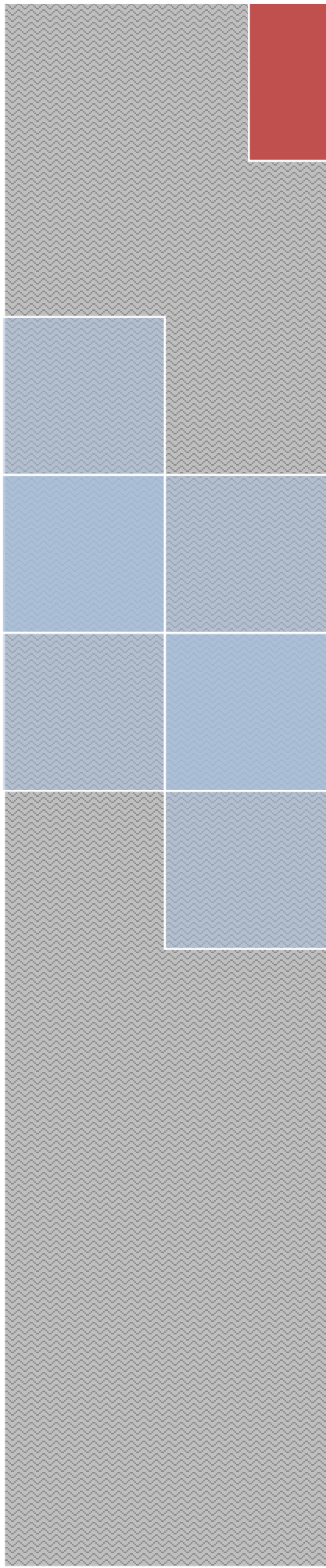




Tennessee Wesleyan University

Sexual Misconduct and Relationship
Violence Policy

Annual Fire, Safety, and Disclosure
Report

2018 Reporting Year
Published September 2019



**MESSAGE FROM VICE PRESIDENT OF STUDENT LIFE
AND CHIEF TITLE IX OFFICER**

Safety is a concern throughout our society. The annual fire, safety, and disclosure report is designed to keep members of the TWU community—faculty, staff, students and guests informed of the university's efforts to create a safe learning and living environment.

Through programming efforts of the Student Life Office, the University provides proactive, educational programs to improve the safety and welfare of the campus community. Programs provided include escort service by the Campus Safety Officers, self-defense workshops, personal property security, and drug and alcohol risk awareness. The university also utilizes the resources of local law enforcement and fire department in the training of students in fire and personal safety.

This report provides information on how our campus community members can utilize services related to general crime prevention and support to reporting violations of campus policy and crimes on our campus. The information within this report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (or Clery Act). The report also supports compliance with the "Campus Sex Crimes Prevention Act", the Tennessee College and University Campus Sex Crimes Prevention Act (Tennessee Code Annotated 40-39-9102), the Family Education Rights and Privacy Act (FERPA), the Wetterling Act, VAWA (Section 304), the Tennessee Bureau of Investigation reporting guidelines, and other important annual disclosures.

Additional copies of this report are available in the Student Life Office, Colloms Campus Center. Written requests can be made to: Student Life, Tennessee Wesleyan University, 204 E. College St., Athens, TN 37303. Individuals can also call the Student Life Office at 423-746-5216 to request a copy of this report.

Please feel free to contact the Student Life Office in Townsend Hall, or the administrative office at our Knoxville campus if you have further questions about campus safety or if you need additional assistance.

Sincerely,



Scott A. Mashburn, Ed.D.
Vice President for Student Life and
Chief Title IX Officer
smashburn@tnwesleyan.edu
(423) 746-5216 (office)

TENNESSEE WESLEYAN UNIVERSITY CAMPUS SAFETY OVERVIEW

Campus Safety Personnel

Tennessee Wesleyan University Campus Safety Officers are managed by Dynamic Security with on-campus oversight by the Vice President of Student Life. TWU provides full-time and part-time officers to operate the Campus Safety Office 24 hours per day, 365 days per year. Officers receive initial and periodic training by Dynamic Security and TWU. At the publication of this report, the Campus Safety Office employs three full-time officers and three part-time officers to provide coverage for the campus.

Campus Security Authorities

The Clery Act mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to Campus Security Authorities (CSA's). The intent of including non-law enforcement personnel as CSA's is to acknowledge that many individuals, and students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. The Clery Act regulations define a campus security authority (CSA) as:

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g. an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of an institution.

At Tennessee Wesleyan University, Campus Security Authorities include, but are not limited to:

- Vice President for Student Life and Chief Title IX Officer
- Vice President for Academic Affairs
- Vice President for Financial Affairs
- Athletic Director
- Head/Assistant Athletic Coaches
- Head/Assistant Athletic Trainer
- Director of Human Resources
- Director of Residence Life
- Director of Student Involvement
- Director of New Student Programs
- Director of Career Development
- Director of Disability Services and Student Success Center
- Faculty/Staff Advisors to Student Organizations
- Campus Safety Officers
- Resident Assistants

Campus Safety Authority and Law Enforcement

Tennessee Wesleyan University Campus Safety Officers do not have authority, under applicable Tennessee laws, to arrest any person. However, these personnel do have the authority to require identification, determine whether individuals have lawful business at Tennessee Wesleyan University, and represent the university in having local law enforcement effect an arrest as appropriate while using the minimum amount of force consistent with the accomplishment of their duties to protect themselves and others. TWU Campus Safety Officers also have authority to issue campus parking tickets, which are billed to student accounts.

The Campus Safety Office has a working relationship with the Athens Police Department and the McMinn County Sheriff's Department, as well as the Athens Fire Department, Athens/McMinn Emergency Management, and the Tennessee Homeland Security Council.

Major offenses such as murder, aggravated assault, robbery, and motor vehicle theft are reported to local police who have jurisdiction on campus. All victims of crime and witnesses are strongly encouraged to immediately report the crime to Campus Safety or Student Life and/or the appropriate policy agency. Prompt reporting assures timely warning notices on-campus and disclosure of crime statistics.

Criminal and Other Behavioral Activity Off-Campus

When a Tennessee Wesleyan University student is involved in an off-campus incident, campus officials may assist with the investigation in cooperation with law enforcement. Tennessee Wesleyan University retains disciplinary jurisdiction for student or corporate conduct on university premises (whether owned, leased, or managed, and student organization off-campus housing should it develop, as well as at university events. Behaviors occurring off-campus may also be addressed if they present a risk to the health or safety of others, or otherwise adversely affect the educational mission of the university. Although the university is not responsible or liable for student non-university activities, it does reserve the right to take action in response to non-university events or behavior that would violate university expectations and policies and call into question an individual's suitability as a member of the university community. Tennessee Wesleyan University operates no facilities off-campus for student organizations.

Criminal History Investigation

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

Any student who discloses a criminal conviction history on an application for admission will be subject to an eligibility for admission review by the Enrollment and Academic Status Committee, the Vice President for Student Life will make a recommendation to the Vice President for Enrollment Services to submit to the Committee for final determination as to eligibility. Should such conviction be deemed to pose a threat to the campus community in any way, the student may be subject to being ineligible for admission, or having his/her privileges limited at the discretion of the university. These standards also apply to felony convictions after achievement of student status.

REPORTING A CRIME, EMERGENCY OR SUSPICIOUS ACTIVITY

Reporting of Criminal Offenses

To report a crime on the Athens campus, contact Campus Safety at 423-887-3976 (cell), 423-746-5223 (office) or dial 911 for emergency services. Individuals can also contact the Student Life Office, during normal business hours, at 423-746-5216. Any suspicious activity or individual(s) seen on campus—parking lots, loitering around vehicles, inside buildings, or around residence halls—should be reported to Campus Safety or to the administrative office on the Knoxville campus.

Campus Safety is located in Townsend Hall near the auditorium. The department is open 365 days per year and officers patrol campus on foot or by vehicle 24 hours per day.

In addition to Campus Safety, individuals can report crimes or suspicious behavior to:

Vice President for Student Life and Chief Title IX Officer, Colloms Campus Center, 423-746-5216
Director of Residence Life, Colloms Campus Center, 423-746-5255
Director of Student Success, Colloms Campus Center, 423-746-5244
Director of Student Involvement, Colloms Campus Center, 423-746-5206

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university's conduct process or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Vice President of Student Life (423-746-5216) or a designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the university can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a specific location, method, assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the university.

Confidentiality of Pastors and Counselors

The Coordinator for Spiritual Life, when acting as such, is not considered to be a campus security authority and is not required to report crimes for inclusion into the annual disclosure of crime statistics. Additionally, the Family Center (contracted counseling services for the university) and its staff may not be required to report crimes. As a matter of policy, the Coordinator for Spiritual Life and the Family Center inform their clients of the procedures to report crimes on a voluntary basis, should they feel it is in the best interest of the client, so that the information can be included in the annual crime statistics.

Reporting of Incidents and Criminal Reporting to Law Enforcement

Members of the TWU campus community and guests are encouraged to report all crimes and public safety related incidents to the Campus Safety Office in a timely manner; however, individuals are encouraged to contact law enforcement (911) if they are a victim and feel it is appropriate. Campus Safety and the Student Life Office will initiate this contact upon receiving such a request from an individual. In situations where the university and its community as a whole may be deemed the victim, the Vice President for Student Life or his designee may choose to report the behavior while reserving the right to internally process the behavior as well. Monthly and annual reporting is maintained by the Student Life Office.

In response to a call, Campus Safety will take the necessary action, dispatch an officer, or ask the victim to file an incident report. All Campus Safety incident reports are forward to the Student Life Office for review and potential action. Local law enforcement may be utilized to investigate reports as deemed appropriate.

To make a report, contact the Campus Safety Office at 423-887-3976 or the Student Life Office at 423-746-5216.

In circumstances indicating sexual misconduct, the staff on scene will offer the victim a wide variety of services. This publication contains information about on-campus and off-campus resources. The information about "resources" is not provided to infer that those resources are crime "reporting entities" for the university. For example, a crime reported to a local/regional rape crisis center would not be included in the TWU annual crime statistics. Crimes should be reported to Campus Safety or Student Life to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community.

Retaliation

No university officer, employee, or agent shall retaliate, intimidate, threaten, coerce, seek retribution, or otherwise discriminate against any person for exercising their rights or responsibilities under any provision of the Clery Act. The university's policy on sexual misconduct prohibits retaliation relating to the opposition to, reporting of, or participation in a university investigation, hearing, proceeding, or other measure relating to sexual misconduct or relationship

violence. University policy protects employees from retaliatory discharge if in good faith they report or attempt to report illegal activities.

TIMELY REPORTS, CAMPUS ALERT BULLETINS AND OTHER COMMUNICATIONS

In an effort to maintain awareness and encourage safety, the Student Life Office utilizes “Timely Warning” reports to share any information on patterns and campus “Crime Alert” bulletins to notify the community of any perceived imminent risk.

In the event that a situation arises, either on- or off-campus, that, in the judgment of the Vice President for Student Life or President, constitutes an ongoing or continuing threat, a campus wide “Timely Warning” will be issued. The warning will be issued through the university’s alert notification system, known as CampusCast, to students, faculty, and staff. The Student Life Office, Campus Safety, and the Marketing and Communications Office will coordinate and, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of first responders (including, but not limited to: Athens Police Department, McMinn Sherriff’s Department, or Emergency Medical Services) , compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Vice President or his/her designee may authorize a “Crime Alert” to be issued. The university has various systems in place for communicating information quickly, including network emails, emergency text messages and the campus alert system. The Student Life Office may also post copies of the warning notice on each residence hall entrance and the entrances of academic/administrative buildings. Anyone with information warranting a timely warning should report the circumstances to Campus Safety in Townsend Hall or by calling 423-887-3976.

Tennessee Wesleyan University’s alert notification system is used to notify faculty, staff, and students of emergencies on campus. The alert system is tested, at least, once per semester, notification of the test is sent to faculty, staff, and students via the university’s email system. The test is conducted via voice and text message to all users.

MISSING STUDENT NOTIFICATION PROCEDURES

In compliance with the Missing Student Notification Policy (20 USC 1092 C-Section 488 of the Higher Education Opportunity Act of 2008), it is the policy of the Student Life Office to actively investigate any report of a missing student currently enrolled at the University.

Identification of Emergency Contacts

Students have the option to provide an emergency person/number to be contact if they are believed to be (a) missing for more than 24 hours and/or (b) in potential danger. This information will be entered in the “Emergency Contact” section of the student’s electronic records. This information will only be available to authorized campus officials and law enforcement officers in furtherance of resolving the missing student’s investigation/emergency situation.

How to Report a Missing Student

Anyone who believes that a student has gone missing should report his/her concern to a member of the Residence Life staff, Student Life (423-746-5216) or Campus Safety (423-887-3976) staff. The official receiving the report should:

- Collect and document the name, campus address, physical description (including last known clothing), vehicle information, and any contact information relative to the student,
- The last time and location the missing student was seen,
- The circumstances leading to the belief the student has gone missing,
- Any friends, other locations, or changes in routine involving the missing student,
- The name and contact information of the individual filing the report.

Investigation of a Missing Student Report

The official receiving the report will contact the appropriate member of the Student Life Office and/or Campus Safety. An investigation will be initiated surrounding the circumstances that lead to the concern to determine the threat level to the involved missing student to include as necessary:

- Initiating a search on campus for the missing student,
- Attempting to contact the involved missing student directly through cell phones, room phones, or email/social networking venues,
- Contacting known associates of the missing student,
- Checking the involved missing student's room for information that might lead to his/her location,
- Checking the involved missing student's campus email and phone for recent usage. Class schedules and instructors should also be consulted to determine the latest attendance,
- Making contact with the involved missing student's emergency contact number if the threat level determines it to be a necessary and/or if the student has been missing for more than 24 hours. If the student is under the age of 18 and is not emancipated, the student's parents/guardians must be notified,
- Local law enforcement will be notified if the threat level determines it necessary.

SECURITY AND ACCESS TO CAMPUS FACILITIES

Campus Facilities Access

During business hours, the university (excluding residential housing) will be open to students, employees, contractors and guests. During non-business hours, access to all university facilities is accessed by card or key, if issued, or by admittance via the Campus Safety Office. In case of extended closing, the university will admit only those with prior approval. Residence halls are secured, via card or key access, 24 hours a day. Emergencies may necessitate changes or alterations to any posted schedules.

All persons on university property or university-sponsored events, including faculty, staff, and guests, shall be subject to all policies and procedures of the university, and to all applicable federal and state laws and regulations. Additionally, all persons who operate motor vehicles on campus agree to be subject to the university's policies and procedures on traffic and parking.

All persons on campus shall provide identification upon request by university personnel. Students who refuse to provide such identification may be subject to disciplinary action, and other individuals who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.

Campus Residential Facilities

Tennessee Wesleyan University offers on-campus housing facilities that included traditional halls, suite-style housing and apartments for undergraduate students. Co-ed and single sex halls are included in the housing selection process. Students returning to TWU are able to retain their current rooms for the next year while unclaimed rooms become a part of the housing process. New students are placed in housing based on application date and deposit status. Access to residential facilities, except Nocatula apartments, is secured 24 hours a day and a keycard is required. All guests to the residence halls must be accompanied by his/her host who resides in the hall. Student rooms/suites are equipped with a key lock to every door and locking windows. Tennessee Wesleyan University employs 10 para-professional Resident Assistants (RAs) and four live-in professionals in the residence halls.

Campus Facilities Security

While campus safety and security is the responsibility of each member of the university community, Campus Safety serves as the central point of contact. All members of the community are expected to report any suspicious behavior or observed damage to security hardware, lighting, or other facilities maintenance security problems. Other facility security items include, but are not limited to:

- Keys are the property of the university and may not be duplicated. Each student, faculty, and staff member is responsible for carrying his/her key at all times. Lost or missing keys should be reported as quickly as possible.

- Propping open residence hall, or other secured doors, is a violation of university policy.
- The university's Safety Committee will conduct a survey of grounds and outdoor lighting each semester. Areas of concern will be addressed accordingly.
- The Facilities staff will perform monthly fire extinguisher inspections in all buildings to ensure equipment is properly maintained, tested and serviced.
- RAs and live-in staff will conduct nightly checks of residence halls for lighting outages or other areas of need.

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

The Student Life Office offers programs throughout the year for students, faculty, student organizations, in addition to programs for Resident Assistants and residents, regarding personal safety and security. Programs offered multiple times, each semester, through convocations, Orientation, Student Activities, and Residence Life focus on self-defense, personal property protection, theft, vandalism, and sexual misconduct. The focus of these programs is to provide participants tips and safety measures that will help them identify risks while informing them how to personally reduce risks.

ALCOHOL AND DRUG POLICIES

Alcohol Policy

Tennessee Wesleyan University recognizes that students may need education and assistance due to issues involving chemical dependency. Tennessee Wesleyan University provides education and assistance to any student displaying the signs of such harmful involvement. Chemical dependency is a serious illness which can be treated successfully if identified early, if appropriate referral to community agencies is made, and if adequate support is afforded to those in the recovery process.

Tennessee Wesleyan University adheres to the laws of the state of Tennessee with regard to the consumption of alcohol, thereby recognizing that individuals under the age of 21 are not of legal drinking age. Given that the majority of the student body at Tennessee Wesleyan University is under the legal age for purposes of the possession or consumption of alcohol, the university policy is designed to accommodate that majority.

Inappropriate public displays of signs, posters or other objects with references to alcohol, drugs, and accumulations of containers (i.e., bottles, cans, kegs, and boxes) are prohibited.

All violations of Tennessee Wesleyan University policies or state and federal laws will be prosecuted by university officials. State and federal officials also have the prerogative to prosecute, separate of the university's actions, in accordance with their procedures. The students' rights and responsibilities outlined herein will be adhered to as the standard administrative practice regarding student discipline and students' rights.

The entire campus community must assume the role of promoting and enforcing a sense of personal responsibility and exhibiting responsible behavior toward the consumption of alcohol. Tennessee Wesleyan University shall be considered an alcohol- and drug-free zone at all times.

The possession or manufacture, sale, use, consumption, or delivery of alcoholic beverages or other controlled substances, or paraphernalia associated with the use of alcohol or other controlled substances by students on Tennessee Wesleyan University's campus, is prohibited. This paraphernalia includes, but is not limited to: bottles and cans, either empty or full, bongs for drinking or smoking, "bar-like" structures, tappers, kegs, waste containers in excess of 5 gallons, rolling papers, or scales. This rule will be strictly enforced. The university reserves the right to inspect any and all parcels brought onto campus, to confiscate alcoholic beverages or other controlled substances and to initiate disciplinary procedures. Tennessee Wesleyan University respects each student's right to privacy, but reserves the right to inspect students' rooms and packages as outline in the "Room Entry/Room Search" section of the Student Handbook.

Use or possession of alcoholic beverages or controlled substances by students off campus is governed and controlled by the laws of the state and or local law enforcement agencies. Tennessee Wesleyan University will cooperate with state and or local law enforcement agencies and owners or proprietors of bars, taverns, restaurants, or other establishments to counteract known violations of university policy and state and local laws by students or student groups associated with the university. Students are not allowed to transport or consume alcoholic beverages on university sponsored trips.

Students not using alcohol or other drugs themselves, but knowingly associating with other students or student groups who are violating the university AODA policy, will be subject to the same disciplinary actions as those students who are actually violating the university policy.

Undesirable conduct stemming from off-campus usage of AODA is subject to disciplinary action by the university, as outlined herein. Any group organization which permits undesirable conduct stemming from off-campus AODA usage is subject to disciplinary action by the university, as outlined herein.

The use or possession of alcoholic beverages on the university campus or on the premises of a sanctioned function of an organization of the university is not allowed. First offense will result in a sanction of one year probation and a fine of \$100. The second offense may result in a minimum of immediate suspension for not less than one full semester. The third offense may result in expulsion. The first offense of the drug policy will result in suspension for a minimum of one semester suspension from the university with the possibility of expulsion. The second offense will result in immediate expulsion.

Drug Free Work Place

As part of Public Law 100-690, the United States Congress passed the Drug Free Workplace Act of 1988 which became effective on March 18, 1989, as well as the Drug-Free Schools and Communities Act Amendment of 1989 (Public Law 101-226).

In accordance with the Law, the university hereby notifies all its students and employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace and on the campus of Tennessee Wesleyan University. Any violation of the above will be grounds for immediate dismissal from employment or minimum of suspension from enrollment.

Appropriate disciplinary action shall be taken in all cases in which university employees or students are found guilty of controlled substance use or abuse. The circumstances surrounding the offense and the facts as determined by appropriate investigation will be fully reviewed prior to a decision on the action to be taken. Sanctions may include any one or a combination of the following:

1. Recommended professional counseling.
2. Letter of warning/admonition.
3. Letter of probation.
4. Mandatory participation in an organized drug treatment/rehabilitation program.
5. Suspension from duty without pay.
6. Termination from employment or enrollment.
7. Other appropriate disciplinary action.

The university will provide reasonable assistance, within the framework of existing policies, to employees or students who elect to report an addiction to controlled substances and enter an approved treatment program. This offer of assistance is extended to all employees and students on a one-time basis. Repeated instances of addiction of abuse will be dealt with appropriately.

Drug abuse prevention programs are available at the following:

- Family Center, 607 Ingleside Ave., Athens, TN 37303, 423-745-8942

- Hiwassee Mental Health, 855 Executive Park, Cleveland, TN 37312, 423-479-5454
- Pine Ridge Treatment Center, 2800 Westside Dr NW, Cleveland, TN 37311, 800-414-4134
- CADAS in Chattanooga, 207 Spears Ave, Chattanooga, TN 37405, 423-756-7644
- Springview Recovery, 1314 Bailey Ave, Chattanooga, TN 37404, 423-265-1186
- Johnson Mental Health Center, 100 Moccasin Bend Rd., Chattanooga, TN 37405, 423-634-8884
- Other resources can be found at <http://www.hopelinks.net/drug-treatment/tennessee/37312.html>

Alcohol and Substance Abuse Information

Potential Legal Sanctions—The State of Tennessee sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available in the Student Life Office.

Alcohol and Drug Policy Enforcement—It is the responsibility of each member of the Tennessee Wesleyan University community to uphold the standards of the university. Each individual is responsible for creating and keeping an academic and social environment which encourages good will and trust among all members of the campus community.

Alcohol and Drug Risks

Despite the fact that it is illegal for most university students to purchase alcoholic beverages, experience with and consumption of alcohol is common among this group. Statistics show that 83% of university students have tried alcohol at least once and 69% report they have been drunk. Additionally, 36% of university students report having consumed five or more drinks in a row, at least once in the two-weeks prior to completing the survey, in an act known as binge drinking.

The safety risks due to the abuse of alcohol and other drugs are significant, especially for university age students. The leading cause of death for university age students is alcohol-related automobile accidents. The number one reason for hospital admissions is alcohol-related injury and overdose.

Some physical effects include: damage to the liver, heart and pancreas; malnutrition, sexual problems, brain damage and mental impairments (including information processing, judgment, reaction time, and vision impairment); and infections in general.

A major consequence of alcohol or other drug abuse may cause the development of an addiction. Some students are more vulnerable due to inherited biological factors, in particular, students whose parents or grandparents had an alcohol or drug problem.

WEAPONS

Provided in Tennessee Code Annotated 39-17-1309, any unauthorized or illegal possession of, use of, or wearing of firearms or dangerous weapons of any kind shall not be permitted on the Tennessee Wesleyan University campus. This policy includes the unauthorized storage, use or possession (or constructive possession) on any campus property (including items in vehicles) of weapons (as defined by local, state, and federal law).

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

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

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

TENNESSEE SEX OFFENDER REGISTRATION

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, Tennessee Wesleyan University is providing a link to the Tennessee State Sex Offender Registry. All sex offenders are required to register in the state of Tennessee and to provide notice of each institution of higher education in Tennessee at which the person is employed, carries a vocation or is a student. The Tennessee State Sex Offender Registry can be found on the Tennessee Bureau of Investigation's website, <https://www.tn.gov/tbi/section/tennessee-sex-offender-registry>.

In addition to the above notice to the State of Tennessee, all sex offenders are required to deliver written notice of their status as a sex offender to Tennessee Wesleyan University's Vice President for Student Life no later than three (3) business days prior to their enrollment in, employment with, volunteering at or residence in Tennessee Wesleyan University. Such notification may be disseminated by Tennessee Wesleyan University to, and for the safety and well-being of, the Tennessee Wesleyan University community, and may be considered by Tennessee Wesleyan University for enrollment and discipline purposes.

DISCLOSURE TO VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES

The university will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the university against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim. The university also notifies victims in accordance with its policy on sexual misconduct.

THE ANNUAL DISCLOSURE OF CRIME STATISTICS

This report is created in part to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and VAWA (Section 304). The Student Life Office, along with local law enforcement, gathers campus crime, arrest, and referral statistics, including those reported to Campus Safety officers and designated campus officials. The University Chaplain and Counselors retained by the university inform their clients of the procedures to report crime to Campus Safety on a voluntary basis.

Tennessee Wesleyan's Annual Fire, Safety, and Disclosure Report is prepared annually by the Vice President for Student Life based on statistics received from the Campus Safety Office, Student Life Office, and local law enforcement. The Student Life Office collects and maintains data from campus security authorities.

Each year, email notification is made, to all enrolled students and current faculty and staff, which provides the website to access this report. Copies of the report may also be obtained through the Student Life Office located in Townsend Hall or by calling 423-746-5216. All prospective students and employees are provided information on how to access this report.

Tennessee Wesleyan University Annual Housing Fire Safety Report

Fire Log and Reporting Non-Emergency Fires

The university's Student Life Office maintains a log of all fires that occur in on-campus student housing facilities. The fire log is available for review in the Student Life Office, Monday-Friday from 8:30 a.m. until 5:00 p.m. In addition, the university is required by federal law to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing facilities. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Campus Safety 423-887-3976

Student Life 423-746-5216

Campus Facilities Office 423-746-5292

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

Fire Statistics

Statistics for reported fires in on-campus student housing facilities are contained in this report.

Fire Safety Systems

This report contains a description of each on-campus student housing facility's fire safety system, including the number of fire drills held during 2016.

Policies and Rules for Appliances, Smoking and Open Flames

Smoking

Tennessee Wesleyan University's policy on smoking can be found in the Student Handbook, <https://www.tnwesleyan.edu/wordpress/wp-content/uploads/2019/09/TWU-student-handbook-19-20.pdf>. As used in this section, "smoke" or "smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette (including electronic cigarette) pipe or other lighted tobacco product in any manner or in any form. Smoking devices, including, but not limited to electronic cigarettes, pipes, bongs and hookahs, are not permitted in residence halls. Smokers are responsible for ensuring that all smoking activity, including lighting and discarding cigarettes, takes place a sufficient distance from doorways, windows and ventilation systems of university buildings to avoid infiltration of smoke into the building.

Open Flames

Items that require an open flame to operate or which produce heat are not permitted in resident's rooms. No materials, liquid or otherwise, of an explosive or combustible nature shall be kept on premises. Examples of prohibited items include, but are not limited to candles, incense, lit cigarettes, open heating coils, halogen lamps and gasoline.

Portable Electric Appliances

UL approved appliances with fully enclosed heating elements and/or electrical wiring are permitted. Appliances prohibited in residence halls include, but are not limited to toasters, toaster ovens, electric fryers, and all similar appliances with exposed heating elements and appliances that could cause a fire if left unattended. Refrigerators and microwave ovens are permitted in student residence hall rooms. Multi-outlet cords with surge protectors must be UL-approved, 16-gauge and not exceed a length of six feet with a polarized plug; it may not be placed under floor coverings or furnishing and it may not be secured by penetrating the insulation of the cord. Extension cords may not be used. Ironing is permitted in student rooms. Irons must always be used on ironing boards that have a fire-resistant cover. Irons with automatic cut-off, mechanisms are required. Irons are not permitted to be left plugged into a socket when not in use.

Students who are found to have violated the policies or rules described above will be subject to discipline in accordance with the procedures outlined in the Student Handbook, <https://www.tnwesleyan.edu/wordpress/wp-content/uploads/2019/09/TWU-student-handbook-19-20.pdf>.

False Reports and Interference with Fire Safety Systems

The university's Standards of Conduct for students prohibits: Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment. Students who are found to have violated that Standard of Conduct will be subject to discipline in accordance with the procedures outlined in the Student Handbook, <https://www.tnwesleyan.edu/wordpress/wp-content/uploads/2019/09/TWU-student-handbook-19-20.pdf>.

Evacuation Procedures for Student Housing in Case of a Fire

Evacuation procedures are both general and specific for the university's on-campus student housing facilities. In case of a fire, all students are directed to leave their room, close the door and proceed to the nearest exit upon fire alarm activation. Elevators are not to be used during evacuation. Once outside the building students assemble at a designated location.

Procedures that Students and Staff Should Follow in Case of a Fire

The Athens Fire Department is the community organization that responds to fires on campus.

The following are general procedures for university's staff in the event of a fire or other emergency that requires evacuation:

R— Rescue anyone in danger if it is safe to do so.

A— Alarm If you are inside a building, sound the alarm by activating the building's fire alarm system or use another method to alert occupants of the building. Fire alarm pull stations are typically located near an interior stairway entrance or near an exterior door. Pulling a fire alarm will send a signal to the campus monitoring service. The monitoring service will dispatch the Athens Fire Department and Campus Safety officer to the building. If you are outside a building and can't readily access a fire alarm pull station, call 911. This number connects you with the 911 Center, which will dispatch the Athens Fire Department.

C— Close all doors.

E — Extinguish the fire if safe to do so or evacuate the building to a defined assembly point for a head count and do not to re-enter the building until approval is given by police or fire officials. Designated university staff should check the area to ensure everyone hears the alarm and evacuates.

The following are general procedures for university students in the event of a fire or other emergency that requires evacuation:

1. Activate the nearest fire alarm pull station.
2. Students are not encouraged to use portable fire extinguishers.
3. Upon hearing the alarm, leave the building using the nearest exit stairway.
4. Close doors while exiting the building
5. Meet at the designated assembly point for a head count.
6. Do not re-enter the building until approval is given by police or fire officials or university officials.

TENNESSEE WESLEYAN UNIVERSITY NON-DISCRIMINATION EEO/AA STATEMENT

All qualified applicants will receive equal consideration for employment and admissions without regard to race, color, national origin, religion, gender, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.

Eligibility and other terms and conditions of employment benefits at Tennessee Wesleyan University are governed by laws and regulations of the State of Tennessee, and this nondiscrimination statement is intended to be consistent with those laws and regulations.

In accordance with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, Tennessee Wesleyan University affirmatively states that it does not discriminate on the basis of race, sex, or disability in its education programs and activities, and this policy extends to employment by the university.

Inquiries and charges of violation of Title VI (race, color, and national origin), Title IX (gender), Section 504 (disability), ADA (disability), Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Human Resources Office, 204 E. College St., Athens, TN 37303 or telephone (423) 746- 746-5327. Requests for accommodation of a disability should be directed to the ADA Coordinator.

SAFETY TIPS

On Campus:

- Never walk alone at night. Call a friend or Campus Safety (423-887-3976) for an escort.
- Always be aware of surroundings.
- In parking lots, have your keys ready when you approach your car.
- After dark, try to park in a well-lit area and close to your destination.
- Always lock doors, roll up windows and keep valuables out of sight.
- Never leave personal items unattended or unlocked.

Home/Residence Hall:

- Always lock doors even if you are just stepping down the hall.
- Don't let strangers enter the building without proper ID and card access. This protects you and others in the building.
- Keep windows locked.
- Don't loan out your keys or keep them lying around.
- Don't advertise that you are going to be away, including social media (Facebook, Twitter, etc.)

Social:

- Socialize in groups.
- Drive yourself and carry extra money, so you don't have to depend on others.
- If you feel uncomfortable, trust your "gut instinct".
- Keep your drink with you at all times. When accepting a drink, make sure you open the container yourself or that you watched it being made.
- Remember that alcohol impairs your decision making and ability to communicate.

SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE POLICY

Tennessee Wesleyan University's Standards of Conduct prohibits sexual misconduct which is a form of sex discrimination and thus a violation of Title IX and other laws. Tennessee Wesleyan University does not discriminate in employment, the admission of students, or in the administration of any of its educational policies, programs, or activities on the basis of race, color, national or ethnic origin, sex, sexual orientation, age, disability, or veteran/reserve/national guard status. Tennessee Wesleyan University complies with the 1964 Civil Rights Act, Title IX of the Educational Amendments of 1972, and the Americans with Disabilities Act. The Chief Title IX Officer, 204 E. College St, Athens, TN, (Colloms Campus Center), 423-746-5216,] is the person responsible for coordinating the university's effort to comply with these laws.

This policy covers all forms of sexual misconduct between undergraduate students. Sexual misconduct is a broad term that includes sexual assault, sexual exploitation, sexual harassment, dating violence, domestic violence and relationship violence and stalking. All undergraduate sexual misconduct is considered prohibited conduct under this policy. Prohibited conduct also includes retaliation, complicity, and certain other related misconduct. Each of these terms is defined below.

DEFINITIONS

Sexual misconduct is a broad term that encompasses several forms of prohibited conduct. Most of its forms also constitute crimes in Tennessee and throughout the United States.

Sexual misconduct offenses include, but are not limited to, the following:

Non-consensual sexual contact is any intentional touching, however slight, with any object, by any person upon any person, that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Non-consensual sexual intercourse is any sexual intercourse, however, slight, with any object, by any person upon any person, that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger and oral copulation, no matter how slight the penetration or contact.

Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person;
- Invasion of sexual privacy;
- Prostituting another student;
- Non-consensual video or audio recording of sexual activity;
- Going beyond the boundaries of consent (such as letting a friend hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one's genitals in non-consensual circumstances;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Sexual harassment is (1) unwelcome, gender-based verbal or physical conduct (2) that is so sufficiently severe, persistent or pervasive (3) that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the university's educational program and/or activities and is based on power differentials, the creation of a

hostile environment, or retaliation. Examples include (but are not limited to) attempting to coerce an unwilling person into a sexual relationship; repeatedly subjecting a person to egregious, unwelcome sexual attention; punishing a refusal to comply with a sexually based request; conditioning a benefit on submitting to sexual advances; stalking; gender-based bullying; sexual violence; and intimate partner violence.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the survivor, by a person with whom the survivor shares a child in common, by a person who is cohabitating with or has cohabitated with the survivor as a spouse or intimate partner, by a person similarly situated to a spouse of the survivor under the domestic or family violence laws of the jurisdiction.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the survivor, and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress.

Other Related Definitions

Reporter: The reporter is generally the person filing the report but can also refer to the person who was named as the victim or survivor in the reporting process.

Respondent: A respondent is the student who is responding to an allegation of misconduct.

Sexual misconduct grievance: A formal report made against a student, indicating a violation of the university's sexual misconduct policy.

Retaliation against any person or another student for any reason is a violation of university policy. In cases of sexual misconduct, retaliation includes intimidation, threats, harassment and other adverse action threatened or taken against any reporter or other persons participating in the conduct process. Retaliation should be reported promptly to the Chief Title IX Officer.

Complicity means any act that knowingly aids, facilitates, promotes or encourages the commission of an incident of prohibited conduct by another person.

Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

Additionally, the following rules shall be used to determine whether consent was communicated for a particular act:

1. Whether an individual has communicated consent is evaluated from the perspective of what a reasonable person who perceived the individual's words and/or conduct would have understood.
2. One's own use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain consent from the other person. Moreover, another person's use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain consent from that person.
3. Consent must exist from the beginning to the end of each sexual encounter and for each particular act (e.g., sexual contact and sexual intercourse) that occurs during a sexual encounter.
4. The responsibility for obtaining consent rests with the individual who voluntarily and physically initiates a particular act (e.g., sexual contact and sexual intercourse), even if the other person initiated the sexual encounter.
5. Consent cannot be obtained by taking advantage of the incapacitation of another person, or inferred from the incapacitation of another person, if one knew (or a reasonable person would have known) that the other person was

Incapacitated. Because the incapacitation of another person may be difficult for one to discern, persons subject to this policy are strongly encouraged to err on the side of caution (i.e., when in doubt, assume that the other person is Incapacitated and therefore unable to give Consent.)

6. Consent also cannot be obtained by or inferred from:

- coercion;
- silence that is not accompanied by conduct evidencing an agreement to engage in a particular sexual act;
- consent communicated by the other person on a previous occasion;
- consent communicated to another person;
- the other person's failure to resist physical force (however, for purposes of this policy, the other person's resistance to physical force will be viewed as a clear demonstration that the person has not communicated consent);
- the sexual arousal of the other person;
- a current or previous dating, romantic, intimate, or sexual relationship with the other person;
- currently or previously cohabitating with the other person; the other person's attire;
- the other person's reputation;
- the other person's giving or acceptance of gifts; or
- the other person's extension or acceptance of an invitation to go to a private residence, room, or location.

7. A verbal "No" (or words equivalent to "No"), even if it sounds insincere or indecisive, always means that consent has not been communicated, or if previously communicated, has been withdrawn. The absence of a verbal "No" does not necessarily mean that consent has been communicated.

8. Consent to one type of sexual contact or sexual intercourse (e.g., oral intercourse) does not constitute or imply consent for another type of sexual contact or sexual intercourse (e.g., vaginal intercourse), whether during a sexual encounter or during a previous sexual encounter.

9. A person has a right to change his/her mind; thus, consent to engage in a particular act of sexual contact or sexual intercourse may be withdrawn by a person at any time. A withdrawal of consent is communicated through a person's words and/or conduct. Once a person's withdrawal of consent has been communicated through that person's words and/or conduct, the other person must cease the particular act of sexual contact or sexual intercourse. Consent also is automatically withdrawn by a person who becomes incapacitated.

10. A person who is under the age of eighteen (18) (i.e., a minor) cannot give consent; however, a person who is at least the age of thirteen (13) and less than the age of eighteen (18) can give consent to sexual acts with another person who is less than four (4) years older than them.

Incapacitation is a state where someone cannot make reasonable decisions because they lack the capacity to give knowing consent (e.g. to understand the "who, what, when, where, why or how" of their sexual interaction).

Consumption of alcohol or drugs alone is insufficient to establish incapacitation. The question of incapacitation is determined on a case-by-case basis. It will include an analysis of whether the responding party knew, or should have known, that the reporting party was incapacitated, or if the responding party played a role in creating the circumstance of incapacity.

This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs if the responding party knew, or should have known, of the incapacitating condition or was the cause thereof.

The university urges students to exercise extreme caution before engaging in sexual activity when either or both parties have been consuming alcohol or using other drugs. The use of alcohol or other drugs can lower inhibitions and create confusion as to whether effective consent is present. If there is any doubt about the level of extent of one's own, or the other party's, impairment, the safest course of action is to forgo or cease any sexual activity. Being impaired by alcohol or other drugs is not a defense under this policy.

ROLE OF THE CHIEF TITLE IX OFFICER

The Officer is ultimately responsible to assure in all cases that the behavior is brought to an end, Tennessee Wesleyan

University acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. The Officer is also responsible to assure that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers that encompasses a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

ROLE OF EMPLOYEES INVOLVED IN THE PROCESS

Responsible employee is a University employee who is obligated to report incidents of alleged sexual misconduct to the university, usually the Chief Title IX Officer. Responsible employees, also known as mandatory reporters, include faculty, student life staff, residential life staff members, campus security, coaching staff, supervisors of student employees, program leaders, Title IX and deputy Title IX Coordinators, the President and the President's Cabinet. A responsible employee who receives a report must report all relevant details about the alleged misconduct, including the date, time and location of the alleged misconduct, and the names of the person who provided the report, the individual who experienced the alleged misconduct, the individual(s) accused of committing the alleged misconduct, and any other students involved in the alleged misconduct.

Confidential resources are persons required to keep all information disclosed to them confidential within the legal and ethical bounds of their profession. At the university, these people include the university Chaplain, Chris Dover, in his role as Chaplain].

Support persons: Support is an important part of the process for participants, and participants can choose any support person – a parent, mentor, a peer, an attorney, etc. Support persons are required to adhere to specific ground rules:

1. A support person's role is limited to providing support, guidance and/or advice to the parties throughout the investigation and resolution of the report.
2. Support persons may be present during formal or administrative resolution procedures for the limited purpose of providing support, guidance and/or advice.
3. Support persons may not speak on behalf of the parties or otherwise directly participate in the proceedings.
4. Support persons are permitted for both the respondent and the reporter.
5. University personnel will only communicate directly with the involved student.

The investigator or Chief Title IX Officer may remove or dismiss a support person who becomes disruptive or fails to abide by the limitations in their participation.

REPORTING SEXUAL MISCONDUCT

The university strongly encourages students who have knowledge of, who have witnessed, or who have experienced sexual misconduct firsthand to report what occurred- both in order to get the support that they need and to enable the University to respond appropriately. Under Title IX, once an institution has notice of an act of sexual misconduct, it is required to (1) take immediate and appropriate steps to investigate what occurred; and (2) take prompt and effective action to (a) end any misconduct that occurred; (b) remedy its effects; and (c) prevent its recurrence. Although there is no time limit for the filing of a report of sexual misconduct, the university's ability to respond effectively may be compromised by the passage of time between the occurrence of an incident and the filing of a report.

Individuals are encouraged to report these incidents to members of the Residence Life staff, Campus Security, or the Chief Title IX Officer. Reports should be submitted in writing or electronically with as many details as possible to assist in the investigation.

Important Notices Aimed to Improve Reporting

Alcohol and other drug violations disclosed in a report of sexual misconduct: The university community supports and encourages the reporting of university policy violations, especially sexual misconduct. Sometimes reporters or witnesses are hesitant to report to university officials or participate in grievance processes because they fear that they themselves

may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of this community that as many reporters as possible choose to report to university officials and that witnesses come forward to share what they know. To encourage reporting, the university pursues a policy of offering reporters of sexual misconduct and witnesses reasonable immunity from being charged for policy violations related to the sexual misconduct incident.

Other forms of amnesty: Similarly, the university encourages students to offer help and assistance to others in need. Sometimes students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to help a friend make a sexual misconduct report for fear of being charged with a policy or legal violation). The university pursues a policy of amnesty for students who offer help to others in need.

Protection from Retaliation. As noted above, retaliation against any person or another student for any reason is a violation of university policy. In cases of sexual misconduct, “retaliation” includes intimidation, threats, harassment, and other adverse action threatened or taken against any reporter, respondent, or other persons participating in the conduct process. Retaliation should be reported promptly to the Vice President for Student Life or can be reported to the Chief Title IX Officer in cases of sexual misconduct.

Reporting to the Police

Sexual misconduct may constitute a criminal offense as well as a violation of this policy. Students are urged to report sexual violence immediately to the police, in addition to the university. The police have legal power to issue search warrants to collect forensic evidence, and are also able to assist students in obtaining a court order of protection. Students may contact the police by dialing 911 for immediate emergency assistance or (2) if they seek medical attention at any of the emergency or crisis contact numbers, by asking an employee to call the police on their behalf.

Reporting Options

Individuals can also provide information on the Campus Hotline, (423) 252-1105. The information will be forwarded to the Chief Title IX Officer to review and begin the investigative process.

Requests for Confidentiality

If the reporter requests confidentiality – e.g. requests that the information contained in the report be maintained confidentially, that no investigation be conducted, and/or that no disciplinary action be taken – the university will consider that request as follows:

1. The university will attempt to honor the reporter’s request if it can do so without compromising the safety of the reporter, third parties identified in the report, or the broader university community. In order to make this determination, the university will weigh the request for confidentiality against the university’s obligation to provide a safe, nondiscriminatory environment for the entire university community.
2. When evaluating a request for confidentiality, the investigator and Chief Title IX Officer will meet to consider a range of factors listed below that could provide evidence of increased risk that the alleged perpetrator will commit additional acts of sexual misconduct or other misconduct. The presence of one or more of these factors could lead the university to determine that it should investigate the incident and, if appropriate, pursue disciplinary action against the alleged perpetrator. Factors include but are not limited to: whether there have been other sexual misconduct reports about the same alleged perpetrator; whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of engaging in sexual misconduct; whether the alleged perpetrator threatened further sexual misconduct or other misconduct against the reporter or others; whether the sexual misconduct was committed by multiple perpetrators; whether the sexual misconduct was perpetrated with a weapon; whether the reporter is a minor (under the age of legal consent); whether the university possesses other means to obtain relevant evidence of the alleged sexual misconduct (e.g., security cameras or personnel, physical evidence); whether the report reveals a pattern of perpetration (e.g., via illicit

use of drugs or alcohol) at a given location or by a particular group; and/or whether there is any other evidence suggesting predatory behavior by the alleged perpetrator(s).

3. If the university honors a request for confidentiality the reporter should understand that the university's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator may be severely compromised. The university may nevertheless take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without undermining the request for confidentiality by, for example, increasing monitoring, supervision and/or security at locations or activities where the sexual misconduct was alleged to have occurred; providing training and education for students and employees; and revising and publicizing the university's policy on sexual misconduct.
4. If the university cannot honor a request for confidentiality, the university will share the reported information only with (1) those individuals who are charged with handling the university's response, and (2) those individuals with whom the university must share information in order to conduct an effective investigation and/or implement an effective response so as to address any threat to the safety of the university community. In any case, the university will inform the reporter in advance of how the university intends to proceed, with whom the reported information will be shared, and whether and to what extent the reporter's identity can be protected.

Requesting Interim Measures

Students seeking interim measures or additional remedies should speak with the Chief Title IX Officer, who will evaluate and, if warranted, will coordinate the request. The Chief Title IX Officer may need to take protective measures to ensure a safe and nondiscriminatory environment even when the student does not specifically request that action be taken. Students on a studying abroad leave, through an independent program, should request support from the abroad program leader. The specific interim measures or additional remedies implemented and the process for implementing those measures will vary depending on the facts of each case. A Chief Title IX Officer will consider, among other factors, the specific need expressed by the reporter or within a report; the severity or pervasiveness of the allegations; any continuing effects on the reporter; the age of the students involved; and whether the reporter and respondent share the same residence hall, class, or on campus job location.

Possible interim measures and additional remedies include: no-contact orders between the respondent and the reporter; limiting access to certain facilities or activities; altering class schedules; alterations of on or off campus housing arrangements; changing campus work schedules or job assignments; suspension from athletic teams or other student organizations; authorized withdrawal from a class; alternative completion of courses; access to counseling services; providing academic support services.

When reporter and respondent are members of the same organization or athletic team, the university will consider ways to permit both students to continue participation, but when such compromise is not possible, the Chief Title IX Officer has the discretion to determine whether an involved student can continue participation.

CAMPUS PROCEDURES FOR ADDRESSING SEXUAL MISCONDUCT

Any student may file a grievance against a student for an alleged violation of this policy. The university reserves the authority to file a grievance on behalf of an affected individual who has requested confidentiality or is otherwise unable or unwilling to participate in the process.

Procedurally, when Tennessee Wesleyan University receives a report of sexual misconduct the campus Chief Title IX Officer is notified. If the victim wishes to access local community agencies and/or law enforcement for support, Tennessee Wesleyan University will assist the victim in making these contacts. The Chief Title IX Officer will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations, changes in housing for the victim or the responding student, visa and immigration assistance, changes in working situations and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, they will be connected with a counselor, as well as an on-or off-campus victim's advocate. No victim is required to take advantage of these services and resources, but Tennessee Wesleyan University provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form

of this document, is provided to all victims, whether they are a student, employee, guest or visitor.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action.

Investigations and Reports

Preliminary Information: Investigations usually begin with preliminary information, including written statements, reports and/or other information about the incident initially gathered by the Chief Title IX Officer or student life staff. Preliminary reports can be used for determining the need for interim measures or administrative resolution.

Investigation: When appropriate upon receipt of notice, the Chief Title IX Officer will cause a prompt, fair and impartial process to be initiated, commencing with an investigation. Full investigations are requested and delegated by the Chief Title IX Officer. The investigation portion of the process typically takes up to 30 class days. While the university will make every effort to complete actions within this time frame, it may extend time lines for good cause and with written notice to the reporter and respondent that explains the reason for the extension or the delay.

The investigator(s) will meet separately with both the reporter and the respondent as well as any identified witnesses. The investigator(s) will gather initial information and ensure that the reporter and the respondent have submitted a written statement regarding the incident. As determined by the investigator, those identified witnesses who have immediate knowledge of the event will be asked to submit written statements. The investigator(s) may take notes on any of these meetings. The investigator(s) uses statements and other evidence submitted by all parties to produce a preliminary report.

Review and response: The investigator(s) make(s) copies of the preliminary report available to each of the parties and their advisor, if they have one, simultaneously. Each of the parties may submit a written statement to the investigator(s) within three (3) business days of the date on which the investigator's report was provided to them. The purpose of such statements is to allow the parties an opportunity to address any perceived factual errors or omissions in the investigator's report and to disclose any evidence that was not previously known or available to the investigator. The investigator(s) will review statements to evaluate relevance and if relevant, then distribute copies of any such statements to both parties simultaneously.

Investigation concluded and submitted: After the reporter and respondent have reviewed and submitted formal responses, the investigator(s) produces their final report. The final report will state the factual findings of the investigator, will summarize the information obtained through the investigation, will attach copies, where available, of relevant supporting documentation, and will provide a recommendation of a finding of responsible or not responsible to each charge brought against the respondent.

What information may be redacted: The past sexual history or sexual character of a party will not be deemed relevant in the investigation or hearing unless such information is determined to be highly relevant by the investigator and Chief Title IX Officer.

What prior conduct can be included: While previous conduct violations by the accused individual are not generally relevant as information about the present report, the Chief Title IX Officer may supply previously reported information to the investigator and/or the hearing panel only if:

- The accused was previously found to be responsible; or
- The previous incident was substantially similar to the present allegation, or
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused

individual.

Notice of insufficient evidence: In some cases, the Chief Title IX Officer may determine that there is insufficient evidence to warrant continuing toward a formal hearing. The reporter will have a final opportunity to offer new information; in the absence of any new information, the investigation will end and the case will be suspended.

Pathways to Resolution after Investigation

The Vice President for Student Life has two paths to resolve formal grievances: (1) Informal Hearing or (2) Formal Hearing.

1. Informal Hearing: If the respondent accepts responsibility for the report or does not accept responsibility for the report, but waives a hearing before the hearing panel, the case can be administratively resolved. The process follows the same path as the hearing panel, but the process only engages the Vice President for Student Life or his/her designee.
2. Formal Hearing: If there will be a hearing panel review, then with at least five (5) days business notice to both the reporter and respondent, the Vice President for Student Life will convene the hearing panel for the formal hearing. The standard for determining responsibility is a preponderance of the evidence.

Notice of Action

The Vice President for Student Life will provide written notification to the reporter and the respondent of the determination of responsibility as well as any sanction that apply. If the student is to be suspended or expelled, he or she must vacate campus within 24 hours, even if the student appeals the decision. Proceedings and decisions will not be disclosed except on a need to know basis. All notes and written material from the hearing will be collected and held for seven years by the Vice President for Student Life, at which time they will be destroyed or at the Vice President's discretion, preserved. All such records are part of the educational record of all students involved and protected from disclosure under FERPA, with limited exceptions.

Appeals

An appeal of an informal or formal decision is no different than any other appeal except that both the reporter and respondent may appeal the outcome.

Sanctioning Options

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, Tennessee Wesleyan University takes the matter very seriously. The university employs interim protection measures such as interim suspension and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern or predation. If a student is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, s/he is subject to action in accordance with the *University Standards of Conduct* in the student handbook.

Educational Programming

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, Tennessee Wesleyan University utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming.

It is the policy of Tennessee Wesleyan University to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on

sexual misconduct as well as the State of Tennessee definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of campaigns, emails, guest speakers and events such as self-defense workshops and alcohol awareness presentations.

Tennessee Wesleyan University – 2016-18 (Athens Campus)

	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On-Campus Property Occurrence			
Murder/Non-Negligent-Manslaughter	2016	0	0	0	
		0			
	2017	0	0		
		0			
Negligent Manslaughter	2016	0	0		
		0			
	2017	0	0		
		0			
Sex Offense, Forcible	2016	0	0		
		0			
	2017	1	0		
		1			
Sex Offense, Non-Forcible	2016	0	0		
		0			
	2017	0	0		
		0			
Robbery	2016	0	0		
		0			
	2017	0	0		
		0			
Aggravated Assault	2016	0	0		
		0			
	2017	0	0		
		0			
Burglary	2016	15	0		
		15			
	2017	2	0		
		2			
Motor Vehicle Theft	2016	0	0		
		0			
	2017	0	0		
		0			
Arson	2016	0	0		
		0			
	2017	0	0		
		0			
Domestic Violence	2016	0	0		
		0			
	2017	0	0		
		0			
Dating Violence	2016	0	0		
		0			
	2017	0	0		
		0			

Arrests	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property
		On-Campus Property Occurrence		
Liquor Laws	2016	0	0	
		0		
	2017	0	0	
		0		
Drug Laws	2016	0	0	
		0		
	2017	0	0	
		0		
Weapons Law	2016	0	0	
		0		
	2017	0	0	
		0		
Disciplinary Referrals	2016	0	0	
		0		
	2017	0	0	
		0		
Liquor Laws	2016	17	0	
		17		
	2017	2	0	
		2		
Drug Laws	2016	0	0	
		0		
	2017	0	0	
		0		
Weapons Laws	2016	0	0	
		0		
	2017	0	0	
		0		

Hate crime information is provided in the context of the data above with notation: Race=RA, Gender=G, Religion=RE, Sexual Orientation = SO, Ethnicity/Nat'l Origin=EN, Disability=D. There were no hate crimes reported for 2016, 2017, or 2018.

On public property-all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to any campus property.

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

A non-campus building or property is any building or property owned or controlled by a student organization that is officially recognized by the institution; or by any property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students within the same reasonably contiguous geographic area of the institution.

	2018	0	0		
		0			
Stalking	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			

Tennessee Wesleyan University – 2016-18 (Knoxville Campus)

	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On-Campus Property Occurrence			
Murder/Non-Negligent-Manslaughter	2016	0	0	0	
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Negligent Manslaughter	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Sex Offense, Forcible	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Sex Offense, Non-Forcible	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Robbery	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Aggravated Assault	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Burglary	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Motor Vehicle Theft	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Arson	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Domestic Violence	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		

	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property
		On-Campus Property Occurrence		
Liquor Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Drug Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Weapons Law	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Disciplinary Referrals	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property
		On-Campus Property Occurrences		
Liquor Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Drug Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Weapons Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		

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	2018	0	0		
		0			
Dating Violence	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Stalking	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			

Tennessee Wesleyan University – 2016-18 (Cleveland State Site)

	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property	Public Property Occurrence
		On-Campus Property Occurrence			
Murder/Non-Negligent-Manslaughter	2016	0	0	0	
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Negligent Manslaughter	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Sex Offense, Forcible	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Sex Offense, Non-Forcible	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Robbery	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Aggravated Assault	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Burglary	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Motor Vehicle Theft	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Arson	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		

	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property
		On-Campus Property Occurrence		
Liquor Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Drug Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Weapons Law	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Disciplinary Referrals	Year	Campus Housing Sub	Non-Campus Housing Sub	Institutional Non-Campus Building or Property
		On-Campus Property Occurrences		
Liquor Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Drug Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		
Weapons Laws	2016	0	0	
		0		
	2017	0	0	
		0		
	2018	0	0	
		0		

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	2018	0	0		
		0			
Domestic Violence	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Dating Violence	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			
Stalking	2016	0	0		
		0			
	2017	0	0		
		0			
	2018	0	0		
		0			

Facility	FIRE SYSTEMS			FIRE RELATED INCIDENTS IN RESIDENTIAL FACILITIES					
	Alarm Systems	Sprinkler Systems	Evacuation Placards & Plans	Number	Fire Cause	Injuries requiring medical facility treatment	Deaths	Property Loss Value	No. of evacuations (fire) drills each calendar year
Fowler Hall	Hard Wired and tied to central reporting system	Yes	Yes	0	0	0	0	0	2
Keith Hall	Hard Wired and tied to central reporting system	Yes	Yes	0	0	0	0	0	2
Nocatula	Battery Alarms in each apartment; central pull station tied to central reporting system	No	Yes	0	0	0	0	0	2
Wesley Commons	Hard Wired and tied to central reporting system	Yes	Yes	0	0	0	0	0	2