



**CAMPUS SECURITY REPORT
2025**

Reporting Period January 1, 2024 to December 31, 2024

Tennessee College of Applied Technology – Shelbyville
2905 US 231 North
Shelbyville, TN 37160

TABLE OF CONTENTS

Crime Statistics: Statement Concerning Law Enforcement (All Campuses)	3
Crime Statistics [34 CFR §668.46(b)(1)] (All Campuses).....	4
How to Report Criminal Offenses [34 CFR §668.46(b)(2)] (All Campuses).....	4
Timely Warnings [34 CFR §668.46(b)(2)(i)] (All Campuses).....	5
Preparation of Disclosure of Crime Statistics [34 CFR §668.46(b)(2)(ii)] (All Campuses).....	7
Voluntary Confidential Reporting of Crimes [34 CFR §668.46(b)(2)(iii)] (All Campuses).....	7
Security and Access [34 CFR §668.46(b)(3)] (All Campuses)	8
Campus Law Enforcement Authority [34 CFR §668.46(b)(4)(i)] (All Campuses).....	8
Memorandum of Understanding (MOU) with Local Law Enforcement [34 CFR §668.46(b)(4)(i)] (All Campuses).....	8
Encouragement of Accurate and Prompt Crime Reporting [34 CFR §668.46(b)(4)(ii)] (All Campuses)	8
Security Awareness Programs for Students and Employees [34 CFR §668.46(b)(5)] (All Campuses)	9
Programs Designed to Inform Students and Employees About Prevention of Crime [34 CFR §668.46(b)(6)] (All Campuses).....	9
Monitoring Off-campus Student Organizations [34 CFR §668.46(b)(7)] (All Campuses)	9
Alcohol and Illegal Drugs [34 CFR §668.46(b)(8) & (b)(9)] (All Campuses).....	9
Policy Statement Addressing Substance Abuse Education [34 CFR §668.46(b)(10)].....	10
Policy Statement Regarding Hazing and [20 U.S.C. § 1092(f)(1)(K and L).....	11
Sexual Misconduct [34 CFR §668.46(b)(11)] (All Campuses)	11
Definitions	12
Sexual Misconduct Educational Programs And Campaigns [34 CFR §668.46(b)(11)(i)]	15
Procedures Students Should Follow If A Sex Offense Occurs [34 CFR §668.46(b)(11)(ii)] ..	15
Reporting Sexual Misconduct [34 CFR §668.46(b)(11)(ii)]	16
Investigation Requirements And Procedures [34 CFR §668.46(b)(11)(ii)]	18
Outcome Of Investigation And Determination Of Appropriate Action.....	20
Timeframe For Conducting The Investigation	21
Institutional Hearing [34 CFR §668.46(b)(11)(vi)]	21
Appeal Of Hearing Decision	22
Effect Of A Finding Of A Violation Of This Policy [34 CFR §668.46(b)(11)(vii)]	23
Interim Measures [34 CFR §668.46(b)(11)(v)]	24
Assistance for Victims of Sexual Misconduct: Rights and Options	25
Sex Offender Registration [34 CFR §668.46(b)(12)] (All Campuses).....	28
Emergency Response and Evacuation Procedures [34 CFR §668.46(b)(13)]	28
Missing Student Notification Procedures [34 CFR §668.46(b)(14)]	29
Appendix A: 2022 Crime Statistics	30
Appendix B: 2021 Crime Statistics	31
Appendix C: 2020 Crime Statistics.....	32

The following is the annual Campus Security Report for Tennessee College of Applied Technology Shelbyville for calendar year 2024. The Facilities Coordinator prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The report can also be accessed on the TCAT's web page at <http://www.tcatshelbyville.edu/> This report contains security policies, procedures, and guidelines. Crime statistics for calendar years 2021-2023 are included in the report as Appendices A-C. These statistics are based on incidents reported at 6 campus locations. You may request a paper copy of this report from the Facilities Coordinator on the TCAT campus located at 2905 US 231 North, Shelbyville, TN 37160.

Statement Concerning Law Enforcement (All Campuses)

Motlow State Community College Police Department assumed jurisdiction over the TCAT on September 2023. Officers employed by the Motlow State Community College Police Department are commissioned officers with full police powers on the TCAT campus and certain other areas. Security officers, unless they are off-duty police officers, are not armed and do not have arrest authority. The contact information for the Shelbyville Police Department is 109 Lane Parkway, Shelbyville, TN 37160. The telephone number is (931) 684-5811.

Prior to the Motlow State Community College Police Department assuming jurisdiction, the local law enforcement agency listed below had jurisdiction over the TCAT. The TCAT maintains a close working relationship with local law enforcement agencies and may work with such agencies as deemed necessary in the event that criminal activity occurs or is suspected. The following is a list of TCAT campuses along with the local law enforcement agency with jurisdiction over each one:

- The Shelbyville Main Campus is under the jurisdiction of Shelbyville Police Department 109 Lane Parkway, Shelbyville, TN 37160. The telephone number is (931) 684-5811.
- The Middle Tennessee Education Center, Shelbyville is under the jurisdiction of the Shelbyville Police Department located at 109 Lane Parkway, Shelbyville, TN 37160. The telephone number is (931) 684-5811.
- The Shelbyville Truck Driving Campus is under the jurisdiction of Shelbyville Police Department 109 Lane Parkway, Shelbyville, TN 37160. The telephone number is (931) 684-5811.
- The Franklin County Extension Campus is under the jurisdiction of the Winchester Police Department located at 401 Second Ave SW, Winchester, TN 37398. The telephone number is (931) 967-3840.
- The Lincoln Central Academy Center building, is under the jurisdiction of the Fayetteville Police Department located at 225 E College Street, Fayetteville, TN 37334. The telephone number is (931) 438-7771.

- The Ariens Corporation Extension Campus, is under the jurisdiction of the Fayetteville Police Department located at 225 E College Street, Fayetteville, TN 37334. The telephone number is (931) 438-7771.

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

TCAT Shelbyville has published the crime statistics described in 34 CFR 668.46(c) for the last three reporting periods for all campuses on its website at <http://www.tcatshelbyville.edu/campus-security-report>. Additionally, copies of the crime statistics for the reporting period covered under this report have been included as Appendix A-C of this report.

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

To report an emergency, always dial 911. To report a crime to the Motlow State Community College Police Department, call (931-393-1737). You may also contact the local law enforcement agency at the phone numbers listed below depending on your campus location. Any suspicious activity or person seen in the parking lots or loitering around vehicles and inside buildings may also be reported to one of the Campus Security Authorities listed below.

The TCAT will, to the extent possible, complete publicly available record-keeping, including Clery reporting, without providing personally identifying information about the victim.

Local Law Enforcement Agency Contacts by Campus Location:

Shelbyville Main	Shelbyville Police Department (931) 684-5811
MTEC Shelbyville	Shelbyville Police Department (931) 684-5811
Shelbyville Truck Driving	Shelbyville Police Department (931) 684-5811
Franklin County Extension	Winchester Police Department (931) 967-3840
Lincoln Central Academy	Fayetteville Police Department (931) 438-7771
Lincoln County Ariens	Fayetteville Police Department (931) 438-7771

Campus Security Authorities:

In addition to reporting crimes to the Motlow State Community College Police Department or local law enforcement, a crime may be reported to a college campus security authority (CSA). The CSAs for the TCAT are listed below:

Ramon Castillo (Motlow State Community College Public Safety Department)
rcastillo@mscc.edu
 1405 Madison St., Shelbyville, TN 37160
 (931) 685-5013

Michael Pierce (Facilities Coordinator)
michael.pierce@tcatsbelbyville.edu
1405 Madison St., Shelbyville, TN 37160
(931) 685-5013

Lisa Sanders (VP of Academics and Compliance)
lisa.sanders@tcatsbelbyville.edu
1405 Madison St., Shelbyville, TN 37160
(931) 685-5013

Jimmy Wright (President)
jimmy.wright@tcatsbelbyville.edu
1405 Madison St., Shelbyville, TN 37160
(931) 685-5013

Timely Warnings [34 CFR §668.46(b)(2)(i)] (All Campuses)

The TCAT will issue an emergency notification in the event of an immediate threat to the health or safety of students or employees occurring on campus. Examples include a building fire, hazardous material spill affecting a large area, tornado or other severe weather event, or an active shooter on campus.

The TCAT will issue a timely warning notice to the campus community in a timely manner of specific crimes that occurred on campus. The purpose of a timely warning notice is to offer safety tips and information to aid in the prevention of similar crimes. A timely warning notice will not be issued for the circumstances that led to issuance of an emergency notification.

Process for Confirmation

The President of the institution (or designee in the President's absence) is responsible for confirming emergencies or dangerous situations after receiving input from knowledgeable sources pertaining to the situation at hand. Once confirmed, the President will issue orders to release emergency notifications and/or timely warning notices as needed. In addition to the President, the following individuals may be involved in the decision whether to issue timely warning notifications and/or emergency notifications, as well as the preparation and dissemination of the notifications.

- Lisa Sanders - Vice President of Academics and Compliance
- Michael Pierce – Facilities Coordinator

All employees have the ability to contact the President directly with information related to emergencies and dangerous situations, or information may be submitted to the CSAs identified above.

Decisions to Notify Certain Campuses

The TCAT will notify students, employees, and staff based on the assessed need. In the case of large segments of the TCAT population being affected, notifications may be made to all campuses. Notifications may be made to individual campuses when conditions causing the notice are localized; however, a continuing assessment of situations may warrant additional notifications to other segments of the community.

Content of Notifications

The President or the President's senior staff designee will determine what information will be contained in notifications; depending on the segments being affected, notifications may vary between targets.

Means of Communication

Notifications will be disseminated using methods likely to reach members of the campus community. Those include electronic communication, email, text, cell, public address systems, or via alarms based on the timeliness of need for the message being communicated.

Timeliness

The TCAT will inform the community of a confirmed significant emergency or dangerous situation in a timely manner (as soon as pertinent information is available). The institution will take into consideration the safety of the community, will determine the content of any notifications, and will initiate the notification system. The institution may withhold a notification in situations where the professional judgment of responsible authorities indicates that issuing a notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

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

The TCAT maintains at least one version of an Emergency Preparedness Response Guide. The plan is easily recognizable in a red flip book located in a centralized area for faculty, staff, and student access. The Guide contains Emergency Response Plans, Emergency Notifications, Medical Emergency Plan, Active Shelter Protocol, Floor Plans, Evacuation Routes and Safe Places.

The Guide is also available on at

<http://www.tcatshelbyville.edu/search/node/Emergency%20Plan>

In the event of a serious incident that poses an immediate threat to members of the TCAT community, the TCAT has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network emails, emergency

text messages that can be sent to a phone or PDA (individuals can sign up for this services on the institution's web site, Facebook page, audible tones/alerts from outside siren towers and from inside building fire alarm systems, outside public address speakers, and building fire alarm speaker systems.

The TCAT will, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The TCAT conducts emergency preparedness drills to test the emergency response and evacuation procedures of each facility at all campuses on an annual basis. The results of each of these drills are recorded documenting the date, time, and whether it was an announced or unannounced drill.

Preparation of Disclosure of Crime Statistics [34 CFR §668.46(b)(1) and (b)(2)(ii)] (All Campuses)

The Facilities Coordinator prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Copies of the crime statistics for the reporting period covered under this report have been included as Appendix A-C of this report. The statistics contained in this report are prepared in cooperation with the Motlow State Community College Public Safety Department and local law enforcement agencies surrounding our main campus and alternate sites. Campus crime, arrest, and referral statistics include those reported to the campus security authorities and local law enforcement agencies when reported to the TCAT. Upon completion of the Annual Security Report, an e-mail notification is made to all enrolled students, faculty and staff that provide the website to access this report. Copies of the report may also be obtained from Student Services located at 2905 US 231 North Shelbyville, TN 37160 or by calling (931) 685-5013.

Copies of the Daily Crime Log are available for public inspection at Student Services located at 2905 US 231 North Shelbyville, TN 37160. Individuals at other locations may obtain access to the Daily Crime Log by contacting the highest-ranking administrator on the campus. The log is available during normal hours of operation of the college.

Voluntary Confidential Reporting of Crimes [34 CFR §668.46(b)(2)(iv)] (All Campuses)

The TCAT encourages anyone who is the victim or witness or has knowledge of any crime to promptly report the incident to one of the Campus Security Authorities described above. The confidentiality of persons reporting criminal activity can be requested and will be respected when possible but cannot be assured, as police reports for closed cases are generally available under the Tennessee Public Records Act. The annual crime statistics do not include personally identifiable information.

Security and Access [34 CFR §668.46(b)(3)] (All Campuses)

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

The TCAT examines security issues such as landscaping, locks, alarms, lighting, and communications. Any maintenance needs are reported to Michael Pierce, michael.pierce@tcatshelbyville.edu. Any identified security concern will be evaluated by Lisa Sanders, lisa.sanders@tcatshelbyville.edu or Jimmy Wright, jimmy.wright@tcatshelbyville.edu

Memorandum of Understanding/Mutual Aid Agreement with Local Law Enforcement [34 CFR §668.46(b)(4)(i and ii)] (All Campuses)

The Motlow State Community College Community College Public Safety Department entered into a Memorandum of Understanding or Mutual Aid Agreement with the Shelbyville Police Department that covers Shelbyville Main Campus. The agreement provides for coordination between the Motlow State Community College Police Department and the local law enforcement agency at the identified campuses. For campuses not covered by the agreement, the Motlow State Community College Police Department and TCAT staff maintain a close working relationship with local law enforcement.

Encouragement of Accurate and Prompt Crime Reporting [34 CFR §668.46(b)(4)(iii)] (All Campuses)

The campus community (students, faculty and staff), as well as others, are encouraged to report any criminal behavior or suspected criminal acts promptly to the Motlow State Community College Public Safety Department, to a local law enforcement agency identified above, or to a Campus Security Authority identified above. In the event an emergency is occurring, call 911 to obtain immediate assistance from local law enforcement, and then contact a CSA. It is a core objective of the TCAT to maintain a safe environment for the entire campus population and visitors. To help achieve this goal, each person is encouraged to promptly and accurately report criminal activity.

Security Awareness Programs for Students and Employees [34 CFR §668.46(b)(5) and (6)] (All Campuses)

During orientation, staff and students are informed of the need to exercise personal safety and help maintain security at the TCAT. All students receive a Health, Safety, and Security Plan that promotes personal security and safety. Using common sense safety practices such as reporting suspicious activities, keeping money, books and other personal items protected, locking car and office doors when leaving, observing speed limits and generally being alert to personal welfare will ensure personal safety on and off campus.

The TCAT provides information on how to prevent crime through a prevention of workplace violence policy, firearms and other weapons policy, bystander intervention strategies, and risk reduction strategies. These resources are available on the school's web site or through training available on the website.

Monitoring Off-campus Student Organizations [34 CFR §668.46(b)(7)] (All Campuses)

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

Alcohol Awareness and Illegal Drugs [34 CFR §668.46(b)(8) & (b)(9)] (All Campuses)

TCAT students and employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use of or being under the influence of illicit drugs as defined in the Controlled Substances Act, 21 U.S.C. § 812 and/or alcohol on any TCAT campus, property owned or controlled by the TCAT, or as part of any TCAT activity. The possession or consumption of alcoholic beverages on property owned or controlled by the college is prohibited, except as provided in TBR Policy 1.07.00.05, General Policy on Alcoholic Beverages. Students are subject to TBR Policy 3.02.00.01, General Policy on Student Conduct and Disciplinary Sanctions.

Violation of TCAT policies is grounds for disciplinary action, up to and including discharge of an employee and permanent dismissal of a student. Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment, as do some local ordinances. See 21 U.S.C. § 812, T.C.A. § 39-6-401 et seq.

It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his or her employment), or consume alcoholic beverages, wine or beer, such offenses being classified as Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2,500, or both. (T.C.A. § 1-3-113 and T.C.A. § 57-5-301). It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified a Class A misdemeanor. (T.C.A. § 39-15-404). The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both. (T.C.A. § 39-17-310).

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

A. General

Drug and Alcohol Awareness

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

A synopsis of those health risks is presented below.

B. Alcohol

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

C. Illicit Drugs

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

D. Counseling, Treatment and Rehabilitation Programs

The Student Services Coordinator and Human Resources Coordinator will assist students and/or employees by providing information concerning treatment resources in the surrounding area and assisting individuals in making initial contact with treatment providers. Regular employees may also use the Employee Assistance Program (EAP) by calling 1-855-437-3486 or on the web at <https://Here4TN.com>. Information concerning the EAP is available from Human Resources.

Policy Statement Regarding Hazing and Hazing Prevention [20 U.S.C. § 1092(f)(1)(K and L)]

The College strictly prohibits hazing, both by individuals and student organizations, and regardless of the consent of those involved.

TBR policy defines hazing consistently with state law, Tennessee Code Annotated § 49-7-123(a)(1). Hazing means any intentional or reckless act, on or off the property, of any higher education institution by an individual acting alone, or with others, which is directed against any other person(s) that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such person(s) mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization. See TBR Policy 3.02.00.01 General Policy on Student Conduct and Disciplinary Sanctions (attached as Appendix) and TBR Policy 3.01.01.00 Student Organizations (attached as Appendix).

Allegations of hazing should be reported to the Student Services Coordinator. Hazing allegations involving both students and student organizations will be investigated and resolved consistent with the disciplinary procedures in Section V of TBR Policy 3.02.00.01 General Policy on Student Conduct and Disciplinary Sanctions. The College will conduct an appropriate investigation, which may include witness interviews and review of documents and other information. The investigator will provide a written notice of the investigation, and at its conclusion, prepare a report summarizing the investigation. The President will review the report and make a written determination whether hazing has occurred and an appropriate disciplinary sanction. Students and student organizations have the ability to contest a determination consistent with TBR Policy 3.02.00.01 General Policy on Student Conduct and Disciplinary Sanctions.

Hazing prevention tools, including primary prevention strategies intended to stop hazing before hazing occurs, may be found in the [Hazing Prevention Toolkit](#).

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

Sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking, is a form of sex discrimination prohibited by Title IX. The TCAT is committed to eliminating any and

all acts of sexual misconduct and discrimination on its campuses. A copy of the Sexual Misconduct Policy in the TCAT Handbook at <https://tcatshelbyville.edu/student-handbook>

Definitions [34 CFR §668.46(j)]

The TCAT prohibits Sexual Misconduct, which includes rape, fondling, incest, statutory rape, dating violence, domestic violence, and stalking. Those terms are defined in the Sexual Misconduct policy in accordance with federal Title IX and Clery Act regulations. The crime statistics reported in Appendices A - C are based on the Clery Act.

Crimes as defined by the Tennessee criminal code differ from the definitions in the Clery Act (and are not used for purposes of Clery Act reporting). Tennessee's criminal code includes the following definitions.

Stalking (T.C.A. § 39-17-315) is 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 victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

- A “Course of conduct” means a pattern of conduct composed of a series of two or more separate, noncontinuous acts evidencing a continuity of purpose, including, but not limited to, acts in which the defendant directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to a person, or interferes with a person's property.
- “Emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Harassment” means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unwanted contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.
- “Unwanted contact” means any contact with another person that is initiated or continued without that person's consent, or in disregard of that person's expressed desire that the contact be avoided or discontinued. Unwanted contact includes, but is not limited to, any of the following: (1) following or appearing within the sight of that person; (2) approaching or confronting that person in a public place or on private property; (3) appearing at that person's workplace or residence; (4) entering onto or remaining on property owned, leased, or occupied by that person; (5) contacting that person by telephone; (6) sending to that person mail or any electronic communications, including, but not limited to, electronic mail, text messages, or any other type of electronic message

sent using the Internet, web sites, or a social media platform; or (7) placing an object on, or delivering an object to, property owned, leased, or occupied by that person.

- “Victim” means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

Sexual Assault is not specifically defined in the Tennessee Code, but several sexual offenses are defined.

- **Rape** (T.C.A. § 39-13-503) is the unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances: (1) Force or coercion is used to accomplish the act; (2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent; (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual penetration is accomplished by fraud.
- **Sexual Battery** (T.C.A. § 39-13-505) is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances: (1) force or coercion is used to accomplish the act; (2) the sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent; (3) the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) the sexual contact is accomplished by fraud.
- **Statutory Rape** (T.C.A. § 39-13-506) is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when: (1) the victim is at least thirteen but less than fifteen years of age and the defendant is at least four years but less than ten years older than the victim; or (2) the victim is at least fifteen but less than eighteen years of age and the defendant is more than five but less than ten years older than the victim.
- **Incest** (T.C.A. § 39-15-302) is sexual penetration as defined in T.C.A. § 39-13-501, with a person, knowing the person to be, without regard to legitimacy: (1) the person's natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child; or (2) the person's brother or sister of the whole or half-blood or by adoption.
- **Other sexual offenses** are included in T.C.A. § 39-13-501 through § 39-13-511.

Domestic Violence and **Dating Violence** are not defined in the Tennessee criminal code, but the **Domestic Assault** and domestic abuse victim (T.C.A. § 39-13-111) are defined as any person who falls within the following categories: (1) adults or minors who are current or former spouses; (2) adults or minors who live together or who have lived together; (3) adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two individuals in a business or social context; (4) adults or minors related by blood or adoption; (5) adults or minors who are related or were formerly related by marriage; or (6) adult or minor children of a person in a relationship that is described in subdivisions (1)-(5).

- For purposes of these definitions, as defined in T.C.A. § 39-13-101 a person commits **Assault** who: (1) intentionally, knowingly or recklessly causes bodily injury to another; (2) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.
- **Abuse** (T.C.A. § 36-3-601) means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means, placing an adult or minor in fear of physical harm, physical restraint, malicious damage to the personal property of the abused party, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by an adult or minor, or placing an adult or minor in fear of physical harm to any animal owned, possessed, leased, kept, or held by the adult or minor.
- **Adult** means any person eighteen (18) years of age or older, or who is otherwise emancipated.

Consent is not specifically defined in the Tennessee criminal code, but with respect to most criminal offenses relating to sexual activity, sexual activity is criminal if: (1) the activity was accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the activity that the victim did not consent; (2) force or coercion is used to accomplish the activity; (3) the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless; or (4) the sexual activity is accomplished by fraud.

- “Coercion” (T.C.A. § § 39-13-501(1)) means a threat of kidnapping, extortion, force, or violence to be performed immediately or in the future.
- “Mentally defective” (T.C.A. § § 39-13-501(3)) means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of the person's conduct.
- “Mentally incapacitated” (T.C.A. § 39-13-501(4)) means that a person is rendered temporarily incapable of appraising or controlling the person's conduct due to the influence of a narcotic, anesthetic or other substance administered to that person without

the person's consent, or due to any other act committed upon that person without the person's consent.

- “Physically helpless” (T.C.A. § 39-13-501(5)) means that a person is unconscious, asleep or for any other reason physically or verbally unable to communicate unwillingness to do an act.

Consent is not relevant to sexual activity with a person under the age of eighteen (18) years of age because under Tennessee law a minor is not capable of consenting to sexual activity. Tennessee law, however, provides a close-in-age exception that allows minors who are at least thirteen (13) and less than eighteen (18) to give consent to sexual acts with another person who is less than four (4) years older than the minor

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

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

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

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

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The TCAT strongly advocates that a victim of sexual assault reports the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault can be reported directly 9-1-1 or to a local law enforcement agency. If the victim wishes to make a confidential notification, the victim should follow the procedure outlined below for confidentially reporting sexual misconduct. The victim may be assisted by campus authorities in notifying local law enforcement. The victim should contact the Student Services or the Title IX Coordinator for assistance.

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

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

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

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

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

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

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

A. Reporting Confidentially

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

Centerstone Outpatient Office
604 South Wall Street
Shelbyville, TN 37160
(931) 684-0522

B. Filing an Institutional Complaint

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

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

Title IX Coordinator:
Angelica Lightfoot
2905 US 231 North
Shelbyville, TN 37160
angelica.lightfoot@tcatshelbyville.edu
(931) 685-5013

Student Services Coordinator:
Leslie Martin
2905 US 231 North
Shelbyville, TN 37160
leslie.martin@tcatshelbyville.edu
(931) 685-5013

C. Filing a Criminal Complaint

Contact local law enforcement where the assault occurred. The local law enforcement agency will determine the subsequent steps. An advocate from Shelbyville Police Department or the TCAT's Title IX Coordinator can assist in the reporting process.

D. Filing an Anonymous Complaint

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

To file an anonymous report, use one of the following ways:

Call or send mail to:

Angelica Lightfoot, Title IX Coordinator
2905 US 231 North
Shelbyville, TN 37160
(931) 685-5013

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

Investigation Requirements And Procedures [34 CFR §668.46(b) (11) (ii)]

- A.** All proceedings will include a prompt, fair, and impartial investigation and result. The College will provide the respondent and complainant equitable rights during the investigative process.
- B.** All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for investigation and appropriate disposition, subject to the confidentiality policy.
- C.** Mediation between the complainant and respondent will never be considered an appropriate resolution in sexual misconduct cases.

D. Initiating an investigation

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

E. What the investigation should and should not entail

1. Once the investigator receives the complaint, the investigator shall notify the victim (Complainant) in writing of his/her rights and request a meeting.
2. The investigator shall also notify the accused (Respondent) in writing of the complaint and his/her rights and request a meeting with the respondent.

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

Outcome Of Investigation And Determination Of Appropriate Action

- A. Upon completion of the investigation, the investigator shall prepare a written report that includes the allegations made by the complainant, the response of the respondent, corroborating or non-corroborating statements of the witnesses, review of other evidence obtained, conclusions that may be drawn from the evidence gathered, and recommendations about the disposition of the matter.
- B. It is the responsibility of the investigator to weigh the credibility of all individuals interviewed and to determine the weight to be given to information received during the course of the investigation.
- C. The report shall be delivered to a designated "decision maker."
 1. The Director if the respondent is an employee;
 2. The Title IX Coordinator if the respondent is a student
- D. After review of the report the decision maker shall make a determination based on a preponderance of the evidence presented as to whether or not a violation of this policy occurred.

- E. The decision maker's determination shall be communicated in writing simultaneously to the complainant and respondent, along with notice to the parties of their right to request an institutional hearing on the determination that a policy violation did or did not occur.

Timeframe For Conducting The Investigation

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

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

- A. Either party may request an institutional hearing on the determination that a policy violation did or did not occur by providing written notice of the request to the investigator within ten (10) business days of receipt of the decision makers' 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 Director shall determine whether to proceed with a hearing officer or hearing committee and shall appoint individuals to serve in those capacities.
- D. If the complainant or respondent believes the hearing officer has or the hearing committee member(s) have a conflict of interest, that party must submit a written

explanation of the reason for that belief to the appropriate decision maker. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The decision maker will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the decision maker shall be final.

- E. If such a hearing is requested, every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the Director, within thirty (30) days following the TCAT's receipt of the party's request for a hearing
- F. The parties to the hearing may not engage in formal discovery.
- G. Each party is entitled to have an advisor of choice available; however, the advisor may not participate in the proceeding other than to render advice to the party.
- H. The TCAT will not limit the choice of advisor for either the complainant or respondent.
- I. The complainant and respondent shall be timely notified of all meetings relevant to the proceeding.
- J. The hearing officer or chair of the hearing committee shall control the procedures of the hearing with due consideration given to the parties' requests related to procedures such as, but not limited to, limitations on cross-examinations, recesses so the parties may consult with their advisors, and scheduling of hearings.
- K. The hearing officer or hearing committee shall use a preponderance of the evidence standard when reaching a decision.
- L. Absent good cause, within five (5) business days of the close of 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 Director.

Appeal Of Hearing Decision

- A. If either party chooses to appeal the hearing officer's/committee's decision, the party shall notify the investigator in writing of the decision to appeal within five (5) business days of receipt of the hearing officer's/committee's determination.

- A. If a written request for appeal is not received within five (5) days, the decision of the hearing officer/committee is final.
- B. 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.
- C. The Director will issue a written response to the appeal as promptly as possible. This decision will constitute the TCAT's final decision on the complaint.

Effect Of A Finding Of A Violation Of This Policy [34 CFR §668.46(b) (11) (vii)]

- A. If a final decision has been made that a policy violation occurred, the respondent shall be referred to the appropriate personnel for a determination of discipline.
- B. The appropriate personnel will be determined by the status of the respondent. For example, if the respondent is a student, then the matter may be referred to the Title IX Coordinator. If the respondent is an employee, the matter may be referred to the Director.
- C. If the respondent is a student, the TCAT will follow the procedures for disciplining students as described in Student Handbook.
- D. If the respondent is an employee, the TCAT 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 to attend any meeting or hearing.
 - 3. The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.
 - 4. The complainant shall be allowed access, consistent with FERPA requirements, to any evidence presented during any disciplinary meeting or hearing.
 - 5. The Title IX Coordinator or designee shall be appointed as the complainant's contact person for any questions or assistance during the disciplinary process.
 - 6. The complainant shall receive written notice, consistent with FERPA, of the outcome of the disciplinary process.
- F. If a final decision has been made that a policy violation occurred, the Title IX Coordinator or designee shall determine any remedies are required to address the

campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus. For example, the Title IX Coordinator or designee may determine that specific training is needed for a student group whose members have been accused of sexual assault.

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

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

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

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

- A.** Providing an escort to ensure that the complainant can move safely between classes and activities;
- B.** Ensuring that the complainant and respondent do not attend the same classes;
- C.** Providing referrals or access to counseling services;
- D.** Providing referrals to medical services;
- E.** Providing academic support services, such as tutoring;
- F.** Issuing no contact orders; and

- G. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

Assistance for Victims of Sexual Misconduct: Rights and Options

A. Regardless of whether a victim elects to pursue a criminal complaint or whether the offense occurred on or off campus, 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, 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 [Tennessee Crime Victims' Bill of Rights](http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms)

C. Protection from abuse orders may be available through <http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms>

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.

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 the section "Reporting Confidentially" below related to the limits on the College's ability to maintain confidentiality. Victims can seek information on treatment for injuries, preventative treatment for sexually transmitted diseases, and where and how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE) from the resources listed in this section.

On-line Resources

<https://tncoalition.org/get-help/help-in-your-area>
[Rape, Abuse and Incest National Network](#)
[USDOJ Information for Victims of Sexual Assault](#)
[U.S. Department of Education Office for Civil Rights](#)
[Futures Without Violence](#)

Phone Number Resources:

Free National Resources

National Domestic Violence Hotline ----- 1-800-799-SAFE (7233)
National Sexual Assault Hotline ----- 1-800-656-HOPE (4673)
National Stalking Resources ----- 1-800-FYI-CALL (1-800-394-2255)
National Teen Dating Abuse ----- 1-866-331-9474

Local Resources

[Family Justice Centers \(tn.gov\)](http://tn.gov)

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 agency who employs licensed counselors and is required by Tennessee state law to maintain confidentiality of a victim:

Sexual Assault Center, Counseling & Education

101 French Landing Dr., Nashville, TN 37228; (615) 259-9055
24-hour hotline 1-866-811-7473.

1725-I Wilma Rudolph Blvd., Clarksville, TN 37040; (931) 241-4143

[Sexual Assault Center](#)

Counselors and health care providers not affiliated with the institution will generally maintain confidentiality and not share information with the institution unless the Complainant requests the disclosure and signs a consent or waiver form. However, these resources may have reporting obligations under state or federal law. For example, healthcare providers and certain other individuals are required to notify law enforcement when a person seeks treatment for injuries related to a violent crime, including injuries resulting from Sexual Misconduct or abuse of a minor.

Additional information about confidential reporting of sexual assault, sexual harassment, dating violence, domestic violence, and stalking can be found in the Sexual Misconduct Policy at <https://tcatshelbyville.edu/student-handbook/?page-id=4467>.

Role of Title IX Coordinator

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

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

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

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

Bystander Intervention and Risk Reduction

Helping prevent sexual harassment is everyone's responsibility. Bystander intervention is one means of prevention and reducing risks. Bystander intervention essentially means interrupting problematic behavior. Bystanders can help prevent sexual harassment in a safe way by being involved before, during, or after a situation where an individual may make inappropriate jokes or comments, may make threats, or may behave in a way that is harmful to another person. Individuals are encouraged to review bystander tips and strategies published by national resources.

[Prevention Links | National Sexual Violence Resource Center \(NSVRC\)](#)

<https://www.rainn.org/articles/practicing-active-bystander-intervention>

Sex Offender Registration [34 CFR §668.46(b)(12)] (All Campuses)

In accordance to the *Campus Sex Crimes Prevention Act of 2000*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act* and the *Family Educational Rights and Privacy Act of 1974*, the TCAT is providing a link to the Tennessee State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student. Members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled, or volunteering at this institution from the State of Tennessee's website listing of sex offenders located at <https://sor.tbi.tn.gov/home>

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

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

The TCAT maintains a plan for each campus. Please see links below for complete plan/procedures.

<http://www.tcatshelbyville.edu/search/node/Emergency%20Plan>

Each of these plans documents the procedures that the individual campus will use to immediately notify the campus community of significant emergencies or dangerous situations involving threats to human health or safety of students or employees occurring on campus.

In the event of a serious incident that poses an immediate threat to members of the TCAT community, the TCAT has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include methods of communication include network emails, emergency text messages that can be sent to a phone or PDA (individuals can sign up for this services on the institution's web site, Facebook page, audible tones/alerts from outside siren towers and from inside building fire alarm systems, outside public address speakers, and building fire alarm speaker systems.

The TCAT will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The TCAT conducts emergency preparedness drills to test the emergency response and evacuation procedures of each facility at all campuses on an annual basis. The results of each of these drills are recorded documenting the date, time, and whether it was an announced or unannounced drill.

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

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

Appendix A

YEAR: 2024	Location: All Campuses		
OFFENSE	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Arrests: Weapons, carrying, possessing, etc.	0	0	0
Disciplinary Referrals: Weapons, carrying, possessing, etc.	0	0	0
Arrests: Drug Abuse Violations	0	0	0
Disciplinary Referrals: Drug Abuse Violations	0	0	0
Arrests: Liquor Law Violations	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0

Appendix B

YEAR: 2023	Location: All Campuses		
OFFENSE	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Arrests: Weapons, carrying, possessing, etc.	0	0	0
Disciplinary Referrals: Weapons, carrying, possessing, etc.	0	0	0
Arrests: Drug Abuse Violations	0	0	0
Disciplinary Referrals: Drug Abuse Violations	0	0	0
Arrests: Liquor Law Violations	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0

Appendix C

YEAR: 2022	Location: All Campuses		
OFFENSE	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Arrests: Weapons, carrying, possessing, etc.	0	0	0
Disciplinary Referrals: Weapons, carrying, possessing, etc.	0	0	0
Arrests: Drug Abuse Violations	0	0	0
Disciplinary Referrals: Drug Abuse Violations	0	0	0
Arrests: Liquor Law Violations	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0