

Campus Safety and Crime Prevention Information

Annual Pioneer Safety & Disclosures Report

If this is your first interaction with our historic institution, please allow us 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 College operates a residential campus located on 140 acres at the base of the Smoky Mountains in Greeneville, as well as sites in Knoxville, Morristown, and Tennessee's Tri-Cities.

Safety is a concern throughout our society today, and this publication is designed to keep the entire TC Pioneer community —students, faculty, staff and guests informed of efforts to support the creation of a safe and enjoyable environment. As members of the TC family, you will also learn how your active participation is essential in attaining these goals.

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 enhances the environment through deterrence of negative external influences, educational efforts to support community safety initiatives, and assists in maintaining accountability for the College's standards of behavior.

Programs provided by Campus Safety on the Greeneville campus include campus-wide safety escort and crime awareness and prevention programs addressing topics such as personal safety, self-defense, and personal property security.

TC measures success in living our values by the achievements of our students, the personal

growth of our employees, and tangible improvement in the quality of life in the communities where we have a presence, thus exemplifying the Civic Arts. In pursuit of this objective, Campus Safety Officers employ a community engagement model to promote communication among members of the institution and our Officers to help ensure that the campus is a safe and inviting place to live, study, and work.

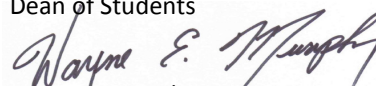
This report is designed to provide information ranging from how to take advantage of Campus Safety services from general crime prevention and support to reporting a violation or crime impacting the TC community. The information herein complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics 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), the Family Education Rights and Privacy Act, the Wetterling Act, and provides other important information.

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 the 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 if we can otherwise be of assistance.

Sincerely,


David M. McMahan, J.D.
Dean of Students


Wayne E. Murphy
Director of Campus Safety

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Reporting of Criminal Offenses

To report a crime at the residential campus, contact Campus Safety at 423/636-7318, x5318 or dial 9-911 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 Graduate and Professional Studies 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:

- Director of Campus Safety, Campus Safety—Niswonger 222, x5318
- Dean of Students, Student Affairs-Niswonger 223, x5315
- Vice President for Business & Finance/ Chief Financial Officer —McCormick Hall 225, x5151

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 anonymous, 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 crime 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 Dean of Students 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 personnel 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 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. The

Campus Safety Authority & Law Enforcement (cont.)

Department further 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.

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 annually 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. 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 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 Dean of Students, the Director of Facilities and Maintenance, and the Student Government Association conduct a survey of grounds and outdoor lighting each semester. Areas that are interrimly 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 Dean of Students 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 Annual Crime Statistics

The report contained herein 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 are compiled, 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) (note 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 regarding the contents and means to access this report is made to all enrolled students and current faculty and staff. 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.

Annual Review of Emergency Procedures

Each year emergency response procedures are reviewed by the institution. Evacuation procedures of campus residential buildings are tested annually.

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 include pistols, stun, paint, pellet, dart, cap, BB, starter, 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, brass knuckles, throwing stars, sling shots, firecrackers and fireworks.

Additionally, items which may not be generally considered 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 as trained by the state.

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 Admissions and Standards Committee (in consultation with the Dean of Students and Director of Campus Safety) who will make recommendations to the Vice President for Enrollment Management 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 Dean of Students, the Vice President for Business & Finance, or the Vice President for Enrollment Management, constitutes an ongoing or continuing threat, a campus wide "Timely Warning" will be issued. The warning will be issued through the college's alert notification 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 Director of Campus Safety or Dean of Students 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 the Campus Safety Office located off the main lobby in Niswonger Commons or by calling 423/636-7318 or x5318.

Housing Fire Safety

Tusculum College maintains a log recording all fires in on-campus student housing facilities, including the nature, date, time, and general location of each fire. The Director of Campus Safety maintains this log and annually disseminates this information to the community along with other pertinent policy information related to fire safety on College property. In addition to fire safety orientation conducted for each student residential facility at the beginning of the academic year, there are regular mandatory supervised fire drills conducted between the second and fourth week of each semester. Additional policies related to fire safety include:

Housing Fire Safety (cont.)

- Residence Life Emergency Fire Procedures - Any fire of whatever origin or size, must be reported to Campus Safety (x5318) in order to ensure the safety of residents. In the case of an alarm sounding, secure your room (windows and doors) and immediately leave the area. Leave everything behind except your key. Exit in an orderly fashion (evacuation plans are posted on each floor). Do not use elevators. Walk, do not run. Keep calm. Move away from entrances and buildings once you are outside to allow emergency personnel unimpeded access to the building. Do not re-enter the building until told to do so by College staff. Additionally, fire drills will be held each semester in compliance with state fire laws to promote the awareness of all residents and assure the functionality of systems and processes dedicated to resident safety. Resident and guest participation and cooperation is mandatory.
 - Lofts and other structures are not permitted in residence hall rooms. Due to restrictions established by the Fire Marshall, bunk beds are not permitted in Haynes or Welty-Craig Halls.
 - Possession of any open heating element, or open flames or ignition points (e.g. heaters, burners, hot plates, sandwich presses, Foreman grills, toaster ovens, halogen lamps, candles, incense, potpourri pots, etc.), or any unapproved appliances (no air conditioners [except Haynes Hall]), televisions or reception systems requiring wiring outside the room, etc. are not permitted, however, residents can use the following small food appliances: small coffee pot, popcorn air popper, and under-counter refrigerator (3.1 cubic foot or smaller);
 - Cooking outside of a designated area, including exceeding the provisions that students may only cook popcorn (not requiring oil or flat plate poppers), hot beverages, or re-heating already prepared food in a small microwave unit;
 - Possession of extension cords or multi-outlet adapters (surge protector strip plugs are permitted to help protect equipment and reduce malfunctions);
 - Smoking of any substance outside of a designated smoking area (there is no smoking permitted in any building, on its front steps or in its entranceway on a Tusculum campus, or in vehicles of the College); and
 - Use of cigars, incense, flavored or scented cigarettes, candles, smudge sticks of other substances which cause a scent perceivable as marijuana or masking the use of same are prohibited and will provide sufficient indicia to justify a search of any items on College property and can result in the student being found responsible for a violation of the Controlled Substances Policy as olfactory evidence is sufficient evidence to support a finding of responsibility;
 - Obstruction or disruption which reasonably or unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus;
 - Failure to comply with the directions of College officials acting in their official capacity, including administrators, staff, faculty, and para-professional staff (including, but not limited to, refusing to furnish identification or failing to stop engaging in behavior when requested to do so or restricting access to any person, item, or venue to Student Affairs or Campus Safety personnel). Verbal and/or physical abuse directed toward any College official will not be tolerated and will constitute a serious violation;
 - Unauthorized entry to or upon, or use of College property, equipment or resources, including but not limited to the telephone system, mail system, computer system, vehicle keys, buildings and furnishings, ledges, roofs or fire escapes of College-owned or operated buildings and service tunnels, or the duplication or use of keys (\$250 minimum fine); and
 - 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, and including 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 include pistols, stun, paint, pellet, dart, cap, BB, starter, 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, brass knuckles, throwing stars, sling shots, firecrackers and fireworks. Additionally, items which may not generally be considered 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). In addition to other sanctions, an automatic minimum fine of \$500 will be assessed under this policy, and suspension or expulsion from the College will be examined;
- Setting, or causing to be set, any unauthorized fire in or on College

Housing Fire Safety (cont.)

premises (including grills or barbecues on a campus facility balcony or porch or under the eaves or overhangs) or storage of combustible engines or flammable materials in the aforementioned areas or inside a residential area. Ground fires in any form are not permitted on campus without permission obtained through the Student Affairs Office on the residential campus or through the appropriate GPS student service staff;

- Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, crime, or other emergency on College premises or at College sponsored events or tampering with fire alarms (e.g. battery removal, wire disconnection or shielded air passageways, etc.), extinguishers, or other fire equipment (in addition to other sanctions, an automatic minimum fine of \$250 will be assessed);
- Failure to comply with the directions of emergency (e.g. Fire or Police Department) personnel or College officials acting in their official capacity, including administrators, staff, faculty, and para-professional staff; or failure to comply with mechanical or electronic evacuation alarms or systems (in addition to other sanctions, an automatic minimum fine of \$100 will be assessed);
- Tampering with fire or safety signage (including exit floor plans or doorway signage) or breaching College security (e.g. propping open residence hall doors or loaning security keys) (in addition to other sanctions, an automatic minimum fine of \$100 and related replacement/repair/cleaning costs will be assessed); and
- Failure to observe fire regulations

requiring that halls, stairways, entrances, porches, evacuation routes, and balconies be kept clear of obstacles at all times.

Any questions about policy, procedure, and fire safety history on Tusculum College properties should be directed to the Dean of Students or the Director of Facilities Management.

Missing Residential Students

Residential students may provide confidential contact information for a person to be notified in the event the student is officially reported as missing. This information will be maintained through the Student Affairs Office on the Emergency Information form and will be utilized once a student is determined to be unaccounted for in excess of 24 hours. If a student is under 18 years of age, a parent or guardian will be contacted regardless of the registration of a contact for this purpose. After 24 hours, the incident will be reported to local law enforcement officials. Nothing in this policy shall be construed to limit the ability of the Dean of Students or his/her designee to determine an emergency exists and contact parents and other parties, regardless of the listing of a confidential contact or the lapsing of time.

All reports of missing or suspected missing resident students should be reported to Campus Safety at 423-470-2710. Reports concerning missing commuters and off-campus students should be reported directly to law enforcement with jurisdiction over their residence, as well as being reported to Campus Safety.

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 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 to inform students and employees about the dangers of drug and alcohol abuse. Voluntary participation in, or

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

- 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.
- 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 Drug 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 Office, 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.

Notice to Students Concerning Penalties for Drug Violations

In addition to criminal sanctions, this notice provides information on the penalties associated with drug-related offenses under section 484(r) of the Higher Education Act. It also provides notice on how to regain eligibility after conviction of a drug related offense.

(r) SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES-

(1) IN GENERAL- A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on

the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving:

The possession of a controlled substance:

Ineligibility period is:

- First offense— 1 year
- Second offense—2 years
- Third offense- Indefinite.

The sale of a controlled substance:

Ineligibility period is:

- First offense-2 years
- Second offense-Indefinite.

(2) REHABILITATION- A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if--
(A) the student satisfactorily completes a drug rehabilitation program that--
(i) complies with such criteria as the Secretary shall prescribe in regulations for purposes of this paragraph; and
(ii) includes two unannounced drug tests; or
(B) the conviction is reversed, set aside, or otherwise rendered nugatory.

Tusculum College will provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA and will advise the student of the ways in which to regain eligibility under section 484(r) (2) of the HEA.

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 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

Alcohol and Drug Abuse Information (cont.)

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. Further, 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, information 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 side effects which can be fatal.

Tusculum College is committed to increasing awareness about alcohol/drug issues, prevention strategies that discourage irresponsible and illegal use, and 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.

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 where 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

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

- 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 ensure 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: Ms. Connie Kretchmar-Sitz, Counselor; and Rev. Dr. Steve Weisz, Campus Minister.

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 Dean of

Students 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.

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 the Campus Counselor at x5368 or 423-798-7821 (423-470-2934 after hours). 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.

Sexual Harassment (Including Assault)
Policy Statement and
Reporting Procedures (cont.)
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 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 handling 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; and
- To be informed of the outcome of the disciplinary hearing process.

Sanction 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

Anti-Harassment Employment Policy (cont.)

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

cont. next page

Anti-Harassment Employment Policy (cont.)

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

Carbon Monoxide Poisoning (cont.)

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 flue 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 (FERPA/TISHE Rights)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

- (1) The right to inspect and review

the student's education records within 45 days of the day the College receives a request for access.

A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

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.

(2) The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed (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).

If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to a hearing re-garding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

(3) The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a

person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law en-forcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection_agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance com-mittee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an educa-tion record in order to fulfill his or her professional responsibilities for the College.

Upon request, the College also discloses education records without consent to offi-cials of another school in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Data considered directory information which may be released by the College on general request includes the student's home and local address, home and local telephone numbers, date and place of birth, educational institutions previously attended, dates of attendance, major field of study, participation in officially recognized activities, date of graduation, degrees and awards received and height and weight of athletic team members. Directory information is subject to release at any time by the College unless the Registrar's Office has received a prior

cont. next page

Student Records Policy (FERPA/TISHE Rights) (cont.)

written request from the student that the information not be released.

Tusculum College reserves the right to contact the parent or legal guardian of any student under the age of 21 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 hardship 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

Disabilities & Reasonable Accommodations (cont.)

starting the initial accommodation (see From 7.00 Accommodation Evaluation Form).

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 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 Dean of Students 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 Dean of Students. 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 Dean of Students 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 Dean of Students or his/her designee. In harassment/assault cases, modification of the standard hearing procedures may be implemented by the Dean of Students 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

cont. next page

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	Arrests*	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On - Campus Property Occurrence						On - Campus Property Occurrence			
Murder/ Non-Negligent Manslaughter	2006	0	0	0	0	Liquor Laws	2005	0	0	0	0
	2007	0	0	0	0		2007	0	0	0	0
	2008	0	0	0	0		2008	0	0	0	0
Negligent Manslaughter	2006	0	0	0	0	Drug Laws	2006	0	2	0	0
	2007	0	0	0	0		2007	1	†	0	1
	2008	0	0	0	0		2008	0	0	0	0
Sex Offense, Forcible	2006	2	0	0	0	Weapons Laws	2006	0	1	0	0
	2007	3	0	0	0		2007	0	0	0	0
	2008	0	0	0	0		2008	0	0	0	0
Sex Offense, Non-Forcible	2006	0	0	0	0	<i>*The three items above reference arrests/citations for the indicated offense.</i>					
	2007	0	0	0	0	Disciplinary Referrals*	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
	2008	0	0	0	0			On - Campus Property Occurrence			
2006	26	0	0	0							
Robbery	2006	0	0	0	0	Liquor Laws	2006	38	0	0	0
	2007	0	0	1	†		2007	38	0	0	0
	2008	0	0	1*	0		2008	40	0	0	0
Aggravated Assault	2006	2	0	0	0	Drug Laws	2006	0	0	0	0
	2007	1	0	0	0		2007	0	0	0	0
	2008	0	0	0	0		2008	7**	0	0	0
Burglary	2006	9	2	0	0	Weapons Laws	2006	0	0	0	0
	2007	24	5	0	0		2007	0	0	0	0
	2008	23	3	0	0		2008	0	0	0	0
Motor Vehicle Theft	2006	0	0	0	0	<i>*The three items above reference judicial referrals for the indicated offense.</i>					
	2007	0	0	0	0	<i>Hate 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</i>					
	2008	0	0	0	0						
Arson	2006	0	3	0	0	Notes - * - Occurred at clinic/pharmacy in mall facility in which college operates adult learning satellite location **All seven individuals were involved in one incident.					
	2007	0	0	0	0						
	2008	0	0	0	0						

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 Annual Housing Fire Safety Report

2009 Calendar Year

Facility	FIRE SYSTEMS			FIRE RELATED INCIDENTS IN RESIDENTIAL FACILITIES				
	Alarm Systems	Sprinkler System	Number	Fire Cause	Injuries Requiring Medical Facility Treatment	Deaths	Property Loss Value	
Apartment A - Mastrapasqua Hall	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	YES	0	0	0	0	0	
Apartment B	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	YES	0	0	0	0	0	
Apartment C	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	YES	0	0	0	0	0	
Apartment D	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	YES	0	0	0	0	0	
Charles Oliver Gray East	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	NO	0	0	0	0	0	
Charles Oliver Gray South	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	NO	0	0	0	0	0	
Charles Oliver Gray West	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	NO	0	0	0	0	0	
Haynes Hall	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	YES	0	0	0	0	0	
Honors House (Barkley-35 West St)	BATTERY OPERATED STAND ALONE SYSTEMS	NO	0	0	0	0	0	
Katherine Hall	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	NO ⁱ	0	0	0	0	0	
Program House 1 (Dean - 1132 Erwin Hwy.)	BATTERY OPERATED STAND ALONE SYSTEMS	NO	0	0	0	0	0	
Program House 2 (Patton/HRC - 1184 Erwin Hwy.)	BATTERY OPERATED STAND ALONE SYSTEMS	NO	0	0	0	0	0	
Religious Life Center (Dobson -1075 Erwin Hwy.)	BATTERY OPERATED STAND ALONE SYSTEMS	NO	0	0	0	0	0	
Welty-Craig Hall	HARD-WIRED & TIED TO CENTRAL REPORTING SYSTEM	YES	0	0	0	0	0	

ⁱ Katherine Hall was designed and constructed with special attention to fire safety (cinder block construction with pod layout, rather than long hallways, which impedes the spread of fire and smoke).

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 Pioneer Safety and Disclosures Report* with the understanding that an informed community is best able to support the achievement and maintenance of a secure environment.

We're on the Web!
<http://www.tusculum.edu/life/docs/0910SafetyDisclosuresReport.pdf>



ESTABLISHED 1794



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 (Cell)	423/470-2934
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

OTHER RESOURCES

Alcoholics Anonymous	423/638-5578
Ask-A-Nurse	800/888-5551
Baptist Hospital for Women	865/218-6011
Frontier Health/Nolichuckey	423/639-1104
Gray Fire Department	423/477-3851
Greene County Sheriff's Office	423/798-1800
Greeneville Fire Department	423/638-4243
Greeneville Police Department	423/638-4243
Hamblen County Sherriff's Dept.	423/586-3781
Industriicare	423/636-9828
Johnson City Fire Department	423/975-2840
Johnson City Medical Center	423/431-6111
Knoxville Fire Department	865/595-4480
Knoxville Police Department	865-215-7000
Laughlin Memorial Hospital	423/787-5000
Parkwest Medical Center	865/373-1000
Takoma Adventist Hospital	423/636-2360
Tusculum Volunteer Fire Dept.	423/638-8068
Washington County Sherriff's Office	423/461-1414

EMERGENCY—9-911