



# PELLISSIPPI STATE

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# COMMUNITY COLLEGE

## **ANNUAL SECURITY REPORT**

### **2017**

Pellissippi State Community College  
Police Department  
Goins Building, Room 101  
10915 Hardin Valley Road  
P.O. Box 22990  
Knoxville, TN 37933-0990

The following is the Annual Security Report for Pellissippi State Community College for the year 2017. The Pellissippi State Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. A copy of this report can be obtained from the Pellissippi State Police Department upon request. Our office is located in the Goins Building, Room 101, at the Hardin Valley campus. A copy of this report can be obtained in the main offices of the Blount County, Division Street, Magnolia Avenue, and Strawberry Plains campuses. The report can also be accessed on the Pellissippi State Police Department web page at <http://www.pstcc.edu/security/>. This report contains security policies, procedures, and guidelines. Crime statistics for 2016 and the previous two years are included in the report. These statistics are based on incidents reported at all five campus locations.

September 29, 2017

Thank you for taking the time to read the 2017 Annual Security Report. This report is based on crime statistics reported during the previous three years and designed to provide you with important information about your safety and security on the Pellissippi State campuses. Many people are involved in keeping our campuses safe and secure. However, truly safe campuses can only be achieved through the cooperation of the entire college community including students, faculty, and staff. This report is part of our effort to ensure that this collaborative endeavor is effective. Please read it carefully and use the information provided to join our efforts in fostering a safe environment for yourself and others on our campuses.

*Fred Breiner*  
Chief of Police

## **SECURITY AUTHORITY AND JURISDICTION**

Pellissippi State Community College employs a Chief of Police who is POST (Peace Officer Standards and Training) certified and has arrest powers in accordance with Tennessee Code Annotated (TCA) 49-7-188, Tennessee Board of Regents Policy 5-01-07-00, and other applicable state laws. POST certification requires annual completion of forty (40) hours of POST certified training; weapons qualification is included in this annual training.

Pellissippi State also employs a Deputy Chief of Police who is a POST certified armed police officer. The Deputy Chief of Police is responsible for police training and the administrative duties of the department. The Deputy Chief will also represent the Chief of Police in his absence.

Pellissippi State currently employs two (2) full-time POST certified armed police sergeants and four (4) full-time POST certified armed police officers with arrest powers. All POST certified members of the Pellissippi State Police Department must successfully complete a minimum of forty (40) hours of annual in-service training in accordance with POST requirements. One (1) additional police sergeant and two (2) additional police officers are expected to become POST certified before the end of this calendar year.

Pellissippi State employs one (1) Armed Security Officer who is certified by the state of Tennessee. Security Officers do not possess arrest power over and above the ability of the average citizen. Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the college. Security Officers have the authority to issue citations for parking and for operating vehicles in an unsafe manner on the college's campuses. Citations are billed to accounts of students, faculty, and staff.

The Pellissippi State Police Department has a working relationship with law enforcement agencies across the state of Tennessee and a written memorandum of understanding (MOU) with the local law enforcement agencies with territorial jurisdiction. Local law enforcement agencies include the Knox County Sheriff's Department, Knoxville Police Department, and the Blount County Sheriff's Department. The Pellissippi State Police Department will request assistance from these agencies when investigating major crimes or incidents that require in-depth or specialized investigations and as required by state law. In many of those cases, the local law enforcement agency with territorial jurisdiction will be the lead agency conducting the investigation jointly with police officers from the Pellissippi State Police Department. Communication with local law enforcement agencies allows Pellissippi State's Police Department to be aware of any pattern of criminal activity in the vicinity of our campuses. This information will help in the apprehension of criminals who might be found on college property.

Crime victims and witnesses are strongly encouraged to immediately report any crime to the Pellissippi State Police Department at (865) 694-6646. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

If a student commits a minor offense involving college rules and regulations, the Chief of Police may refer the offender to the Dean of Students. A faculty or staff member committing a minor offense of college rules and regulations will be referred to the Vice President of Academic Affairs or the Director of Human Resources. Offenses committed by visitors will be investigated by Pellissippi State Police Department.

## **TIMELY WARNINGS**

In the event that a situation arises, either on or off campus, that in the judgment of the Chief of Police or the College Administration constitutes an ongoing or continuing threat, a campus wide *timely warning* will be issued. In appropriate situations a *timely warning* may be broadcast throughout a building and/or campus. The warning will be issued through the college e-mail system and the emergency notification systems to students, faculty, and staff. Depending on the particular circumstances of the crime, especially in all situations that could pose an ongoing threat to the community and individuals, there may be notices posted in the college buildings, as well as notices on the Pellissippi State Police website: <http://www.pstcc.edu/security/index.php>.

Anyone with information warranting a timely warning should report the circumstances to the Pellissippi State Police Department by phone (694-6649), in person at the Hardin Valley campus in the Goins Building, Room 10, or at the front administration desk of the particular branch campus where you may be. (Victims' names will not be included in *timely warning* messages.)

## **CAMPUS LOCATIONS**

Pellissippi State Community College is comprised of five campuses. The Hardin Valley Campus at 10915 Hardin Valley Road, Knoxville, TN, the Blount County Campus at 2731 W. Lamar Alexander Parkway, Friendsville, TN, the Division Street Campus at 3435 Division Street, Knoxville, TN, the Magnolia Avenue Campus at 1610 E. Magnolia Avenue, Knoxville, TN, and the Strawberry Plains campus at 7201 Strawberry Plains Pike, Knoxville, TN.

## **CAMPUS ACCESS POLICY**

During business hours, the college will be open to students, parents, employees, contractors, guests, and invitees. Pellissippi State Police or Security Officers are present on all campuses during business hours. During non-business hours, access to all college facilities is by key, if issued, or by admittance via a Pellissippi State Police or Security Officer. In the case of periods of extended closing, the college will admit only those with prior written approval. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. The official college policy, After Hours Access to Buildings, Offices, and Classrooms number 08:03:15, may be accessed at <http://www.pstcc.edu/ppm/pdf/08-03-15.pdf>. Emergencies may necessitate changes or alterations to any posted schedules.

Pellissippi State Community College does not provide or maintain housing for students either on or off campus.

Pellissippi State Police and security personnel continually patrol and survey our campuses for vulnerabilities. They make notifications for repairs and recommendations for improvements to alarm systems, communications, landscaping, locks, lighting, and surveillance equipment.

## **HOW YOU CAN LEARN MORE ABOUT CAMPUS SAFETY AND SECURITY**

The Pellissippi State Catalog & Handbook lists sections on student conduct, safety, and security issues. Safety and security information is posted on the Pellissippi State Police website and periodically provided through e-mail, the student newspaper, and via televisions located throughout the campuses. New students and new employees receive a briefing on safety and security matters during orientation sessions. Information is made available to all students and employees upon request.

## CRIME STATISTICS

The following is a detailed listing of the crimes reported to the Pellissippi State Police Department for the year 2016 and the previous two years as required by the Crime Awareness and Campus Security Act of 1990. Information is also provided by the Knox County Sheriff's Department, Knoxville Police Department, and the Blount County Sherriff's Department.

The Campus SaVE Act requires recording additional crime statistics starting in 2013. Domestic Violence, Dating Violence, and Stalking crimes are now included in the campus crime statistics. National Origin and Gender Identity categories have been added to the hate crime statistics starting in 2013.

<b>Hardin Valley Campus (Pellissippi Campus)</b>									
	<b>ON CAMPUS</b>			<b>NONCAMPUS</b>			<b>PUBLIC PROPERTY</b>		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0	0	0	0
IINCEST	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	2	0	1	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0	0	0	0
DATING VIOLENCE	0	0	1	0	0	0	0	0	0
STALKING	2	0	0	0	0	0	0	0	0
BURGLARY	1	1	3	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0
LIQUOR LAW ARRESTS	0	0	1	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	1	0	0	0	0	0	0	0	0
DRUG LAW ARRESTS	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	1	0	1	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
<b>OPTIONAL TOTAL</b>	<b>7</b>	<b>1</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>*PSCC DOES NOT HAVE CAMPUS RESIDENCES</b>									

No reported crimes were classified as "Hate" related for the years 2014, 2015, and 2016.

No reports were classified as "Unfounded" for the years 2015, and 2016.

Blount County Campus									
	ON CAMPUS			NONCAMPUS			PUBLIC PROPERTY		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0	0	0	0
INCEST	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	1	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0	0	0	0
STALKING	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0
LIQUOR LAW ARRESTS	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
DRUG LAW ARRESTS	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
<b>OPTIONAL TOTAL</b>	0	0	1	0	0	0	0	0	0
<b>*PSCC DOES NOT HAVE CAMPUS RESIDENCES</b>									

No reported crimes were classified as Hate related for the years 2014, 2015, and 2016.

No reports were classified as “Unfounded” for the years 2015, and 2016.

Division Street Campus									
	ON CAMPUS			NONCAMPUS			PUBLIC PROPERTY		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0	0	0	0
IINCEST	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	1	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0	0	0	0
STALKING	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	1	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0
LIQUOR LAW ARRESTS	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
DRUG LAW ARRESTS	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
<b>OPTIONAL TOTAL</b>	0	0	2	0	0	0	0	0	0
<b>*PSCC DOES NOT HAVE CAMPUS RESIDENCES</b>									

No reported crimes were classified as Hate related for the years 2014, 2015.

**One “Simple Assault” was recorded as an on campus Hate Crime in 2016.**

No reports were classified as “Unfounded” for the years 2015, and 2016.

<b>Magnolia Avenue Campus</b>									
	<b>ON CAMPUS</b>			<b>NONCAMPUS</b>			<b>PUBLIC PROPERTY</b>		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0	0	0	0
IINCEST	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0	0	0	0
STALKING	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0
LIQUOR LAW ARRESTS	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
DRUG LAW ARRESTS	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
<b>OPTIONAL TOTAL</b>	0	0	0	0	0	0	0	0	0
<b>*PSCC DOES NOT HAVE CAMPUS RESIDENCES</b>									

No reported crimes were classified as Hate related for the years 2014, and 2016.

**One “On Campus” Hate Crime was recorded in 2015 for Destruction/Damage/Vandalism of Property based on race.**

No reports were classified as “Unfounded” for the years 2015, and 2016.



Strawberry Plains Campus									
	ON CAMPUS			NONCAMPUS			PUBLIC PROPERTY		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
MURDER / NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0	0	0	0
IINCEST	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	0	0	0	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0	0	0	0
STALKING	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0
LIQUOR LAW ARRESTS	0	0	1	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
DRUG LAW ARRESTS	1	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0	0	0	0	0	0	0
<b>OPTIONAL TOTAL</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>*PSCC DOES NOT HAVE CAMPUS RESIDENCES</b>									

No reported crimes were classified as Hate related for the years 2014, 2015, and 2016.

No reports were classified as “Unfounded” for the years 2015, and 2016.

## **A SAFE CAMPUS**

Pellissippi State Community College offers both a stimulating educational environment and a safe one. Many individuals are involved in providing you with a safe learning environment to make your experience at Pellissippi State full of growth and as trouble-free as possible. Pellissippi State Police and Pellissippi State Armed Security Officers provide security on our campuses along with unarmed contract Security Officers. Off-Duty Police Officer's from the local Police Departments also provide security on our campuses. A Police Officer or Armed Pellissippi State Security Officer is scheduled to work whenever classes are in session on campus. The Hardin Valley campus has security officers on campus 24 hours a day, 7 days a week. The officers patrol the buildings, parking lots, and the grounds. Surveillance cameras are placed throughout the interior and exterior of buildings on all campuses. Telephones are placed in every classroom with the emergency number displayed on the phone.

Pellissippi State's security policies and procedures are aimed at your safety and welfare. You can help maintain your own safety on campus by following all security policies and by using common sense safety practices, such as walking in groups, reporting suspicious activities, not leaving your purse, coat, books, or backpacks, and other items unattended.

**Remember, Safety and Security is Everyone's Responsibility**

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

In the event of a campus emergency, persons will be immediately notified of the emergency through the campus Emergency Notification System. The Emergency Notification System is operational on all campuses and consists of an audible alarm and voice messages that can be broadcast through campus buildings as well as exterior areas. Additional notifications may be broadcast through the Alertus desktop emergency notification system, the e2Campus emergency notification system, text alerts, email notifications, social media broadcasts, phone calls, and or announcements via bull horn.

The college will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the Emergency Notification System and secondary means of notification, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

When the college is notified of a significant emergency or dangerous situation that may pose an immediate threat to the safety of students, staff, faculty, and visitors on campus, the following procedures will be implemented:

First, the Pellissippi State Police Department will confirm that a significant emergency or situation exists and determine the facts and scope of the emergency. If immediate assistance is needed from an outside resource, the Pellissippi State Police Department will make the request to the appropriate agency and document the notification in the Daily Log.

Second, the President or his designee will be contacted with a recommendation from the Chief of Police as to the college's initial response and what segments of the college need to be notified. If the President or his designee cannot be contacted immediately, the Chief of Police will manage the emergency or situation until notification can be made.

Third, an emergency alert message will be disseminated to the campus community briefly stating the nature of the emergency and what immediate actions to take. The initial directions will take into account the segment of the campus community that needs to be notified as well as considering the safety of the students, staff, faculty, and visitors to the college. As the emergency situation develops, updates may be provided through any of the following; Alertus desktop emergency notification system, the e2Campus emergency notification system, emails, text messages, phone calls, the college's website, public address system and bull horn messages, and through supervisors and employees of the college. In the event of an emergency that may impact the surrounding community, information will be disseminated through the college's Marketing & Communications Office.

Emergency Notification systems are tested annually.

The Pellissippi State Police Department has a written memorandum of understanding (MOU) with the local law enforcement agencies with territorial jurisdiction. These agencies are committed to informing this institution about events reported to them that may warrant an emergency response on campus.

## **MISSING STUDENT PROCEDURES**

Pellissippi State Community College does not maintain on-campus housing for students and as such is not required to establish or maintain a procedure for missing students.

## **FIRE SAFETY STATISTICS**

Pellissippi State Community College does not maintain on-campus housing for students and as such is not required to publish a separate annual fire safety report.

There were no fires reported on any of the campuses for the year 2016.

Campus Fire Alarm systems are tested quarterly.

## **USE OF BUILDINGS AND FACILITIES**

The policy concerning the use of college buildings and facilities was developed under the auspices of the Tennessee Board of Regents. Any outside group must submit written requests and related material to the Business and Community Services Department, Alexander Building, Room 108. Please refer to Pellissippi State's Policy Access to and Use of Campus Property and Facilities number 08:03:00 <http://www.pstcc.edu/ppm/pdf/08-03-00.pdf>.

College policy After Hours Access to Buildings, Offices, and Classrooms number 08:03:15, <http://www.pstcc.edu/ppm/pdf/08-03-15.pdf>, prescribes that all persons must report any entrance into administrative or faculty areas after 10:00 p. m. weekdays, on weekends, and all holidays to the Pellissippi State Police Department, Goins Building, Room 101. The individual must sign in on the "Pellissippi State After Hours Book." Visitors, as a general rule, are not authorized in buildings after normal business hours unless escorted by faculty, staff, or a college official.

Except when part or all of the campus facilities are open to the general public for a designated time and purpose, the buildings and facilities of each campus are accessible only to the students, staff, faculty, guests, and other visitors of Pellissippi State Community College. However, there are limitations to this accessibility. All persons who utilize Pellissippi State's campuses must provide adequate identification, upon request, to appropriate Pellissippi State officials and police and security personnel. Refusal to do so may result in disciplinary action, a request to leave the campus, or arrest.

The Pellissippi State Police Department must receive written notification of all approved requests for use of campus buildings and facilities. Information regarding other limitations of access is available from the Pellissippi State Police Department located on the Hardin Valley campus in the Goins Building, Room 101.

## **NOTIFICATIONS OF SECURITY ISSUES**

The Pellissippi State Police Department uses the Pellissippi State web page, text messaging, the Pellissippi Press (student newspaper), the Pellissippi State internal TV system, Inside Pellissippi (faculty/staff newsletter), both employee and student e-mail, and new student and employee orientation sessions to keep the college community abreast of security concerns.

## **REPORTING SUSPICIOUS, CRIMINAL ACTIVITY OR OTHER EMERGENCY ON CAMPUS**

You may report suspicious or criminal activity or any other emergencies by phoning the Pellissippi State Police Department at **6649** by campus phone or **694-6649** by pay phone, cell phone, or off campus phone. This is the **Emergency Phone** and is manned 24 hours a day, 7 days a week. You may also come by the office in the Goins Building, Room 101, on the Hardin Valley campus to receive an immediate response.

For branch campuses you may report suspicious or criminal activity to the front administration desk. The number for this desk is displayed on each phone in the respective campus building. From off campus or from cell phones you may call the respective campus as follows:

<b>Blount County Campus</b>	<b>981-5300</b>
<b>Division Street Campus</b>	<b>971-5200</b>
<b>Magnolia Avenue Campus</b>	<b>329-3100</b>
<b>Strawberry Plains Campus</b>	<b>225-2300</b>

Suspicious or criminal activity may also be submitted confidentially through the **Silent Witness** and **Text in a Tip** programs.

The **Silent Witness** program can be accessed on the Pellissippi State Police Department home page or by going to: <http://www.pstcc.edu/security/tip.php>.

The **Text in a Tip** program can be utilized by texting the tip to **67283**. Start the tip with **PSCCTIPS** followed by a space. Everything written after the space will be sent to the Text in a Tip database.

When complaints are received, they are documented on an Incident Report which is entered into the computer within 48 hours, as required by law. Criminal incidents are recorded on a Daily Crime Log which can be accessed through the Pellissippi State Police Department website. The Daily Crime Log is open for inspection by students, family, faculty, staff, and the general public at any time. The Daily Crime Log may be viewed in the Pellissippi State Police Department office located on the Hardin Valley Campus in the Goins Building, Room 101. Crimes may also be reported through the following persons:

Dean of Students	Goins 107	694-6415
Director of Counseling	Goins 130	694-6547
Director of Student Life	Goins 142	694-6681
Director of Disability Services	Goins 134	539-7153
Campus Deans	Blount County	981-5300
	Division Street	971-5200
	Magnolia Avenue	329-3100
	Strawberry Plains	225-2300

## **VOLUNTARY CONFIDENTIAL REPORTING**

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Pellissippi State Police Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep accurate records of the number of incidents involving students, faculty, and staff, and determine where there may be a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the college.

## **CAMPUS MAINTENANCE POLICIES TO KEEP YOU SAFE**

Pellissippi State has installed and maintains exterior lighting around all of its buildings and parking lots, as well as additional sidewalk and street lighting, to keep the campuses well-lit. While maintaining an attractive campus, grounds crews keep shrubs and hedges low for student and employee safety.

On any normal workday, there are many college support personnel whose jobs include providing inspection of the entire campus and its buildings to discover and correct health, safety, and maintenance problems. There are facilities personnel on call 24 hours a day for emergency situations. In addition to these personnel, campus police and security officers and others tour the campus on a daily basis and report safety or security problems to the Pellissippi State Police Department. Police and/or Security personnel will be dispatched or the appropriate department will be notified to ensure the problem is corrected in a timely manner. Students as well as faculty and staff may also call the Facilities Department (694-6618) to report any maintenance problems. Safety problems may be reported to the Pellissippi State Police Department at 694-6646 (during normal weekday working hours of 8:00 a.m. to 4:30 p.m.) or 694-6649 (emergency number) after hours and on weekends.

## **POSSESSION AND USE OF WEAPONS**

**T.C.A. 39-17-1309 prohibits the illegal possession of weapons, including firearms, on any property owned, used or operated by the Tennessee Board of Regents, including Pellissippi State.**

**Felony: State law prescribes a maximum penalty of six (6) years imprisonment and a fine not to exceed three thousand dollars (\$3,000) for the illegal possession of weapons on school property.**

This notification is posted prominently throughout the campus buildings at all sites.

## **ALCOHOL AND ILLEGAL DRUG POLICY (POLICY 08:07:01/08:07:00 )**

Pellissippi State seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety, and welfare of its students, faculty, and staff. In keeping with these objectives, the college has established guidelines and policies governing the possession and consumption of alcoholic beverages on college properties.

Tennessee Board of Regents Alcoholic Beverages policy number 3:05:01:01 <https://policies.tbr.edu/policies/alcoholic-beverages-and-smoking> specifically states that “the use of and/or possession of alcoholic beverages on college or university-owned property shall be prohibited.” The Pellissippi State Student Catalog and Handbook prohibits the consumption or possession of alcoholic beverages on college-owned or controlled property.

As a result of the Drug-Free Work Place Act, Pellissippi State is committed to maintaining a drug-free working environment. The Human Resources department has distributed copies of the Pellissippi State policy regarding drugs in the workplace to all employees. This policy states that Pellissippi State will ensure that all of its workplaces are safe and free from the illegal use, manufacture, possession, distribution, or dispensing of controlled substances (as defined in the Controlled Substance Act), by employees. The Pellissippi State Student Catalog and Handbook strictly prohibits the unlawful possession or use of any drug or controlled substance (including any stimulant, depressant, narcotic, hallucinogenic drug or substance, or marijuana), or sale or distribution of any such drug or controlled substance by any student. The Drug-Free Campus/ Workplace policy number 08:07:00 can be found at <http://www.pstcc.edu/ppm/pdf/08-07-00.pdf>.

## **DRUG/ALCOHOL COUNSELING, TREATMENT & REHABILITATION PROGRAMS**

The Counseling Center at Pellissippi State provides confidential counseling to students for drug and alcohol-related problems. This service is furnished at no cost to students. Referral services are also provided for professional counseling, treatment and rehabilitation programs that are available in the local community. The cost of these professional services is normally the responsibility of the individual concerned or the individual’s insurance carrier.

## **DISCLOSURE OF PREVIOUS CRIMINAL RECORDS**

The college does not inquire as to whether students entering the college have been convicted of a crime. However, if such information is brought to the college’s attention, admittance of the student to the college will be reviewed by appropriate administrative personnel on a case-by-case basis.

The college requires a thorough background investigation for all persons seeking full and part time employment. A background investigation is also conducted for all contract Security Officer positions.

## **SEXUAL MISCONDUCT POLICY**

Pellissippi State Community College has revised its Sexual Misconduct policy to ensure compliance with requirements listed in the Violence Against Women’s Act and the Campus SaVE Act.

### **PURPOSE**

This policy is intended to provide a single, easily accessible and user-friendly document for students, employees, and others affected by sexual misconduct to find information regarding Pellissippi State Community College’s rules and procedures related to the offenses defined herein.

### **POLICY**

This policy is adopted by Pellissippi State Community College specifically to address the offenses defined herein. All other forms of sex discrimination including sexual harassment are also strictly prohibited. Allegations that are not within the scope of this policy are subject to the procedures described in TBR Guideline P-080 as adopted and implemented by Pellissippi State Policy 00:03:00 Equal Opportunity and Nondiscrimination in Education & Employment and Policy 06:23:01 Discrimination and Harassment Complaint and Investigation Procedure.

- I. **Scope:** These procedures shall be utilized by:
  - A. Any employee or student who has been a victim of sexual misconduct, regardless of sexual orientation or gender identity/expression;
  - B. Former employees or students if the conduct took place during the time of employment or enrollment at Pellissippi State and the conduct has a reasonable connection to the institution;
  - C. All third parties with whom Pellissippi State has an educational or business relationship and the conduct has a reasonable connection to the institution;

### **II. Definitions**

- A. **Consent**—an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.
- B. **Dating Violence**—violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a

business or non-romantic social context. Violence includes, but is not necessarily limited to:

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

C. **Domestic Violence**—violence against a person when the accuser and accused:

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

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

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

D. **Sexual Assault**—the nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know at the time of the contact that the accuser did not or could not consent.

Sexual contact includes, but is not limited to, the intentional touching of the accuser's, the accused's, or any other person's intimate parts, or the intentional touching of the clothing covering the immediate area of the accuser's, the accused's, or any other person's intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification.

E. **Sexual Misconduct**—for the purposes of this policy, “sexual misconduct” is defined as dating violence, domestic violence, stalking, and sexual assault.

F. **Stalking**—a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened,



harassed, or molested. Harassment – means conduct directed toward the accuser that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the accuser to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose– **TCA § 39-17-315**

### **III. Prohibition of Sexual Misconduct**

Sexual misconduct is a form of sex discrimination prohibited by Title IX. Pellissippi State is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. As set forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking, and sexual assault. Pellissippi State strictly prohibits these offenses. Any allegation of sexual misconduct as defined herein will be investigated and adjudicated according to this policy.

### **IV. Immediate Actions a Victim Should Take**

- A. In the immediate aftermath of a sexual assault, domestic violence, dating violence or similar event, the most important thing is for the victim to get to a safe place.
- B. When a feeling of safety has been achieved, the victim should seek medical attention, regardless of his or her decision to report the crime to the police. It is very important for the victim of sexual assault to seek medical attention immediately so that the victim can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries.
- C. A victim has the right to accept or decline any or all parts of a medical exam. However, critical evidence may be lost or missed if not collected or analyzed.
- D. Valuable physical evidence can be obtained from the victim and the victim's clothing. A victim should make every effort to save anything that might contain the offender's DNA. Therefore, a victim should not:
  - 1. Bathe or shower;
  - 2. Wash his/her hands;
  - 3. Brush his/her teeth;
  - 4. Use the restroom;
  - 5. Change clothes;
  - 6. Comb hair;
  - 7. Clean up the crime scene; or
  - 8. Move anything the offender may have touched
- E. Even if the victim has not yet decided to report the crime, receiving a forensic medical exam and keeping the evidence safe from damage will improve the chances that the police can access and test the stored evidence at a later date.
- F. Victims of sexual misconduct are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to investigators.

## V. **Reporting Sexual Misconduct**

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

### A. **Reporting Confidentially**

If a victim chooses to report an incident of sexual misconduct in a confidential manner, the victim can report the incident to the following counselors who are required by Tennessee State law to maintain confidentiality of a victim:

#### **PSCC Counseling Services**

##### Hardin Valley Campus

Elizabeth Firestone, Ph.D., director, 865-694-6547 [efirestone@pstcc.edu](mailto:efirestone@pstcc.edu)

Kathy Douthat, Ph.D., 865-539-7293 [kbdouthat@pstcc.edu](mailto:kbdouthat@pstcc.edu)

Christian Lockhart M.S., 865-539-7336 [cslockhart@pstcc.edu](mailto:cslockhart@pstcc.edu)

##### Blount Campus

Betsy Boyd, Ed S., 865-981-5303 [bboyd@pstcc.edu](mailto:bboyd@pstcc.edu)

##### Division Street Campus

Rhoda Stone, Ph.D., 865-971-5218 [rgstone@pstcc.edu](mailto:rgstone@pstcc.edu)

##### Magnolia Campus

Lisa Matthews, M.S., 865-329-3113 [lomatthews@pstcc.edu](mailto:lomatthews@pstcc.edu)

##### Strawberry Plains Campus

Heather White, M.S., 865-225-2312 [hnwhite1@pstcc.edu](mailto:hnwhite1@pstcc.edu)

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

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

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

1. The College shall not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.
2. Before a complainant reveals any information to an employee, the employee must ensure that the complainant understands the employee's reporting obligations.

3. If the complainant wants to maintain confidentiality, the employee must direct the victim to confidential resources as detailed in Section V. A. of this policy.
4. If the complainant wants to tell an employee what happened but also maintain confidentiality, the employee must advise the complainant that the College will consider the request, but cannot guarantee that it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will also inform the Coordinator of the complainant's request for confidentiality.
5. When sexual harassment or sexual violence has occurred and is brought to the attention of the Pellissippi State Title IX Coordinator or Dean of Students, he or she will take steps to end the harassment or violence, prevent its reoccurrence, and address its effects.

If the sexual misconduct involves an allegation against an employee, contact:

Carole Gary  
Director of Human Resources  
865-539-7025  
[Cgary2@pstcc.edu](mailto:Cgary2@pstcc.edu)  
Goins Administration Building, Room 262C

If the incident involves an allegation by a student against another student, contact:

Travis Loveday  
Dean of Students  
865-694-6415  
[tcloveday@pstcc.edu](mailto:tcloveday@pstcc.edu)  
Goins Administration Building, Room 111

Individuals with complaints of sexual misconduct also have the right to file a formal complaint with the United States Department of Education.

Office for Civil Rights (OCR)  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

## VI. **Role of Title IX Coordinator**

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

1. Investigation or oversight of investigations of allegations related to Title IX;
  2. Coordination and oversight of educational programs including mandatory training for new students and employees and awareness campaigns for current students and employees;
  3. Coordination with local law enforcement on matters related to allegations related to sexual misconduct;
  4. Coordination and oversight of training for anyone involved in responding to, investigating, or adjudicating sexual misconduct;
  5. Coordination and oversight of training for employees related to their responsibility when they are aware of sexual misconduct;
  6. Coordination and oversight of annual training for investigators, decision makers, hearing officers and hearing committee members on the issues related to sexual misconduct and on how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability; and
  7. Attending appropriate training annually on topics related to responding to or investigating allegations of sexual misconduct.
- B. The Title IX Coordinator may designate deputies and investigators (“designees”) to assist in carrying out any of the responsibilities related to implementing this policy.

The Title IX Coordinator shall report at the beginning of each new school year to TBR’s Office of General Counsel the name of and contact information for the College’s Title IX Coordinator.

**VII. Investigation Requirements and Procedures**

- A. All proceedings will include a prompt, fair, and impartial investigation and result. The College will provide the respondent and complainant equitable rights during the investigative process.
- B. All complaints of sexual misconduct shall be presented to the Title IX Coordinator for investigation and appropriate disposition.
- C. Mediation between the complainant and respondent will never be considered an appropriate resolution in sexual misconduct cases.
- D. Initiating an investigation
  1. Absent good cause, within three (3) business days of receipt of a report of sexual misconduct the Title IX Coordinator or designee shall attempt to get a written statement from the complainant that includes information related to the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complainant should be encouraged to complete a complaint form and submit a detailed written report of the alleged incident.
  2. When the complainant chooses not to provide a written complaint, the Title IX Coordinator or designee will still investigate and take appropriate action.

3. Both before and during the pendency of the investigations, the Title IX Coordinator shall consult with the complainant and consider what, if any, interim measures may be necessary.
4. Complaints made anonymously or by a third party will be investigated to the extent possible.
5. After consultation with TBR General Counsel, if the Title IX Coordinator determines that the complaint contains an allegation of sexual misconduct, the Title IX Coordinator shall follow the procedures set forth in this policy to investigate and adjudicate the complaint.
6. The Title IX Coordinator may appoint a qualified, sufficiently trained person to investigate the allegations made in the complaint.
7. Only one person shall be identified as the investigator for a complaint.
8. Investigations shall be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.
9. If the complainant or respondent believes the assigned investigator has a conflict of interest, that party must submit a written explanation of the reason for that belief to the President or designee. 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 or designee 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 or designee shall be final.

E. What the investigation should and should not entail

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

10. The investigator shall not consider any evidence about the complainant's prior sexual conduct with anyone other than the respondent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

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

- A. Upon completion of the investigation, the investigator shall prepare a written report that includes the allegations made by the complainant, the response of the respondent, corroborating or non-corroborating statements of the witnesses, review of other evidence obtained, and conclusions that may be drawn from the evidence gathered.
- B. It is the responsibility of the investigator to weigh the credibility of all individuals interviewed and to determine the weight to be given to information received during the course of the investigation.
- C. The report shall be delivered to the appropriate decision maker as determined by the Title IX Coordinator once the investigation is initiated.
  1. If the respondent is an employee, the decision maker shall be the Director of Human Resources.
  2. If the respondent is a student, the decision maker shall be the Vice President of Student Affairs.
- D. After review of the report, the decision maker shall make a determination based on a preponderance of the evidence presented as to whether or not a violation of this policy occurred.
- E. The decision maker's determination shall be communicated in writing simultaneously to the complainant and respondent, along with notice to the parties of their right to request an institutional hearing on the determination that a policy violation did or did not occur.

### **IX. Timeframe for Conducting the Investigation**

- A. Every reasonable effort shall be made to conclude the investigation and resolve the complaint within sixty (60) calendar days following receipt of the complaint. Within this sixty (60) day timeframe, absent good cause, it is expected that the investigator will conclude the investigation, that the investigator will present a report to the decision maker, and that the investigator will notify the parties in writing of decision maker's determination.
- B. If the investigator or decision maker determines that additional time is needed, both parties shall be notified in writing of the delay, the anticipated date that the investigation will be concluded, and the reasons for such delay.
- C. If either party determines that additional time is needed, that party shall request such in writing to the investigator. The written request for additional time shall include the reasons for the requested delay and the number of additional days needed. The investigator shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the

request and shall notify both parties in writing as to whether or not the request is granted.

**X. Institutional Hearing**

- A. Either party may request an institutional hearing on the determination that a policy violation did or did not occur by providing written notice of the request to the investigator within ten (10) business days of receipt of the decision maker's decision.
- B. If a request is not received within ten (10) days, the decision maker's determination is final.
- C. The hearing may be held before either a hearing officer or hearing committee. The President of the College shall determine whether to proceed with a hearing officer or hearing committee and shall appoint individuals to serve in those capacities. The hearing officer and all hearing committee member shall receive, at a minimum, annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- D. If the complainant or respondent believes the hearing officer or any hearing committee member has a conflict of interest, that party must submit a written explanation of the reason for that belief to the President or designee. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew of or should have known the facts that would give rise to the alleged conflict of interest. The President or designee will determine if the facts warrant the appointment of a different hearing officer or committee member and respond to the party in writing within three (3) business days, absent good cause. The decision of the President, or designee, shall be final.
- E. If such a hearing is requested, every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the President, within thirty (30) days following the College's receipt of the party's request for a hearing.
- F. The parties to the hearing may not engage in formal discovery.
- G. Each party is entitled to have an advisor of choice available; however, the advisor may not participate in the proceeding other than to render advice to the party.
- H. The College will not limit the choice of advisor for either the complainant or respondent.
- I. The complainant and respondent shall be timely notified in writing of all meetings relevant to the proceeding.
- J. The hearing officer or chair of the hearing committee shall control the procedures of the hearing with due consideration given to the parties' requests related to procedures such as, but not limited to, limitations on cross-examinations, recesses so the parties may consult with their advisors, and scheduling of hearings. The hearing officer or chair of the hearing committee shall conduct the

proceedings in a manner that does not allow the respondent to directly question the complainant in person.

- K. The hearing officer or hearing committee shall use a preponderance of the evidence standard when reaching a decision.
- L. Absent good cause, within five (5) business days of the close of evidence, the hearing officer or committee shall issue a written determination as to whether or not a violation of this policy occurred and the justification for this decision.
- M. Each party shall be simultaneously notified of the hearing officer or committee's decision in writing, which shall include notice of their rights to appeal the hearing officer's or committee's determination to the President.

#### **XI. Appeal of Hearing Decision to the President**

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

#### **XII. Effect of a Finding of a Violation of this Policy**

- A. If a final decision has been made that a policy violation occurred, the respondent shall be referred to the appropriate personnel for a determination of discipline.
- B. The appropriate personnel will be determined by the status of the respondent. If the respondent is a student, then the matter shall be referred to the Dean of Students. If the respondent is an employee, the matter shall be referred to the Director of Human Resources.
- C. If the respondent is a student, the College will follow the procedures for disciplining students as described in TBR Policy 3:02:00:01 and Student Code of Conduct and Due Process Policy 04:02:00.
- D. If the respondent is an employee, the College will follow the procedures related to disciplining employees as described in applicable employee policies.
- E. Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:
  - 1. The complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.



2. The complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.
  3. The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.
  4. The complainant shall be allowed access to any evidence presented during any disciplinary meeting or hearing.
  5. The Title IX Coordinator or designee shall be appointed as the complainant's contact person for any questions or assistance during the disciplinary process.
  6. The complainant shall receive written notice of the outcome of the disciplinary process.
- F. If a final decision has been made that a policy violation occurred, the Title IX Coordinator or designee shall determine if any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus. For example, the Title IX Coordinator or designee may determine that specific training is needed for a student group whose members have been accused of sexual assault.

### **XIII. Interim Measures**

- A. In situations that require immediate action because of safety or other concerns, the College will take any reasonable administrative action that is appropriate. Examples of such interim actions include, but are not limited to:
1. Providing an escort to ensure that the complainant can move safely between classes and activities;
  2. Ensuring that the complainant and respondent do not attend the same classes;
  3. Providing access to counseling services;
  4. Providing academic support services, such as tutoring; and
  5. 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.
- B. These remedies may be applied to one, both, or multiple parties involved.
- C. Student respondents may be placed on interim suspension under the appropriate circumstances pending the outcome of the investigation. The College shall follow TBR Policy 3:02:00:01 and Pellissippi State Policy 04:02:00 Student Code of Conduct and Due Process <http://www.pstcc.edu/ppm/pdf/04-02-00.pdf> before placing a student respondent on interim suspension.
- D. Employee respondents may be, consistent with Human Resource policies, placed on administrative leave pending the outcome of the matter.

#### **XIV. Education and Prevention Programs**

- A. The College will engage in comprehensive educational programming to prevent sexual misconduct. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students, faculty, and staff that:
1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
  2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
  3. Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee;
  4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander; and
  5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

*The College has prepared a video called “Creating a Caring Campus”. The video is shown during New Student Orientation sessions and made available to all prospective students, faculty, and staff. The video addresses crime statistics, bystander intervention, the “See Something, Say Something” campaign, situational awareness, security escort availability, and the “Text A Tip” program. The video also gives definitions, reporting options, and community resource information for Sexual Harassment, Sexual Violence, and Gender-Based Harassment. Similar information is made available to the campus community on the “Creating a Safe Campus” webpage located at: <http://www.pstcc.edu/safecampus/index.php#seesay>*

#### **XV. Assistance for Victims of Sexual Misconduct: Rights and Options**

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

- C. Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms> and additional information related to such orders may be found at <http://www.tncoalition.org/>
- D. The College does not publish the name of crime victims nor maintain identifiable information regarding victims in the Daily Crime Log or in the release of timely warnings.

**XVI. Resources for Victims of Sexual Misconduct**

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

**A. On Campus Resources**

**PSCC Counseling Services**

Hardin Valley Campus

Elizabeth Firestone, Ph.D., director, 865-694-6547 [eefirestone@pstcc.edu](mailto:eefirestone@pstcc.edu)

Kathy Douthat, Ph.D., 865-539-7293 [kbdouthat@pstcc.edu](mailto:kbdouthat@pstcc.edu)

Christian Lockhart M.S., 865-539-7336 [cslockhart@pstcc.edu](mailto:cslockhart@pstcc.edu)

Blount Campus

Betsy Boyd, Ed S., 865-981-5303 [bboyd@pstcc.edu](mailto:bboyd@pstcc.edu)

Division Street Campus

Rhoda Stone, Ph.D., 865-971-5218 [rgstone@pstcc.edu](mailto:rgstone@pstcc.edu)

Magnolia Campus

Lisa Matthews, M.S., 865-329-3113 [lomatthews@pstcc.edu](mailto:lomatthews@pstcc.edu)

Strawberry Plains Campus

Heather White, M.S., 865-225-2312 [hnwhite1@pstcc.edu](mailto:hnwhite1@pstcc.edu)

**Pellissippi State Police Department**

Hardin Valley

Goins Building, Room 101  
865-694-6646

Blount County

Main Office  
865-981-5300

Division Street  
Main Office  
865-971-5200

Magnolia Avenue  
Main Office  
865-329-3100

Strawberry Plains  
Main Office  
865-225-2300

**Title IX Coordinator**  
Carole Gary  
Director of Human Resources  
865-539-7025  
[Cgary2@pstcc.edu](mailto:Cgary2@pstcc.edu)  
Goins Administration Building, Room 262C

**B. Community Resources**

**Law Enforcement**

Knoxville Police Department (KPD)  
800 Howard Baker Jr. Ave  
Knoxville TN 37915  
865-215-7000  
[http://www.knoxvilletn.gov/government/city\\_departments\\_offices/police\\_department/](http://www.knoxvilletn.gov/government/city_departments_offices/police_department/)

Knox County Sheriff  
400 Main Street Suite L165  
Knoxville TN 37902  
865-215-2444  
<http://www.knoxsheriff.org/index.php>

Maryville Police Department  
418 West Broadway  
Maryville TN 37801  
865-273-3700  
<http://www.maryvillegov.com/police-department-home-page.html>

Blount County Sheriff  
940 E. Lamar Alexander Parkway  
Maryville TN 37804  
865-273-5200  
<http://www.bcsso.com>

Family Justice Center  
400 Harriet Tubman Street  
Knoxville, TN 37915  
24/7 Helpline – 865-521-6336  
865-215-6800  
<http://fjcknoxville.com/>

Sexual Assault Center  
6215 Kingston Pike  
Knoxville TN 37919  
24/7 Crisis line – 865-522-7273  
Office – 865-558-9040  
[www.mcnabbcenter.org/sacet](http://www.mcnabbcenter.org/sacet)

Haven House  
Domestic Violence Center  
Maryville, TN  
865-982-1087  
<http://www.havenhousetn.org/>

C. **On-line Resources:**

<http://tncoalition.org/> - State Coalition Against Rape  
<http://tncoalition.org/> - State Coalition Against Domestic Violence  
<http://www.thehotline.org/> - Website for LGBTQ survivors of sexual or domestic violence and minority women survivors of sexual or domestic violence  
<http://www.pandys.org/malesurvivors.html> -Website for male survivors  
<http://www.rainn.org> – Rape, Abuse and Incest National Network  
<http://www.ovw.usdoj.gov/sexassault.html> - Department of Justice  
<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office for Civil Rights

## **Retaliation**

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

Source/Reference: TBR Policy 6:03:00:00; [Campus Save Act](#); [Title IX](#);  
Columbia State Policy 05:01:00; Columbia State Policy 05:24:00  
TCA § 36-3-601; TCA § 36-3-601(5)(c); TCA § 39-17-315

## **DISCIPLINARY SANCTIONS FOR VIOLATING THE COLLEGE’S SEXUAL MISCONDUCT POLICY**

Subject to federal law, state law, and TBR policies, the following sanctions may be imposed by the institution following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking:

1. Restitution
2. Warning
3. Reprimand

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

## **REGISTERED SEX OFFENDERS**

The Federal Campus Sex Crimes Prevention Act and the Tennessee College and University Campus Sex Crimes Prevention Act of 2002 require that whenever a sex offender becomes employed, enrolls as a student or volunteers at an institution of higher education in the state of Tennessee, he or she must complete or update the Tennessee Bureau of Investigation (TBI) Sexual Offender Registration/Monitoring form and deliver it to TBI headquarters in Nashville. As defined in section 40-39-102 of the Tennessee Code a "sexual offender" means a person who is, or has been, convicted in this state of committing a sexual offense or who is, or has been, convicted in another state or country, or who is or has been convicted in federal or military court, of committing an act which would have constituted a sexual offense if it had been committed in this state. A "sexual offense" means the commission of acts including, but not limited to, aggravated and statutory rape, sexual battery, sexual exploitation of a minor, aggravated prostitution and kidnapping.

Both sex crime prevention acts designate certain information concerning a registered sexual offender as public information and therefore amend and supersede the Family Educational Rights and Privacy Act (FERPA) and other federal and state laws that previously prohibited the disclosure of such personal information. Since the laws require the publication of information pertaining to sexual offenders employed, enrolled, or volunteering at an educational institution, said publication does not constitute grounds for a grievance or complaint under institutional or Tennessee Board of Regents policies or procedures.

In compliance with the Federal Campus Sex Crimes Prevention Act and the Tennessee College and University Campus Sex Crimes Prevention Act of 2002, members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled, or volunteering at this institution. This information is available in the Pellissippi State Police Department office located on the Hardin Valley Campus in the Goins Building, Room 101.

Information is also available on the TBI's website listing of sex offenders:  
<https://www.tn.gov/tbi/topic/sex-offender-registry-search>

The following U.S. Department of Justice website provides additional information concerning sex offender sentencing, monitoring, apprehension, and tracking:  
<https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1>

## **CRIME PREVENTION AND PERSONAL SAFETY INFORMATION**

Crime prevention and personal safety information is disseminated and offered throughout the year. The Pellissippi State Police Department facilitates programs during student/parent, faculty, and new employee orientations.

### **TIPS FOR A SAFE CAMPUS**

Please follow the following recommended practices. Following these tips will help assure a safer campus for you and others.

When walking or jogging:

- Go with someone you know.
- Stay away from isolated areas.
- Try to stay near streetlights.
- Hold your purse or briefcase tightly and close to your body.
- A front pocket is safer for a wallet than a back one.
- Dress sensibly. Tight pants, clogs, or heels make movement difficult.

If you are being followed:

- Cross the street or change directions.
- Keep looking back so the person knows you can't be surprised.
- Go to a well-lit area or anywhere there are people.
- Notice and remember as much as possible about the person so you can give a good description later.

If you are held up:

- Don't resist. No amount of money is worth taking chances with your life.
- Notify campus police (if on campus) or the local police immediately.
- Try to give a description including approximate age, height, weight, and details on hair, clothing, jewelry, tattoos, or anything else that is noticeable.

Protect personal and college property:

- Lock your door every time you leave.
- Engrave expensive equipment and valuables with an ID number.
- Don't store your purse or wallet in an unlocked desk drawer.
- Don't leave your belongings unattended in classrooms, hallways, libraries, locker rooms, or restrooms.

If you are working late:

- Be sure all entrance and exit doors close securely behind you.
- Keep your office door locked.
- Lock all doors behind you when entering or exiting at night.
- Inform campus police of your presence on campus and have them check on you occasionally.
- Be sure to inform campus police when you leave.

In a vehicle:

- Do not leave anything of value in plain view in your vehicle. Thieves window shop.
- Check your back seat before getting into the vehicle.
- Keep your doors locked while driving.
- Don't pick up hitchhikers.

Protect your vehicle:

- Always lock your vehicle and take the keys.
- Lock your valuables in the trunk.
- Park in well-lit areas.

Report suspicious activities and vandalism immediately to the Pellissippi State Police Department. Remember “**IF YOU SEE SOMETHING, SAY SOMETHING!**”

**EMERGENCY PHONE NUMBER.... 694-6649 (will be answered 24 hours a day, 7 days a week).**

**NON-EMERGENCY NUMBER..... 694-6646 (during normal weekday working hours of 8:00 a.m. to 4:30 p.m.)**

## **THE PELLISSIPPI STATE POLICE DEPARTMENT**

The administrative office responsible for security on all Pellissippi State campuses is the Pellissippi State Police Department. The department is located in the Goins Building, Room 101, at the Hardin Valley Campus located at 10915 Hardin Valley Road in Knoxville.

Pellissippi State Police Department personnel are divided into the following categories:

- 1 – Chief of Police
- 1 – Deputy Chief of Police
- 2 – Police Sergeants
- 4 – Police Officers
- 1 – Police Sergeant attending initial POST training
- 2 – Police Officers attending initial POST Training
- 1 – Full-time Armed Security Officer
- 2 – Full-time Technical Clerks
- 25 Contract, State Certified, Security Officers

Police Officers attend 40 hours of TN POST certified training annually. Security officers are trained by senior employees for each job classification and are required to have the established level of education and experience in their respective field. All personnel are required to maintain certifications and are encouraged to participate in professional development classes and activities.

The Blount County, Division Street, and Magnolia Avenue Campuses have police and security personnel working Monday through Friday from 7:00 a.m. until the campus closes. The Hardin Valley and Strawberry Plains Campuses have police and security personnel working weekdays from 7:00 a.m. until the campus closes. Weekends and holidays are covered around the clock with two security officers working on each shift.