

# CAMPUS SECURITY REPORT

TENNESSEE COLLEGE OF APPLIED TECHNOLOGY-ONEIDA/HUNTSVILLE  
355 Scott High Drive  
Huntsville, TN 37756  
(423) 663-4900 PHONE  
(423) 663-4925 FAX

Reporting Period:  
January 1, 2021 to December 31, 2021

# ANNUAL SECURITY REPORT

## Table of Contents

|   |    |
|---|----|
| Emergency Numbers.....  | 3  |
| Resource Numbers.....   | 3  |
| Introduction .....  | 4  |
| Crime Statistics: Statement Concerning Law Enforcement .....  | 4  |
| Geography.....  | 4  |
| Crime Statistics [34 CFR §668.46(b)(1)] .....   | 5  |
| How to Report Criminal Offenses [34 CFR §668.46(b)(2)] .....  | 5  |
| Law Enforcement Agency Contacts by Campus Location: .....   | 5  |
| Campus Security Authorities.....  | 5  |
| Timely Warnings [34 CFR §668.46(b)(2)(i)].....  | 6  |
| Preparation of Disclosure of Crime Statistics [34 CFR §668.46(b)(2)(ii)] .....                            | 6  |
| Voluntary Confidential Reporting of Crimes [34 CFR §668.46(b)(2)(iii)] .....                              | 6  |
| Security and Access [34 CFR §668.46(b)(3)] .....  | 7  |
| Campus Law Enforcement Authority [34 CFR §668.46(b)(4)(i)] .....  | 7  |
| Memorandum of Understanding (MOU) with Local Law Enforcement [34 CFR §668.46(b)(4)(i)].....               | 7  |
| Encouragement of Accurate and Prompt Crime Reporting [34 CFR §668.46(b)(4)(ii)] .....                     | 7  |
| Security Awareness Programs for Students and Employees [34 CFR §668.46(b)(5)].....                        | 8  |
| Programs Designed to Inform Students and Employees About Prevention of Crime [34 CFR §668.46(b)(6)] ..... | 8  |
| Monitoring Off-Campus Student Organizations [34 CFR §668.46(b)(7)].....                                   | 9  |
| Alcohol and Illegal Drugs [34 CFR §668.46(b)(8) & (b)(9)].....  | 9  |
| Policy Statement Addressing Substance Abuse Education [34 CFR §668.46(b)(10)] .....                       | 12 |
| Sexual Misconduct [34 CFR §668.46(b)(11)].....  | 13 |
| Sexual Misconduct Educational Programs [34 CFR §668.46(b)(11)(i)] .....                                   | 14 |
| Procedures Victims Should Follow If A Sex Offense Occurs [34 CFR §668.46(b)(11)(ii)].....                 | 15 |
| Reporting Sexual Misconduct [34 CFR §668.46(b)(11)(ii)].....  | 16 |
| Investigation Requirements and Procedures [34 CFR §668.46(b)(11)(ii)] .....                               | 17 |
| Outcome of Investigation and Determination of Appropriate Action.....                                     | 19 |
| Timeframe for Conducting the Investigation.....   | 20 |
| Institutional Hearing [34 CFR §668.46(b)(11)(vi)].....  | 20 |
| Appeal of Hearing Decision.....   | 21 |

|  |    |
|--|----|
| Effect of a Finding of a Violation of this Policy [34 CFR §668.46(b)(11)(vii)] ..... | 22 |
| Interim Measures [34 CFR §668.46(b)(11)(v)] .....                                    | 23 |
| Sex Offender Registration [34 CFR §668.46(b)(12)].....                               | 23 |
| Emergency Response and Evacuation Procedures [34 CFR §668.46(b)(13)].....            | 24 |
| Missing Student Notification Procedures [34 CFR §668.46(b)(14)].....                 | 26 |
| Crime Statistics-Huntsville Campus .....   | 27 |
| Crime Statistics-Oneida Campus .....   | 29 |
| Crime Statistics-Jamestown Instructional Service Center .....                        | 31 |

## ANNUAL SECURITY REPORT

### Emergency Numbers

|  |                                  |
|--|----------------------------------|
| All Emergencies.....                   | Dial 911                         |
| Oneida Police Department.....          | (423) 569-4255                   |
| Scott County Sheriff.....              | (423) 663-2245 or (423) 663-3111 |
| Jamestown Police Department.....       | (931) 879-5871                   |
| Morgan County Sheriff.....             | (423) 346-6262                   |
| Scott County Ambulance Service.....    | (423) 569-6000                   |
| Fentress County Ambulance Service..... | (931) 879-8147                   |
| Poison Control Center.....             | (800) 222-1222                   |
| Oneida Fire Department.....            | (423) 569-8969                   |
| Huntsville Fire Department.....        | (423) 663-9156                   |
| Jamestown Fire Department.....         | (931) 879-8310                   |

### Resource Numbers

|   |  |
|---|--|
| Big South Fork Medical Center.....            | (423) 569-8521   |
| Scott County Women’s Shelter.....             | Office: (423) 569-3355<br>24 Hr. Crisis Line: (423) 569-3333                                     |
| Ridgeview Behavioral Health Services.....     | (423) 569-7979<br>24 Hr. Crisis Line: (800) 870-5481<br>TN Crisis/Emergency Line: (855) 274-7471 |
| Sexual Assault Center of East TN.....         | Crisis Line: (865) 522-7273<br>Mobile Crisis Unit (All Ages): (865) 539-2409                     |
| Family Crisis Center (Domestic Violence)..... | Crisis Line: (865) 637-8000  |

## Introduction

Following is the annual Campus Security Report for Tennessee College of Applied Technology – Oneida/Huntsville (TCATOH) for January 1 through December 31, 2019. The Administration office prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The report can also be accessed on the TCATOH web page at <https://tcatoneida.edu/about/safety-and-security> . This report contains security policies, procedures, and guidelines. Crime statistics for the period of 2017-2019 are included in the report. These statistics are based on incidents reported at three campus locations. You may request a copy of this report by calling (423) 663-4900, by visiting the offices at the main campus location, or by e-mailing [awest@tcatoneida.edu](mailto:awest@tcatoneida.edu) .

## Crime Statistics: Statement Concerning Law Enforcement

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

- Main campus is located in the City of Huntsville, and is under the jurisdiction of the Scott County Sheriff Department, 575 Scott High Drive, Huntsville, TN 37756, (423) 663-3111.
- Extension campus is located in the City of Oneida, and is under the jurisdiction of the Oneida Police Department, 121 Municipal Dr., Oneida, TN 37841, (423) 569-4255.
- Instructional Service Center is located in the City of Jamestown, and is under the jurisdiction of the Jamestown Police Department, 222 S Main St, Jamestown, TN 38556, (931) 879-5871.
- Instructional Service Center is located in the City of Wartburg, and is under the jurisdiction of the Morgan County Sheriff, 414 Main Street, Wartburg, TN 37887, (423) 346-6262

## Geography

|                               |   |
|-------------------------------|---|
| Main Campus:                  | 355 Scott High Drive, Huntsville, Tennessee   |
| Extension Campus:             | 180 Eli Lane, Oneida, Tennessee   |
| Instructional Service Center: | York Agricultural Institute, 701 North Main Street, Jamestown, Tennessee              |
| Instructional Service Center: | Morgan County Career & Technical Institute, 132 Flat Fork Road<br>Wartburg, Tennessee |

Tennessee College of Applied Technology-Oneida/Huntsville (TCATOH) currently serves the three locations above for student training. The main campus houses the administrative staff which provides support for all three locations; individual administrators are not housed at the extension campus or the instructional service center. Therefore, the administrative offices at the main campus will be responsible for all activities related to crime reporting. TCATOH currently has an agreement with York Agricultural Institute (YAI) in Jamestown, Tennessee to provide Automotive Technology training to their high school students through a Dual Enrollment Contract to be housed on their campus, and the College offers post-

secondary Welding Technology and Farming Operations Technology programs at this location. Welding Technology is a part-time evening program, and Farming Operations Technology is a full-time day program. This is a secondary school which allows the TCATOH to train utilizing classroom and shop space on their campus. TCAT Oneida/Huntsville also offers post-secondary training in Welding Technology and Farming Operations Technology at the Morgan County Career & Technical Center in Wartburg, Tennessee. Both programs are offered part-time in the evenings. There are no TCATOH administrative personnel at these locations; only instructional staff are located at these campuses. TCATOH does not have any non-campus buildings or property.

The main campus and extension campus buildings are open from 7:30 a.m. until 4:00 p.m., Monday through Friday. These TCATOH programs are closed for designated holidays as indicated on the published academic calendar which can be found in the *Student Handbook* as well as on the College's website at <https://tcatoneida.edu/current-students/academic-calendar> .

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

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

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

To report an emergency, always dial 911. To report a crime to the local law enforcement agency, contact the numbers listed below depending on your campus location. Any suspicious activity or person seen in the parking lots or loitering around vehicles and inside buildings should be reported to the Administration office at the main campus. For the extension campus and instructional service center, these reports should be made immediately to TCATOH faculty or staff who will notify the Administration office at the main campus.

## Law Enforcement Agency Contacts by Campus Location:

|  |                                 |                                  |
|--|---------------------------------|----------------------------------|
| Main Campus, Huntsville:                 | Scott County Sheriff Department | (423) 663-2245<br>(423) 663-3111 |
| Extension Campus, Oneida:                | Oneida Police Department        | (423) 569-4255                   |
| Instructional Service Center, Jamestown: | Jamestown Police Department     | (931) 879-5871                   |
| Instructional Service Center, Wartburg:  | Morgan County Sheriff           | (423) 346-6262                   |

## Campus Security Authorities

In addition to reporting crimes to local law enforcement, a crime may be reported to any institutional campus security authority (CSA). The CSAs for TCATOH are listed below and can be reached by calling (423) 663-4900 or by e-mailing to the address listed:

|  |  |
|--|--|
| Dwight Murphy, President                           | <a href="mailto:dmurphy@tcatoneida.edu">dmurphy@tcatoneida.edu</a>           |
| Amy West, Vice President                           | <a href="mailto:awest@tcatoneida.edu">awest@tcatoneida.edu</a>               |
| Jennifer Trammell, Coordinator of Student Services | <a href="mailto:jtrammell@tcatoneida.edu">jtrammell@tcatoneida.edu</a>       |
| Wayne Sexton, Maintenance                          | <a href="mailto:wayne.sexton@tcatoneida.edu">wayne.sexton@tcatoneida.edu</a> |
| Mike Smith, Maintenance                            | <a href="mailto:msmith@tcatoneida.edu">msmith@tcatoneida.edu</a>             |
| Janet Watson, TF Instructor/SkillsUSA Advisor      | <a href="mailto:jwatson@tcatoneida.edu">jwatson@tcatoneida.edu</a>           |

## **Timely Warnings [34 CFR §668.46(b)(2)(i)]**

In the event that a situation arises, either on or off campus, that, in the judgment of the TCATOH President or campus management constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. These would include crimes within the campus geography which have been reported either to TCATOH campus security authorities or to local authorities and are considered by the institution to represent a serious or continuing threat to the students and employees. The warning will be issued to the campus community through the emergency notification system. The administration office at the main campus should be contacted to initiate a timely warning.

Anyone with information warranting a timely warning should report the circumstances to Dwight Murphy, Amy West or Jennifer Trammell by calling (423) 663-4900.

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

The administration office prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The full text of this report can be located on our website at <https://tcatoneida.edu/about/safety-and-security>. The report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites. Campus crime, arrest, and referral statistics include those reported to the campus officials and local law enforcement agencies. Upon completion of the Annual Security Report, a schoolwide notification message is sent to all enrolled students, faculty and staff that provides the website to access this report. Copies of the report may also be obtained from the administration office located at the main campus at 355 Scott High Drive, Huntsville, TN or by calling (423) 663-4900.

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

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

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

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

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

Safety and security have been considered in the landscape and lighting of the campus. Any maintenance needs are reported to Brian Armstrong and/or Mike Smith, maintenance personnel. Any identified security concern will be evaluated by the President, Dwight Murphy. These evaluations examine security issues such as landscaping, locks, alarms, lighting, and communications.

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

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

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

The TCATOH staff maintains a close working relationship with their local law enforcement agencies. There is not a written memorandum of understanding between the TCATOH and law enforcement agencies at each campus location.

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

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

All incident reports are forwarded to the administration office for review and potential action. Local law enforcement will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to student services and/or human resources.



If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the law enforcement agency can file a report on the details of the incident without your 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 TCATOH can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the institution's annual crime statistics.

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

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

All employees have a *Health and Safety Plan* posted in the classroom, shop area, or department which provides detailed instruction(s) or procedures that are to be used in the event of specified emergencies. This plan includes each of the following:

- Disaster Plan
- Fire Prevention and Control
- Tornado
- Bomb Threat Evacuation Plan
- Guidelines for Identifying and Handling Mail Pieces and Packages Suspected of Containing a Threat
- Workplace Violence Prevention Guideline

The *Health and Safety Plan* is reviewed annually to ensure that all procedures are current with updates being made as needed. This plan is provided to all students and employees upon initial enrollment or employment, is discussed in the program orientation session for students and the employee orientation session for new hires, and is provided in hard copy form to each student or employee.

Faculty and staff are also provided with the *All Personnel-Security Information* (otherwise known as "Lockdown Procedures"). In a lockdown situation, instructors and staff will ensure that their departments, students, and guests are secured.

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

TCAT-Oneida/Huntsville offers student and employee orientations to all new students and employees of the College. New student orientations are provided a minimum of two times per trimester; new

employee orientations are provided as needed when employees are hired. These orientation programs provide information regarding the responsibilities each individual holds when it comes to reporting criminal activities. Students and employees are also informed of proper safety and security measures which should be followed while they are members of the campus community.

TCAT-Oneida/Huntsville strives to maintain an environment that is free of intimidation and encourages students and staff to be knowledgeable of personal safety tips while on campus. The College will not tolerate acts or threats of acts of sexual assault, physical assault, or any other type of violence. To ensure their personal safety, students and employees should use the following tips to protect themselves while on campus:

- Store emergency numbers, including 911, in easily accessible locations (such as cell phones).
- Be alert and aware of surroundings at all times by limiting distractions such as cell phones or other devices.
- Walk in groups and remain in well-lit areas when on campus after dark.
- Always alert someone of your whereabouts if you must be alone on campus.
- Protect personal information when on campus. Be sure to log off all computers or other electronic devices before leaving the building. Secure all passwords in a location that is unavailable to others—NEVER share your login/password information with others.
- Park in well-lit areas when on campus after dark.
- Always lock vehicle doors.
- Lock all items in the trunk of vehicles. Do not bring items of value which are not necessary for educational/work purposes to campus.
- Do not carry large amounts of money on your person or in your bags. If you carry a purse/backpack/bag, never leave it unsecured where others may have access.
- Have car keys available before leaving the building. Standing in the parking lot searching for keys or other items could make you an easy target.

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

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

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

TCATOH students and employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use of or being under the influence of illicit drugs and/or alcohol on any TCATOH campus, property owned or controlled by the TCATOH, or as part of any TCATOH activity.

## A. Penalties for Violation

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

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

### 2. Students

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

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

### 3. Employees

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

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

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

## B. Dissemination of Policy

### 1. Employees

- a. The human resources office will provide new employees with a copy of this policy, as part of the new employees' orientation.
- b. New employees will sign orientation forms acknowledging that the policy was disseminated as part of their orientation.

### 2. Students

- a. A copy of this policy will be included in the TCATOH *Student Catalog & Financial Aid Handbook*.
- b. The student services office will review the policy with new students during new student orientation.

## C. Violations

### 1. Supervisor Notification of Human Resources

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

### 2. Employees Funded by Federal Grants

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

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

### A. General

#### Drug and Alcohol Awareness

The TCATOH is committed to raising the awareness of students and employees of the health risks associated with the use of illicit drugs and the abuse of alcohol.

A synopsis of those health risks is presented below.

### B. Alcohol

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

### C. Illicit Drugs

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

### D. Counseling, Treatment and Rehabilitation Programs

The Coordinator of Student Services will assist students and/or employees by providing information concerning treatment resources in the surrounding area and assist individuals in making initial contact with treatment providers. Regular employees may also use the Employee Assistance Program (EAP) by calling (855) 437-3486 or on the web at

<https://www.here4tn.com/>. Information concerning the EAP is available in the administration office.

## Sexual Misconduct [34 CFR §668.46(b)(11)]

Sexual misconduct is a form of sex discrimination prohibited by Title IX. TBR is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. As set forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking, and sexual assault. TCATOH strictly prohibits these offenses.

### Definitions

- **Consent** – An informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effects of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.
- **Dating violence (TCA §36-3-601(5)(c))**—Violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to,
  - Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
  - Placing the accuser in fear of physical harm;
  - Physical restraint;
  - Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
  - Placing a victim in fear of physical harm to any animal owned, possessed, leased, kept or held by the accuser.
- **Domestic violence (TCA §36-3-601)**—Violence against a person when the accuser or accused:
  - Are current or former spouses;
  - Live together or have lived together;
  - Are related by blood or adoption;
  - Are related or were formally related by marriage; or,
  - Are adult or minor children of a person in a relationship described above.

Domestic violence includes, but is not necessarily limited to,

- Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
  - Placing the accuser in fear of physical harm;
  - Physical restraint;
  - Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
  - Placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser.
- **Sexual Assault**—The nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know at the time of the contact that the accuser did not or could not consent. Sexual contact includes, but is not limited to, the intentional touching of the accuser’s, the accused’s, or any other person’s intimate parts, or the intentional touching of the clothing covering the immediate area of the accuser’s, the accused’s, or any other person’s intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification.
  - **Sexual Misconduct**—For the purposes of this policy, “sexual misconduct” is defined as dating violence, domestic violence, stalking, and sexual assault.
  - **Stalking**—A willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed or molested, and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

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

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

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
3. Defines what behavior and actions constitute consent to sexual activity;
4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander;

5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

## **Procedures Victims Should Follow If A Sex Offense Occurs [34 CFR §668.46(b)(11)(ii)]**

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The TCATOH strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault can be reported directly to 911 or to a local law enforcement agency. If the victim wishes to make a confidential notification, the victim should follow the procedure outlined below for confidentially reporting of sexual misconduct. The victim may be assisted by campus authorities in notifying local law enforcement. The victim should contact the Student Services Office or the Title IX Coordinator for assistance.

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

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

When a victim of sexual misconduct presents to the TCATOH, the institution will provide written information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. The TCATOH will also provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both on our campus and in the community. The TCATOH will further provide written notification to victims about options for, and available assistance in, changing academic, transportation, and working situations. The TCATOH must make such accommodations if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

Protection from abuse orders may be available through [www.TNCOURTS.gov](http://www.TNCOURTS.gov) with forms found at <https://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> , and additional information related to such orders may be found at <https://www.tncoalition.org/legal-clinics> .



Regardless of whether an offense occurred on or off campus, the TCATOH will provide a student or employee a written explanation of their rights and options when a student or employee reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault, or stalking.

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

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

### **A. Reporting Confidentially**

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

Scott County Women's Shelter  
P.O. Box 5402  
Oneida, TN 37841  
(423) 569-3333 Office  
(423) 569-3333 24 Hr. Crisis Line

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

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

1. The TCATOH shall not share information with law enforcement without the complainant's consent or unless the victim has also reported the incident to law enforcement.
2. Before a complainant reveals any information to an employee, the employee must ensure that the complainant understands the employee's reporting obligations.
3. If the complainant wants to maintain confidentiality, the employee must direct the victim to confidential resources as detailed in Section A above.
4. If the complainant wants to tell an employee what happened but also maintain confidentiality, the employee must advise the complainant that the TCATOH will consider the request, but cannot guarantee that it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will also inform the Coordinator of the complainant's request for confidentiality.

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

Title IX Coordinator: Amy West, (423) 663-4900,  
[awest@tcatoneida.edu](mailto:awest@tcatoneida.edu)

Coordinator of Student Services: Jennifer Trammell, (423) 663-4900,  
[jtrammell@tcatoneida.edu](mailto:jtrammell@tcatoneida.edu)

C. Filing a Criminal Complaint

Contact local law enforcement where the assault occurred. The local law enforcement agency will determine the subsequent steps. If needed, an advocate from Scott County Women's Shelter or the TCAT's Title IX Coordinator can assist in the reporting process.

D. Filing an Anonymous Complaint

Filing an anonymous report will assist the institution with compiling statistical information that can call attention to the number of incidents that occur at the TCATOH. If the survivor's identity is not known, no subsequent appropriate services will be made available. The suspect will not be notified that a report was filed if no name is revealed. The report will be sent to Title IX Coordinator for recording and tracking of incidents on and around the TCATOH.

To file an anonymous report, send by mail to:

Amy West  
Title IX Coordinator  
355 Scott High Drive  
Huntsville, TN 37756

- E. The TCATOH will, to the extent possible, complete publicly available record-keeping, including Clery reporting, without identifying information about the victim.
- F. The TCATOH will, to the extent possible, maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

## **Investigation Requirements and Procedures [34 CFR §668.46(b)(11)(ii)]**

- A. All proceedings will include a prompt, fair, and impartial investigation and result. The College will provide the respondent and complainant equitable rights during the investigative process.
- B. All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for investigation and appropriate disposition, subject to the confidentiality policy.

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

D. Initiating an Investigation

1. Immediately upon receipt of a complaint, the Title IX Coordinator shall communicate with the complainant to identify and implement any reasonable interim measures necessary. Absent good cause, within three (3) business days of receipt of a report of sexual misconduct the Title IX Coordinator or designee shall attempt to get a written statement from the complainant that includes information related to the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complainant should complete a complaint form and submit a detailed written report of the alleged incident.
2. When the complainant chooses not to provide or sign a written complaint, the Title IX Coordinator or designee will investigate to the extent possible and take appropriate action.
3. In addition to immediate interim measures, the Title IX Coordinator shall consider what, if any, interim measures may be necessary during the pendency of the investigation.
4. Complaints made anonymously or by a third party will be investigated to the extent possible.
5. After consultation with TBR General Counsel, if the Title IX Coordinator determines that the complaint contains an allegation of sexual misconduct, the Title IX Coordinator shall follow the procedures set forth in this policy to investigate and adjudicate the complaint.
6. The Title IX Coordinator may appoint a qualified, sufficiently trained person to investigate the allegations made in the complaint.
7. Only one person shall be identified as the investigator for a complaint, though the investigator may have a second person present during interviews to take notes.
8. Investigations shall be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.
9. If the complainant or respondent believes the assigned investigator has a conflict of interest, that party must submit a written explanation of the reason for that belief to the President. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The provost will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the provost shall be final.

E. What the investigation should and should not entail

1. Once the investigator receives the complaint, the investigator shall notify the victim (Complainant) in writing of his/her rights and request a meeting.
2. The investigator shall also notify the accused (Respondent) in writing of the complaint and his/her rights and request a meeting with the respondent.
3. The investigator shall notify the complainant, respondent and all individuals interviewed during the investigation that retaliation is strictly prohibited and may be grounds for

disciplinary action. In addition, the investigator shall advise all interviewees that they should contact the investigator immediately if they believe they are being retaliated against.

4. The investigation shall include interviews with both the complainant and respondent, unless either declines an in-person interview.
5. The complainant and respondent shall be provided with the same opportunities to have others present during any interview, including the opportunity to be accompanied by the advisor of their choice to any related meeting or proceeding.
6. The TCATOH will not limit the choice of advisor for either the complainant or respondent.
7. The investigation shall include interviews with relevant witnesses identified by the complainant and respondent or any other potential, relevant witness made known to the investigator via other means.
8. The investigation shall include the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.
9. The investigator is expected to request a list of relevant witnesses and evidence from complainant and respondent and take such into consideration.
10. The investigator shall not consider any evidence about the complainant's prior sexual conduct with anyone other than the respondent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

## **Outcome of Investigation and Determination of Appropriate Action**

- A. Upon completion of the investigation, the investigator shall prepare a written report that includes the allegations made by the complainant, the response of the respondent, corroborating or non-corroborating statements of the witnesses, review of other evidence obtained, conclusions that may be drawn from the evidence gathered, and recommendations about the disposition of the matter.
- B. It is the responsibility of the investigator to weigh the credibility of all individuals interviewed and to determine the weight to be given to information received during the course of the investigation.
- C. The report shall be delivered to the TCATOH President who is the designated "decision maker" when the respondent is either an employee or a student.
- D. After review of the report the decision maker shall make a determination based on a preponderance of the evidence presented as to whether or not a violation of this policy occurred.
- E. The decision maker's determination shall be communicated in writing simultaneously to the complainant and respondent, along with notice to the parties of their right to request an institutional hearing on the determination that a policy violation did or did not occur.

## Timeframe for Conducting the Investigation

- A. Every reasonable effort shall be made to conclude the investigation and resolve the complaint within sixty (60) calendar days following receipt of the complaint. Within this sixty (60) day timeframe, absent good cause, it is expected that the investigator will conclude the investigation, that the investigator will present a report to the decision maker, and that the investigator will notify the parties in writing of the decision maker's determination.
- B. If the investigator or decision maker determines that additional time is needed, both parties shall be notified in writing of the delay, the anticipated date that the investigation will be concluded, and the reasons for such delay.
- C. If either party determines that additional time is needed, that party shall request such in writing to the investigator (if the decision maker has not yet made a determination). The written request for additional time shall include the reasons for the requested delay and the number of additional days needed.
- D. The investigator shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the request and shall notify both parties in writing as to whether or not the request is granted.

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

- A. Either party may request an institutional hearing on the determination that a policy violation did or did not occur by providing written notice of the request to the investigator within ten (10) business days of receipt of the decision maker's decision.
- B. If a request is not received within ten (10) days, the decision maker's determination is final.
- C. The hearing may be held before either a hearing officer or hearing committee. The President shall determine whether to proceed with a hearing officer or hearing committee and shall appoint individuals to serve in those capacities.
- D. If the complainant or respondent believes the hearing officer has or the hearing committee member(s) have a conflict of interest, that party must submit a written explanation of the reason for the belief to the appropriate decision maker. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The decision maker will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the decision maker shall be final.
- E. If such a hearing is requested, every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the President, within thirty (30) days following the TCAT's receipt of the party's request for a hearing.

- F. The parties to the hearing may not engage in formal discovery.
- G. Each party is entitled to have an advisor of choice available; however, the advisor may not participate in the proceeding other than to render advice to the party.
- H. The TCATOH will not limit the choice of advisor for either the complainant or respondent.
- I. The complainant and respondent shall be timely notified of all meetings relevant to the proceeding.
- J. The hearing officer or chair of the hearing committee shall control the procedures of the hearing with due consideration given to the parties' requests related to procedures such as, but not limited to, limitations on cross-examinations, recesses so the parties may consult with their advisors, and scheduling of hearings.
- K. The hearing officer or hearing committee shall use a preponderance of the evidence standard when reaching a decision.
- L. Absent good cause, within five (5) business days of the close of the evidence, the hearing officer or committee shall issue a written determination as to whether or not a violation of this policy occurred and the justification for this decision.
- M. Each party shall be simultaneously notified of the hearing officer or committee's decision in writing, which shall include notice of their rights to appeal the hearing officer's or committee's determination to the President.

## Appeal of Hearing Decision

- A. If either party chooses to appeal the hearing officer's/committee's decision, the party shall notify the investigator in writing of the decision to appeal within five (5) business days of receipt of the hearing officer's/committee's determination.
- B. If a written request for appeal is not received within five (5) days, the decision of the hearing officer/committee is final.
- C. The appealing party(ies) must explain why it is believed the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this would change the determination of the case.
- D. The President will issue a written response to the appeal as promptly as possible. This decision will constitute the TCAT's final decision on the complaint.

## **Effect of a Finding of a Violation of this Policy [34 CFR §668.46(b)(11)(vii)]**

- A. If a final decision has been made that a policy violation occurred, the respondent shall be referred to the appropriate personnel for a determination of discipline.
- B. The appropriate personnel will be determined by the status (student or employee) of the respondent.
- C. If the respondent is a student, the TCATOH will follow the procedures for disciplining students as described in the Student Handbook.
- D. If the respondent is an employee, the TCATOH will follow the procedures related to disciplining employees as described in applicable employee policies.
- E. Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:
  - 1. The complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.
  - 2. The complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.
  - 3. The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.
  - 4. The complainant shall be allowed access, consistent with FERPA requirements, to any evidence presented during any disciplinary meeting or hearing.
  - 5. The Title IX Coordinator or designee shall be appointed as the complainant's contact person for any questions or assistance during the disciplinary process.
  - 6. The complainant shall receive written notice, consistent with FERPA, of the outcome of the disciplinary process.
- F. If a final decision has been made that a policy violation occurred, the Title IX coordinator or designee shall determine any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus. For example, the Title IX Coordinator or designee may determine that specific training is needed for a student group whose members have been accused of sexual assault.
- G. Subject to federal law, state law, and TBR policies, the following sanctions may be imposed by the institution following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking:
  - 1. Restitution
  - 2. Warning
  - 3. Reprimand
  - 4. Service to the institution or community

5. Specified educational/counseling program
6. Apology
7. Fines
8. Restriction upon privileges
9. Probation
10. Suspension
11. Expulsion
12. Revocation of admission, degree, or credential
13. Interim suspension
14. Suspension of employment
15. Termination of employment
16. Demotion
17. Termination of tenure status
18. Other sanctions as deemed appropriate by the institution

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

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

- A. Providing an escort to ensure that the complainant can move safely between classes and activities;
- B. Ensuring that the complainant and respondent do not attend the same classes;
- C. Providing referrals or access to counseling services;
- D. Providing referrals to medical services;
- E. Providing academic support services, such as tutoring;
- F. Issuing no contact orders; and
- G. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

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

In accordance to the *Campus Sex Crimes Prevention Act of 2000*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act* and the *Family Educational Rights and Privacy Act of 1974*, the TCATOH is providing a link to the Tennessee State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to



provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student. Members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled, or volunteering at this institution from the TBI website listing of sex offenders located at <http://www.tennessee.gov/tbi/section/tennessee-sex-offender-registry> .

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

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

Emergency notifications and evacuation procedures are in place for significant emergencies or dangerous situations involving an **immediate** threat to the health or safety of students or employees occurring on the TCAT-Oneida/Huntsville campus. Immediate emergencies include those that are currently occurring on or imminently threatening the campus. Examples of emergency notifications include but are not limited to:

- Outbreak of meningitis, norovirus, or other serious illness
- Approaching tornado, hurricane or other extreme weather conditions
- Earthquake
- Gas leak
- Terrorist incident
- Armed intruder
- Bomb threat
- Civil unrest or rioting
- Explosion
- Nearby chemical or hazardous waste spill

TCAT-Oneida/Huntsville utilizes a schoolwide rapid notification program and/or the school's intercom system/alarm to issue emergency notifications to the campus community. The intercom system/alarm will be used specifically for fire, tornado, and lockdown emergencies. The electronic notification system will be used for other emergencies (including lockdowns) as they are confirmed.

Upon enrollment or employment, the Coordinator of Student Services adds student and/or staff contact information to the web-based rapid notification program that is used for emergency notifications. Individual passwords are provided to each person, and he/she has the ability to manage his/her personal account. For those who do not have internet access, the Student Services department will update accounts upon request; an internet accessible computer is available in the Student Services office for student use as well. It is the student's responsibility to notify the Student Services office of any changes in contact information while they are enrolled at the College.

In making the decision to activate the emergency notification system or to order evacuation procedures, the designated school official will consider:

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

The President, Vice President, or Coordinator of Student Services will determine to whom emergency notifications will be sent, the method that will be used for notification, and what information will be contained in the notification.

The President, Vice President, or Coordinator of Student Services will, without delay and taking into account the safety of the campus community, determine the content of the notification and initiate the notification process, unless issuing a notification will, in the professional judgment of the designated officials, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

The following individuals will be responsible for: (1) confirming emergencies, (2) determining the appropriate segment of the campus community to receive notifications, (3) determining the content of the notification, and (4) initiating the notification system.

- President, **or**
- Vice President, **or**
- Student Services Coordinator

When critical incidents occur on campus which may have an impact on the larger community, the President or Vice President, in cooperation with the proper authorities, will work with news agencies to provide press releases concerning criminal incidents.

The President, Vice President or other administrative designee in the President's absence will work with local authorities or other agencies as needed to confirm possible threats to the campus community. Determinations will be made on a case-by-case basis by the President (or his designee) regarding which authorities, if needed, to contact (i.e., local law enforcement, fire services, etc.) for confirmation. Upon confirmation of potential dangers of violent crimes, timely warnings will be issued to the campus community using an emergency notification system. The designated official may also determine that the College property must be immediately evacuated to ensure the safety of individuals inhabiting the property/buildings. In these situations, the aforementioned authorities may require evacuated persons to temporarily refrain from remaining on campus or from entering specified areas for safety purposes. Students and staff will be instructed on how to leave the campus or on where to assemble in these cases. Emergency exit routes are posted which direct individuals of the safest path to exit the building.

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

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

## Crime Statistics-Huntsville Campus

### Clery Crime Statistics Huntsville Campus

| CRIMINAL OFFENSES                        |           |                 |           |                 |           |            |                 |
|--|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
| Criminal Offense                         | 2019      |                 | 2020      |                 | 2021      |            |                 |
|  | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Negligent Manslaughter                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| HATE CRIMES                              |           |                 |           |                 |           |            |                 |
| Criminal Offense                         | 2019      |                 | 2020      |                 | 2021      |            |                 |
|  | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Simple Assault                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Larceny-Theft                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Intimidation                             | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Destruction/Damage/Vandalism of Property | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

| VAWA OFFENSES                       |           |                 |           |                 |           |            |                 |
|-------------------------------------|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Domestic Violence                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Dating Violence                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Stalking                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| ARRESTS                             |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| DISCIPLINARY ACTIONS                |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| UNFOUNDED CRIMES                    |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Total Unfounded Crimes              | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

## Crime Statistics-Oneida Campus

### Clery Crime Statistics Oneida Campus

| CRIMINAL OFFENSES                        |           |                 |           |                 |           |            |                 |
|--|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|  | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                         | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Negligent Manslaughter                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| HATE CRIMES                              |           |                 |           |                 |           |            |                 |
|  | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                         | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Simple Assault                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Larceny-Theft                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Intimidation                             | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Destruction/Damage/Vandalism of Property | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

| VAWA OFFENSES                       |           |                 |           |                 |           |            |                 |
|-------------------------------------|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Domestic Violence                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Dating Violence                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Stalking                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| ARRESTS                             |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| DISCIPLINARY ACTIONS                |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| UNFOUNDED CRIMES                    |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Total Unfounded Crimes              | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

## Crime Statistics-Jamestown Instructional Service Center

### Clery Crime Statistics

#### Jamestown (York Agricultural Institute) Instructional Service Center

| CRIMINAL OFFENSES                        |           |                 |           |                 |           |            |                 |
|--|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
| Criminal Offense                         | 2019      |                 | 2020      |                 | 2021      |            |                 |
|  | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Negligent Manslaughter                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| HATE CRIMES                              |           |                 |           |                 |           |            |                 |
| Criminal Offense                         | 2019      |                 | 2020      |                 | 2021      |            |                 |
|  | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Simple Assault                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Larceny-Theft                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Intimidation                             | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Destruction/Damage/Vandalism of Property | 0         | 0               | 0         | 0               | 0         | 0          | 0               |



| VAWA OFFENSES                       |           |                 |           |                 |           |            |                 |
|-------------------------------------|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Domestic Violence                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Dating Violence                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Stalking                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| ARRESTS                             |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| DISCIPLINARY ACTIONS                |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| UNFOUNDED CRIMES                    |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Total Unfounded Crimes              | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

## Crime Statistics-Wartburg Instructional Service Center

### Clery Crime Statistics

#### Jamestown (York Agricultural Institute) Instructional Service Center

#### CRIMINAL OFFENSES

| Criminal Offense                  | 2019      |                 | 2020      |                 | 2021      |            |                 |
|-----------------------------------|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|                                   | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Negligent Manslaughter            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                              | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                          | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                          | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                             | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

#### HATE CRIMES

| Criminal Offense                         | 2019      |                 | 2020      |                 | 2021      |            |                 |
|--|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|  | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Murder/Non-negligent Manslaughter        | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Rape                                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Fondling                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Incest                                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Statutory Rape                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Robbery                                  | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Aggravated Assault                       | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Burglary                                 | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Motor Vehicle Theft                      | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Arson                                    | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Simple Assault                           | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Larceny-Theft                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Intimidation                             | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Destruction/Damage/Vandalism of Property | 0         | 0               | 0         | 0               | 0         | 0          | 0               |

| VAWA OFFENSES                       |           |                 |           |                 |           |            |                 |
|-------------------------------------|-----------|-----------------|-----------|-----------------|-----------|------------|-----------------|
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Domestic Violence                   | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Dating Violence                     | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Stalking                            | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| ARRESTS                             |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| DISCIPLINARY ACTIONS                |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Weapons: carrying, possessing, etc. | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Drug Abuse Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| Liquor Law Violations               | 0         | 0               | 0         | 0               | 0         | 0          | 0               |
| UNFOUNDED CRIMES                    |           |                 |           |                 |           |            |                 |
|                                     | 2019      |                 | 2020      |                 | 2021      |            |                 |
| Criminal Offense                    | On Campus | Public Property | On Campus | Public Property | On Campus | Non-Campus | Public Property |
| Total Unfounded Crimes              | 0         | 0               | 0         | 0               | 0         | 0          | 0               |