



2022
Annual Security
and Fire Safety Report





TSU-20-0039(B)-10c-51000

Tennessee State University does not discriminate against students, employees, or applicants for admission or employment on the basis of race, color, religion, creed, national origin, sex, sexual orientation, gender identity/expression, disability, age, status as a protected veteran, genetic information, or any other legally protected class with respect to all employment, programs and activities sponsored by Tennessee State University.

The following person has been designated to handle inquiries regarding non-discrimination policies:

Cornelius Brownlee
Office of Equity and Inclusion
cbrownl12@tnstate.edu
3500 John Merritt Blvd.
General Services Building, Second Floor
Nashville, TN 37209
615-963-7435.

The Tennessee State University policy on nondiscrimination can be found at www.tnstate.edu/nondiscrimination .

The Discrimination/Harassment Reporting form can be found at https://cm.maxient.com/reportingform.php?TNStateUniv&layout_id=60



Gregory Robinson
Assistant Vice President
And Chief of Police

The Tennessee State University Police Department (TSUPD), in collaboration with several university-based law enforcement departments and allied governmental agencies, has developed a very proactive and comprehensive crime prevention initiative. The report that follows highlights components of the University's crime prevention strategies and reports on crime statistics as required by federal legislation known as the Clery Act.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the TSUPD is responsible for compiling and reporting specified crime statistics and certain referral information to the United States Department of Education and the Tennessee Bureau of Investigation (TBI).

The TSU 2022 Annual Security Report was written with data collected by the TSUPD Compliance Unit, reviewed by the TSU Office of University Counsel, and approved by the Vice President for Student Affairs. The report is made available to the campus community thus providing important information that can assist in fostering a safe campus. Also presented in the report are the following TSU documents:

- Policy Statement on Substance Abuse for Faculty, Staff, and Students
- Policy Statement on Procedures for Reporting Sexual Harassment
- Policy Statement on Procedures for Reporting Racial, Ethnic, or Religious Harassment/Discrimination
- Policy Statement on Sexual Assault

Please review the entire report. Vital components in the fight against crime are awareness about environmental factors that may lend support to a crime's occurrence, and education about the types of crimes typically reported to the TSUPD. With this knowledge, everyone can help to strengthen campus safety.

Sincerely,

Gregory Robinson

Gregory Robinson
Assistant Vice President/ Chief of Police

POLICY STATEMENT FOR ANNUAL SECURITY REPORT

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Tennessee State University does not discriminate based on sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Tennessee State University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official¹. In this context, Tennessee State University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

The University has established a *Sexual Assault Response Team*². The team consists of members from Student Affairs, Human Resources, Campus Public Safety, Judicial Affairs, the Title IX Coordinator, the campus Clery Compliance Officer, campus Housing, clergy, select faculty and staff, and students. The team meets monthly and is responsible for developing, reviewing, and revising protocols, policies and procedures for addressing violence against women on campus.

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¹ A “University official” is defined as either a “Campus Security Authority” under the auspices of the Clery Act or a “Responsible Employee” under Title IX and further identified by your institution’s sexual misconduct policy. Because three separate federal laws (Title IX, Title VII, and the Clery Act) as well as numerous states law have different reporting requirements, DSA recommends requiring all employees to report crimes reported to them to campus police or public safety within 24 hours (all can be assessed for Timely Warnings and those that meet the definition of a reportable crime, as defined by the Clery Act, will be included in the crime statistics in the Annual Security Report.) For sexual harassment and sexual violence, “responsible employees” as defined by the UNIVERSITY under the auspices of Title IX will have to disclose identifying information about the victim to the Title IX Coordinator. There are exemptions to reporting for campus professional and pastoral counselors and medical doctors and nurses acting in those capacities from disclosing crime statistics or identifying information about the victim of sexual assault, unless the victim is a minor. Seek guidance from your general counsel about how your institution identifies responsible employees (Title IX) and Campus Security Authorities (Clery Act).

² The Department of Justice, Office of Violence Against Women FY 2013 Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence and Stalking on Campus Program requires grantees to establish a “Coordinated Community Response to violence against women on campus.” This includes the establishment of a community response team; whose role is to ensure that the campus develops and implements effective policies and practices to prevent and respond to VAW on campus. The team is directed to meet on a regular basis to develop, review, and revise protocols, policies and procedures for addressing VAW. DSA provides this recommendation as a gold standard practice.

This report is written annually to comply with the Federal [Jeanne Clery Disclosure](#) of Campus Security Policy and Campus Crime Statistics Act”, formerly known as the “Students’ Right to Know and Campus Security Act”.

Safety on the University campus is a natural source of concern for parents, students and University employees. Education— the business of Tennessee State University (TSU) can take place only in an environment in which students, faculty and employees feel safe and secure. TSU recognizes this and employs a number of security measures to protect its community.

Although the campus has a small-town feel and neighborly attitude and is perceived to have a relatively low crime rate, crime prevention remains a high priority. TSU does its part to ensure the safety of its students, visitors and employees. A professionally trained and supervised police department, the faculty, staff, and students all share in the responsibility of making the TSU campus a safe place to study, work and live.

MISSION STATEMENT

The mission of the Tennessee State University Police Department is to provide a safe and secure educational environment through collaborative interaction with students, faculty and staff recognizing the multicultural and diverse university community.

VALUE STATEMENTS

- Value Statement One: The Public and the Tennessee State University (TSU) Community will insist on more accountability in police performance and professionalism, raising the level of service provided by the police department.
- Value Statement Two: The multi-cultural population at Tennessee State University is changing and increasing every year, challenging the police department for a more diversified workforce, specialized services, and proficient deployment of the department’s resources.
- Value Statement Three: As Davidson County and the surrounding counties become more closely connected as one community, criminal mobility increases, threatening the safety of our campus, which increases our challenge for better police service.
- Value Statement Four: As technological and methodological advances are made, the Tennessee State University Police Department must enhance its training and exposure to stay abreast of the new advances in the area of general police services, safety, and security. The new and enhanced trends will allow for better and efficient ways of combating crime on campus as well the surrounding areas.

PROCEDURES AND RESPONSIBILITY FOR PREPARING THE ANNUAL REPORT TO COMPLY WITH [THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT.](#)

The Assistant Vice President/Chief of Police in cooperation with the Vice President for Student Affairs and the General Counsel prepare this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report's full text is available on the TSU Web site at: <http://www.tnstate.edu/police/>

This report is prepared in cooperation with the local law enforcement agencies surrounding our campus, residential managers, General Counsel, deans of each school and the judicial officers. Annually, the Vice President for Student Affairs or his/her designee sends a letter to all non-security/police "Campus Security Authorities" informing them of their responsibility to report crimes to the Tennessee State University Police Department (TSUPD) and/or the local police and asking for information on any crimes not reported.

Campus crime, arrest and referral statistics include those reported to the TSUPD and designated campus officials including but not limited to directors, deans, department heads, legal affairs officers, advisors to students or student organizations and local law enforcement agencies. This report is reviewed and edited by the Vice President for Student Affairs (3500 John A Merritt. Blvd., Nashville, TN 37209-1581, phone 615-963-5603). The Assistant Vice President/Chief of Police reviews all crimes reported by non-security/police campus security authorities to minimize double counting of incidents.

Tennessee State University will submit the Annual Campus Security Report to the U.S. Secretary of Education using a web-based instrument designed to collect campus crime data. The Annual Campus Security Report will be submitted during the August 30 to October 14, 2021, collection period. Crime data from all colleges and universities will be submitted to the general public at <http://ope.ed.gov/security>.

Students, faculty and staff members receive an e-mail notification that the full 2021 Annual Report can be accessed on the TSU Web site (www.tnstate.edu) or obtained from the TSUPD Office. Additionally, a copy is available for reviewing at all Security Posts on campus. This report will be available on the University Web site (www.tnstate.edu) for up to seven years.

Further questions about this report may be directed to the Assistant Vice President/Chief of Police or the Vice President for Business and Finance.

POLICY ON REPORTING CRIME: YOUR ROLE IN SAFETY ON CAMPUS

You can help keep the Tennessee State University (TSU) campus a safe place for everyone by promptly accurately reporting crimes or suspicious circumstances. If you witness a crime, it is your responsibility to report the crime as accurately as possible to the TSUPD. All TSU students and employees are required to report incidents of theft, misuse, or abuse of TSU property promptly to the TSUPD.

The TSUPD Office is in the Queen Washington Building, located at 1120 37th Ave North Nashville, TN 37209 on the campus of Tennessee State University where a police dispatcher is available/on-duty

24-hours a day and can be reached at 615-963-5171. You may also report crimes/criminal offenses to police and security officers in patrol vehicles, on foot or by calling 615-963-5171.

Additionally, you may report crimes/criminal offenses to “Campus Security Authorities” (Deans, Associate Deans, Assistant Deans, Vice President for Student Affairs, Athletic Directors, Coaches, Director of Residence Life, Assistant Vice President/Chief of Police). It is Tennessee State University’s policy to investigate every report and if technical expertise or additional investigative help is needed, the Metropolitan Nashville Police (MNP) or the Tennessee Bureau of Investigations (TBI) may be called to assist.

If a crime occurs off-campus, the Metropolitan Nashville Police Department is likely to be the primary investigative agency with TSU investigators providing support, if requested. TSU Police Department does not provide security service to off-campus property, including recognized fraternity and sorority organizations, nor are activities off-campus recognized by TSU authority. From an off-campus phone you may reach the Metropolitan Nashville Police Department (MNP) in an emergency by dialing 911. From on-campus phones and for off-campus non-emergencies you may reach the MNP by dialing 615-862-8600.

Persons who are victimized while on the premises of the Avon Williams Building (located at 330 Tenth Avenue N.), and all other satellite campuses must report to the TSUPD, so accurate accounting of crime(s) may be compiled.

If you are the victim of a crime and do not want to pursue action within the university system or criminal justice system, you may still want to consider filing a confidential report. A suggested approach for confidentiality would be to contact your clergy, TSU’s Director of Counseling Services at (615)963-5611, or one of the Campus Security Authorities (Deans, Associate Deans, Assistant Deans, VP-Administration, Director of Student Services, Manager of Student Housing Facilities, and Assistant Vice President/Chief of Police or a Police Officer).

Additionally, the TSU Safety App, a free mobile safety application designed for IOS and Android smartphones was launched in the fall of 2015. The TSU Safety App users can use their cell phones to contact the Tennessee State University Police Department directly.

With the TSU Safety App you can:

- Contact TSUPD for emergency services with three easy taps
- Submit non-emergency reports to the Behavioral Intervention Team with text, photos, or videos
- Submit information to the Behavioral Intervention team anonymously
- View TSU emergency guides

For more information about the TSU Safety App contact the Tennessee State University Office of Emergency Management.

Important Phone Numbers

TSU Police Department	Emergency & Non-Emergency	615-963-5171
Metro Nashville Police Department	Emergency	911
	Non-Emergency	615-862-8600
TSU Office of Emergency Management	Non-Emergency	615-963-1246

LAW ENFORCEMENT AUTHORITY

TSU Campus Police Officers have the authority to ask persons for identification and to determine whether individuals have lawful business on the TSU Campus. In the State of Tennessee, a full-time law enforcement officer is defined as a person commissioned, sworn, appointed, and or otherwise lawfully enjoined to uphold the laws of the State of Tennessee; and who is employed by any municipality or political subdivision of the State of Tennessee and whose primary responsibility is (whether directly or as an experienced, certified, supervisor/administrator of such persons), the prevention of crime, and the apprehension of offenders, and specifically assigned duties and /or job description reflect said primary responsibility for the prevention and detection of crime.

TSUPD Police Officers are full-time law enforcement officers and possess full law enforcement authority and arrest powers.

Other agencies with enforcement jurisdiction on campus include the Metropolitan Nashville Police Department, the Tennessee Highway Patrol (THP), the Tennessee Bureau of Investigation, the Federal Bureau of Investigations, and the Tennessee Alcohol Law Enforcement Agency. The TSUPD enjoys a healthy working relationship with local law enforcement agencies as they continue to provide valuable assistance to the University.

For faculty, staff and students living off-campus and off-campus student organizations, the Metropolitan Nashville Police Department (MNPd) is the primary provider of law-enforcement services. The TSUPD provides on-campus assistance to the Metropolitan Police Department, when requested.

All crimes reported to TSUPD receive a preliminary investigation by the TSUPD. Where a suspect(s) can be identified, TSUPD officers preserve evidence and establish probable cause to prosecute the offender(s) in state or city court. With certain misdemeanor offenses, the offender(s) may be referred to the Dean of Students/Chief Judicial Officer for corrective action and/or referred to the local District Attorney for criminal prosecution. All felonies are investigated initially by the Tennessee State University Police Department to determine if a crime has been committed and to gather basic facts prior to notifying the local District Attorney's Office. The police investigator(s) will prepare a presentation to the local District Attorney's Office for prosecution, in cooperation with the University. The local District Attorney decides whether criminal charges will be prosecuted and will conduct the prosecution that follows. The decision to prosecute in a court of law does not exclude the possibility that disciplinary action may be initiated by TSU.

POLICIES ON LOCKS AND LIGHTING

TSU Police and Community Service Officers lock with a key or cause via the Office of Emergency Management the Electronic Locking System (Proximity Card Readers) to lock administrative and academic buildings 24 hours a day or are timed to allow access during normal working hours. All buildings are closed on holidays unless prior arrangements have been made with the Campus Police or the Office of Emergency Management. Campus buildings will reopen the next workday as scheduled by the system or with a key.

Residence halls are locked twenty-four hours a day, 7 days a week. Resident students access their buildings using their Proximity/Identification Reader and may enter at will. All residence hall visitors and guests must be escorted. Residents are reminded that security is breached if doors to residence halls are propped open, or non - allowed visitors are escorted in by residents.

TSUPD Officers periodically check exterior doors to campus buildings as well as routinely patrol inside academic buildings. Generally, students, faculty and staff members should not remain in academic or administrative buildings during “closed” hours, unless prior arrangements have been made with the TSUPD or the Office of Emergency Management.

TSU’s Department of Facility Management is responsible for providing maintenance updates to the campus. Facility Management personnel identify and trim trees and shrubbery that may interfere with lighting. In planting and maintaining shrubbery around buildings and near thoroughfares, ground crews try to preserve lines-of-sight for pedestrians and vehicular traffic. All campus community members are asked to report inoperable lights or hazardous conditions to the TSUPD or to Department of Facility Management.

POLICY ON NOTIFICATION OF PUBLIC DANGER (TIMELY WARNINGS)

Mass Notification System

The Mass Notification System used at the University broadcasts immediate e-mail to all users, and a text message to those who have chosen to participate in the program. The University also, without delay, immediately notifies the entire campus community, by sending a timely warning, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff occurring on the campus. Considering the safety of the community, the University will determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. After the initial notification, follow-up information may be disseminated to the community via the messaging system or by email as needed. The university has the capability to segment messages however, there are times when the entire faculty, staff and student body need to be communicated a message. That is done through the ENS utilizing email, text messages and voice alerts. However, should the local community need to be communicated with, the university may utilize the local media outlets.

Policy Statement for Mass Notification

Mass Notification System for Emergency Alerts (Regroup Notification System)

- Purpose
Establishes the guidelines by which the Regroup system and emails will be used for distribution of emergency/timely warning alerts to students, faculty, and staff that would be affected directly by a critical incident which poses an imminent threat to their health or safety given their presence on the University grounds and/or its surrounding areas.

Scope/Applicability

Tennessee State University maintains an email and voice messaging service which enables University administrators to create voice and email messages for emergency/timely warning alerts to members of the University community and send them to a list of subscribed cell phone or other wireless device users, as well as email accounts. Voice and email message emergency alerts are one element of the University’s comprehensive emergency response protocol that

provides for rapid notification to students, faculty, and staff about situations or events that are occurring on campus and its surrounding areas.

The service is designed for those conducting regular TSU related business in the immediate area. The emergency messaging service, with which TSU has contracted, requires users to opt-in to the service by subscribing their cell phone or wireless device number and e-mail address.

Definition of Terms in Statement

- Emergency Alerts/Timely Warnings - Notifications regarding critical incidents that pose an imminent threat to the health or safety of the TSU community. Examples of such emergency incidents include, but are not limited to severe weather, hazardous materials incidents, and acts of criminal violence that broadly threaten the safety of the TSU community.
- Email and Text Messages—Brief, direct text notifications received on a cellular phone or similar text-communication handheld device, and emails sent to the individual’s account and other email account.
- Creation and Distribution of Emergency Messages
There are designees from the following University offices who have the authority to approve the dissemination of emergency messages:
 - Office of the President
 - Vice President for Business and Finance
 - Executive Director of Emergency Management and Support Services
 - Office of the General Counsel
 - Associate Vice President/Chief of Police

Once approved, emergency messages will be distributed by a trained system administrator to subscribers of the messaging service prior to adoption. Creation of Message templates (“standard messages”) will be reviewed with the Office of Public Relations and Communications. Numerous messages pertaining to various possible occurrences have been written, vetted and loaded in the ENS. These messages exist within several alert components of the systems such as telephone text to speech, mass email, text message and outdoor warning sirens. Other message language and wording is governed by the following: The content of the message is influenced by time of occurrence; location of occurrence; knowledge/description provided of person (s) involved; risk of the situation and if harmed is to property or persons.

Sample Message:

Attempted armed robbery reported at _____. The suspect is described as a _____. Please leave that area immediately and stay away. Report suspicious activity to TSU Police: _____.

The appropriate segment or segments of the campus community to alert is determined by the characteristics of the threat. Additionally, factors such as size of the threat, impact or potential impact to the campus community and duration are all considered. Furthermore, the characteristics of the threat also influence the method of cues to communicate the information to campus stakeholders.

Follow-Up after a Regroup Message is sent

- Notifications - Immediately after sending an emergency alert message, the designee who created the message shall notify the other designated offices that the message has been sent and shall describe the rationale for activating
- Regroup. The purpose of this communication is to ensure that all five offices are sharing consistent information and are not sending duplicate messages. The
- Emergency Response Team (ERT) will subsequently coordinate with the appropriate institutional departments, in accordance with the TSU Emergency Preparedness Plan, to communicate additional information to the University community related to the critical incident using other communication modes (e.g., e-mail, web posting, etc.).
- Tennessee State University Office of Emergency Management facilitates campus emergency exercises annually to ensure that campus constituents are informed on how to respond to various campus emergencies. These exercises are presented in the form of tabletop, drills, and full-scale exercises. The Office of Emergency Management also coordinates and collaborates with Nashville Office of Emergency Management, Tennessee Emergency Management Agency and Federal Emergency Management Agency to participate in local, state and federal emergency exercises to ensure the disaster preparedness readiness of Tennessee State University.
- Tennessee State University emergency procedures are publicized on line (<http://www.tnstate.edu/emergency/studentpreparedness.aspx>). The university simulate an emergency by activating the building alarm and monitor each person complete their assigned duty. The procedure is monitored and evaluated. There is an after-action report that addresses concerns and improvements needed. The campus preparedness guides give specific instructions on how to respond to threats and hazards that may impact the campus. The Office of Emergency Management exercise once annually to assess the readiness of the University. These exercises may be announced or unannounced events.

Tabletop and Exercise Log

Date	Exercise or Tabletop	Location	(un)announced	Conducted By
5/20/2016	Severe Weather	Hankal Hall	Announced	TSU OEM
12/12/2017	Power failure	Hankal Hall	Announced	TSU OEM
5/22/2018 - 5/23/2018	Chemical Weapons	Gentry Complex	Announced	USARMY 45th WMD Civil Support Team
7/31/2018	Active Shooter	Hankal Hall	Announced	TSU OEM
2/15/2019	Campus Lockdown	Hankal Hall	Announced	TSU OEM
9/12/2019	Nashville Terminal Spill Drill	Preston Hotel	Announced	Exxon Mobile
7/6/2020	Covid Response	AIT	Announced	TEMA
7/26/2021	Managing Critical Incidents for Higher Education	National Emergency Management Response and Rescue Training Center	Announced	Homeland Security Federal Emergency Management Agency

Tennessee State University provides a series of emergency preparedness trainings for employees, staff, students and campus stakeholders. The trainings are provided by the Office of Emergency Management and Facilities Management. These programs are structured in a way that creates opportunities for active audience participations. It is the goal of the university to build a prepared and disaster resilient campus. Information relating to the training and offerings can be found online <http://www.tnstate.edu/emergency/training.aspx>.

- *Archiving Regroup Messages*— The Tennessee State University Police Department (TSUPD) will maintain a log of all situations warranting a mass notification/timely warning and will maintain copies of the official notices for up to seven years. Timely Warnings will be given whenever one or more of the mandatory reporting incidents occur: Murder, Sex Offense, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Manslaughter or Arson, as well as any significant act of nature emergency.
- *Renewal and Maintenance*
The Office of Information Technology designee will publish and announce that the data base for the Student and Employee group will be reviewed and updated on an annual basis prior to the fall incoming students. A sustained marketing effort of this communication tool will be made for all students, faculty, and staff throughout the year using existing web technology (portal) and traditional media (emails, postings). The Regroup Notification System will be tested once per month to evaluate overall system capability and effectiveness.
- *Procedures*
Detailed emergency procedures on critical incident notification can be found in the emergency preparedness plan, which can be found at:
<http://www.tnstate.edu/emergency/TSU%20Campus%20Preparedness%20Guide2.pdf>

Emergency notification will be sent without delay once a credible emergency event or threat has been confirmed, unless sending such a message will, in the professional judgement of the responsible University authorities, create a more serious emergency or may compromise the University's efforts to contain the emergency. The following criteria must be considered to determine if activation of any or all alert system components is warranted:

Audience: Who needs to be alerted and where (administration, faculty, staff, students, visitors; all campuses, one campus, sector of campus, community, etc.)

Message Language - Numerous prescript messages have been authorized and exist within several alert component systems such as telephone call outs, mass emails, text messages and outdoor warning sirens. Other message language and wording is governed by the following:

- Message wording is approved by the person or group authorizing the notification as outlined in the Message Authorization Section.
- Length of message is dictated by the distribution method selected; i.e., text messages are limited to a specified number of characters.
- Messages should include several key elements:
 - Indication the notification is from Tiger Alert All.
 - Message Announcement number and/or date and time stamp.
 - Brief description of the incident.
 - Actions affected population should take, i.e. evacuate building, avoid area of campus, shelter in place.
 - Additional or supplemental information should include the following:
 - Reference TNSTATE.EDU for appropriate information source for obtaining additional information and updates.
 - Reporting information to appropriate authorities.

Messages sent via the campus emergency alert system is sent to faculty, staff, and students who are active in the TSU banner database. These records are communicated from the TSU system to the alert system each morning.

When emergencies occur that the require communicating with the larger community, those messages are disseminated by the TSU Media Relations Department via various means including but not limited to campus wide emails, press releases, social med postings, website alter banners etc.

The university also has the ability via IT to broadcast messages on select monitors in high traffic areas accessed by the public.

The Emergency Operations Plan also states that the Office of Media Relations may also notify the University community of status update and follow up.

Full testing of the Tiger Alert System components occurs at least two times a year. These tests are announced to the University community, key external partners, local emergency management officials, and surrounding communities.

Evacuation procedures are tested during mandated fire drills that happen announced and unannounced at least once each during the fall and spring terms.

Full testing of the Tiger Alert System components occurs at least two times a year. These tests are announced to the University community, key external partners, local emergency management officials, and surrounding communities.

Evacuation procedures are tested during mandated fire drills that happen announced and unannounced at least once during the fall and spring terms.

In addition, each residence hall is mandated to keep a copy of the emergency response and evacuation procedures on file in the residence office. In addition, the campus community can access the university emergency response and evacuation procedures via a campus preparedness guide posted online at <https://www.tnstate.edu/emergency/TSU%20Campus%20Preparedness%20Guide%202020-2021.pdf>

Additional testing occurs as deemed necessary to evaluate particular alert system components. If possible, these tests are announced.

Training and exercises are essential to demonstrating and improving the ability of the University to execute its alert protocols. Periodic exercises also help ensure that equipment and procedures are maintained in a constant state of readiness.

All emergency response trainings conducted by the Office of Emergency Management are logged in a training tracker document that is housed in the Office of Emergency Management.

THE DAILY CRIME LOG

The Daily Crime Log is published to provide the TSU community with information on security-related incidents that occur on campus or on surrounding off-campus property in a timely manner. A [Daily Crime Log](#) will be available to the public on campus: at the administrative office of the Tennessee State University Police Department. The Daily Crime Log will be updated within two business days of the last reported crime to the TSUPD. However, if there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual(s), cause a suspect to flee or evade detection or result in the destruction of evidence, such information may be delayed until that damage is no longer likely to occur from the release of such information.

TENNESSEE SEX OFFENDER AND PUBLIC PROTECTION REGISTRY

The Campus Sex Crimes Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes against Children and Sexually Violent Offender Act. The Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004 were established in T.C.A. 40-39-201 et. seq. and became effective August 1, 2004. All persons who meet the definition of sexual offender or violent sexual offender and live, work or attend

school in Tennessee must register with the appropriate registering agencies as defined by law. In Davidson County, sex offenders are required to register with the Metropolitan Nashville Police Department. Tennessee Code Annotated section 40-39-206 makes some Tennessee Sexual Offender Registry information about sex offenders who committed certain

enumerated offenses on or after July 1, 1997, public record, and requires that the Tennessee Bureau of Investigation (TBI) post the information on the TBI's internet home page. Information concerning these offenders can be found on this web site or by calling 1-888-837-4170 from 8 a.m.-4:30 p.m., Monday-Friday, excluding holidays.

The names of sexual offenders who committed sexual offenses before July 1, 1997, are confidential, and subject to release only if the specific sex offender is deemed to pose a threat to the community. It is the policy of the TBI that local law enforcement is best suited to make the determination as to who poses a threat in their community. Therefore, for the names of offenders on the Sexual Offender Registry prior to July 1, 1997, you should contact your local law enforcement agency; in Nashville, 2022 Annual Security and Fire Safety Report

you should contact the MPD. The registry may be viewed locally at the TBI, the MPD or accessed directly on-line at <http://sor.tbi.tn.gov/SOMainpg.aspx>

CRIME, ARREST, AND VIOLATION STATISTICS

The Tennessee State University Police Department records statistics of on-campus reported crimes, according to the methods, standards and definitions provided by the Uniform Crime Reporting System of the Federal Bureau of Investigation. Tennessee State University has filed statistics with this system since 1978. The TSU Student Disciplinary Committee records statistics on disciplinary actions and judicial referrals. The Vice President for Administration conducts an annual survey and maintains statistics of crimes not reported to police but reported by non-police/campus security authorities.

To the extent that reports can be obtained from local law enforcement agencies, college crime statistics recorded since October 2004, include incidents that occurred at off-campus locations occupied by registered students/organizations or on University-owned property that is not part of the main campus.

DEFINITIONS

- Campus -Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).
- Public-All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.
- Residence-An on-campus residence hall and is a subset of "Campus" total.
- Non-Campus-Any building or property owned or controlled by a student organization recognized by the institution and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Programs to prevent dating violence, sexual assault, and stalking

- Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:
 - i. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
 - ii. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels
- Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.
- Awareness Programs- Community wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

- Bystander Intervention- Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking
 - Bystander Intervention includes:
 - Recognizing situations of potential harm
 - Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.
 - Contact campus law enforcement
 - Report the incident to the counselling center
 - Record the incident (iPhone)
 - Be a good witness
- Ongoing prevention and awareness campaigns- Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution
- Primary Prevention Programs- Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

Education and Prevention Programs

- Tennessee State University engages in comprehensive educational programming that promote accurate reporting 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 and faculty that:
 - i. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct
 - ii. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking
 - iii. Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee
 - iv. 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
 - v. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
 - vi. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Sexual Misconduct: Rights and Options

A. Regardless of whether a complainant elects to pursue a criminal complaint, TSU will take efforts to assist and notify complainant and respondent of her/his rights as a member of TSU.

B. Complainants of sexual assault are strongly encouraged to not change or destroy clothes, take a shower or bath, wash his/her hands, use the toilet, brush his/her teeth, or clean up in any way. If the assault occurred in the complainant's home or residence hall, the complainant should not rearrange and/or clean up anything. It is important for the complainant to seek medical attention immediately so that the complainant can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries. Valuable physical evidence can be obtained from the complainant or the complainant's clothing.

C. TSU complies with Tennessee law in recognizing orders of protection. Any person who obtains an order of protection from Tennessee or any state should provide a copy to University Police and the Office of Equity and Inclusion or successor office. That person may then meet with University Police to develop a Safety Action Plan, which is a plan for University Police and the person to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, providing a temporary cellphone (with 911 call capability only), changing classroom location or allowing a student to complete assignments from home, etc.

D. Protection from abuse orders may be available through

<http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> and additional information related to such orders may be found at <http://tncoalition.org/resources/legal-resources.html>.

E. TSU does not publish the name of crime victims nor maintain identifiable information regarding victims in the University Police's Daily Crime Log or online.

F. Complainant may request that directory information on file be removed from public sources by a request to the Office of the Registrar. The Office of the Registrar may be contacted at the following: records@tnstate.edu; (615) 963- 5300 (telephone).

III. Definitions

1. Actual knowledge: Notice of sexual harassment or allegations of sexual harassment to TSU's Title IX Coordinator or any TSU official who has authority to institute corrective measures on behalf of TSU. This definition is not met when the only TSU official with actual knowledge is also the respondent.
2. 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. 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. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.
3. Coercion: Words or conduct that, viewed from the perspective of a Reasonable Person, substantially impair a person's ability to voluntarily choose whether to engage in a particular

sexual act (e.g., Sexual Contact or Sexual Intercourse). Coercion is something more than mere seduction or persuasion.

Coercion includes, without limitation:

1. Physical force; and
 2. words and /or conduct that would cause a Reasonable Person to fear imminent: harm to the person's health, safety, or property or that of a third person; threat of the loss of a job benefit; or kidnapping of the person or a third person.
4. Incapacitated (or Incapacitation): A temporary or permanent state in which a person cannot make informed, rational judgments (e.g., judgments concerning Sexual Contact, Sexual Intercourse, or Sexual Exploitation) because: the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct; and /or the person is unable to communicate Consent physically or verbally. Incapacitation can be voluntary or involuntary. Incapacitation is determined based on the totality of the circumstances.

Incapacitation may result from: sleep; unconsciousness; temporary or permanent physical or mental disability; involuntary physical restraint; or the influence of alcohol, drugs, or other substances, including, without limitation, substances used to facilitate Sexual Assault (e.g., Rohypnol, Ketamine, GHB, and Burundanga).

When alcohol, drugs or other substances are involved, Incapacitation is a state beyond mere drunkenness or intoxication. Indicators of Incapacitation may include, without limitation: lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; vomiting; unresponsiveness; and inability to communicate coherently.

5. Preponderance of the Evidence: The amount of evidence that causes one to conclude that an allegation is probably true (i.e., more likely true than not true). If the evidence on a particular allegation is equally balanced, then that allegation has not been proven by a preponderance of the evidence.
6. Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.
7. Deliberately indifferent: A response that is clearly unreasonable in light of the known circumstances.
8. Education Program or Activity: Locations, events, or circumstances over which TSU exercises substantial control over both the respondent and the context in which the alleged sexual harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by TSU. Conduct that occurs outside of TSU's Program or Activity as defined in this policy may be subject to other applicable University policy.
9. Employee: For purposes of this policy, an employee is defined as faculty, executive, administrative, professional staff, clerical staff, and support personnel.
10. Formal Complaint: A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that TSU investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in, or attempting to participate in, the education program or activity of TSU. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through TSU's online reporting portal) that contains the complainant's physical or digital signature, or otherwise indicates that the

complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under these procedures and must comply with the requirements of this policy.

11. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment

12. Responsible Employee: A TSU official who has the authority to institute corrective measures on behalf of TSU.

13. Sexual Harassment: Conduct on the basis of sex that satisfies one (1) or more of the following:

1. An employee conditioning the provision of an aid, benefit, or service of TSU on an individual's participation in unwelcome sexual conduct (quid pro quo)

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to TSU's education program or activity; or

3. Any of the following offenses:

a. Sexual Assault:

(1) Forcible Sex Offenses. Any sexual act directed against the Complainant, without the consent of the Complainant including instances where the Complainant is incapable of giving consent. Forcible sex offenses include:

i. Rape (Excluding statutory rape). The carnal knowledge of the Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

ii. Sodomy. Oral or anal sexual intercourse with the Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

iii. Sexual Assault with an Object. To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of the Complainant, without the consent of the Complainant including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An "object" or "instrument" as defined in this section is anything used by the offender other than the offender's genitalia (e.g., a finger or bottle).

iv. Fondling. The touching of the private body parts of the Complainant for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

(2) Nonforcible Sex Offenses. Nonforcible sex offenses include:

i. Incest. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

ii. Statutory Rape. Nonforcible sexual intercourse with a person who is under the statutory age of consent.

2. Dating Violence: Violence committed by a person:
 - 1) who is, or has been, in a social relationship of a romantic or intimate nature with the

Complainant; and

(2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

i. The length of the relationship. ii. The type of relationship.

iii. The frequency of interaction between the persons involved in the relationship.

3. Domestic Violence: Violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the laws of the State of Tennessee, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the State of Tennessee; or
4. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(1) fear for his/her safety or the safety of others; or (2) suffer substantial emotional distress.

Supportive Measures. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to TSU's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties and/or the educational environment, or deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, adjustments for assignments or tests, extensions of deadlines or other course-related adjustments, academic support services such as tutoring, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, providing or assisting in providing medical services, arranging a course re-take or withdraw from a class without penalty including ensuring that any changes do not adversely affect the student's academic record, and other similar measures. TSU will keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality does not impair TSU's ability to provide the supportive measures.

Notice. For the purposes of this rule, a notice is a written communication sent to a Complainant or Respondent. Notice may be provided in one or more of the follow three manners: 1) hand delivered; 2) via the recipient's official TSU email account or any email account registered by the student with the university; or, 3) a hard copy letter sent via US mail to the individual's local address on file with TSU. Students and employees have the responsibility to regularly check their University-issued email accounts and to ensure that the local address on file with TSU is current. The requirement to provide notice will be satisfied by any one of the three ways to provide notice, and any period for response will begin on the date the notice is hand delivered or the email and/or letter is sent/mailed, whichever occurs first.

- A complete list of programs can be found here www.tnstate.edu/equity
- Risk reduction- Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Options for risk reduction: avoid walking alone at night, walk with purpose, be familiar with your surroundings, don't overload self with books and bags, trust your instincts, concerning unsafe or uncomfortable situations, make sure your cell phone is charged and go in groups to social event.
- Prompt, fair, and impartial proceeding- A proceeding that is completed within reasonably prompt timeframes of the full process that's designated by Tennessee State University's
- Sexual Misconduct Policy 7.04. Investigation Requirements and Grievance Procedures

A. All proceedings will include a prompt, fair, and impartial investigation and result. Tennessee State University will provide the respondent and complainant equitable rights during the investigative process. During any proceeding under this policy, TSU will treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent, and by following the grievance process set forth below before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent.

B. All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for appropriate disposition.

C. Throughout the grievance process, Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Any grievance pursuant to these procedures will include an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

E, TSU will apply a preponderance of the evidence standard throughout the grievance process. The Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, shall be free from any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

F. Any timeframes provided in this policy are subject to good cause extension, which can include, but are not limited to, concerns related to the academic calendar, party or witness availability, and weather or other force majeure events.

G. Available Sanctions and Remedies. The possible disciplinary sanctions that TSU may implement following any determination of responsibility will vary based on the status of Respondent.

1. Employees: warning, reprimand, suspension, demotion, termination, or other sanction as deemed appropriate.

2. Students: Possible sanctions for students are found in TSU's Student Conduct Rule.

H. Timeframe for Conducting the Investigation

1. Every reasonable effort shall be made to conclude the investigation 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 and that the investigator will notify the parties in writing of the investigative report determination.

2. If the investigator 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.

3. If either party determines that additional time is needed in connection with their participation in the investigation, that party shall request such in writing to the investigator or Title IX Coordinator. The written request for additional time shall include the reasons for the requested delay and the number of additional days needed.

4. The investigator shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the request and shall notify both parties in writing as to whether the request is granted.

Institutional Hearing

A. At least ten (10) days after the completion of the investigative report and distribution to the parties and their advisors (if any), TSU will convene a live hearing.

B. The hearing may be held before either a hearing officer or hearing committee. The President shall determine, in his or her sole discretion, whether to proceed with a hearing officer or hearing committee and shall appoint individuals to serve in those capacities.

C. If the Complainant or Respondent believes the hearing officer or the hearing committee member(s) 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 investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the President shall be final.

D. Every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the Vice President or designee, within forty-five (45) days following the completion of the investigative report, absent good cause.

E. The hearing officer may allow a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include but is not limited to considerations such as the absence of a party, a party's advisor or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities

A. Pre-Hearing Procedures

1. The Dean of Students/Chief Judicial Officer Student Affairs shall investigate of the alleged violation(s).
2. All matters involving allegations of impermissible discrimination, harassment, or retaliation will be governed by the procedures outlined in TBR Guideline P-080 Subject: Discrimination and Harassment – Complaint and Investigation Procedure and/or an institutional policy that reflects the requirements of that Guideline as well as the TSU Policy governing Sexual Misconduct.
3. At the conclusion of the investigation, the Dean of Students/Chief Judicial Officer for Student Affairs shall conduct a preliminary conference and shall advise the student of the charge(s) and proposed sanction(s), if any. The student may admit the violation(s) and accept sanction(s) or may elect to contest the charge. Admission of the violation (s) and sanction(s) shall constitute a waiver of hearing and shall be in writing when possible. Such admission shall be binding and may not be subsequently revoked without concurrence of the Dean. At the conclusion of the preliminary conference, the Dean of Students/Chief Judicial Officer shall execute the “Preliminary Conference Form” reflecting the action taken or to be taken in the case. If the student fails to appear for the preliminary conference, the student shall be deemed to have waived his/her right to contest the charges and sanctions and said sanctions shall become final.
4. Student has five (5) working days from the date of the preliminary conference to make an election. For all cases where suspension or expulsion are not possible sanctions, if the student chooses to contest the charge, it shall be heard pursuant to the Institutional Hearing Procedures set forth in section D below.

B. Tennessee Uniform Administrative Procedures Act (TUAPA)

1. All cases which may result in: (a) suspension or expulsion of a student, or student organization, from the institution, for disciplinary reasons or (b) revocation of registration of a student organization, are subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act (TUAPA), T.C.A. § 4-5-301 et seq., and shall be processed in accord with the Uniform Contested Case procedures adopted by the Tennessee Board of Regents unless the student or organization, after receiving written notice, waives those procedures and elects to have the case disposed of in accord with institutional procedures or waives all right to contest the case under any procedure.

Hearing Procedures

Student Affairs Disciplinary Committee Hearing Procedures.

Standard of Proof

1. The standard of proof required for a finding of violation of the student code of conduct shall be the preponderance of the evidence. This means that based on the information and evidence presented to the committee, it is more likely than not that the student has violated the Student Code of Conduct.
2. The following procedures shall govern conduct of an Institutional Hearing by the Student Affairs Disciplinary Committee:

- a. The student shall be advised of the date, time, and place of the hearing.
- b. the students shall be advised, in writing, of the breach of policy of which he or she is charged.
- c. The student shall be advised of the following rights: (i) the right of the accused student to present or state his/her case; (ii) the right to be accompanied by an advisor (An advisor shall not be permitted to participate in the hearing and shall be limited to directly advising the student); (iii) the right to call witnesses in his/her behalf; (iv) the right to confront witnesses against him/ her.
- d. The date of the hearing shall be set no later than ten (10) calendar days but no sooner than two (2) days following the student's notice of intent to contest the charge.
- e. The hearing notice should be delivered in person to the student by an appropriate official of the university. The person making personal service on a party shall make a record as to the time and place of service. If the student is not available for service in person, the notice should be delivered by return receipt mail to the student's last known address.
- f. The notice shall contain a description of the procedures under which the hearing will be conducted.
- g. The Student Affairs Disciplinary Committee shall conduct a hearing providing for the receipt of evidence, including calling witnesses and the review of other evidence in rendering a decision.
- h. The student at issue shall be permitted to call witnesses and submit documentation at the hearing in support of his/her defense. The student may also be accompanied by legal counsel or some other representative. However, legal counsel or a representative may not speak or present evidence on behalf of the student.
- i. The Student Affairs Disciplinary Committee shall decide of the case based on the evidence presented at the hearing. This is an administrative process; therefore, the Student Affairs Disciplinary Committee shall exercise discretion as to the application of the federal rules of evidence at the hearing. The decision of the committee shall be by majority vote.
- j. The Chairperson will vote only when needed to break a tie vote.
- k. If the Committee finds that the student did engage in the offense (s) for which he/she is charged, it shall recall the Dean and the student for a review of the student's past record in determining the appropriate recommendation of sanction.
- l. The Committee will issue a written decision within five (5) days following the conclusion of the hearing. The decision shall specify any violations found and recommend appropriate sanctions.
- m. Record (Discipline) – A record which may consist of a taped or similar electronic recording, shall be made of the proceedings. Such record may be transcribed upon request by a party at the party's expense. If the university elects to transcribe the

proceedings, any party shall be provided copies of the transcript upon payment of cost to the university. The record includes all evidence, statement, affidavits, or matters officially noticed.

n. The Committee shall not consider any student's grade point average or academic success or lack thereof in determining whether the student has violated the Student Code of Conduct.

C. Appellate Procedures

1. Disciplinary Committee to the Vice President for Student Affairs. The appeal must be submitted, in writing, to the Vice President for Student Affairs or designee within five (5) days of the date of the decision and must specify in detail the grounds for the relief sought. Petitions for appeal will be considered on the following grounds only:

- a. Some material error in procedure.
- b. Some material error in the committee's finding or fact or conclusions of law.
- b. Discovery of new evidence, unavailable at the time of hearing, sufficiently strong to reverse or modify the decision which could not have been previously discovered by due diligence.

2. Review by the Vice President or Designee— Upon receipt of an appeal by the student, the Vice President for Student Affairs or designee shall review the decision of the Committee and/or the sanction imposed. The Vice President shall render a decision on the student's appeal based upon the contents of the student's appeal filing, the record made at the hearing, the written decision and decision of the Committee, and any other information the Vice President deems relevant.

The Vice President shall issue a written decision within five (5) working days after the filing of the appeal. The Vice President may, at his or her own discretion, within ten (10) working days after the date on which the student's right to appeal has expired, review the decision of the Student Affairs Committee absent an appeal. Upon review, the Vice President may uphold, modify or reverse the Committee's decision. Once the Vice President or designee has decided, said decision will be delivered to the student, and a copy shall be delivered to the Dean of Students/Office of Student Conduct.

3. Appeal to the President – The decision of the Vice President for Student Affairs or designee may be appealed to the President of the university within five (5) days of its filing. The appeal must be submitted, in writing, to the President within five (5) days of the date of the decision and must specify in detail the grounds for the relief sought. The President may affirm or overturn the decision of the Vice President for Student Affairs in whole or in part. The President may also reduce or set aside the sanctions imposed. The President's determination shall constitute the final decision at the Institutional level.

Conduct Sanctions:

Disciplinary Sanctions

Upon a determination that a student or student organization has violated any of the rules, policies or disciplinary offenses set forth in this code of Student Conduct, disciplinary sanctions that may be imposed, either singularly or in combination, by the appropriate university officials include but are not limited to the sanctions referenced below.

- A. Restitution. A student who has committed an offense against property may be required to reimburse the university or other owner for damage to or misappropriation of such property or unreimbursed medical expenses resulting from physical injury. Any such payment in restitution shall be defined by the university.
- B. Fine – Fine of not more than \$200. This sanction shall apply to violations of the following disciplinary offenses: misuse of documents or identification card and failure to cooperate with university officials. Failure to pay fines may result in further disciplinary action.
- E. Warning – The appropriate university official may notify the student or student organization that continuation or repetition of specified conduct may be cause for further disciplinary action.
- F. Reprimand – A written or verbal reprimand, or censure, may be given to any student or organization whose conduct violates part of the Code of Conduct. Such a reprimand does not restrict the student in any way, but it does have important consequences. It signifies to the student that he or she is in effect being given another chance to conduct himself or herself as a proper member of the university community but that any further violation may result in more serious penalties.
- G. Apology – A student or student organization may be given the opportunity, under certain circumstances, to apologize to an affected party, either verbally or in writing, as an alternative or in addition to the imposition of other disciplinary sanctions, for the behavior related to a disciplinary offense.
- H. Restriction – A restriction upon a student’s or organization’s privileges for a period may be imposed. This restriction may include, for example, denial of the right to represent the University in any way, restrictions on university or TBR sponsored travel and events, denial of the use of facilities, parking privileges, or restrictions involving the participation in any extra-curricular activities, organizational privileges, athletic events, or on an athletic team. This restriction may include, for example, denial of the right to represent the university in any way, university or TBR sponsored travel, denial of the use of facilities, parking privileges, or participation in extra-curricular activities or restriction of organization privileges.
- I. Referral to the University Counseling Center or appropriate healthcare provider is never to be considered as a punishment for any specified behavior. Participation in counseling treatment is strictly voluntary and highly confidential, but the student may be referred to the university-counseling center or an appropriate health care provider for an evaluation to determine if the student poses a threat to the campus community.

The University Behavior Intervention Team may, in coordination with the Judicial Affairs Office or other University officials, issue appropriate directives regarding a student’s continued presence on campus in connection with the Referral referenced herein.

- Community or Educational Project – A project beneficial to the individual, campus, and/or community may be required. The project will be related to the offense the student is guilty of violating. Assignment of work hours – A specified number of supervised hours of work to be completed on campus may be assigned. This work will be commensurate to the offense the student is guilty of violating.
- Probation. Continued enrollment of a student or recognition of a student organization on probation may be dependent upon adherence to the Code of Student Conduct. Any student or

organization placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities or any other appropriate special conditions. Any conduct in violation of this Code while on probationary status may result in the imposition of a more serious disciplinary sanction.

- Suspension. If a student is suspended, he or she is deprived of student status and is separated from the university for a stated period of time with conditions of readmission stated in the notice of suspension. The suspension shall appear on the student's disciplinary record regardless of whether such student is successfully readmitted.
- Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's readmission or student organization to the institution. Tennessee State University policy requires that any student or organization receiving a penalty of expulsion shall be restricted from the campus of Tennessee State University during the period of expulsion unless on official business with the university verified in writing by the Judicial Officer/Dean Students.

Sexual Misconduct Policy 7.04 VIII. Role of Title IX Coordinator

Tennessee State University's Title IX Coordinator is responsible for overseeing all Title IX incidents reported to Tennessee State University and for the implementation of this policy, including but not limited to identifying and addressing any systemic gender-based harassment, discrimination, and sexual misconduct under this policy or TBR Guideline P-080 as adopted and implemented by Tennessee State University. The Title IX Coordinator's responsibilities include, but are not limited to:

- Investigation or oversight of investigations of allegations related to Title IX, in consultation with the General Counsel or his/her designee.
- Coordination over the effective implementation of supportive measures for both complainant and respondent.
- Coordination and oversight of educational programs including mandatory training for new students and employees and awareness campaigns for current students and employees.
- Coordination with University Police and local law enforcement on matters related to allegations related to sexual misconduct.
- Coordination and oversight of training for law enforcement, responsible employees, advocates, and anyone else involved in responding to, investigating, or adjudicating sexual misconduct.
- Coordination and oversight of training for employees likely to witness or receive reports of sexual misconduct, including professors, school law enforcement, school administrators, school counselors, general counsels, athletic coaches, health personnel and resident advisors.
- Coordination and oversight of training for responsible employees related to appropriately responding to reports of sexual misconduct and the obligation to report sexual misconduct to the Title IX Coordinator or other designated official: Coordination and oversight of training for professional counselors and others relating to the extent to which they may keep a report confidential.
- Coordination and oversight of training for investigators, decision makers including hearing officers or hearing committee members and decision makers for appeals, and any person who facilitates an informal resolution process on the issues related to sexual misconduct and on how to investigate and hearing process that protects the safety of complainants and promotes

accountability. Such training must include training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to investigate and grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Additionally, decision-makers must receive training on any technology to be used and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, and annual training that satisfies the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) and the federal regulations implementing those statutes, as amended. Investigators must also receive training on issues of relevance; and

- Attending appropriate training *annually* on topics related to responding to or investigating allegations of sexual misconduct in conformance with Title IX. B. The Title IX Coordinator, in consultation with the General Counsel or his/her designee, may designate deputies and investigators ("designees") to assist in carrying out any of the responsibilities related to implementing this policy.

Sexual Misconduct Policy 7.04 IX. Investigation Requirements and Grievance Procedures A.

- All proceedings will include a prompt, fair, and impartial investigation and result. Tennessee State University will provide the respondent and complainant equitable rights during the investigative process. During any proceeding under this policy, TSU will treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent, and by following the grievance process set forth below before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent.
- All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for appropriate disposition. Throughout the grievance process, Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. Any grievance pursuant to these procedures will include an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
- TSU will apply a preponderance of the evidence standard throughout the grievance process.
- The Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, shall be free from any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
- Any timeframes provided in this policy are subject to good cause extension, which can include, but are not limited to, concerns related to the academic calendar, party or witness availability, and weather or other force majeure events.

Sexual Misconduct: Rights and Options

A. Regardless of whether a complainant elects to pursue a criminal complaint, TSU will take efforts to assist and notify complainant and respondent of her/his rights as a member of TSU.

B. Complainants of sexual assault are strongly encouraged to not change or destroy clothes, take a shower or bath, wash his/her hands, use the toilet, brush his/her teeth, or clean up in any way. If the

assault occurred in the complainant's home or residence hall, the complainant should not rearrange and/or clean up anything.

C. It is important for the complainant to seek medical attention immediately so that the complainant can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries. Valuable physical evidence can be obtained from the complainant or the complainant's clothing.

D. TSU complies with local law in recognizing orders of protection. Any person who obtains an order of protection from Tennessee or any state should provide a copy to University Police and the Office of Equity and Inclusion or successor office. That person may then meet with University Police to develop a Safety Action Plan, which is a plan for University Police and the person to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, providing a temporary cellphone (with 911 call capability only), changing classroom location or allowing a student to complete assignments from home, etc.

E. Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> and additional information related to such orders may be found at <http://tncoalition.org/resources/legal-resources.html>.

F. TSU does not publish the name of crime victims nor maintain identifiable information regarding victims in the University Police's Daily Crime Log or online.

G. Complainant may request that directory information on file be removed from public sources by a request to the Office of the Registrar. The Office of the Registrar may be contacted at the following: records@tnstate.edu; (615) 963- 5300 (telephone).

Available Sanctions and Remedies. The possible disciplinary sanctions that TSU may implement following any determination of responsibility will vary based on the status of Respondent.

- Employees: warning, reprimand, suspension, demotion, termination, or other sanction as deemed appropriate.
- Students: Possible sanctions for students are found in TSU's Student Conduct Rule.

Formal Complaint. Only a Complainant or the Title IX Coordinator may file a formal complaint.

- Upon receipt of the formal complaint, TSU will provide the parties written notice of the allegations potentially constituting sexual harassment, including enough details known at the time and with enough time to prepare a response before any initial interview.
- Enough details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

In addition, the written notice to the parties shall include the following statements

- The parties may have an advisor of their choice, who may be, but is not required to be, an attorney; however, the advisor may not participate in any investigative interview or proceeding other than to render advice to the party or to cross examine the other party or witnesses during the live hearing;

- The parties may inspect and review evidence; and d. Identifies any provision in its codes of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- If, in the course of an investigation, TSU decides to investigate allegations about the Complainant or Respondent that are not included in the original written notice discussed above, TSU will provide written notice of the additional allegations to the parties whose identities are known.

Sexual Misconduct Policy 7.04 H. Formal Complaint. Only a Complainant or the Title IX

Coordinator may file a formal complaint.

Upon receipt of the formal complaint, TSU will provide the parties written notice of the allegations potentially constituting sexual harassment, including enough details known at the time and with enough time to prepare a response before any initial interview. Enough details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

- In addition, the written notice to the parties shall include the following statements:
- The respondent is presumed not responsible for the alleged conduct and that a determination
- regarding responsibility will be made at the conclusion of the grievance process.

The parties may have an advisor of their choice, who may be, but is not required to be, an attorney; however, the advisor may not participate in any investigative interview or proceeding other than to render advice to the party or to cross examine the other party or witnesses during the live hearing; The parties may inspect and review evidence; and Identifies any provision in its codes of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. If, in the course of an investigation, TSU decides to investigate allegations about the Complainant or Respondent that are not included in the original written notice discussed above, TSU will provide written notice of the additional allegations to the parties whose identities are known.

Dismissal of a formal complaint:

- Mandatory Dismissal. TSU will investigate the allegations in a formal complaint. In consultation with the General Counsel or his/her designee, TSU must dismiss the formal complaint regarding any alleged conduct that: a. Would not constitute Sexual Harassment under this policy, even if proved; Did not occur in TSU's education program or activity; or

Did not occur against a person present in the United States at the time of the alleged conduct. If appropriate, the Title IX Coordinator will forward allegations of misconduct dismissed under this section to the appropriate administrative office for review and, if appropriate, additional action under other University rules and procedures may be taken.

- Permissive Dismissal. In consultation with the General Counsel or his/her designee, TSU may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:
- Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein.

- Respondent is no longer enrolled or employed by TSU; or c. Specific circumstances prevent TSU from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein. If appropriate, the Title IX Coordinator will forward allegations of 16
- Misconduct dismissed under this section to the appropriate administrative office for review 17 and, if appropriate, additional action under other University rules and procedures may be taken.
- Following a mandatory or permissive dismissal set forth above, the Title IX Coordinator must promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.
- Consolidation of Formal Complaints. TSU may consolidate formal complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.
- Investigation of a Formal Complaint. When investigating a formal complaint and throughout the grievance process, the following requirements apply:
 - Burden of Proof. The burden of proof and the burden of gathering evidence enough to reach a determination regarding responsibility rests on TSU and not on the parties.
 - Prohibition on use of Privileged Documents. TSU may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless TSU obtains that party's voluntary, written consent to do so for a Grievance Process under this section.
 - TSU will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, and will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
 - Use of an Advisor. The parties are permitted to have others present during any Grievance Proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. *TSU does not place any limits on the choice or presence of advisor for either the Complainant or Respondent in any meeting or Grievance Proceeding.* Except for participation in cross-examination in a live hearing, the advisor's role in any other meeting or proceeding shall be limited to an advisor role only and may not otherwise participate in the meeting or proceedings.

Notice to Parties. TSU will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with enough time for the party to prepare to participate.

- Access to Evidence. TSU will allow both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which TSU does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative

report, the Investigator will send to each party and the party's advisor (if any), the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have ten (10) business days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

TSU must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

- Final Investigative Report. The Investigator will create an investigative report that fairly summarizes relevant evidence, including the allegations made by the complainant, the response of the respondent, corroborating or non-corroborating statements of the witnesses, review of other evidence obtained, conclusions that may be drawn from the evidence gathered, and recommendations about the disposition of the matter. The report shall be forwarded to the General Counsel or his/her designee for legal sufficiency review. At least ten (10) days prior to a hearing or other time of determination regarding responsibility, send to each party and the party's advisor (if any), the investigative report in an electronic format or a hard copy, for their review and written response.

Determination Regarding Responsibility:

- The decision-maker(s) must issue a written determination regarding responsibility using a preponderance of the evidence standard. The written determination must include the following:
- Identification of the allegations potentially constituting Sexual Harassment.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.

Findings of fact supporting /Determination Regarding Responsibility.

- The decision-maker(s) must issue a written determination regarding responsibility using a preponderance of the evidence standard.
- The written determination must include the following:
- Identification of the allegations potentially constituting Sexual Harassment.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- Findings of fact supporting the determination.
- Conclusions regarding the application of TSU's sexual misconduct or other applicable policy to the facts.
- A statement of, and rationale for, the result as to each allegation, including: a determination regarding responsibility; any disciplinary sanctions TSU imposes on the respondent; whether remedies designed to restore or preserve equal access to TSU's education program or activity

will be provided by TSU to the complainant; and the procedures and permissible bases for the Complainant and Respondent to appeal.

- The written determination must be provided to the parties simultaneously. The determination regarding responsibility becomes final either on the date that TSU provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Explanation of Reported Crimes

- a. Criminal Homicide
 - i. Manslaughter by Negligence —the killing of another person through gross negligence.
 - ii. Murder and Non-negligent Manslaughter —the willful (non-negligent) killing of one human being by another.
- b. Sex Offenses- Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - i. Rape- the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
 - ii. Fondling- the touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.
 - iii. Incest- Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - iv. Statutory Rape- Sexual Intercourse with a person who is under the statutory age of consent. State
- c. Burglary—The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the.
- d. Robbery —The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- e. Aggravated Assault—An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.
- f. Motor Vehicle Theft—The theft or attempted theft of a motor vehicle. This includes all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned (including joyriding).

- g. Arson —Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- h. Hate Crimes —Incidents in which prejudice against race, religion, sexual orientation, or ethnicity is employed during the commission of a Group-A crime. Hate Crimes are a subset of the total of all other columns and are those which met the FBI definition of hate crimes.
- i. Larceny —The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another
- j. Simple Assault—An unlawful physical attack by one person upon another where neither offender displays a weapon, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- k. Intimidation —To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack
- l. Vandalism —To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- m. Liquor Law Violations —The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)
- n. Drug Abuse Violations —Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- o. Weapon Law Violations —The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the.

Domestic Violence- felony or misdemeanor crime of violence committed

- By a current or former spouse or intimate partner of the victim
- By a person with whom the victim shares a child in common

- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
- Adults or minors related by blood or adoption
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Tennessee
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic violence laws of the state of Tennessee.
- Assessing and treating victim injuries; It shall be the responsibility of the responding officer (s) at the scene of a domestic violence incident to provide immediate assistance to the victim (s); Such assistance shall include but is not limited to informing the victims of their rights, assisting with obtaining order of protection, restraining order and other similar lawful orders.
- It is the policy of TSUPD to provide a list of domestic abuse shelters and programs that are available to the victim.

Domestic violence- State Law defines as "any criminal offense involving violence or physical harm, or threat of violence or physical harm" committed by one family or household member against another Tennessee Code, Title 39, Chapter 13, TCA39-13-111.

Dating Violence- State defines dating Violence as committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Tennessee Code, Title 39, Chapter 13, TCA39-13-111.

- The existence of such relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
- Dating Violence does not include acts covered under the definition of domestic violence
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for the person's safety or the safety of others
- Suffer substantial emotional distress
- For the purposes of this definition:
 - Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action,

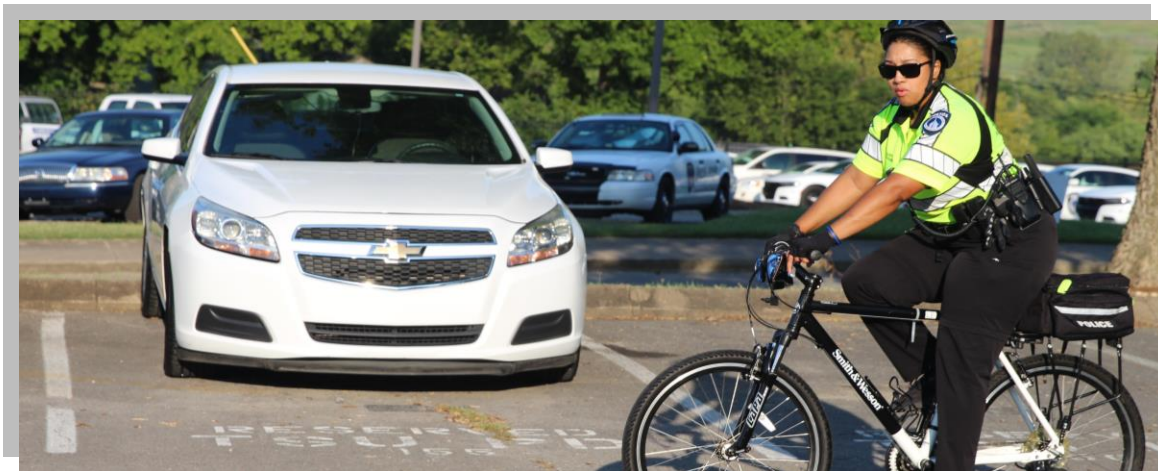
method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery reporting.
- State Law defines stalking as, Intentionally and repeatedly follows or harasses in a manner that causes fear. Tennessee Code, TCA 39-17-315

Consent- A voluntary yielding to what another proposes or desires; agreement, approval, or permission regarding some act or purpose given voluntarily by a competent person.

Tennessee State University Crime Statistics

Category	Location	2019	2020	2021
Murder/Non-Negligent Manslaughter	On-Campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Manslaughter by Negligence	On-Campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Rape	On-Campus	0	0	0
	Student Housing	5	1	3
	Non-Campus	1	1	0
	Public Property	0	0	0
Fondling	On-Campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Incest/Statutory Rape	On-Campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Robbery	On-Campus	1	0	0
	Student Housing	2	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0



Tennessee State University Crime Statistics				
Category	Location	2019	2020	2021
Aggravated Assault	On-Campus	3	0	0
	Student Housing	0	2	2
	Non-Campus	0	0	0
	Public Property	0	0	0
Burglary	On-Campus	0	0	0
	Student Housing	0	5	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus	1	1	0
	Student Housing	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Arson	On-Campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Liquor Law Violations: Arrests	On-Campus	0	0	0
	Student Housing	1	1	4
	Non-Campus	0	0	0
	Public Property	0	0	0
Liquor Law Violations: Referrals	On-Campus	0	0	0
	Student Housing	6	3	7
	Non-Campus	0	0	0
	Public Property	0	0	0



Tennessee State University Crime Statistics				
Category	Location	2019	2020	2021
Drug Related Violations: Arrests	On-Campus	0	0	0
	Student Housing	4	17	9
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Related Violations: Referrals	On-Campus	0	1	1
	Student Housing	21	23	21
	Non-Campus	0	0	0
	Public Property	0	0	0
Weapon Law Violations: Arrests	On-Campus	0	1	1
	Student Housing	3	5	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Weapon Law Violations: Referrals	On-Campus	0	0	0
	Student Housing	0	2	1
	Non-Campus	0	0	0
	Public Property	0	0	0
Domestic Violence	On-Campus	0	1	0
	Student Housing	6	3	3
	Non-Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On-Campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Stalking	On-Campus	1	1	2
	Student Housing	3	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0



Hate Crimes

The Clery Act requires reporting of incidents where the offender's bias against a person or property motivates them in whole or in part to commit the crime. This includes bias against race, gender, religion, national origin, sexual orientation, gender identity, disability, or ethnicity. Incidents which fall under the bias relating to both the criminal offense and hate crime categories must be reported.

2021: No hate crimes were reported on campus.

2020: No hate crimes were reported on campus.

2019: No hate crimes were reported on campus



- Tennessee State University prohibits and seeks to eliminate all forms of sexual misconduct, including sexual assault, and intimate partner violence, which includes domestic violence, dating violence, and stalking. If you are a victim of sexual misconduct, including sexual assault or intimate partner violence at TSU, your priority should be to get to a place of safety. You should then obtain necessary medical treatment. The Tennessee State University Police Department advocates that a victim of sexual assault report the incident in a timely manner by calling 911 or (615) 963-5171.
- State Law defines Sexual Assault as, **Sexual assault** and/or rape is defined as “any **sexual** act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of underage, mental illness, mental deficiency, intoxication, unconsciousness, or deception. Tennessee Code, TCA 39-17-503

TSU faculty and staff will only notify TSUPD if the student requests law enforcement assistance. Time is a critical factor for evidence collection and preservation. Filing a police report with a TSU Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (Ideally, a victim of sexual assault or intimate partner violence should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam). TSUPD will establish property and evidence control procedures that support investigative efforts, assist in the successful prosecution at criminal/civil trials, facilitate the timely return of property to its rightful owner, and protect the department’s reputation as being honest and worthy of the public’s confidence and trust. The collection of evidence, establishing probable cause, obtaining warrants, that results in arrest and conviction.
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual misconduct crisis intervention, including sexual assault and intimate partner violence.
- The University will arrange for appropriate interim measures (academic, residential, or otherwise) for a student who has filed a complaint alleging a violation of the Sexual Misconduct Policy and will take any other interim actions that are appropriate to ensure the safety and security of the campus community. It is not necessary to file a police report to receive interim measures, counseling, or support services. The process for requesting any of these services is listed below.

Timeframe for Conducting the Investigation

1. Every reasonable effort shall be made to conclude the investigation 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 and that the investigator will notify the parties in writing of the investigative report determination.

2. If the investigator 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.
3. If either party determines that additional time is needed in connection with their participation in the investigation, that party shall request such in writing to the investigator or Title IX Coordinator. The written request for additional time shall include the reasons for the requested delay and the number of additional days needed.
4. The investigator shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the request and shall notify both parties in writing as to whether or not the request is granted.

Institutional Hearing

A. At least ten (10) days after the completion of the investigative report and distribution to the parties and their advisors (if any), TSU will convene a live hearing.

B. The hearing may be held before either a hearing officer or hearing committee. The President shall determine, in his or her sole discretion, whether to proceed with a hearing officer or hearing committee and shall appoint individuals to serve in those capacities.

C. If the Complainant or Respondent believes the hearing officer or the hearing committee member(s) 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 investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the President shall be final.

D. Every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the Vice President or designee, within forty-five (45) days following the completion of the investigative report, absent good cause.

E. The hearing officer may allow a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include but is not limited to considerations such as the absence of a party, a party's advisor or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

1. During the hearing, the decision-maker must observe the following procedures:

a. Location of Hearing. Live hearings pursuant to this section may be conducted with all parties physically present in the same geographic location or, at TSU's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

b. Separation of Parties. At the request of either party, the Hearing Officer will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness answering questions.

c. At least seventy-two (72) hours prior to a live hearing, TSU will provide both parties with written notice of the following:

1. The time, place, date of the hearing, and electronic access information, if applicable.

2. The name of each witness expected to present at the hearing.
3. The right to request a copy of the investigative file; and
4. The right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence that TSU has in its possession, custody, or control and may use to support claims or defenses.

d. Cross-examination. Each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor and never by a party personally. If a party does not have an advisor present at the live hearing, TSU will provide an advisor of its choice to conduct cross-examination on behalf of that party without fee or charge to that party.

e. Relevance. Only relevant questions may be asked of a party or witness on either direct or cross examination. Before a Complainant, Respondent, or witness answers a question, the decision-maker must first determine whether the question is relevant. The decision-maker must explain any decision to exclude a question as not relevant.

f. Complainant's Prior Sexual Behavior. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, except as follows:

- (1) If such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or
- (2) If the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

g. Exclusion of all evidence not subject to cross-examination. If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

h. Recording of Hearing. TSU will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review

Steps for Filing the Complaint/Grievance for Faculty and Staff

Step1: DISCUSSION WITH IMMEDIATE SUPERVISOR

The employee should state in writing the basis for the complaint or grievance and the corrective action the complainant is requesting or desires. The written statement should cite facts, times, dates and specific events of occurrences. The statement should be presented in reasonable and temperate terms, which would enable a reasonable person to ascertain facts of the matter. The employee and the supervisor shall discuss the complaint in an attempt to resolve the matter. The supervisor shall conduct any necessary or appropriate investigation and inform the employee of a decision based upon full and fair consideration of all the facts within five (5) working days of the initial discussion. The immediate supervisor will assure that the decision is clearly communicated to the employee.

If the employee is satisfied with the decision, no additional action is required. If the employee is not satisfied, the employee may proceed to Step 2. If no decision is communicated to the employee within

five (5) working days of the initial discussion, the employee may proceed directly to Step 2. (This procedure is applicable ONLY for persons with complaints about their IMMEDIATE SUPERVISOR; all others should proceed to STEP 3.)

Step 2: DISCUSSION WITH HIGHER-LEVEL SUPERVISOR

If the employee and the immediate supervisor are not able to reach a mutually satisfactory resolution, the employee may proceed to discuss the matter with the next higher-level supervisor within five (5) working days of the date of the decision of the immediate supervisor. Failure to comply with Step 2 in a timely manner shall be deemed a waiver by the employee and the complaint may not be raised again. The next higher-level supervisor and the employee shall then follow the same procedure as required in If the employee is satisfied with the decision reached by the next-higher-level supervisor, no additional action is required. If the employee is not satisfied, the employee may proceed to Step 3. (If no decision is communicated to the employee within five (5) working days of the initial discussion between the employee and the next higher-level supervisor, the employee may proceed directly to Step3.)

Step 3: WRITTEN STATEMENT-OFFICIAL GRIEVANCE/COMPLAINT FORM

If the employee and the higher-level supervisor are not able to reach a mutually satisfactory resolution to the complaint, the employee may file a WRITTEN grievance or complaint. The form is available in the Human Resources Office. The employee should complete the form and file it along with any other written documentation with the Director of Human Resources. For allegation of unlawful discrimination, a written statement must be filed with the Director of Equal Employment Opportunity/Affirmative Action (EEO/AA). Records for complaints/ grievances that allege unlawful discrimination are retained in the office of EEO/AA. The grievance statement must be filed within five (5) working days of the date of the decision of the higher-level supervisor. Failure to comply with Step 3 in a timely manner shall be deemed a waiver by the grieved person and the grievance may not be raised again. A copy of all documentation shall be given to both the supervisor and the next-higher supervisor. The Director of Human Resources shall attempt to mediate the matter under consideration with the goal of gaining agreement as to the appropriate solution to the matter. If no solution is agreed to by both employee and supervisor(s), the Director of Human Resources shall write a synopsis of the matter under consideration. The areas of continuing disagreement shall be identified, as well as the Director's suggested solution(s) or recommendation(s) for solution. This documentation shall be submitted to the President for review. Upon receipt of the documentation and recommendation, the President, in consultation with the appropriate Vice President, shall within ten (10) working days, review all pertinent information presented by the Director of Human Resources. The President's decision shall be directed to the employee, and copies shall be provided to all parties involved. Grievances, as defined Section VIII, C, b1 and b2 above, which cannot be resolved shall be referred to a grievance committee as detailed in paragraph G, following, and where the grieved person requests such review. The grieved person has the option of choosing committee review when attempts to resolve the matter have failed or where it is apparent that such an attempt would be futile. Within ten (10) working days of receipt of a request for committee review, the President of the University shall appoint the grievance committee.

Students Faculty and Staff may also REPORT SEXUAL ASSAULT/VIOLENCE TO:

Tennessee State University Police Department

3500 John Merritt Blvd.

Queen Washington Bldg., 2nd Floor

Nashville, TN 37209

(615) 963-5171 (non-emergency); 911 for emergencies www.tnstate.edu/police/

Students can also encourage to contact the following offices for assistance:

University Counseling Center 615-963-5611

Student Conduct & Judicial Affairs 615-963-4891

Crime Prevention Counselor 615-963-6601

Equity and Inclusion 615-963-7435

Sexual Assault Center of Nashville 615-259-9055

National Sexual Assault Hotline 800-656-4747

Title IX Sex Discrimination in Educational Institutions TSU website

Resources and Support/Immediate and Ongoing Assistance

Any member of the TSU community who has experienced or been impacted by sexual misconduct, including prior to their affiliation with TSU, may seek immediate and/or ongoing assistance from one or more of the resources outlined below. Some of these resources are confidential; others are subject to mandatory reporting requirements. This policy indicates the level of confidentiality offered by the listed resources.

OEI created a campaign around the phrase, “Know, Report, Support” to encourage bystanders to report sexual Title IX violations around campus. Title IX posters have been installed in various high traffic areas on campus. TSU has zero tolerance for retaliation against anyone who reports or participates in a Title IX investigation. Students are able to file reports with our Title IX Coordinators and our police department.

Confidential Resources

Some resources are confidential. Confidential resources include licensed professional counselors and mental health providers, such as those at the Counseling Center and the Employee Assistance Program; pastoral counselors acting in that capacity; and medical professionals acting in a patient-care role, such as those at the Student Health Center, or other clinics or hospitals.

These confidential resources do not report any information about an incident to the Title IX Coordinator or anyone else without the permission of the person consulting them. Off-campus counselors and health care providers will also generally maintain confidentiality and not share information with the University unless the person consulting them requests the disclosure and signs a consent or waiver form. However, under state or federal law, all resources may have other reporting obligations. For example, healthcare providers and certain other individuals are required to notify law enforcement when someone seeks treatment for injuries caused by a violent crime, including sexual assault. Similarly, all persons are required to notify law enforcement when they receive a report of sexual abuse of a minor. Anyone who at first utilizes a confidential resource may later decide to make a report to a non-confidential resource, such as OEI or law enforcement.

Responsible Employees Who Are Mandatory Reporters under Title IX

A responsible employee is a TSU employee who has a duty to report all alleged violations of this policy because the employee has the authority to address sexual misconduct or because a member of the University community could reasonably believe that the employee has such authority. Responsible employees are mandatory reporters; they are not confidential resources. Generally, except for the confidential resources discussed above, a university employee to whom a community member reports an incident of sexual misconduct is a mandatory reporter. This includes faculty members, teaching assistants, and most staff. A non-exhaustive list of mandatory reporters as well

as any other information regarding sexual misconduct on TSU's campus is contained in [Sexual Misconduct Policy](#).

Mandatory reporters are required to report possible violations of this policy to the Title IX Coordinator in the Office of Equity and Inclusion.

TSU Office of Equity and Inclusion
(615)963-7435 or <http://www.tnstate.edu/equity>

TSU employees have responsibilities when they receive student reports of sexual violence. Due to the profound impact that sexual violence has on the students involved and the TSU campus community, faculty and other University staff must *immediately* report all incidents of sexual violence to the Office of Equity and Inclusion. For employees that receive reports of sexual violence, please review the [Sexual Assault Reporting Protocol](#) and [Guidelines for Reporting Sexual Violence](#) to determine how to appropriately respond. However, any student who reports a sexual assault to a **professional** within the University Counseling Center (therapist/psychologist) and/or Health Services (doctor/nurse) are by nature privileged and confidential and only continue through the University's investigative process at the request of the reporting student.

If the student requests that the assault be reported, the staff member should then make the report to OEI immediately. Mandatory reporters must report names, if known, and all relevant details about the alleged sexual misconduct, so that the University can take steps to address the matter promptly and resolve it fairly. Conversations with mandatory reporters are otherwise kept private to the extent possible and are only disclosed to those with a need or right to know.

This information is provided in writing by the TSU Office of Equity and Inclusion, via the Sexual Misconduct policy (section 6.6.4, Section V. Confidentiality Considerations, Section E #6), and in Section XVII. Tennessee State University May Take Interim Measures, it is also disseminated to the public via the Office of Equity and Inclusion's website. In this policy it is explicitly stated that "Tennessee State University encourages survivors of sexual violence to talk to somebody about what happened so survivors of assault can get the support they need, and so the University can respond appropriately." The policy goes on to state which offices and services are available to support victims and what University services are privileged and confidential.

Before a mandatory reporter receives any information regarding an instance of sexual misconduct, the mandatory reporter should seek to confirm that the reporting party understands the employee's reporting obligations and, if the reporting party wants to maintain confidentiality, will direct the reporting party to a confidential resource.

If a victim wants to tell a mandatory reporter about an incident but does not want the report investigated or the victim's name disclosed, the employee will tell the victim that the University will consider the request but cannot guarantee that the University will be able to honor it. In reporting the details of an incident to OEI, the mandatory reporter will also inform OEI of the victim's request for confidentiality.

Mandatory reporters will not pressure a victim or other reporting party either to request confidentiality or make a full report.

Mandatory Reporters are also able to report Sexual Misconduct directly through Maxient by clicking the link below

https://cm.maxient.com/reportingform.php?TNStateUniv&layout_id=61

Sexual Misconduct: Rights and Options

Complainants of sexual assault are strongly encouraged to not change or destroy clothes, take a shower or bath, wash his/her hands, use the toilet, brush his/her teeth, or clean up in any way. If the assault occurred in the complainant's home or residence hall, the complainant should not rearrange and/or clean up anything. It is important for the complainant to seek medical attention immediately so that the complainant can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries. Valuable physical evidence can be obtained from the complainant or the complainant's clothing.

Sexual Misconduct: Rights and Options

A. Regardless of whether a complainant elects to pursue a criminal complaint, TSU will take efforts to assist and notify complainant and respondent of her/his rights as a member of TSU.

B. Complainants of sexual assault are strongly encouraged to not change or destroy clothes, take a shower or bath, wash his/her hands, use the toilet, brush his/her teeth, or clean up in any way. If the assault occurred in the complainant's home or residence hall, the complainant should not rearrange and/or clean up anything. It is important for the complainant to seek medical attention immediately so that the complainant can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries. Valuable physical evidence can be obtained from the complainant or the complainant's clothing.

C. TSU complies with Tennessee law in recognizing orders of protection. Any person who obtains an order of protection from Tennessee or any state should provide a copy to University Police and the Office of Equity and Inclusion or successor office. That person may then meet with University Police to develop a Safety Action Plan, which is a plan for University Police and the person to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, providing a temporary cellphone (with 911 call capability only), changing classroom location or allowing a student to complete assignments from home, etc.

D. Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> and additional information related to such orders may be found at <http://tncoalition.org/resources/legal-resources.html>.

E. TSU does not publish the name of crime victims nor maintain identifiable information regarding victims in the University Police's Daily Crime Log or online.

F. Complainant may request that directory information on file be removed from public sources by a request to the Office of the Registrar. The Office of the Registrar may be contacted at the following: records@tnstate.edu; (615) 963- 5300 (telephone).

Confidentiality Considerations

The University will remain ever mindful of the survivor's well-being and will take ongoing steps to protect the survivor from retaliation or harm and work with the survivor to create a safety plan. Retaliation against the survivor, whether by students or University employees, will not be tolerated. The University will also:

- Assists the survivor in accessing other available survivor advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these); The University will provide the information to survivors in writing.
 - Provides other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules

(including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
 - Informs the survivor of the right to report a crime to campus or local law enforcement – and provide the survivor with assistance if the survivor wishes to do so.
- A.** Tennessee State University encourages survivors of sexual violence to talk to somebody about what happened so survivors of assault can get the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a survivor’s confidentiality. TSU will keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality does not impair TSU’s ability to provide the supportive measures.
1. Professional Counselors and Health Care Providers are generally required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.”
 2. Responsible Employees of the University are required to report all the details of an incident (including the identities of both the complainant and respondent) to the Title IX coordinator. A report to a Responsible Employee constitutes actual knowledge by the University – and requires the University to respond promptly in a manner that is not deliberately indifferent.
 3. This information is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they experience sexual harassment or sexual violence. TSU encourages survivors to talk to someone identified in one or more of these groups.

B. Know Your Options: Privileged and Confidential Communications

Professional Counselors and Health Care Provider Professional, licensed counselors who provide mental-health counseling to members of the school community (including those who act in that role under the supervision of a licensed counselor) and healthcare providers, such as doctors and nurses, are not required to report any information about an incident to the Title IX coordinator without a survivor’s permission. As of the effective date of this policy and subject to change, the following is the contact information for individuals who qualify as counselors and healthcare providers at TSU:

TSU Counseling Center Main Campus
 Floyd Payne Campus Center Room 304
 615-963-5611
www.tnstate.edu/counseling

TSU Student Health Services
 Main Campus
 Floyd Payne Student Center, Room 304 615-963-5291 studenthealthservices@tnstate.edu

C. Reporting to “Responsible Employees.”

1. When a complainant tells a responsible employee about an incident of sexual violence, the complainant has the right to expect the University to respond promptly in a manner that is not deliberately indifferent.
2. A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual violence shared by the complainant, including the names of the complainant and respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.
3. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report. A responsible employee should not share information with law enforcement without the complainant’s consent or unless the complainant has also reported the incident to law enforcement.
4. The following offices are designated to receive complaints of sexual violence and sexual harassment at TSU, but the Title IX Coordinator can designate others in consultation with the General Counsel or his/her designee:

Office of Equity and Inclusion (Title IX Coordinator)

Main Campus

General Services Building, 2nd Floor (Access from Heiman St.) 615-963-7435

www.tnstate.edu/eoaa

TSU Police Department

Queen Washing Building, Second Floor

Main Campus – (615)963-5171

www.tnstate.edu/police

Tennessee State University May Take Interim Measures

In situations that require immediate action because of health or safety related concerns, Tennessee State University will take any reasonable interim administrative action that is appropriate. Examples of such interim actions include, but are not limited to:

- Providing an escort to ensure that the complainant can move safely between classes and activities.
- Ensuring that the complainant and respondent do not attend the same classes. In the event the institution decides to involuntarily remove a student Respondent from a class, the student Respondent shall be entitled to the same due process as provided to Student Respondents placed on interim suspension under the Student Conduct Policy; 21
- Moving the complainant or Respondent to a different residence hall. In the event the institution decides to involuntarily move a student Respondent to a different residence hall, the student Respondent shall be entitled to the same due process as provided to Student Respondents placed on interim suspension under the Student Conduct Policy.
- Providing counseling services.
- Providing or assisting in providing medical services.

- Providing academic support services, such as tutoring; and
- 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.

Assistance for Victims of Sexual Misconduct: Rights and Options

- Regardless of whether a victim elects to pursue a criminal complaint, Tennessee State University will assist victims of sexual misconduct and will provide each victim and accused with a written explanation of her/his rights as a member of Tennessee State University. www.tnstate.edu/equity/
- Survivors of sexual assault are strongly encouraged to not change or destroy clothes, take a shower or bath, wash his/her hands, use the toilet, brush his/her teeth, or clean up in any way. If the assault occurred in the survivor's home or residence hall, the victim should not rearrange and/or clean up anything. It is important for the survivor to seek medical attention immediately so that the survivor can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries. Valuable physical evidence can be obtained from the survivor or the survivor's clothing.
- 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>.
- Tennessee State University complies with Tennessee law in recognizing orders of protection. Any person who obtains an order of protection from Tennessee or any state should provide a copy to University Police and the Office of the Title IX Coordinator. That person may then meet with University Police to develop a Safety Action Plan, which is a plan for University Police and the person to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, providing a 23-temporary cellphone (with 911 call capability only), changing classroom location or allowing a student to complete assignments from home, etc.
- Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> and additional information related to such orders may be found at <http://tncoalition.org/resources/legal-resources.html>.
- Tennessee State University does not publish the name of crime victims nor maintain identifiable information regarding victims in the University Police's Daily Crime Log or online.
- Victims may request that directory information on file be removed from public sources by a request to the Office of the Registrar. The Office of the Registrar may be contacted at the following: records@tnstate.edu; (931) 372-3317 or (800) 268-0242 (telephone); or facsimile (931) 372-6111.

Contact Information for Resources

Any member of the Tennessee State University community who has experienced sexual misconduct may seek immediate and/or ongoing assistance from one or more of the following resources. Many of the resources listed will aid whether the victim chooses to make a report to Office of Equity and Inclusion or law enforcement, or to participate in an investigation. The Office of Equity and Inclusion provides a variety of resources and options that may be helpful to you even if a complaint is not filed. Those options include discrimination, sexual harassment reporting at OEI and TSUPD. For medical reporting, Nashville Metro General Hospital and the Safe Clinic-Sexual Assault Forensic Exam Clinic. For counseling and health services, contact the Center for Student Health and Wellbeing.

Law Enforcement - NOT CONFIDENTIAL, TSUPD IS MANDATORY REPORTER

- Tennessee State University Police Department: 615-963-5171
- Metro Nashville Police Department: 615-862-8600
Emergency: 911

Medical Service Providers - CONFIDENTIAL

(*but required to notify law enforcement when someone seeks treatment for injuries caused by a violent crime)

- Student Health Services: (615) 963-5291

Counseling Services – CONFIDENTIAL

- For Students:
 - Counseling Center: (615) 338-6341 Ext 9111
- For Faculty and Staff:
 - [Employee Assistance Program](#) 1-855-Here4TN (437-3486)

Additional Support for Students – MANDATORY REPORTERS

- Office of Student Conduct/Mediation Services: 615-963-4891
- Office of Residence Life: (615) 963-1461
- Women’s Center: 615-963-5621
- Office of Student Activities: (615) 963-5250

Resources in the Community – NO MANDATORY REPORT TO TSU

- Sexual Assault Center Hotline: 1-800-879-1999
- YWCA Crisis and Information Line: 615-242-1199
- St. Thomas Midtown Hospital Emergency Department: 615-284-5555
- Nashville General Hospital at Meharry Emergency Department: 615-341-4000
- TriStar Centennial Medical Center Emergency Department: 615-342-1000

MISSING STUDENT POLICY

If a member of the University Community has reason to believe that a student is missing, they should *immediately* notify the Tennessee State University Police Department (TSUPD) at 615-963-5171, whether the student resides on-campus. All possible efforts will be made to locate the student to determine his or her state of health and well-being through the collaboration of TSUPD, and the Vice President for Business and Finance. If the student is an on-campus resident, the TSUPD will secure authorization from the University’s Legal Office to make a welfare entry into the student’s room. If the student is an off-campus resident, the TSUPD will informally enlist the aid of the neighboring police agency having jurisdiction. Concurrently, University officials will endeavor to determine the student’s whereabouts through contact with friends, associates, and/or employers of the student.

Whether or not the student has been attending classes, labs, recitals, and scheduled organizational or academic meetings, or appearing for scheduled work shifts, will be established.

If located, verification of the student's state of health and intention of returning to the campus is made. When and where appropriate, a referral will be made to Counseling Services and/or Student Health. If not located, notification of the family and local law enforcement within 24 hours of receiving the initial report is made to determine if they know of the whereabouts of the student. If the student is an off-campus resident, appropriate family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. If the missing student is under the age of 18 and is not an emancipated individual, the TSUPD will notify the student's parent or legal guardian immediately after the TSUPD has determined that the student has been missing for more than 24 hours.

The TSUPD will cooperate, aid, and assist the primary investigative agency in all ways prescribed by law. Upon closure of the missing person investigation, all parties previously contacted will be advised of the status of the case. All students, faculty, and staff have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the TSUPD will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential emergency contact can do so through the Registrar's Office.

CRIMINAL INVESTIGATION AND CHARGES

The Tennessee State University Police Department is required by law to provide information on most sexual assaults and other felonies to the local police department, the local District Attorney; but in most cases, the decision to pursue criminal charges usually rest with the victim.

If the victim chooses to pursue criminal charges, a lawyer from the local District Attorney's office will provide state representation throughout the proceedings. A lawyer from the District Attorney's Office and/or a personal attorney may also provide legal advice to assist the victim in deciding on prosecution.

TSUPD officers will conduct a preliminary investigation of all crimes which occur on campus and make notification to local police, when required. If technical expertise or additional investigative help is needed, the local police agency or the Tennessee Bureau of Investigation may be called to assist at the discretion of the investigating officer. If crimes happen off campus, the Metropolitan Nashville Police Department will be the primary investigative agency with TSUPD Officers providing support if needed. Police Officers understand that any questioning can be difficult for victims and understand that a victim may request the presence of a support person during police interviews.

If a person chooses to pursue criminal prosecution and if it is possible for the assailant to be apprehended, the suspect will be taken before a magistrate and charged with the appropriate offense.

DISCIPLINARY PROCEDURES FOR CASES INVOLVING STUDENTS

- Student Disciplinary Action
The Student Affairs Disciplinary Committee reviews charges related to breaches of rules, regulations, policies and procedures of Tennessee State University by a student. The Committee shall be comprised of a total of eight (8) members and two (2) alternates. The Committee shall include four (4) students, with one (1) student alternate. Student members shall be selected by the Vice President for Student Affairs from a group nominated by the Dean of Students/Chief Judicial Officer for Student Affairs and shall serve a one (1) year term. An

additional four (4) members shall be members of the faculty, with one (1) year terms by the Vice President for Student Affairs from a group nominated by the Provost.

- Any person may inform any member of the Student Affairs Disciplinary Committee of an allegation of a breach of rules, regulations, policies and/or procedures of Tennessee State University within the jurisdiction of the Student Affairs Disciplinary Committee. The Student Affairs Disciplinary Committee shall determine whether the allegations or charge, if proved true, is governed by the procedures for review and appeal of disciplinary action governing non-academic matters.
- If the Student Affairs Disciplinary Committee determines that the allegations or charge is governed by the procedures for review and appeal of disciplinary actions, the Dean of Students/Chief Judicial Officer shall advise the student of the charge(s) and notice of a hearing before the Student Affairs Disciplinary Committee. The student shall have the right to be present at the hearing to present witnesses, and to rebut the evidence against him/her and to have a Tennessee State University student or faculty member accompany him/her. Legal counsel may be present but may not participate in the hearing.
- The hearing will be an informal one, not governed by technical rules of evidence as employed in a court of law, but the Student Affairs Disciplinary Committee may accept any information it deems pertinent to the charges made.
- The Student Affairs Disciplinary Committee shall render its decision based upon the evidence presented at the hearing. The standard for determining whether the student has breached a rule, regulation, policy or procedure, and is subject to disciplinary action, shall be whether a preponderance of the evidence supports the Committee's decision. The burden of proof shall be upon the University.
- The Student Affairs Disciplinary Committee shall maintain a record of the hearing pending final determination of the charges against the student.
- The Student Affairs Disciplinary Committee shall notify the student of its decision in writing by certified or registered mail at the address as maintained in the Office of Admissions and Records within fifteen days.
- A student may appeal the decision on the grounds as set forth in the following paragraph by writing a letter of appeal to the President no later than 72 hours from the receipt of the decision of the Student Affairs Disciplinary Committee.
- The President will determine whether there has been substantial compliance with the published administrative procedures and whether there is sufficient evidence to support the decision of the Student Affairs Disciplinary Committee and notifies the student by certified or registered mail at the student's address as recorded in the Office of Admissions and Records. The President shall also inform the dean of the student's school and the Associate Vice President for Advancement and University Relations.
- The President may request the student and/or the Student Affairs Disciplinary Committee to provide additional information prior to issuing a decision.

- The President's decision is final. The student shall be notified of the President's decision in writing no later than fifteen days from the receipt of the student's appeal.
- The student shall be allowed to continue in the academic program during proceedings unless extraordinary circumstances exist such as exemplifying conduct which may endanger the welfare of others.
- Breach of rules, regulations, policies and procedures governed by the disciplinary procedures shall include, but are not limited to:

Furnishing false information to the University with the intent to deceive

- Knowingly giving false information or testimony during the investigation or hearing of a disciplinary matter.
- Forgery, alterations, destruction, damage, or misuse of University documents; records, or identification.
- Physical abuse of any person on University-owned or controlled property; or conduct which threatens or endangers the health or safety of any person.
- Unauthorized use of or entry to University facilities and/or unauthorized possession of keys to University facilities.
- Failure to comply with directives of University officials acting in the performance of their duties.
- Violation of written University policies and regulations as stipulated herein or as announced by authorized personnel.
- Violation of the terms of probation.
- An attempt to commit or to be an accessory to the commission of any act in violation of other standards of conduct.
- Breach of any municipal, state or federal laws rules ordinances on University property.
- Breach of any rules of sister institutions while on rotations.
- Breach of recognized ethical and professional standards applied to student's area health professional schools.

The Student Disciplinary Committee's sanctions may include expulsion, suspension from one or more classes for a specified or an indefinite period, probation, reprimand and restriction of privileges. The Student Disciplinary Committee may use its discretion in requiring alternative disciplinary actions.

The standard of proof required for a finding of violation of the student code of conduct shall be the preponderance of the evidence. This means that based on the information and evidence presented to the committee, it is more likely than not that the student has violated the Student Code of Conduct.

Disciplinary Sanctions

1. Upon a determination that a student or student organization has violated any of the rules, policies or disciplinary offenses set forth in this Code of Student Conduct, disciplinary sanctions that may be imposed, either singularly or in combination, by the appropriate university officials include but are not limited to the sanctions referenced below.

a. Restitution. A student who has committed an offense against property may be required to reimburse the university or other owner for damage to or misappropriation of such property or unreimbursed medical expenses resulting from physical injury. Any such payment in restitution shall be defined by the university.

b. Fine – Fine of not more than \$200. This sanction shall apply to violations of the following disciplinary offenses: misuse of documents or identification card and failure to cooperate with university officials. Failure to pay fines may result in further disciplinary action.

c. Warning – The appropriate university official may notify the student or student organization that continuation or repetition of specified conduct may be cause for further disciplinary action.

d. Reprimand – A written or verbal reprimand, or censure, may be given to any student or organization whose conduct violates part of the Code of Conduct. Such a reprimand does not restrict the student in any way, but it does have important consequences. It signifies to the student that he or she is in effect being given another chance to conduct himself or herself as a proper member of the university community but that any further violation may result in more serious penalties.

e. Apology – A student or student organization may be given the opportunity, under certain circumstances, to apologize to an affected party, either verbally or in writing, as an alternative or in addition to the imposition of other disciplinary sanctions, for the behavior related to a disciplinary offense.

f. Restriction – A restriction upon a student's or organization's privileges for a period of time may be imposed. This restriction may include, for example, denial of the right to represent the University in any way, restrictions on university or TBR sponsored travel and events, denial of the use of facilities, parking privileges, or restrictions involving the participation in any extra-curricular activities, organizational privileges, athletic events, or on an athletic team. This restriction may include, for example, denial of the right to represent the university in any way, university or TBR sponsored travel, denial of the use of facilities, parking privileges, or participation in extra-curricular activities or restriction of organization privileges.

g. Referral to the University Counseling Center or appropriate healthcare provider is never to be considered as a punishment for any specified behavior. Participation in counseling treatment is strictly voluntary and highly confidential, but the student may be referred to the university-counseling center or an appropriate health care provider for an evaluation to determine if the student poses a threat to the campus community. The University Behavior Intervention Team may, in coordination with the Judicial Affairs Office or other University officials, issue appropriate directives regarding a student's continued presence on campus in connection with the Referral referenced herein.

h. Community or Educational Project – A project beneficial to the individual, campus, and/or community may be required. The project will be related to the offense the student is guilty of violating.

i. Assignment of work hours – A specified number of supervised hours of work to be completed on campus may be assigned. This work will be commensurate to the offense the student is guilty of

violating.

j. Probation. Continued enrollment of a student or recognition of a student organization on probation may be dependent upon adherence to the Code of Student Conduct. Any student or organization placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities or any other appropriate special conditions. Any conduct in violation of this Code while on probationary status may result in the imposition of a more serious disciplinary sanction.

k. Suspension. If a student is suspended, he or she is deprived of student status and is separated from the university for a stated period of time with conditions of readmission stated in the notice of suspension. The suspension shall appear on the student's disciplinary record regardless of whether such student is successfully readmitted.

l. Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's readmission or student organization to the institution. Tennessee State University policy requires that any student or organization receiving a penalty of expulsion shall be restricted from the campus of Tennessee State University during the period of expulsion unless on official business with the university verified in writing by the Judicial Officer/Dean Students.

m. Any alternate sanction deemed necessary and appropriate to address the misconduct at issue.

n. Revocation of Admission, Degree or Credential

o. Housing Probation. Continued residence in campus or student housing may be conditioned upon adherence to this policy as well as institutional housing policies. Any resident placed on housing probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon the activities of the resident, including any other appropriate special condition(s).

p. Housing Suspension and Forfeiture. A resident suspended from housing may not reside, visit, or make any use whatsoever of a housing facility or participate in any housing activity during the period for which the sanction is in effect. A suspended resident shall be required to forfeit housing fees (including any unused portion thereof and the Housing Deposit). A suspended resident must vacate the housing unit. Housing suspension shall remain a part of the student resident's disciplinary record. A student may be immediately removed from campus or student housing for violations of the University's housing policy or residence agreement under the interim suspension standards set forth in paragraph m. above.

q. Removal or suspension from an athletic team.

r. Interim Suspension. Though as a general rule, the status of a student or student organization accused of violations of these regulations should not be altered until a final determination has been made in regard to the charges. Interim suspension may be imposed upon a finding by the Chief Judicial Officer or designee that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well-being of the accused or of any other member of the University community or its guests, destruction of property, or substantial disruption of classroom or other campus activities. In any case of interim suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension.

DRUGS AND ALCOHOL ON CAMPUS

Substance Abuse—Drug Free Campus—Smoking

Any student or employee found to be in violation of the following drug and alcohol policy (without proper authority) may be subject to one or more of the disciplinary sanctions described. Tennessee State University reserves the right to exercise discretion in the imposition of disciplinary sanctions.

The use or possession of alcoholic beverages on campus or at any University-sponsored activity may result in required participation in a drug or alcohol treatment or rehabilitation program and placed on probation, suspension, expulsion, termination or referral of the matter to the local police agency for criminal prosecution.

Each student has a responsibility to pursue his/her academic endeavors in a safe and conscientious manner. In order to ensure that this responsibility is met, students must be free from the effects of alcohol and other performance impairing substances. TSU has instituted this policy to address the risk of substance abuse at the University and to make certain that a high quality of academic achievement and integrity is maintained.

Tennessee State University Counseling Center provides an ongoing Alcohol and Substance Use Restitution Class in partnership with the Office of Student Conduct to service students directly referred by the Office of Student Conduct or self-referred due to alcohol or substance use/abuse. This class serves as an Intervention program to help students identify, engage, and address high-risk substance use. The goal is to encourage students to move in the direction of reducing risky behaviors and harmful effects from substance use and identifying personal risk factors. Students are screened The Cannabis Use Disorders Identification Test-Revised (CUDIT-R), Alcohol Use Disorders Identification Test (AUDIT-C), or the Drug Abuse Screening Test (DAST-10) to assess current use and areas of focus for education.

Purpose

Tennessee State University regards substance abuse (alcohol and chemical dependencies) as an illness which may respond to medical treatment. This policy seeks to allow any student suffering from this illness the opportunity to receive the same careful consideration and referral for treatment as those having other illnesses. Student status will not be jeopardized by a voluntary request or referral for diagnosis and treatment of alcoholism or chemical dependency.

Definition

Alcohol and chemical dependencies are defined as illnesses in which a student's use of alcohol or other chemicals interferes with his/her academic and/or clinical performance, interpersonal skills and relationships.

Policy

- When a student is suspected to have an alcohol or chemical dependency problem, it should be discussed with the Student Affairs Office, in the respective school and/or the Counseling Center. As with any apparent medical problem the student should be referred to a physician. A professional evaluation will determine whether the student has an abuse problem and requires treatment.
- When a student's performance is unsatisfactory and it has been medically determined that alcohol or chemical dependency is at least partly the cause, the student must accept referral and agree to a program of treatment. Continued unsatisfactory performance may result in

the student being relegated to administrative leave of absence with reevaluation prior to reinstatement.

- Failure to follow through with referral for medical evaluation and/or treatment shall be cause for appropriate disciplinary sanctions including dismissal. This information will be treated as confidential.
- It shall be the responsibility of each student who observes or has knowledge of another student in condition which impairs the ability to perform academically, or who poses a hazard to the safety and welfare of others or is otherwise in violation of this policy, to promptly report that fact to the Student Affairs Office in the respective school and/or Counseling Center.
- Any student who is present on campus or at an affiliated institution in an intoxicated condition as a result of the illegal use of drugs or due to alcohol consumption shall be subject to disciplinary sanctions including possible dismissal.
- The off-campus uses of alcohol or illegal drugs which results in impaired academic performance, or interpersonal relationships, may be grounds for disciplinary sanction including possible dismissal.
- The illegal use, sale or possession of narcotics, drugs or controlled substances while on university and/or hospital premises are grounds for disciplinary sanction including possible dismissal. The criminal conviction for the illegal sale of narcotics, drugs or controlled substances while off campus is also grounds for disciplinary sanction including possible dismissal.
- Where there is reasonable suspicion of a violation of this policy, and at the discretion of the institution, vehicles, lockers, pocketbooks and/or related personal items may be searched without prior notice to ensure an environment free of illegal drugs or alcohol. Any student found to have illegal drugs and/or drug paraphernalia in their possession or control, vehicle and/or personal area will be subject to immediate disciplinary sanctions including dismissal.

Code of Conduct

Drunkenness, distribution or possession of alcoholic beverages and/or the unlawful use, possession or distribution of illicit drugs on campus is prohibited.

It shall be a violation of the Code of Conduct to possess, distribute or consume alcohol beverages and/or any illegal drug on campus. Violation of these provisions of the Code of Conduct shall result in the imposition of one or more of the disciplinary actions set forth in the Substance Abuse Policy and Drug-Free Workplace Statement. Violation of these standards of conduct may result in severe criminal penalties under local, state and federal law. Federal legislation requires that these penalties be set forth in writing.

Smoking

As an institution committed to providing quality in its health care services and health professions education, Tennessee State University tries to provide an environment which is conducive to good health. Accordingly, as of January 1, 2009, the TSU Campus is considered “smoke free”. No smoking will be allowed any place on campus. The sale of any and all tobacco products is prohibited on the campus of Tennessee State University.

COUNSELING AND REHABILITATION FOR THOSE WITH A SUBSTANCE ABUSE PROBLEM

The Tennessee State University Counseling Services Center provides counseling and rehabilitation services to students with a substance abuse problem, other treatment programs in the area are available. For information call (615) 963-5611 or (615) 338-6341 EXT 9111

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

The Tennessee State University Police Department presents crime-prevention awareness programs to student groups as well as staff and faculty members on such topics as personal security, theft prevention, vandalism, alcohol use and abuse, sexual assaults (including date and acquaintance rape). Programs are normally presented upon request by calling (615) 963-6601. Students and employees are offered regular crime prevention awareness programming through new student/new employee orientations and residence hall programs.

During the academic year, the TSUPD, the Counseling Center, Student Affairs and staff present programs on sexual assault, alcohol and drug awareness, dating violence, conflict resolution, and other topics related to crime prevention. These offices emphasize the common theme that all awareness and crime prevention programs are to encourage students and employees to be aware of their responsibilities in security and the security of others. For information on availability of these programs call the Crime Prevention Officer at 615-963-5928.

The “Operation Identification” program engraves personal items and records serial numbers to protect valuable property. For information and the tool to accomplish this, call the Tennessee State University Police Department 615-963-5171 or 615-963-5928.

The University provides the following services and programs to improve safety on campus and to educate the community about security issues:

- Escort Service – TSU Police Department provides an escort service for people walking on campus or to and from a University-owned residence. Escort service is generally provided during the hours of darkness. Students, staff, and faculty are asked to walk with others when possible and to choose paths that are well lit.
- New Student Orientation - Crime prevention measures and materials are shared and provided as well as questions answered during new student orientation meetings.
- Personal Safety 1000 - Sessions on personal safety, crime and violence prevention, crisis and emergency management planning, threat assessment, resident hall safety is offered on campus. Contact the [Crime Prevention Officer](#) at (615)963-5928 for more information.
- Residence Hall Security - Hall security and safety are routinely discussed during registration.
- Emergency Blue light Telephones - Campus phones are in strategic locations across campus. If you have an emergency, simply push the red button and the dispatcher will attempt to talk with you, at the same time an officer(s) is dispatched to your location.
- Electronic Systems - The Tennessee State University Police Department monitors intrusion alarms campus –wide. A contracted vendor monitors all fire alarms on

campus, with the help of a computerized monitoring system. Access into most campus facilities, including resident halls, is controlled through use of a card/key access control system.

- Operation Identification - Students are strongly encouraged to mark valuables with a driver's license number and to record serial numbers on forms provided by the [Crime Prevention Officer](#). Please call 615-963-5928 for more information.
- RAD Self Defense Classes- This Basic Self-Defense program is a 12-hour class that is offered to Tennessee State University and the community free of charge. The class is taught over the course of 3 days in 4-hour sessions. To register click the logo below.



- Crime Prevention Material - Brochures and posters related to substance abuse, personal safety, seat belt use, motor vehicle and bicycle theft prevention, and residence and office security are distributed campus wide.
- Community Notification of Criminal Activity - The Tennessee State University Police Department routinely notifies the campus community of ongoing security concerns via University Communications email Alerts. Tennessee State's safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual community members. Here are some common-sense steps you can take for personal safety and loss prevention.

Tips on Crime Prevention

- Don't walk alone – there is safety in numbers.
- Stay on populated, well-lit streets.
- If you exercise at night, do so with a friend.
- Dress for safety.
- Take [RAD Self-Defense](#) or some other self-defense class.
- Follow your intuition...trust your feelings.
- If you see something or someone suspicious, go immediately to a safe location and contact Campus Security.

- During hours of darkness, have lights on at all entrances, and close all blinds and shades.
- Have good locks on doors – and use them.
- Use only the first letter of your first name on mailboxes and in telephone directories.
- Always keep your doors and windows locked.
- Do Not leave messages on your answering machine advertising you are away from your residence.
- Do not open the door to an unexpected visitor.
- Ask to see photo identification of people who come to your door (police, repairmen, etc.) BEFORE you open the door.
- Do not hide extra keys outside your residence.
- Never give personal information to telephone solicitors.
- Always be aware of your surroundings.
- Keep your vehicle in good working condition and at least half full of gas.
- Always Park in visible well-lighted, busy areas.
- Have your keys ready when you approach your vehicle.
- When you approach your parked vehicle, do a visual inspection checking the area around your vehicle and beneath it.
- Always look in the rear floorboard of your vehicle before entering.
- Keep doors locked and windows closed.
- Exercise caution when parking in underground or enclosed parking structures.
- When stopped in traffic, allow space between your vehicle and the one in front of you so you can drive away if necessary.
- If someone approaches your vehicle and attempts to get in, honk your horn and try to drive away.
- Be cautious of individuals asking for directions.
- Do Not stop to assist stranded motorists. Instead, call for help.
- Do Not pick up hitchhikers.
- If you have a flat tire, drive on until you reach a well-lighted, well-traveled area.
- When traveling, let someone know where you are going, your estimated time of arrival, and the route you will be using.
- Use the escort service when moving around campus at night by yourself.
- Always look to see who is outside before opening your door.
- Do not prop open doors for friends.
- Never loan out a room key.
- Lock the bathroom door behind you.
- Lock outside doors and windows when leaving your room.
- Never leave items of value in plain view inside your car.

Current information on crime prevention may also be accessed through the [TSU Crime Prevention website](#).

HIGHER EDUCATION OPPORTUNITY ACT CAMPUS FIRE SAFETY ANNUAL COMPLIANCE REPORT

Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to Tennessee State University.

General Statement of Tennessee State University Student Resident Housing

At Tennessee State University, all residence halls are covered with integrated fire sprinkler systems and a redundant fire alarm monitoring system which are monitored 24 hours/day, seven days/week by the ADS Security Company and the Tennessee State University Police Department.

Residence Hall Fire Safety Systems

Residence Hall	Fire Detection System (Smoke, Heat, Ion)	Fire Suppression System	Fire Extinguishers present	Redundant Monitoring System	Fire Drills Each Year
	Yes,	Full System	Yes	Yes	2
	Yes,	Full System	Yes	Yes	2

*A partial system is defined as having sprinkler in the common areas only.

Fire Safety Improvements and Upgrades

Tennessee State University annually reviews the fire systems in our residence halls and will make upgrades, repairs or revisions when problems are identified.

Residence Hall Fire Drills

Fire drills are held once a semester for each residence hall. Fire drills are mandatory supervised evacuations of a building for a fire. The fire drill is scheduled with the Tennessee State University Police Department, the individual residence hall staff, and the local fire station. The supervised fire drill is scheduled within the first 3 weeks of the beginning of the semester. Evacuation route maps are posted in each resident room showing where the closest egress route is and the assembly area outside. Students who fail to leave the building during a fire drill are reported to the Resident Hall Manager and to the Dean of his/her respective school.

Fire Life Safety Education

Residence Life policy on fire safety is to prohibit usage of electrical cooking appliances, candles, and specific electrical equipment individual rooms. Candles or open flame are prohibited in residence halls. There are limits on the number electrical appliances allowed in a specific room. Residence Life policy on evacuation from residence halls is in the student handbook, Emergency Preparedness Manual and is discussed with residence when they move into the residence hall, as follows: In case of a fire, please sound the nearest fire alarm and evacuate the building.

Evacuation procedures are as follows:

- Know the emergency routes from your room and hall.
- Check to see if your door is hot or has smoke around it. If so, stay in your room and wait evacuated by firefighters.
- Shut your door tightly when you leave.
- Exit your building and follow the directions of staff members.
- DO NOT remain in near the buildings. Remain in designated locations until cleared for re-entry by either the hall manager, or a member of the residence life staff acting in behalf of the hall manager or by Campus Safety and Security personnel.

- If you can use a fire extinguisher in your hall without endangering yourself, please do so. However, our first concern is your safety. Do not attempt to extinguish a fire if your personal safety becomes threatened.

A fire safety inspection is conducted in the first semester to ensure residents are abiding by all fire safety regulations. Residence Life staff training on fire/life safety is held annually by the Environmental Health & Safety Officer.

Fire/Life Safety Inspections

During fall semester a residence life staff person will do a fire/life inspection of your room. You will be notified as to when these inspections will take place, and you will be required to allow the staff person, or his or her stand-in, entrance to your room for inspection. If you or your roommate are not home, the room will be inspected without you present and a note will be left indicating the status of your room. Should a violation be found, you will receive a letter indicating what the violation was, and you will be expected to meet immediate compliance. If the violations have not been corrected after an unannounced re-inspection, you and/or your roommate will be fined and will be subject to disciplinary action. Some common violations are as follows:

- Extension cords and multi-tap electric units without a breaker
- Items stored closer than 18 inches from a sprinkler head
- Blocking of electrical panels
- Blocking of egress (exit) pathways
- Evidence of burning of candles, incense, or tobacco products
- Evidence of cooking; or cooking appliances, even if unused
- Evidence of a heavy load of combustibles in a room, on the walls, or ceiling
- Covering a door with paper or other combustible material
- Use of electrical wiring, devices, appliances which are modified or damaged
- Use of portable heaters
- Tampered with smoke detectors
- Use of halogen lamp/lighting
- Unsafe lofting or raising of beds — including rooms with no guardrails
- Strings of lights, twinkle lights, holiday lights
- Any other situation deemed unsafe by the staff inspector

Smoking Policy

Tennessee State University prohibits smoking any place on campus.

Reporting a Fire

Students reporting a fire should contact TSU Police (615) 963-5171 or 911. If the fire event is no longer a danger, they should contact the Residential Facility Director.

Statistics and Reports of on-campus student housing fire (s)
Annual Fire Related Damage Report

2020 Fire Statistics

Residence Hall	Total Fires in Building	Date/Time of Incident	Cause of Fire	# of Injuries that required Medical treatment	Number of Deaths related to Fire	Value of Property Damage
Eppse Hall 3401 Alameda St	0	None	None	None	None	None
Hale Hall 3501 Clare Ave	0	None	None	None	None	None
Ford Apts. A	0	None	None	None	None	None
Ford Apts B	0	None	None	None	None	None
Ford Apts. C	0	None	None	None	None	None
Ford Apts D	0	None	None	None	None	None
Rudolph Hall 3505 Clare Ave	0	None	None	None	None	None
Watson Hall 3400 Alameda St	0	None	None	None	None	None
Wilson Hall 3504 John A. Merritt Blvd	0	None	None	None	None	None
Boyd Hall 3402 Alameda St	0	None	None	None	None	None
New Residence Center Apt E	0	None	None	None	None	None
New Residence Center Apt F	0	None	None	None	None	None
New Residence Center Apt G	0	None	None	None	None	None
New Residence Center Apt H	0	None	None	None	None	None

2019 Fire Statistics

Residence Hall	Total Fires in Building	Date/Time of Incident	Cause of Fire	# of Injuries that required Medical treatment	Number of Deaths related to Fire	Value of Property Damage
Eppse Hall 3401 Alameda St	0	None	None	None	None	None
Hale Hall 3501 Clare Ave	0	None	None	None	None	None
Ford Apts. A	0	None	None	None	None	None
Ford Apts B	0	N/one	None	None	None	None
Ford Apts. C	0	None	None	None	None	None
Ford Apts D	0	None	None	None	None	None
Rudolph Hall 3505 Clare Ave	0	None	None	None	None	None
Watson Hall 3400 Alameda St	0	None	None	None	None	None
Wilson Hall 3504 John A Merritt Blvd.	0	None	None	None	None	None
Boyd Hall 3402 Alameda St	0	None	None	None	None	None
New Residence Center Apt E	0	None	None	None	None	None
New Residence Center Apt F	0	None	None	None	None	None
New Residence Center Apt G	0	None	None	None	None	None
New Residence Center Apt H	0	None	None	None	None	None

Student Apartment Addresses:

FRC D - Community Bldg.

2700 W Heiman St.

Bldg. A

2902-2948 W. Heiman St.

Bldg. B

3002-3098 W. Heiman St.

Bldg. C

2802-2898 W. Heiman St.

NRC H - Community Bldg.

3100 W. Heiman St.

Bldg. E

3200-3248 W. Heiman St.

Bldg. F

3302-3348 W. Heiman St.

Bldg. G

3402-3450 W. Heiman St.

Definitions

1. Fire — Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
2. Fire drill—A supervised practice of a mandatory evacuation of a building for a fire.
3. Fire-related injury—Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.
4. Fire-related death—Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within 1 year of injuries sustained as a result of the fire.
5. Fire safety system — Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including Sprinkler or other fire extinguishing systems, Fire detection devices, standalone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights, smoke-control and reduction mechanisms, and Fire doors and walls that reduce the spread of a fire.
6. Value of Property Damage—The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including contents damaged by fire, related damages caused by smoke, water, and overhaul, however it does not include indirect loss, such as business interruption.
7. Fire Log - Tennessee State University maintains a fire log that records any fire that occurred in an on-campus student housing facility and includes information such as the nature, date, time and general location of each fire. The Fire Log entry, or an addition to an entry, shall be made within two business days of the receipt of information. The Fire log for the most recent 60-day period shall be open to public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days of a request for public inspection. The log can be found on the Campus Police portion of the TSU website.

This report was researched, produced, edited, and published in its entirety by the

TENNESSEE STATE UNIVERSITY POLICE DEPARTMENT

Compliance Unit

In consultation with other authoritative sources.

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