

Campus Annual Security Report 2019

Reporting Period January 1, 2018 to December 31, 2018

Tennessee College of Applied Technology-Paris
312 South Wilson Street
Paris, TN 38242

TCAT-Paris, is a Tennessee Board of Regents institution, is an equal opportunity, non-racially identifiable, educational institution that does not discriminate against individuals with disabilities.

Annual Security Report

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ANNUAL SECURITY REPORT

A. Emergency Numbers:

Paris Police Department	731-642-2424
Henry County Sheriff's Office	731-642-1672
Paris Fire Department	731-642-1413
Henry County Ambulance Service	731-642-6270
Henry County Medical College	731-641-8180
Henry County Emergency Management	731-644-2678
Camden Police Department	731-584-4622
Benton County Sheriff's Office	731-584-4632
Camden General Hospital	731-584-6135
Dresden Police Department	731-364-2255
Weakley County Sheriff's Office	731-364-5454
West Tennessee Healthcare- Martin	731-587-4261

B. The Clery Act Requirements

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, require college, universities and colleges of applied technology to:

- publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics and certain campus security policy statements;
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have "significant responsibility for student and campus activities";
- provide "timely warning" notices of those crimes that have occurred and pose an ongoing "threat to students and employees";
- implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- disclose in a public crime log "any crime that occurred on campus ... or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department"; and
- maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

C. Introduction to the Clery Act Policies and Procedures

Tennessee College of Applied Technology-Paris (TCATP) is committed to disseminating relevant and pertinent information regarding reported criminal activities in a reasonable manner to its community and to interested parties. To that end, TCATP is implementing and maintaining policies and procedures in compliance with the College reporting requirements of the Clery Act and the Higher Education Opportunity Act (HEOA), two pieces of federal legislation that provide guidance in disseminating certain types of information to campus communities and to the general public. Because the Clery Act and the HEOA encompass several areas of campus responsibility, TCATP utilizes its Administrative office to issue information that pertains to the criminal reporting requirements and policies of these two federal laws.

D. Policies for Preparing the Annual Disclosure of Crime Statistics

Crime statistics which are provided in this institution's Annual Security Report are based upon incidents reported by campus administration and local police agencies. This institution shall annually report statistics for the three most recent calendar years concerning the occurrence

on campus, in or on non-campus buildings or property, and on public property (as those terms are defined and interpreted for purposes of the Clery Act) for occurrences of murder, manslaughter, sexual assault (forcible and non-forcible), robbery, arson, aggravated assault, burglary, and motor vehicle theft; statistics on arrests for violations of liquor or drug abuse as well as weapons possession violations; disciplinary referrals for liquor, drug and weapons violations; and statistics on Hate Crimes that are reported to local police agencies or to campus security authorities.

The Paris Police Department will make the determination as to whether a reportable offense has occurred. These reports will be compiled to prepare the annual Campus Crime and Security Survey for submission to the United State Department of Education, Office of Postsecondary Education.

This report will be made available to the public by October 1st of each year. This report will be posted to the TCATP website for viewing.

E. TCATP Facts (Student Enrollment/Employment Information)

The number of undergraduate and graduate students enrolled",

There are currently 301 full-time and part-time students enrolled at TCAT-Paris.

The number of undergraduate and graduate students living in student housing:

TCATP does not provide student housing.

The total number of non-student employees working on the campus:

There are 31 non-student employees working on campus.

For more information about TCATP, click on TCATP's website: <http://www.tcatparis.edu>

Law Enforcement on Campus

A. Paris Police Department

The law enforcement authority on campus:

The Paris Police Department has all jurisdictions over the campus and streets surrounding TCATP.

Policy on reporting criminal incidents to state and local law enforcement agencies:

TCATP will gather all incident reports from both the Paris Police Department and Henry County Sheriff's Department and sends to appropriate officials for reporting.

In addition to the requirements of the Clery Act, TCATP reports any crimes that occur within our campus community to the Tennessee Bureau of Investigation. Each year the Bureau takes these reports and publishes a compilation from all institutions of higher education in Tennessee. Also, an annual report is sent to the U.S. Department of Education providing crimes on campus statistics.

Monitoring and Recording Criminal Activity at Off-Campus Locations

Any monitoring of crime off-campus is done by the agency of jurisdiction where the crime took place.

Local law enforcement agencies have been requested to forward TCATP copies of their reports of all criminal activity occurring on off campus locations.

Memorandum of Understanding (MOU) with Local Law Enforcement

TCATP maintains a close working relationship with local law enforcement where we offer classes. There is no written memorandum of understanding between TCATP and local law enforcement agencies in the communities where we offer classes.

Monitoring and recording criminal activity at off-campus organizations:

TCATP does not have any off-campus organizations.

B. Victim's Rights

Victim's Disclosure Policy Statement

TCATP will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary proceeding conducted by TCATP against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for notification purposes.

TCATP policy statement regarding students or employees with criminal records:

TCATP does not collect information on criminal records on applications for admission of students to the College. The application for employment of all employees requires that the applicant state whether he/she has been convicted of a misdemeanor or a felony. Human Resource Services performs background checks for all positions. Acknowledged conviction of any crime results in an evaluation of the applicant's fitness for employment in consultation with legal staff. TCATP requires that employees notify the institution of any drug convictions resulting from a violation in the workplace no later than five days after the conviction.

Current College students convicted of a violation of a law or ordinance off-campus, whose violation also adversely affects the College's pursuit of its educational objectives, will become subject to judicial sanction by the President of TCATP. Students committing a crime on-campus are subject to arrest and prosecution, and are subject to judicial sanction by the President of TCATP.

C. Timely Warnings and Emergency Notifications

An Immediate Notification or a Timely Warning will be distributed campus wide by Administration when it could be reasonably believed that a reported violent crime may endanger additional campus citizens, i.e., employees, students and guests.

Internal Emergency Procedures

TCATP is committed to notifying persons regarding significant types of threatening events or situations that may occur on or near its campus properties. TCATP defines *emergency notification* as the attempt to properly and to immediately notify affected persons of events, incidents, or situations that potentially threaten or endanger lives or significant property, and in such cases that the information contained within the notification may substantially reduce the likelihood of individuals or groups being victimized. "Properly" is defined as the reasonable issuance of information given the capabilities of the College and its notification systems. "Immediately" is defined as the release of information as soon as verifiable or credible information can be reasonably received, understood, formatted and delivered via useable mass notification systems. This definition takes into account the fact that everything cannot happen at once: information must be received by decision-makers, a determination must be made that the information should be released, the material must be put together in an understandable manner, and the information must be released and received by viable stakeholders. "Affected persons" includes members of the campus community (i.e., TCATP employees and TCATP students) and visitors while on the TCATP campus. For this designation, members of the TCATP campus community include any currently employed TCATP employee and any currently enrolled TCATP student.

It is the intent of TCATP to immediately notify all members of its community of incidents and situations on or near TCATP campus property that have the potential to immediately threaten or endanger lives or that threaten severe bodily injury or extensive loss of property. These incidents and situations will typically be characterized as: on-going in nature in that they continue to pose a real or likely threat; they may be mitigated by the quick release of information to the campus community; or the release of information regarding the possible threats in a more immediate fashion may significantly reduce the chances of individuals or groups becoming victims.

It is the intent of TCATP to make timely warnings to all members of its community of incidents and situations that pose a potential on-going threat or risk in which the threat or risk is not likely to require immediate notification in order to greatly reduce the victimization risk to individuals or groups.

Notification for those previously described incidents that pose a grave and immediate threat to people and/or property will be made using any number of notification systems currently employed by TCATP. Currently, the notification systems utilized by TCATP include: e-mail, bell, text messages, phone calls, fire alarm notification systems, public address systems, web pages, social media, and a voice mail box.

Each situation requires that decisions regarding the public's safety be measured and determined on a case-by-case basis.

A statement regarding the institution's emergency response and evacuation procedures:

In the event of a significant emergency or dangerous situation posing an immediate threat to the health or safety of students or employees TCATP will notify them by the following methods. The methods of communication include network emails, emergency text messages that can be sent to a phone or PDA (individuals can sign up for this service when they register for classes), fire alarm notification system, and public address systems.

If TCATP confirms that there is an emergency or dangerous situation that poses an immediate

threat to the health or safety of some or all members of the TCATP Community, TCATP Administration and Student Services will collaborate to determine the content of an emergency notification message and will use some or all of the systems described above to communicate the threat to the TCATP Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

TCATP Administration and Student Services will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will compromise the efforts to assist a victim, to conduct an adequate and competent criminal investigation or to contain, respond to, or otherwise mitigate the emergency.

TCATP's President, Vice President, and Student Services Coordinator will be the primary personnel to assess the emergency situation and determine who needs to be notified.

TCATP Administration and Student Services will work with news agencies to distribute TCATP press releases, as they are made available, concerning critical incidents. They will also inform the larger community by text messaging students and employees, as well as use the school's facebook page.

Local Agency Cooperation

The Administration of TCATP has spoken with the Paris Chief of Police and Henry County Sheriff requesting their cooperation in informing the institution about situations reported to them that may warrant an emergency response.

Emergency Evacuation Procedures

In an effort to better prepare for emergencies all facilities participate in two fire drills each year. One drill is announced and the other is unannounced. The purpose of these drills is to prepare building occupants for an organized evacuation in case of fire or other emergencies.

Tornado drills are also done at least once in the Spring and Fall semesters. These drills are typically announced with one drill simulating an actual warning requiring students, faculty, and staff to take shelter in their designated "safe place". The other drill is performed as a "stay in place" exercise. Community members are not required to leave their classrooms or offices, but are asked to review emergency procedures.

Policies on responding to specific emergency situations on campus:

Fires or Fire Alarms: TCATP personnel should activate the building alarm system upon detecting a fire or visible smoke and immediately evacuate the building. Persons should REPORT ALL FIRES, regardless of size (even if extinguished); smoke; or fire alarms on campus to TCATP administration. The Paris Fire Department will be notified by dialing 911 or (731-642-1413) if necessary. *Be prepared to state your location.*

Medical Emergencies: Request an Ambulance and immediate medical assistance on campus by dialing 911 or (731-642-6270). *Be prepared to state your location.* TCATP administration will be notified before calling emergency personnel unless it's a life and death situation.

Bomb Threats: Report bomb threats or the discovery of suspicious objects or devices on campus to TCATP administration. Should emergency response personnel be required, they will be contacted by dialing 911 or (731-642-2424). *Be prepared to state your location.*

Tornadoes: Alert other building occupants and move to the safest place in your building and/or complex. The emergency notification system will be activated to alert faculty and students - do not leave the safety of the building unless it is to seek shelter in a designated "safer place" in a nearby structure or building. If a tornado designated "safer place" is unavailable, seek shelter in the middle of the building. Take cover next to heavy furniture or in an interior hallway against a strong, inside wall on the lowest floor. Do not leave a relatively safe place nor get in a vehicle and attempt to drive. Follow the instructions of emergency response personnel or remain in your area until TCATP Administration or other emergency response personnel give the all clear signal.

Other Emergencies: All other emergencies on campus may also be reported by dialing 911. *Be prepared to state your location.* TCATP administration will be notified of any situations.

PERSONS WITH DISABILITIES: If you have a disability you should notify your instructor in each of your classes or your supervisor that you have a disability and will require assistance in case of an emergency. Instructors or supervisors must notify emergency response personnel, either police or fire department, of any persons with disabilities in their classes or area of responsibility.

Reporting Crimes and Other Emergencies on Campus

A. Report All Crimes to Paris Police Department and TCATP administration.

All faculty, staff, students and general visitors are urged to report crime and suspicious activity to the TCATP Administration and Paris Police as soon as possible. This allows law enforcement officers and/or the appropriate personnel to respond and assist.

B. Anonymous Reporting

TCATP encourages anyone who is the victim or witness to any crime to promptly report the incident to the TCATP administration. Because police reports are public records under state law, Paris Police cannot hold reports of crime in confidence if reported to them.

Campus Security Authorities

To report a crime:

TCATP does not have campus security, all reports should be made to TCATP President, Vice President or Student Services Coordinator at 644-7365; or Paris Police at 642-2424 (non-emergencies), dial 9-1-1- (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to TCATP Administration.

Individuals having responsibility for campus security, who are not members of the local law enforcement agencies, such as those responsible for monitoring the access to the College's facilities or property.

All employees, including student employees, who work in a position where they control or monitor access to some part of campus.

All College officials who have significant responsibility for student and campus activities.

C. Pastoral and Professional Counselors

TCATP does not have Pastoral or Professional Counselors on staff.

Security Of and Access to Campus Facilities

A. Security of and access to campus facilities:

The campus and facilities of the TCATP are restricted to students, faculty, staff, guests, and invitees of the College, except when part or all of the campus, buildings, or facilities, are open to the general public for an approved and designated time and purpose. The campus is monitored by eight outside security cameras twenty-four hours a day. It is also monitored by an alarm system when closed that also has a motion sensor to detect any activity within the building. All persons on the campus of the TCATP, including faculty, staff, guests, and invitees, shall be subject to all rules and regulations of the TCATP and the Tennessee Board of Regents which are applicable to the conduct of students on campus, and to all applicable federal and state laws and regulations. The campus and facilities of TCATP are governed by the Tennessee Board of Regents (Policy No. 3:02:02:00).

All persons on the campus of the TCATP shall provide adequate identification upon request to appropriate officials of the College. All students, faculty and staff are issued a TCATP Identification Card and are required to carry it while on campus. Personnel and students of the College who refuse to provide such identification may be subject to disciplinary action; other persons who refuse to provide such identification shall be requested to leave campus, and if they refuse, may be subject to lawful removal and prosecution.

Security considerations used in the maintenance of campus facilities:

Maintenance personnel report all hazardous or unsafe campus conditions found to exist. These conditions may include overgrown trees or landscaping and a lack of outdoor lighting or inoperable lights. These reports are sent directly to TCATP administration to ensure expeditious corrective measures are taken.

Safety and maintenance inspections will be conducted by College personnel during reasonable hours.

The Vice President and Maintenance staff coordinates all work requests for the campus. They strive to ensure that all buildings and structures are properly maintained to meet fire, safety, health and other required codes and regulations. This includes providing climate controlled, clean, properly supplied facilities, so that faculty, staff and students have comfortable surroundings in which to work, and receive training and education. They also serve as a communication link and liaison between facilities, services, employees and the campus community.

Crime Prevention

A. Type and Frequency of Programs to Inform Students/Employees About Campus Security Procedures

The TCATP administration is very visible to both students and employees in the enforcement of safe practices on campus. Students are informed during orientation of security cameras on campus as well as the importance of wearing school issued identification badges. Also staff and faculty meetings are held to address any new situations that may arise.

B. A description of programs designed to inform students and employees about the prevention of crimes:

TCATP Student Services Personnel and Administration welcomes new students each trimester during the orientation process. The campus safety policy is discussed and signed by all new students.

A New Employee Orientation is conducted with all new employees by TCATP Human Resources Services. The orientation is an overview of the TCATP campus and the many services available to its employees.

Sexual Violence/Sexual Misconduct

Sexual violence is a general term that can include things like rape, sexual assault, domestic violence, dating violence and stalking. These offenses can also be defined as acts of sexual misconduct. Sexual misconduct is a form of sex discrimination prohibited by Title IX. TCATP prohibits all forms of sexual violence/sexual misconduct. Any allegation of sexual misconduct as defined herein will be investigated and adjudicated.

Definitions

Consent- an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

A. Domestic Violence-violence against a person when the accuser and accused:

1. Are current or former spouses;
2. Live together or have lived together
3. Are related by blood or adoption
4. Are related or were formally related by marriage; or
5. Are adult or minor children of a person in a relationship described above

Domestic Violence –includes, but is not necessarily limited to:

1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
2. Placing the accuser in fear of physical harm;
3. Physical restraint
4. Malicious damage to the personal property of the accuser, including inflicting or attempting to inflict physical injury on any animal owned, possessed, leased, kept, or held by the accuser or
5. Placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser - **TCA § 36-3-601**

B. Dating Violence-violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to:

1. Inflicting or attempting to inflict physical injury on the accuser by other than accidental means
2. Placing the accuser in fear of physical harm
3. Physical restraint
4. Malicious damage to the personal property of the accuser, inflicting or attempting to inflict physical injury on any animal owned, possessed, leased, kept, or held by the accuser or
5. Placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – **TCA § 36-3-601(5)(c)**

C. Stalking-a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Harassment-means conduct directed toward the accuser that actually that includes, but is not limited to repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress and that actually causes the accuser to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Sexual Assault Offenses

Any student who has experienced sexual assault or attempted assault is well aware of the trauma associated with such an act. Sexual assault can range from stranger rape to being emotionally coerced for sex by someone the victim knows. Students should be aware that any sexual intercourse without the consent of their partner is rape. Furthermore, sexual intercourse with a partner who is unconscious or unable to consent for any reason is rape.

IF YOU ARE RAPED OR SEXUALLY ASSAULTED:

- Get to a safe place as soon as you can.
- **Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not**

plastic, bag.

- Get medical attention as soon as possible to make sure you are physically well and to permit collection of important evidence in the event you may later wish to take legal action.
- Contact Paris Police Department and TCATP Administration.
- Talk with an advocate or a counselor who will maintain confidentiality, help explain your options, give you information, and provide emotional support
- Contact someone you trust to be with you and support you.

Past Abuse

Many individuals experience sexual assault and never tell anyone about it at the time of the incident. If you were victimized weeks or years ago, assistance is still available to you. Talking with someone now may help you cope better with abuse from the past, whether it was rape, child sexual abuse, incest, or sexual harassment.

I. Reporting Sexual Misconduct

As a victim of sexual assault, you are encouraged to report the assault and seek medical treatment. You may report this crime by contacting TCATP administration and calling the Paris Police Department at (731-642-2424). You may request assistance in reporting the crime by contacting the Student Services office. It is important to report the assault so that evidence may be preserved to provide proof of criminal sexual assault if and when the victim chooses to make a criminal complaint.

Complaints of alleged sexual assault may be made to TCATP administration or to the Title IX Coordinator.

A. Counseling Information

It is important that victims understand the value of obtaining and/or receiving help in dealing with the crime. TCATP will refer victims of sexual violence to:

Women's Resource and Rape Assistance Program
 62 President's Row
 Jackson, TN 38305
 731-668-0411
 24-hour hotline: 1-800-273-8712
[http://www.wraptn.org/\(http://www.wraptn.org/\)](http://www.wraptn.org/(http://www.wraptn.org/))

WRAP provides licensed confidential counselors, emergency shelter, court/legal assistance, aid with orders of protection, hospital accompaniment, case management, advocacy, referrals to other agencies as needed, personal toiletries/food, and support groups.

Change Academic and Living Situations

Assistance is available in changing academic situations after an alleged sexual assault if requested by the victim and if such changes are reasonably available. The Coordinator of Student Services will assist the victim in making these changes.

B. Reporting Confidentially

If the victim chooses to report in a confidential manner, the College may be unable to conduct an investigation into the matter or pursue disciplinary action against the alleged offender. The College will refer the victim to the above mentioned counseling services.

C. Filing an Institutional Complaint

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

1. The College 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 College 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:
Dr. Jan Latimer
312 South Wilson St.
Paris, TN 38242
jan.latimer@tcatparis.edu

Administration:
Mr. Willie Huffman
312 South Wilson St.
Paris, TN 38242
willie.huffman@tcatparis.edu

D. Filing a complaint with local law enforcement

If the victim chooses to make a complaint for the purposes of filing criminal charges, the victim may contact the local law enforcement agencies listed below. If the victim chooses the College will assist the victim in filing this complaint. The victim should contact the Title IX Coordinator for assistance.

Paris Police Department; 100 North Caldwell St.; Paris, TN 38242; 731-642-2424

Dresden Police Department; 117 West Main St.; Dresden, TN 38225; 731-364-2255

Camden Police Department; 119 West Main St.; Camden, TN 38320; 731-584-4622

II. Role of Title IX Coordinator

A. The College's Title IX Coordinator is responsible for overseeing all Title IX incidents reported to the institution and for implementation of this policy, including but not limited to, identifying and addressing any systemic gender-based harassment, discrimination, and sexual misconduct. The Title IX Coordinator's responsibilities include, but are not limited to, the following:

1. Investigation or oversight of investigations of allegations related to Title IX;
2. Coordination and oversight of educational programs including mandatory training for new students and employees and awareness campaigns for current students and employees;
3. Coordination with local law enforcement on matters related to allegations related to sexual misconduct;
4. Coordination and oversight of training for anyone involved in responding to, investigating, or adjudicating sexual misconduct;
5. Coordination and oversight of training for employees related to their responsibility when they are aware of sexual misconduct;
6. Coordination and oversight of annual training for investigators, decision makers, hearing officers and hearing committee members on the issues related to sexual misconduct and on how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability; and
7. Attending appropriate training annually on topics related to responding to or investigating allegations of sexual misconduct.

B. The Title IX Coordinator may designate deputies and investigators ("designees") to assist in carrying out any of the responsibilities related to implementing this policy.

The Title IX Coordinator shall report at the beginning of each new school year, or any time there is a change in the assignment, to TBR's Office of General Counsel and the TCAT System Office the name of and contact information for the College's Title IX Coordinator.

III. Investigation Requirements and Procedures

- 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.** Subject to the Institution's Confidential Policy, all complaints of sexual misconduct shall be presented to the Title IX Coordinator for investigation and appropriate disposition.
- 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. Absent good cause, within three (3) business days of receipt of a report of sexual misconduct the Title IX Coordinator or designee shall attempt to get a written statement from the complainant that includes information related to the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complainant should be encouraged to complete a complaint form and submit a detailed written report of the alleged incident. When the complainant chooses not to provide a written complaint, the Title IX Coordinator or designee will still investigate and take appropriate action.
 - 2.** In addition to immediate interim measures, the Title IX Coordinator shall consult with the complainant during the pendency of the investigation and consider what, if any, administrative measures may be necessary.
 - 3.** Complaints made anonymously or by a third party will be investigated to the extent possible.
 - 4.** 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.
 - 5.** The Title IX Coordinator may appoint a qualified, sufficiently trained person to investigate the allegations made in the complaint.
 - 6.** Only one person shall be identified as the investigator for a complaint.
 - 7.** Investigations shall be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.
 - 8.** 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 College's President. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The President will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the President shall be final.
- E.** What the investigation should and should not entail

1. Once the investigator receives the complaint, the investigator shall notify the complainant in writing of his/her rights and request a meeting.
2. The investigator shall also notify the respondent in writing of the complaint and his/her rights and request a meeting with the respondent.
3. The investigator shall notify the complainant, respondent and all individuals interviewed during the investigation that retaliation is strictly prohibited and may be grounds for disciplinary action. In addition, the investigator shall advise all interviewees that they should contact the investigator immediately if they believe they are being retaliated against.
4. The investigation shall include interviews with both the complainant and respondent, unless either declines an in-person interview.
5. The complainant and respondent shall be provided with the same opportunities to have others present during an interview, including the opportunity to be accompanied by the advisor of their choice to any related meeting or proceeding.
6. The College will not limit the choice of advisor for either the complainant or respondent; however, the investigator may limit the participation of advisors during the investigation.
7. The investigation shall include interviews with relevant witnesses identified by the complainant and respondent or any other potential, relevant witness made known to the investigator via other means.
8. The investigation shall include the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.
9. The investigator is expected to request a list of relevant witnesses and evidence from complainant and respondent and take such into consideration.
10. The investigator shall not consider any evidence about the complainant's prior sexual conduct with anyone other than the respondent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

IV. 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, and conclusions that may be drawn from the evidence gathered.
- 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 President.
- 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.

V. 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 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. The written request for additional time shall include the reasons for the requested delay and the number of additional days needed. 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 written as to whether or not the request is granted.

VI. Institutional Hearing

- 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 shall be held before a hearing committee. The President of the College shall appoint individuals to serve on the hearing committee. All hearing committee members shall receive, at a minimum, annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- D.** If the complainant or respondent believes that any hearing committee member 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 President will determine if the facts warrant the appointment of a different committee member and respond to the party in writing within three (3) business days, absent good cause. The decision of the President shall be final.
- E.** If such a hearing is requested, every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the

President within thirty (30) days following the College's receipt of the party's request for a hearing.

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

VII. Appeal of Hearing Decision to the President

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

VIII. Effect of a Finding of a Violation of this Policy

- A. If a final decision has been made that a policy violation occurred, the respondent shall be referred to the appropriate personnel for a determination of discipline.
- B. The appropriate personnel will be determined by the status of the respondent. If the respondent is a student, then the matter shall be referred to the President. If the respondent is an employee, the matter shall be referred to the President or Assistant President.

- C. If the respondent is a student, the College will follow the procedures for disciplining students as described in TBR Policy 3:02:00:01 and TCAT – Paris.
- D. If the respondent is an employee, the College will follow the procedures related to disciplining employees as described in applicable employee policies.
- E. Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:
 - 1. The complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.
 - 2. The complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.
 - 3. The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.
 - 4. The complainant shall be allowed access to any evidence presented during any disciplinary meeting or hearing.
 - 5. The Title IX Coordinator or designee shall be appointed as the complainant's contact person for any questions or assistance during the disciplinary process.
 - 6. The complainant shall receive written notice of the outcome of the disciplinary process.
- F. If a final decision has been made that a policy violation occurred, the Title IX Coordinator or designee shall determine if 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.

IX. Interim Measures

- A. In situations that require immediate action because of safety or other concerns, the College will take any reasonable administrative action that is appropriate. Examples of such interim actions include, but are not limited to:
 - B. Providing an escort to ensure that the complainant can move safely between classes and activities;
 - C. Ensuring that the complainant and respondent do not attend the same classes;
 - D. Providing references to counseling services;
 - E. Providing references to medical services;
 - F. Providing academic support services, such as tutoring; 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.
- H. These remedies may be applied to one, both, or multiple parties involved.
- I. Student respondents may be placed on interim suspension under the appropriate circumstances pending the outcome of the investigation. The College shall follow TBR Policy 3:02:00:01 and TCAT-Paris' suspension policies before placing a student respondent on interim suspension.
 - A. Employee respondents may be, consistent with Human Resource policies, placed on administrative leave pending the outcome of the matter.

X. Education and Prevention Programs

The College 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, faculty, and staff that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee;
4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander; and
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

XI. Assistance for Victims of Sexual Misconduct: Rights and Options

- a. Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual misconduct and will provide each victim with a written explanation of her/his rights as a member of the College.
www.tcatparis.edu
- b. Additionally, in the Tennessee court system, a victim of domestic violence, dating violence, sexual assault and stalking has the following rights: the right to confer with the prosecution, right to be free from intimidation, harassment and abuse throughout the criminal justice system, the right to be present at all proceedings where the defendant has the right to be present, the right to be heard, when relevant, at all critical stages of the criminal justice process as defined by the General Assembly, the right to be informed of all proceedings, and of the release, transfer or escape of the accused or convicted person, the right to a speedy trial or disposition and a prompt and final conclusion of the case after the conviction or sentence, the right to restitution from the offender and the right to be informed of each of the rights established for victims. Information related to these rights may be found at <http://www.tndagc.com/vr.htm>.
- c. Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-College/forms/order-protection-forms> and additional information related to such orders may be found at <http://tncoalition.org/resources/legal-resources.html>.

- d. The College does not publish the name of crime victims nor maintain identifiable information regarding victims in the Daily Crime Log or in the release of timely warnings.

XII. Resources for Victims of Sexual Misconduct

The resources listed below are not exhaustive or limited to victims who wish to make an official report or participate in an institutional hearing, police investigation or criminal prosecution. However, in cases where a victim wishes to maintain complete confidentiality, the victim should review carefully Section IV above related to the limits on the College's ability to maintain confidentiality.

A. On Campus Resources

Office of the Title IX Coordinator	312 South Wilson Street Paris, TN 38242	(731) 644-7365 Jan.latimer@tcatparis.edu
Financial Aid Counselor	312 South Wilson Street Paris, TN 38242	(731) 644-7365 Tonia.Gallimore@tcatparis.edu

B. In the Paris, Dresden and Camden Area

Paris Police Department	100 North Caldwell Street Paris, TN 38242	(731) 642-2424
Henry County Sheriff's Department	210 Forrest Heights Road Paris, TN 38242	(731) 642-1672
Dresden Police Department	117 West Main Street Dresden, TN 38225	(731) 364-2255
Weakley County Sheriff's Department	7951 Tennessee 22 Dresden, TN 38225	(731) 364-5454
Camden Police Department	119 West Main Street Camden, TN 38320	(731) 584-4622
Benton County Sheriff's Department	116 North Rosemary Avenue Camden, TN 38320	(731) 584-4632
Domestic Violence Intake College (Protective Orders)		http://www.tncourts.gov/programs/self-help-College/forms/order-protection-forms
Henry County Courthouse	Courthouse	(731) 642-0461
Weakley County Courthouse	116 West Main Street #203 Dresden, TN 38225	(731) 364-3455
Benton County Courthouse	48 East Main Street Camden, TN 38320	(731) 584-6711
Henry County Medical College	301 Tyson Avenue Paris, TN 38242	(731) 642-1220
Camden General Hospital	175 Hospital Drive Camden, TN 38320	(731) 584-6135
West Tennessee Healthcare-Volunteer	161 Mt. Pelia Road Martin, TN 38237	(731) 587-4261

Martin		
Women's Resource and Rape Assistance Program	62 President's Row Jackson, TN 38305	(731) 668-0411 1-800-787-3224

C. On-line Resources:

<http://tncoalition.org/> - State Coalition Against Rape

<http://tncoalition.org/> - State Coalition Against Domestic Violence

<http://www.thehotline.org/> - Website for LGBTQ survivors of sexual or domestic violence and minority women survivors of sexual or domestic violence

<http://www.pandys.org/malesurvivors.html> -Website for male survivors

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.html> - Department of Justice

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

Retaliation

The College, its officers, employees, or agents are strictly prohibited from retaliating, intimidating, threatening, coercing, or otherwise discriminating against any individual for exercising their rights or responsibilities under any provision of this policy. Retaliation will result in disciplinary measures, up to and including termination or expulsion.

E. Sex Offender Registration Information

Any person who is required under the laws of the state of Tennessee to register as a sex offender is also required to provide notice that they are enrolled as a student, carry on a vocation, or are employed by Tennessee College of Applied Technology-Paris. Furthermore, the student or employee is required to provide written notice of each change in enrollment or employment to the Henry County Sheriff's Office. The Sex Offender registry for the State of Tennessee is located on the Tennessee Bureau of Investigation website or click on the link below

www.tbi.tn.gov/sex_ofender_reg/sex_ofender_reg.shtml

Alcohol and Drugs

A. The following information is presented in compliance with the Drug-Free Schools and Communities Act Amendment of 1989:

TCATP prohibits the possession, use, or distribution of illegal drugs and alcohol on the campus proper or on institutionally owned, leased, or otherwise controlled property.

TCATP does not currently provide drug/alcohol counseling, treatment, or rehabilitation programs for students. Referral to community treatment facilities may be made in appropriate cases.

TCATP will impose sanctions against individuals who are determined to have violated rules prohibiting the use, possession, or distribution of illegal drugs or alcohol.

Sanctions for students using or possessing illegal drugs or alcohol include disciplinary probation and, in appropriate cases, suspension from the College. Referral for criminal prosecution may be made in appropriate cases. Individuals involved in the sale or distribution of illegal drugs will be suspended from the College and referred to the appropriate authorities for criminal prosecution. All employees, including students, agree as a condition of employment to abide by this policy. Sanctions against employees for use or possession of illegal drugs or alcohol in the workplace include termination of employment. Additionally, employees are required to notify the institution of any drug convictions resulting from a violation in the workplace no later than five days after the conviction.

No alcoholic beverages, illegal drugs, or drug paraphernalia are permitted on the campus of TCATP.

The use and/or possession of alcoholic beverages on College owned or controlled property is prohibited (Tennessee Board of Regents Policy No. 3:05:01:01).

B. The following information is presented in compliance with the Drug-Free Schools and Communities Act Amendment of 1989:

TCATP prohibits the possession, use, or distribution of illegal drugs and alcohol on the campus proper or on institutionally owned, leased, or otherwise controlled property.

TCATP does not currently provide drug/alcohol counseling, treatment, or rehabilitation programs for students. Referral to community treatment facilities may be made in appropriate cases.

TCATP will impose sanctions against individuals who are determined to have violated rules prohibiting the use, possession, or distribution of illegal drugs or alcohol.

Sanctions for students using or possessing illegal drugs or alcohol include disciplinary probation and, in appropriate cases, suspension from the University. In addition, residence hall students will be removed from the housing system for the use or possession of illegal drugs or drug paraphernalia. Referral for criminal prosecution may be made in appropriate cases. Individuals involved in the sale or distribution of illegal drugs will be suspended from TCATP and referred to the appropriate authorities for criminal prosecution. All employees, including students, agree as a condition of employment to abide by this policy. Sanctions against employees for use or possession of illegal drugs or alcohol in the workplace include termination of employment. Additionally, employees are required to notify the institution of any drug convictions resulting from a violation in the workplace no later than five days after the conviction.

No alcoholic beverages, illegal drugs, or drug paraphernalia are permitted on the campus of TCATP.

Drug Free Workplace

C. It is the policy of TCATP that a drug-free workplace be maintained. The unlawful manufacture, distribution, possession, or use of any **controlled** substance (including prescription drugs) is banned in the workplace. This policy does not prohibit the **lawful** use of prescribed drugs which are taken under a doctor's care.

TCATP strives to maintain a workplace environment for all employees who are safe and free of illegal drugs, in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

Description of assistance or counseling programs available to employees and students

The Employee Assistance Program (EAP) is a short-term counseling service available to you and your immediate family members who may be experiencing personal or workplace problems. The EAP is also a part of the Blue Cross and Blue Shield and Cigna health insurance plans which provides mental health and substance abuse benefits. Student Services will make available to students a list of community counselors in the area.

D. Drug and Alcohol Abuse Education Programs

TCATP recognizes that the use of alcohol and drugs can have a negative impact on students and the learning process. In order to inform students of these hazards, Student Services will make available to students a list of community counselors in the area.

Missing Persons

A. Statement Regarding Missing Student Notifications

A statement regarding your missing student notification procedures:

TCATP has no missing student notification policy due to all students being commuters. If a situation warrants filing a missing person report, TCATP will contact local law enforcement for assistance.

Disciplinary Referrals								
Liquor Law Violations	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0

Hate Crimes

The Clery act requires that TCATP disclose hate or bias motivated offenses. A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Bias Motivated Offenses (Hate Crimes)	
2016	No (0) Hate Crimes Reported
2017	No (0) Hate Crimes Reported
2018	No (0) Hate Crimes Reported