors & Counselors

Campus "Pastoral Counselors" and "Professional Counselors," when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, College Pastors and Counselors inform their clients of the procedures to report crimes on a voluntary basis, should

they feel it is in the best interest of the client, so that the information can be included in the annual crime statistics.

Reporting of Incidents and Criminal Reporting to Law Enforcement

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Department of Campus Safety in a timely manner; however, community members are encouraged to contact law enforcement if they are a victim and feel it is appropriate. Campus Safety will help initiate this contact upon receiving such a request. In situations where the College and its community as a whole may be deemed to be a victim, the Vice President for Student Affairs or her/his designee may choose to report the criminal behavior itself while retaining the right to internally address the behavior of members of its community, as well. Monthly state and annual federal crime reporting is maintained through the Campus Safety Department.

In response to a call, Campus Safety will take the required action, dispatching an officer or asking the victim to report to the Campus Safety Office to file an incident report. All Campus Safety incident reports are forwarded to the Student Affairs Office for review and potential action. Campus Safety investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Student Affairs Office.

In circumstances indicating sexual assault, harassment, etc., staff on the scene, including Campus Safety, will offer the victim a wide variety of services. This publication contains information about on-campus and off-campus resources. That information is made available to provide Tusculum College community members with specific information about the resources that are available in the event that they become the victim of a crime. The information about "resources" is not provided to infer that those resources are crime "reporting entities" for the College. For example, a crime that was reported only to a community rape crisis center would not be included in the TC crime statistics. Crimes should be reported to Campus Safety to ensure inclusion in the

annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Campus Safety Personnel

Tusculum College Campus Safety operations are managed by the Director of Campus Safety. Tusculum College provides additional full-time and part-time officers to operate the Campus Safety Office twenty-four (24) hours per day, seven (7) days a week. Officers receive initial and periodic training in areas designated by the Director of Campus Safety and state law.

Campus Safety Authority & Law Enforcement

Tusculum College Campus Safety Officers do not have authority, under applicable Tennessee laws, to arrest any person. However, these personnel do have the authority to require identification, determine whether individuals have lawful business at Tusculum College, and represent the College in having local law enforcement effect an arrest as appropriate while using the minimum amount of force consistent with the accomplishment of their duties to protect themselves and/or third persons. Tusculum College Campus Safety Officers also have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff.

The Department of Campus Safety has a close working relationship with the Tusculum City Police Department, the Greene County Sheriff's Department, the Greeneville Police Department, and works with the Greene County Emergency Management Association, and the First Tennessee Homeland Security Council, as well as other area safety departments to support campus and community safety efforts.

Campus Facilities Access

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by access card or key, if issued, or by admittance via the Department of Campus Safety. In the case of periods of extended closing, the College will admit only those with prior written approval. During such time, residence halls are secured 24 hours a day. Some facilities may have individual hours, which are posted and may vary at different times of the year. Emergencies may necessitate changes or alterations to any posted schedules.

(cont. next page)

Campus Facilities Access (cont.)

All persons on College property or at its events, including faculty, staff, guests and invitees, shall be subject to all rules and regulations of the College, and to all applicable federal and state laws and regulations. In addition, all persons who operate motor vehicles on campus agree by such operation to be subject to the college's rules, regulations, policies and procedures on traffic and parking.

All persons on campus shall provide adequate identification upon request by College personnel. Employees and students of the college who refuse to provide such identification may be subject to disciplinary action, and other persons who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.

Campus Facilities Security

Campus safety and security is the responsibility of the entire campus community. Campus Safety serves as the central point of contact as well as the alarm and monitoring station for the residential campus with all electronic security systems (fire, burglar, robbery and other alarms) terminating at that office. However, all members of the community are expected to report any suspicious behavior or observed damage to security hardware, non-operational lights or other potential facility maintenance security problems. Other facility safety measures include:

- The Student Handbook is updated annual and addresses security and safety issues, visitation hours, restroom security, keys, emergency fire evacuation procedures, severe weather, and medical situations.
- Keys are the property of the College and may not be duplicated. Each student is responsible for carrying his or her room key at all times. A student should immediately report a missing key, whether it be lost, stolen or misplaced, to Campus Safety. A temporary replacement key will be issued for 48 hours. If, at the end of the 48 hours, the student is unable to locate the original key, the lock to the room will be re-cored at a charge to the student of \$60. There is a penalty for propping open security doors.
- Non-community members visiting the residence halls are to be informed of the

exact location of visitor restrooms. Failure to comply with the expectation for use of the proper facilities will result in eviction of the guest from the premises and disciplinary action against the resident host.

- The Student Affairs Division, the Facilities and Maintenance Department, and the Student Government Association conduct a survey of grounds and outdoor lighting each long semester. Areas that are intermily identified or perceived as possibly problematic have security surveys conducted by this group.
- Monthly fire extinguisher inspections are performed in all buildings by Facilities Management personnel to ensure that this equipment is maintained, tested and serviced. This unit also conducts routine fire prevention inspections and initiates corrective action for fire hazards.

Criminal and Other Behavioral Activity Off-Campus

When a Tusculum College student is involved in an off-campus offense, Campus Safety Officers may assist with the investigation in cooperation with law enforcement to limit the disruption to the community. Tusculum College retains disciplinary jurisdiction for student (individual) and corporate (group or organization) conduct on College premises (whether owned, leased or managed), and student organization off-campus housing should it develop, as well as at College events. Behaviors occurring off-campus may also be addressed if they present a risk to the health or safety of students or others, or otherwise adversely affect the educational mission of the institution whether during periods of academic coursework or not (any exceptions to the Code must be approved by the Vice President for Student Affairs and explicitly communicated by the faculty or staff in charge). Although the College is not responsible or liable for student non-College activities, it does reserve the right to take action in response to non-College events or behavior that would violate College expectations and policies and call into question a student's suitability as a member of the College community.

Reporting Crime Statistics Annually

This report is created in part to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Working with the local law enforcement agencies surrounding our campus, campus crime, arrest and referral statistics, including those reported to Campus Safety personnel, designated campus officials (including but not limited to Student Affairs staff, directors, deans, department heads, human resources staff, and athletic coaches). Campus Ministers and Counselors retained by the College inform their clients of the procedures to report crime to Campus Safety on a voluntary basis.

Each year, postal mail and e-mail notification is made to all enrolled students and current faculty and staff that provides the web site to access this report. Copies of the report may also be obtained through the Campus Safety Office located off the main lobby in Niswonger Commons or by calling 423/636-7318 or x5318. All prospective students and employees are provided information on how to access this report.

Weapons on Campus

As provided in Tennessee Code Annotated 39-17-1309, any unauthorized or illegal possession of, use of, or wearing of firearms or dangerous weapons of any kind shall not be permitted on the Tusculum College campus. State law prescribes a maximum penalty of six (6) years imprisonment and a fine not to exceed three thousand dollars (\$3,000) for carrying weapons on school property. This policy includes the unauthorized storage, use or possession (or constructive possession) on any campus property (including items in vehicles) of weapons (as defined by local, state and federal law).

This policy also includes any object or substance designed to inflict a wound or cause injury, explosives, projectiles, flammable materials (including solvents), biohazardous, volatile, or poisonous materials of any kind, or other items which may be hazardous to the health or safety of others. Items prohibited under this section include, but are not limited to, handheld guns (which includes pistols, stun, paint, pellet, dart, cap, BB, starter or water or toy guns which may be perceived to be actual weapons), long arms (such as rifles, shotguns, air rifles), bows, arrows, axes, knives or blades of any type, numchucks, throwing stars, sling shots, firecrackers and fireworks.

(cont. next page)

Weapons on Campus (cont.)

Additionally, items which may not generally considered to be weapons, but which are wielded in a manner such that harm or the threat of harm is indicated, will be considered as a weapon under this policy (e.g. waving a baseball bat or knitting needle at another in a threatening manner).

Campus Safety Officers are not authorized to carry firearms; however, pursuant to Section C, Tennessee Code Annotated 62-35-125, officers may carry less than lethal self defense weapons (i.e. expandable batons or chemical spray) as long as they are in compliance with the institutional policy for their use and the officer is certified by a state certified trainer.

Criminal History Investigation

Certain College roles have been designated security sensitive positions and require applicants for employment to comply with criminal history investigation requirements. Any person who discloses a criminal conviction history on an application for employment will be subject to an eligibility for employment review by the Director of Personnel Services and the Director of Campus Safety who will make recommendations to the Vice President for Business and Finance for final determination as to eligibility. Should such conviction be deemed to pose a threat to the campus community in any way, the employee may be subject to being ineligible for hire, or position reassignment or termination at the discretion of the College. These standards also apply to felony convictions after achievement of employee status.

Any student who discloses a criminal conviction history on an application for admission will be subject to an eligibility for admission review by the Office of Admissions and the Director of Campus Safety who will make recommendations to the Vice President over admissions for the program in question for final determination as to eligibility. Should such conviction be deemed to pose a threat to the campus community in any way, the student may be subject to being ineligible for admission, or having his/her privileges limited at the discretion of the College. These standards also apply to felony convictions after achievement of student status.

Timely Reports, Campus Alert Bulletins & Other Communications

In an effort to maintain awareness and encourage safety, the Campus Safety Office

utilizes "Timely Warning" reports to share any information identified on patterns and campus "Crime Alert" bulletins to notify the community of any perceived imminent risk.

In the event that a situation arises, either on or off campus, that, in the judgment of the Vice President for Student Affairs (VPSA), constitutes an ongoing or continuing threat, a campus wide "Timely Warning" will be issued. The warning will be issued through the college e-mail system to students, faculty, and staff.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the VPSA may authorize a "Crime Alert" to be issued through which the Department of Campus Safety may also post a copy of the warning notice on each residence hall entryway and on the access doors to the Niswonger Commons facility providing the College community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to Campus Safety Office located off the main lobby in Niswonger Commons or by calling 423/636-7318 or x5318.

Alcohol and Drug Use on Campus and in the Workplace

Tusculum College recognizes its responsibility as an educational and public service institution to promote a healthy and productive work environment. This responsibility demands implementation of programs and services which facilitate that effort. The College is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees. The College program includes this policy which prohibits the possession or consumption of drugs or alcohol in the workplace, on College property, or as part of any College-sponsored activities. It is the College's policy that:

- All students and employees shall abide by the terms of this policy as a condition of initial and continued enrollment/employment.
- The illegal use of drugs and alcohol is in direct violation of local, state, and federal laws as well as College policies governing faculty, staff, and student

conduct. Pursuant to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, the College's policy statement on a drug-free campus prohibits the unlawful manufacturing, distribution, dispensation, possession, use illicit drugs on the Tusculum College campus in the workplace (on or off campus), on property owned or controlled by the College, or as part of any activity sponsored in whole or part by the College is strictly prohibited.

- This policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs, or controlled substances in the workplace, on College premises, or as a part of any College-sponsored activities.
- Violating this policy shall be considered a serious offense which can result in a requirement for satisfactory participation in a drug or alcohol rehabilitation program, referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the College. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.
- The College shall establish and maintain employee outreach services and student counseling services for counseling and training programs to inform students and employees about the dangers of drug and alcohol abuse. Voluntary participation in or referral to these services is strictly confidential.
- Violating applicable local, state, and federal laws may subject a student or employee to a variety of legal sanctions including, but not limited to, fines, incarceration, imprisonment, and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities. A current listing of applicable local, state, and federal sanctions can be obtained through the offices of Student Affairs and Human Resources.
- An employee shall notify his or her supervisor in writing of a criminal conviction for drug- or alcohol-related offenses occurring in the workplace no later than five calendar days following the conviction.

(cont. next page)

Alcohol and Drug Use on Campus and in the Workplace (cont.)

- An employee shall not perform safety sensitive functions while a prohibited drug is in his or her system.
- The College may require drug testing of safety sensitive employees (as defined by federal law) prior to employment, when there is reasonable cause, after an accident, on a random basis, and before allowing an employee or student to return to duty after refusing to take a drug test or after not passing a drug test.
- The College shall annually distribute this policy to all staff, faculty, and students. Health risks generally associated with alcohol and drug abuse can result in but are not limited to a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes, and thought disorders.

Alcohol and Substance Abuse Information

Prevention Programs

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

The College's Health & Wellness and Counseling Services Offices provide an overall coordination of the Drug-Free School Program. However, many services are the responsibility of other areas of the institution. These include:

- *Alcohol and Drug Education:* College Health Services, Employee Assistance Program, College Physical Education Class.
- *Counseling and Referral Services:* College Counselor, College Health Educator, and Employee Assistance Program.
- *College Behavioral Education Program:* Student Affairs Division, Community Standards Board, and Peer Judicial Board.

Potential Legal Sanctions

Legal Sanctions – Governing Laws

The State of Tennessee sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including

driving while intoxicated, are available from the Campus Safety Office.

Alcohol and Drug Policy Enforcement

It is the responsibility of each member of the Tusculum College community to uphold the standards and regulations of the College. Each individual is responsible for creating and keeping an academic and social environment which provides a comfortable atmosphere and which encourages good will and trust among all members of the campus community. To prevent the abuse of the standing alcohol and drug policies, violations may result in the following sanctions: fines, alcohol education counseling/class, substance abuse assessment and treatment plan, community service, reflection paper, parental contact (for students), probation, suspension, expulsion, or termination.

Alcohol and Drug Risks

A survey of almost 60,000 four-year college students found that 44% of students engaged in binge drinking, 17% had been hurt or injured due to the use of alcohol or another drug, and 41% of students did something they later regretted due to the use of alcohol or other drugs. These statistics, coupled with the results of a 27 year longitudinal study which found that for college students who drank alcohol excessively in school, 50% developed alcoholism or some other drinking related problem 20 years later, point to the real risk of health and safety problems for students who abuse alcohol or other drugs.

The safety risks due to the abuse of alcohol and other drugs are significant, especially for college age students. The leading cause of death for college age students is alcohol-related car crashes. The number one reason for hospital admissions for college-age students is alcohol-related injury and overdose. In addition, the general statistics relating to adult drowning, death by fire, and violent crime including sexual violence, are strongly related to the abuse of alcohol and other drugs.

Some of the physical effects of alcohol/other drug abuse can include: damage to the liver, heart and pancreas; digestive irritations; malnutrition; sexual problems; high blood pressure; brain damage and mental impairments (including negative effects on perception, informa-

tion processing, learning, judgment, reaction time, sound processing and peripheral vision); increased risk of cancer, heart attack and stroke; and infections in general. Pregnant women who drink may produce a fetus with fetal alcohol syndrome who is small, mentally retarded or has defects of the heart or other organs.

A major consequence of alcohol or other drug abuse may cause the development of an addiction. While almost anyone may develop an addiction, some students are more vulnerable than others due to inherited biological factors. In particular, students whose parents or grandparents had an alcohol or other drug problem, may develop an addiction more quickly and easily than other students.

Alcohol or drug addicted students suffer from arrested development with the onset being at the age they began using. Alcohol or drug addicted students may cease growing intellectually and emotionally and may never learn to cope with problems constructively, but attempt instead to avoid and compound problems by getting "high". Combinations of various drugs cause potentiation and can be fatal.

Tusculum College is committed to increasing awareness about alcohol/drug issues, to prevention strategies that discourage irresponsible and illegal use, and to providing ongoing support for those individuals who have decided not to use alcohol and illegal drugs.

Sexual Harassment (Including Assault) Policy Statement and Reporting Procedures

Introduction

Sexual Harassment is considered an unethical and unprofessional activity at Tusculum College as it typically involves persons of unequal power, authority or influence. All members of the College community - students, faculty, staff, and administration are accountable under this policy for any covered inappropriate behavior. Additionally, recognizing that both men and women are victims of sexual harassment and assault and may commit such offenses, this policy is gender neutral and applies equally to men and women of all sexual orientations. Furthermore, sexual harassment is illegal under Title VII of the 1964 Civil Rights Act pertaining to employees and Title IX of the 1972 Educational Amendments as to students.

(cont. next page)

Sexual Harassment (Including Assault) **Policy Statement and Reporting** **Procedures (cont.)**

Definitions

Sexual Harassment is defined as any unwelcome sexual advance, request for sexual favor or other physical or expressive behavior of a sexual nature where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating hostile, offensive or demeaning employment or educational environment.

Thus defined, sexual harassment may range in severity from sexist remarks to violent sexual assault. The following illustrative, but not exhaustive list indicates five forms of sexual harassment, arranged from the least severe to the most severe:

- Sexist remarks and sexist behavior (e.g. unwelcome sexually explicit statements, stories, or inquiries into an individual's sexual preference or behavior that are not related to employment duties, course content, research, or other College programs or activities);
- Verbal or physical insults--including lewd, obscene or sexually suggestive remarks directed at a person or group of persons (e.g. repeatedly using sexually degrading words, gestures or sounds to describe a person);
- Advances without sanctions--including offensive advances (e.g. sexual propositions, or repeated phone calls or e-mail messages from someone clear indication has been made of no reciprocal interest) or inappropriate behavior (e.g. touching, patting, caressing, or kissing which does not amount to an assault as defined below) without threat of punishment for non-compliance and without promise of reward for compliance;
- Advances with sanctions--including the previously mentioned types of advances and behavior whenever they are accompanied by implicit or explicit promised

rewards or threatened punishment (e.g. impacts on: employment; reputation; advancement; receipt of service; or participation or status in a course, program or activity)

- Assault--including psychological creation of fear to physical acts of sexual intimacy (from touching intimate parts of the body or the clothing covering those body parts, or touching with intimate parts of the body to penetration) committed by a stranger or acquaintance through force (including, but not limited to use of a weapon, physical battering or overpowering/restraint, or physical manipulation of someone who is mentally or physically incapacitated) or coercion (threat of force or psychological pressuring or threats with or without sanctions).

Statement of Policy

The educational mission of Tusculum College is to foster an open working and learning environment. Our ethical and legal obligation to faculty, non-academic employees and students is to insure that they are free from sexual harassment by subordinates, peers, supervisors, teachers and administrators. Tusculum College, therefore, expressly forbids sexual harassment. Any student, faculty, staff, or administrator who, after due process, is found to have practiced sexual harassment will be subject to prompt disciplinary action.

Confidentiality will be maintained to the extent permitted by law and to the point that information needs to be disclosed to effectively investigate or act to keep the community safe. In instances of sexual assault only, the College is obligated by federal law (Student Right to Know or Clery Act) to report the number of incidents that occur on campus. No names are used, only a statistic. The following people when acting in the roles identified, are exempt from reporting under the Clery Act: Mr. Jonathan Doran, Counselor; Rev. Dr. Steve Weisz, Campus Minister; Ms. Diane Hensley, Wellness Center Health Educator, and any additional physicians or nurses contracted to work in the Wellness Center.

This policy also prohibits retaliation

against person's who report instances of sexual harassment/assault or retaliation against any person who is involved in the investigation of sexual harassment/assault. The College will investigate and address, as appropriate, any alleged retaliatory acts such as loss of employment, grade changes or misrepresentation of academic performance, and any other acts of retaliation by the accused or anyone directly or indirectly involved or acting on behalf of anyone involved with the incident.

Support and Reporting

The College recognizes the importance of support and encouragement in instances of sexual harassment and sexual assault. It is appropriate to seek help in addressing issues, connecting with resources, interpreting policies and procedures, and sorting through one's options and choices. Victims are strongly encouraged to seek out one of the following people for help in these tasks: Student Affairs Office, the Religious Life Staff, and the Health & Wellness Center. These individuals have experience with student concerns and complaints, can identify options, and help with decisions about appropriate resources and responses.

The College notes that prompt reports of incidents of apparent sexual harassment are critical to effective enforcement of our Policy. Various reporting points are established so that this can be accomplished even when the administrator with primary responsibility over the aggrieved individual may be unavailable or when the aggrieved simply is not comfortable reporting the incident to their own immediate supervisor or advisor who will relay the matter to appropriate administrative personnel.

Students should contact the Vice President for Student Affairs or the Director of Personnel Services to report concerns.

If you are Sexually Assaulted Consider the Following Options:

Get to a safe place as soon as possible.

Try to preserve all physical evidence. Do not shower, comb your hair or change your clothing if possible as this will allow for the preservation of evidence should you choose to take any action in the future which would require evidence such as prosecution.

(cont. next page)

Sexual Harassment (Including Assault) Policy Statement and Reporting Procedures (Cont.)

If you are Sexually Assaulted Consider the Following Options (cont.):

Seek medical attention as soon as possible through the Wellness Center x5499 or Campus Safety if the center is closed x5318. It is important to seek immediate and follow-up medical attention for several reasons: (a) to assess and treat any physical injuries you may have sustained; (b) to determine the risk of sexually transmitted diseases, HIV, Hepatitis B or pregnancy and to take appropriate medical measures; and (c) to gather evidence which would aid criminal prosecution. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of evidence may be diminished.

Seek counseling by calling x5499. Counselors will maintain confidentiality, help explain your options, give information, and provide emotional support. Also consider the contact resources on the back page.

Contact the Student Affairs Office at x5315 or Human Resources at x5345 to explore resolution options.

Contact someone you trust to be with you for support.

Campus Academic & Residential Accommodation

Due to the trauma associated with sexual assault the student victims may need to cease or alter campus employment, withdraw from courses, change their on-campus living arrangements, and/or leave the College altogether. Such changes may require exceptions to College academic and financial policies. Staff and faculty who are victims may have the same need for a leave of absence or changes in their work environment. To enhance the feeling of safety for victims, the College will try to accommodate all reasonable requests. Requests of this nature should be directed to the Human Resources Office x5345 which will assist the victims insuring approval from the appropriate College official. Student victims may also contact the Student Affairs Office at x5315.

If You are Accused of Sexual Assault Consider the Following Options:

Contact an attorney. Accusations of sexual assault can invoke criminal and administrative processes which can lead to criminal

confinement, fine and administrative sanctions including expulsion from the College. Thus, a person accused of sexual assault should contact their attorney.

Consider your choice to speak with others about the facts surrounding the allegations until you have fully considered the fact that those staff persons can be required to testify as to what you said should there be a criminal prosecution.

Learn about the College procedures for handing allegations of sexual assault on campus through campus disciplinary procedures. This information can be acquired from several offices, in particular, the Student Affairs Office x5315 and the Human Resources Office at x5345.

Rights of Accuser and Accused

During the course of the disciplinary proceeding, both parties have the following rights:

- To meet with a judicial officer to discuss the disciplinary process
- To submit a written account of the alleged incident
- To be advised of the date, time, and location of the disciplinary hearing, and to request rescheduling of the hearing for good cause
- To have others present during a hearing, including to be accompanied by a non-attorney advisor of the party's choosing selected from the campus community during the hearing process, although the advisor will not be permitted to speak for the accuser during the hearing, and to call witnesses to testify
- To testify as a witness during the hearing
- To be informed of the outcome of the disciplinary hearing process

Sanctions Possibilities

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 offenses include suspension or expulsion from the College.

Sex Offender Registration

In accordance with the "Campus Sex Crimes Prevention Act," the Tennessee College and University Campus Sex Crimes Prevention Act (Tennessee Code Annotated 40-39-102), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, and the Family Educational Rights and Privacy Act of 1974, Campus Safety provides a link to the Tennessee State Sex Offender Registry.

This law 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 provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student. Follow the link below to access the Tennessee registry under "Sexual Offender Registry":
<http://www.tbi.state.tn.us>

Safety Awareness Programs

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Campus Safety personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, community organizations, in addition to annual programs for Resident Assistants and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Periodically during the academic year, Campus Safety, in cooperation with other College organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), Rohypnol and date rape drug abuse, theft, and vandalism, as well as educational sessions on personal safety and residence hall security. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles in the student newspaper.

Anti-Harassment Employment Policy

Policy: The College is committed to the maintenance of an academic and working environment free of all forms of discrimination or coercion that adversely affects the working or learning environment. This Anti-Harassment Policy prohibits harassment on the basis of race, color, sex, sexual orientation, religion, national origin, age or disability by any member of the administration, faculty member, staff, student, non-College employee or visitor. This policy also prohibits retaliation against an employee or student who has made a good faith complaint of harassment.

Harassment Definition: Harassment can include, but is not limited to, behavior such as slurs, demeaning jokes or comments, innuendoes, unwelcome compliments, cartoons, pictures, pranks, hazing, stereotypical comments, derogatory descriptions or other verbal or physical conduct. Such behavior is considered harassment when it has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; unreasonably interferes with an individual's work or academic performance; or affects an individual's workplace or academic opportunities. Sexual harassment can involve verbal or physical conduct that is sexual in nature or it can involve conduct that is not sexual in nature (e.g., harassment based on animosity towards males or females). In addition, harassment includes engaging in conduct which implies or threatens that an applicant's, employee's or student's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, grades, compensation, advancement, career development or any other condition of employment or study.

Individuals who believe they have been subjected to any form of harassment or retaliation forbidden by this policy may obtain redress through the Complaint Procedure set forth below.

Conflict of Interest: Faculty members and other employees in positions of authority should be sensitive to questions about mutuality of consent that may be raised and to the conflicts of interest that are inherent in personal relationships where professional and educational relationships are also involved. Thus faculty and staff should exercise extreme caution and the most mature possible judgment in considering personal relationships with students since such relationships may lead to the perception if not

the reality, of special treatment and can undermine the atmosphere of trust upon which the educational process depends. (See also Consensual Amorous Relations policy and Nepotism policy in Human Resource Policy and Procedure Guide or Sexual Harassment policy in Student handbook)

Management Responsibility: Management and supervisors should remain alert to situations and conditions providing the potential for harassment and report them immediately to the Director of Personnel Services.

Immediately report any complaint of harassment or retaliation to the Director of Personnel Services.

Complaint Procedure: If any employee believes that he or she has been subjected to harassment or retaliation in violation of this policy, the employee should avail himself or herself of this Complaint Procedure.

Employees are required to report any harassment or retaliation to either their supervisor or the Director of Personnel Services. If an employee witnesses any harassment or retaliation towards another then the employee is encouraged to report this to their supervisor or the Director of Personnel Services. The employee will be asked to provide a statement in writing to the Director of Personnel Services or someone designated by the College President outlining the facts supporting the complaint of harassment or retaliation.

All complaints by staff employees or involving employees will be investigated promptly, impartially, and as discreetly as possible by the Director of Personnel Services or someone designated by the College President.

Faculty: All faculty members are required to report any harassment or retaliation to the Faculty Affairs Committee, Provost or Director of Personnel Services. If a faculty member witnesses any harassment or retaliation towards another then the faculty member is encouraged to report this to the Faculty Affairs Committee, Provost or the Director of Personnel Services. Within one (1) business day the Chair of the Faculty Affairs Committee should appoint a member (Investigator) to work in conjunction with the Director of Personnel Services. The employee will be asked to provide a statement in writing to the Faculty Affairs Committee

outlining the facts supporting the complaint of harassment or retaliation. A reminder that the privacy, discretion and confidentiality must be maintained as possible by all involved in the complaint, investigation, notes there of and any action taken. All complaints by faculty or involving faculty will be investigated promptly, impartially, and as discreetly as possible by an appointed member of the Faculty Affairs Committee (Investigator) and the Director of Personnel Services. Investigation will normally be conducted within four (4) working days and presented to the Faculty Affairs Committee and the Provost who will recommend an action to the Director of Personnel Services. If the investigation is not proceeding with diligence then the College President will designate an appropriate person to finalize the investigation and recommend what action is to be taken.

In the event a faculty member does not wish to involve the Faculty Affairs Committee or a member of the Faculty Affairs Committee or if the Provost is named in the complaint, the President will designate the Faculty Moderator or an appropriate person to investigate and recommend action. In this circumstance, a waiver of the faculty member's rights under the Faculty Affairs Committee must be signed.

All employees: If the investigation reveals that no harassment or retaliation has taken place, the parties involved will be so advised. If the investigation is unable to determine whether harassment or retaliation has occurred, the College may still elect to proceed with reasonable corrective action designed to prevent any harassment or retaliation from occurring in the future. If the investigation reveals that harassment or retaliation probably has taken place, the College will take reasonable action designed to stop the harassment or retaliation and prevent it from occurring in the future. In addition, if any faculty/staff member or student is found to have harassed another faculty/staff member or student or retaliated against another employee or student in violation of this policy, appropriate disciplinary action will be taken. This could range from a disciplinary warning up to and including termination or expulsion. Any disciplinary action taken against an employee or a student will be taken in accordance with the process provided by the College for disciplinary action.

There will be no retaliation against any faculty/staff member who files a good faith complaint of harassment.

Safety Tips

On Campus:

- Never walk alone at night. Call a friend or (423) 636-7318 or x5318 for an escort.
- Always be aware of your surroundings. Walk purposefully and make eye contact with strangers.
- In parking lots, have keys ready when you approach your car.
- After dark, try to park in a well-lit area close to your destination.
- Always lock car doors and roll up windows. Keep valuables out of sight or in the trunk.
- If you feel threatened, immediately go to an open building where there are other people.
- Never leave personal items unattended or unlocked.

Home:

- Always lock apartment and residence hall room doors, even when you are there. Take keys with you, even when stepping out for "just a second."
- If you live in an area with locked doors, such as a residence hall, do not let strangers in without a key. This protects both you and your neighbors.
- Keep windows locked.
- Do not loan out your keys or leave them lying around. Detach house keys from main ring when having vehicles serviced.
- Do not keep expensive jewelry, collectibles or large amounts of cash at home.
- Do not advertise your absence, especially on your answering machine. Put only a basic message on your machine identifying the phone number and requesting that callers leave a message.

Social:

- When dating someone you don't know well, ask people you trust about your date.
- Socialize in groups so that you are not alone with just one person. There really is safety in numbers.
- Drive yourself and carry extra money in case you need to get home alone.
- If you feel uncomfortable, there's probably a reason. It is better to do something you may consider rude than to remain in a dangerous situation.
- Remember that alcohol impairs both your decision making processes and the ability to communicate.
- Keep all drinking glasses, bottles or other open containers in sight at all times. When accepting a drink of some kind, make sure that you open the container yourself and be aware that ice cubes could contain harmful substances as well.

Operation ID

An item that can be easily identified is less likely to be stolen; if it is, the chances of recovery are much greater. Tusculum College sponsors Operation ID, a program that helps community members properly label expensive belongings such as bicycles, electronic equipment, tools and large jewelry items. Electric engravers are available from Campus Safety for marking valuables. All items of value should be marked with the owner's driver's license number and a sticker announcing that it has been marked. This serves as a visual warning to potential criminals. A list of all marked items should be put in a safe place so that, in the event of a theft, the items taken can be easily identified.

Campus Lost and Found

Tusculum College's Campus Safety Office serves as the central repository for items lost/found on the residential campus. Each year many unclaimed items are donated to community charities. Items lost in campus buildings may be kept by staff there for several days. For items that have been lost several days and not located by staff in the building, check with the Campus Lost and Found at (423) 636-7318. Check with staff in the building, AND with Campus Safety, immediately, if the lost item is of high value or involves the loss/finding of College keys. For property you have found on campus, contact (423) 636-7318 or x5318 to determine where to turn in the found property.

Harassing and Obscene Phone Calls

Anyone can be the victim of harassing, annoying, obscene or threatening telephone calls. Although such calls do not usually constitute a threat to personal safety, on-campus residents should contact Campus Safety and off-campus residents should contact the Police Department on receipt of a telephone call of questionable intent or origin. They can usually help you stop the calls.

Carbon Monoxide Poisoning

Though you cannot see or smell carbon monoxide (CO), at high levels it can kill a person in mere minutes. This deadly gas is produced when fuel such as gas, oil, kerosene, wood or charcoal is burned. If in the process of burning these fuels, the appliances are well maintained and the amount burned is low, the amount of CO created is not usually hazardous. However, if appliances are not well maintained or, used incorrectly and the amount of fuel used is great, higher levels of CO can be produced.

Symptoms of CO poisoning at moderate levels can be severe headaches, dizziness, feeling confused, nauseous or faint. Even moderate levels over a short period can be deadly. Lower levels are also dangerous, with symptoms consisting of shortness of breath, mild nausea and headaches. Any level of exposure over a longer duration can have long term health consequences. Many of these symptoms are also similar to the flu or food poisoning, and as such people do not think CO poisoning as a likely cause.

If you experience any of these symptoms or think you may have CO poisoning:

- Get outside into fresh air immediately - open all windows and doors, turn off combustion appliances, and leave the house
- Go to the emergency room - tell the doctor that you suspect you may have CO poisoning. Doctors can check for CO poisoning with a blood test if you go to the hospital soon after being exposed
- Be prepared to answer questions such as: did the symptoms occur only in one place (i.e. house, work, etc), did they disappear/reappear when leaving or returning? Is anyone else from this location feeling similar? Are you using any fuel-burning appliances in the location? Have you had your appliances inspected lately? Have any been malfunctioning?

Student Records Policy

The Federal Family Education Rights and Privacy Act of 1974 ("FERPA" or Buckley Amendment) states that no academic, personal records or personally identifiable information about students will be released without their written permission to persons other than those College staff members with legitimate educational interest in those records.

Upon request, the student must be provided access to official records directly related to the student. A student who wishes to see his/her records may make an appointment with the office serving as custodian of the records.

Records custodians include: Registrar- grade reports and transcripts, Student Affairs Office- student personnel files, Provost Office- student academic files, Faculty Members- advisory files, Wellness Center/ Career Development/ Financial Aid/ Business Office- appropriate information. Upon a records review, student may not remove any materials, but is entitled, at his/her own expense to one copy of any material contained in this file.

(cont. next page)

Student Records Policy (Cont.)

The student must be given the opportunity for a hearing to challenge the accuracy of such records. The right to a hearing under the law does not include challenges of grades assigned by instructors. Such challenges must follow the policies outlined in the College Catalog.

The College is authorized to provide students' records to Tusculum College officials and employees who have legitimate interests in such access; these are persons who have responsibilities in the College's academic, administrative or service functions. The student's written consent must be received to allow release of identifiable data from the records to any other parties.

The College protects the confidentiality of each student's records in accord with the limitation of the law. Information available is released for off-campus use **only** with the consent of the student or when required for purposes such as audit or accreditation by authorized governmental/institutional agencies or upon receipt of a subpoena. The student may grant the right of access to others, particularly as this may apply to placement papers and prospective employers. A written request is required for each release request except where the law provides legal access or where a prior waiver has been signed.

Tusculum College reserves the right to contact the parent or legal guardian of a student in the event of alcohol or drug policy violation, serious illness or accident, suspension or dismissal from the College, unpaid bills, disappearance from the campus, or other serious matters.

Statement of Non-Discrimination

Tusculum College does not discriminate on the basis of race, color, national or ethnic origin, handicap or physical challenge, sex or age, religion, socio-economic status or political affiliation, in admission or access to, or treatment or employment in its education programs and activities. The Director of Personnel Services, Compliance Coordinator, has been designated to coordinate the College's compliance with the nondiscrimination requirements under Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and the Age Discrimination Act of 1975 which prohibit discrimination on the basis of handicap, race, sex and age, respectively. The Director of Personnel Services may be contacted at Room 4, McCormick Hall, telephone x5345.

Disabilities & Reasonable Accommodations

Purpose: To set forth provisions for the College's compliance with the Americans with Disabilities Act (ADA) (42 U.S.C. S12,101 et seq.) and Section 504 of the Rehabilitation Act

(29 U.S.C. S791, et seq.) which prohibits discrimination against a person with a disability in the offer or conditions of employment, and in the participation of or furnishing of services. Tusculum College is obliged to provide reasonable accommodations to enable qualified individuals with documented disabilities to perform a job, have equal opportunities, participate in a class, or participate in other College functions. This document is not intended to be a substitute for the ADA, the Rehabilitation Act, subsequent amendments or regulations.

Applies to: All employees who have documented disabilities and request reasonable accommodations.

Policy: The College prohibits discrimination on the basis of a documented disability or perceived disability in the employment relationship, including job application procedures, hiring, advancement, discharge, compensation, job training, or other terms and conditions of employment. The College will not allow discrimination on the basis of a documented disability in the provision of services to employees, students or other individuals. Tusculum will provide reasonable accommodation to qualified individuals with documented disabilities to ensure equal access and equal opportunities with regard to the programs and services offered by Tusculum College. The College will not allow discrimination against individuals who are associated with persons with disabilities. It is a violation of this policy to retaliate or harass an individual who files charges or participates in proceedings under this policy.

Definitions: For the purpose of this policy, "disability" refers to a documented physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment, or being regarded as having such an impairment. "Major life activity" is a key function of life, such as seeing, hearing, walking, caring for oneself, working, learning and etc. as defined by the ADA. An "individual with a disability" is one who, with or without reasonable accommodation, can perform the essential functions of a particular job or meet specific academic/program requirements for participation in a college sponsored program, service or activity. "Essential function" is the task/responsibility that is not marginal to the purpose of the job.

"Reasonable accommodations" is an action that may be taken by the College to accommodate an individual with a documented disability, without imposing an undue hard-

ship on the College. An accommodation imposes an undue hardship on the College if it constitutes an undue financial or administrative burden on the College, or it requires a fundamental alteration in the nature of the job or program. In the following procedure and designated forms, "diagnosing professional" will refer to a physician, psychiatrist, chiropractor or etc.

Procedures:

Applicant: If an applicant is in need of accommodation to complete the application and hiring process, the applicant should report the need for accommodation and describe the specific accommodation that is being requested. This request may be verbal or may be in writing to the Human Resources Department. The Director of Personnel Services will review the request and determine the accommodation or denial of the accommodation at which time the applicant will be notified.

Employee: If a faculty/staff employee believes that an accommodation is necessary to perform their job or requests an accommodation for a disability, the staff employee must fill out Form 6.00 Employee Request for Accommodation and return it to the Director of Personnel Services. Without any assurance, granting of or discussion of the accommodation, the staff employee will be required to have the disability and the limitations of performing the job documented by their diagnosing professional and returned to the Director of Personnel Services.

These forms must be completed before the review and evaluation of the "request" may take place. The Director of Personnel Services utilizing the completed Form 8.00 Diagnosing Professional's Documentation of Disability will determine if the employee has a qualifying disability.

The Director of Personnel Services, the employee requesting the accommodation and the employee's supervisor will discuss and identify barriers to performing the essential job functions, possible and reasonable accommodations and determine if and when the accommodations may be effective or possible alternatives and document the issues on Form 7.00 Accommodation Evaluation Form.

The Director of Personnel Services will report any faculty member's accommodation to the Faculty Affairs Committee and Provost. The Director of Personnel Services will follow-up and evaluate the effectiveness of the accommodation between 2 weeks and a month from starting the initial accommodation (see Form 7.00 Accommodation Evaluation Form).

(cont. next page)

Disabilities & Reasonable Accommodations (cont.)

Employee (cont): Violations of this policy will be considered misconduct on the part of the faculty/staff member and will be subject to disciplinary actions up to and including termination of employment or termination of the faculty member's appointment.

Determination: Final determination or the inability for accommodations rests with the College. There will be no retaliation against any employee who files for an accommodation under the Americans with Disabilities Act (42 U.S.C. S12,101 et seq.) or Section 504 of the Rehabilitation Act (29 U.S.C. S791, et seq.).

Confidentiality: Information about an employee's documented disability or the accommodation must be kept in a file separate from the personnel file in the Human Resources Department and this file must be kept confidential to the extent allowed by law.

Responsibilities: An employee is responsible for informing his supervisor and the Human Resources Department or Faculty Affairs Committee of their need for accommodations. The employee is also responsible for providing appropriate documentation for the claimed disability, and for cooperating with the College in attempting to reach an agreement on a reasonable accommodation.

Any responsible College representative or anyone who receives a request for an accommodation should contact the Human Resources Department immediately.

Peer Harassment and Relationship Policies & Reporting Procedure

Tusculum College does not condone harassment based on an individual's race, religion, ethnic origin, gender, sexual orientation or physical handicap. The campus community constitutes an environment where any form of harassment is unacceptable. This policy is in keeping with the spirit and intent of federal, state and College guidelines concerning discrimination and harassment.

Definition - Harassment is physical, verbal or any other behavior, including written or pictorial expression, that either recklessly disregards the harmful effect of the behavior on, or that intends to hurt, a specific individual, group of individuals, or campus organization by referring in a derogatory or threatening fashion to that individual's or organization members' race, religion, ethnic origin, gender, sexual orientation or physical handicap.

Reporting Procedures - The reporting procedures outlined below are designed to provide sufficient flexibility in responding to allegations of harassment. They are intended to be as formal or informal as the allegations dictate. Any individual who believes he/she has been

harassed (as defined above) should contact the Student Affairs Office, which will help the individual explore the alternatives available to him/her. Initial contact with the Student Affairs Office will be kept confidential; no formal records will be kept, and all individuals are assured of anonymity (except as required by law [e.g. anonymous statistical reporting which may be required under the federal Campus Right to Know or Clery Act, or judicial subpoena]). The student may wish to consult someone with special sensitivity or expertise and the Student Affairs Office will facilitate a referral to such a person if desired. If an individual desires to seek assistance outside the Student Affairs Office, they are encouraged to approach someone in the counseling, wellness, ministry, human resources, or police services areas.

Informal Reporting Procedure - An Informal Reporting Procedure may be the first step proposed to resolve an allegation of harassment. Any individual with an honestly perceived complaint will be provided the option to discuss the issue directly with the alleged harasser in the presence of the Vice President for Student Affairs or his/her designee. This option is often viewed as beneficial as, should the behavior not be so egregious as to warrant removal from campus, the high likelihood of future interaction (even if only in passing) on a campus the size of Tusculum College, can make an amicable resolution desirable for the complainant. However, if the individual does not desire a face-to-face meeting with the alleged harasser, he/she may write a letter or choose a contact person to mediate on his/her behalf, if they wish to pursue an informal resolution.

Formal Reporting Procedure - Formal Reporting Procedure should be used if the individual making the complaint believes the severity of the complaint warrants it. The individual who desires to file a formal complaint of harassment will submit a detailed report of the incident directly to the Vice President for Student Affairs. Note that any individual bringing forth a complaint of harassment may petition to terminate the proceedings at any stage, however, once a formal investigation is initiated, the Vice President for Student Affairs will determine whether the College may continue as the complainant due to the dual nature of harassment offenses being both an offense against the individual and an offense against the community.

Evidence of retaliation in response to formal or informal grievance procedures will be itself be regarded as harassment and will

result in the filing of allegations to address said retaliatory behavior.

This report will include information about the date, time, place, participants' names and the harassing behavior. The report will be handled in accordance with the resolution procedures of the Code of Student Conduct with possible additional stipulations because of the nature of the allegations as herein indicated or as deemed appropriate by the Vice President for Student Affairs or his/her designee. In harassment/assault cases, modification of the standard hearing procedures may be implemented by the Vice President for Student Affairs or his/her designee to comply with legal expectations and to promote a fair and equitable process for the resolution of allegations. Additionally, in compliance with FERPA and the Clery Act, the complainant and the accused will be informed of the final results in a sexual assault case, including the original findings and any appeals, in an equal, unconditional, and affirmative way.

Modifications may include measures such as the presence of an additional faculty or professional staff member, segregation of the alleged victim and alleged policy violator with desired inquiries/examination of the opposite party directed to the Community Standards Board Chair who will determine whether the question is proper and, if so, in what phrasing or manner it is to be posed. Finally, the process is modified to comply with federal requirements under Title IX which permits a sexual harassment/assault complainant to appeal the outcome of the process (on the same basis and in accordance with the same process as the alleged policy violator).

Principles

In investigating complaints of harassment, the following principles will be adhered to:

Each complaint will be handled on an individual, case-by-case basis, considering the complete record and all relevant circumstances.

Investigation will be conducted as promptly as possible.

In investigating complaints of harassment, complete confidentiality should be maintained in consideration to both the aggrieved and the alleged harasser (except as mandated by law or subpoena).

The complaint will be resolved in a manner which is consistent with this policy and equitable to all parties concerned.

The purpose of this policy is to end harassment and therefore it may not be used by a complainant to achieve personal goals not in conformity with the purpose of this policy.

Tusculum College Crime Statistics

	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On - Campus Property Occurrence			
Murder/ Non-Negligent Manslaughter	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0
Negligent Manslaughter	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0
Sex Offense, Forcible	2003	0	0	0	0
	2004	0	0	0	0
	2005	1	0	0	0
Sex Offense, Non-Forcible	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0
Robbery	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0
Aggravated Assault	2003	1	0	0	1
	2004	0	0	0	0
	2005	0	0	0	0
Burglary	2003	1	3	0	0
	2004	1	2	0	12
	2005	9	2	0	0
Motor Vehicle Theft	2003	0	1	0	1
	2004	0	0	0	0
	2005	0	0	0	0
Arson	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0

Arrests*	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On - Campus Property Occurrence			
Liquor Laws	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0
Drug Laws	2003	0	2	0	0
	2004	0	0	0	0
	2005	0	1	0	0
Weapons Laws	2003	0	0	0	0
	2004	0	0	0	0
	2005	0	0	0	0

*The three items above reference arrests/citations for the indicated offense.

Disciplinary Referrals	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On - Campus Property Occurrence			
Liquor Laws	2003	0	0	0	0
	2004	0	63	0	0
	2005	43	6	0	0
Drug Laws	2003	0	0	0	2
	2004	0	2	0	0
	2005	1	1	0	0
Weapons Laws	2003	0	0	0	0
	2004	0	1	0	0
	2005	0	0	0	0

*The three items above reference judicial referrals for the indicated offense.

Have crime information is provided in the context of the data above with the following notations: Race = RA, Gender = G, Religion = RE, Sexual Orientation = SO, Ethnicity/National Origin = EN, or Disability = D

On Campus - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). "Dormitories or other residential facilities for students on campus" is a subset of the on-campus category.

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

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

Tusculum College
 60 Shiloh Road
 Greeneville, TN 37743
 Phone: 423-636-7315

Tusculum College, in its continuing effort to maintain a safe academic and work environment for students, staff, faculty, and guests, presents this *Annual Campus Safety and Crime Prevention Programs Report* with the understanding that an informed community is best able to support the achievement and maintenance of a secure environment.



Anyone witnessing a violation of campus policy or a crime is encouraged to report the incident immediately to Campus Safety at (423) 636-7318 or call 9-911 for external authorities.



Community members on-campus can also call x5318 on-campus for assistance including vehicle issues, campus directions, or other matters.



Important Resource Contact Information

RESIDENTIAL CAMPUS

Toll Free—800/729-0256

Admissions & Financial Aid	423/636-7631
Athletic Trainer (Cell)	423/552-6473
Campus Safety	423/636-7318
—Campus Safety (Cell)	423/470-2710
Counseling Services	423/636-7368
Health & Wellness	423/636-7499
Human Resources	423/636-7345
Maintenance/Facilities Management	423/636-7319
Public Relations	423/636-7304
Student Affairs	423/636-7315

OFF-CAMPUS EMERGENCY

Rescue Squad	423/638-3431
Police (County)	423/798-1800
Police (Tusculum)	423/638-6211
Fire (Greeneville)	423/638-4243

OFF-CAMPUS EMERGENCY (Cont.)

Fire (Tusculum)	423/639-3133
Laughlin Hospital	423/787-5000
Takoma Hospital	423/639-3151

OFF-CAMPUS WELLNESS

Alcoholics Anonymous	423/638-5578
Alcoholism/Drug Dependence	423/638-5578
CONTACT Ministries (no charge)	1-423-926-0144
Frontier Health	423/639-7772
Horizon Recovery Center	423/636-2446
Woodridge Hospital	1-423-928-7111
Nolichuckey/Holston Mental Health	423/639-1104