



# 2024 ANNUAL SECURITY REPORT

CRIME STATISTICS FOR 2021-2023

ROANE STATE COMMUNITY COLLEGE  
POLICE DEPARTMENT  
(865) 882-4500

PUBLICATION #25-003

## Message from the Roane State Community College Police Department

This *Annual Security Report* is an important aspect of maintaining and improving campus safety. It should also be noted we encourage the reporting of all crimes occurring on our property. You will find information about how to report crimes, in addition to information about the services available to you, our students, faculty, staff, and guests.

Our mission at Roane State Community College Police Department Services (RSPD) is “to support the educational mission, goals, and objectives of Roane State Community College by providing students, staff, and guests a safe environment to learn and grow.” It is our hope you see our team demonstrating their commitment to this mission daily at the college. We exist to serve the Roane State community with fairness and compassion. Officers are reminded and encouraged to live these values in the day-to-day professional service to the college and are reminded of why we are here: to serve the students, faculty, staff, and visitors of Roane State Community College.

Thank you for taking the time and having the interest to read our college’s calendar year 2022 Annual Security Report. This report is but a snapshot of the daily efforts to keep everyone safe while they are on our properties or properties for which we are charged to provide police/security services. Do not hesitate to contact me by phone at 865-882-4500 or by email at [wrightdr@roanestate.edu](mailto:wrightdr@roanestate.edu)

Sincerely,



Daniel R. Wright  
Director of Public Safety/Chief of Police  
Roane State Community College  
Police Department

## **Introduction to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

The Clery Act is a consumer protection law aimed at providing transparency around campus crime policy and statistics. In order to comply with Clery Act requirements, colleges and universities must understand what the law entails, where their responsibilities lie, and what they can do to actively foster campus safety. The purpose of the Clery Act began back in 1986 when 19-year-old Lehigh University student Jeanne Clery was the victim of a crime by another student. At the time, only 4% of colleges and universities reported crimes on their campuses to the FBI. Jeanne's parents believed she would have been more cautious had she known about other violent crimes in the area.

### **Clery Act Requirements**

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

- Collect, classify and count crime reports and crime statistics.
- Issue Campus Alerts to provide the campus community with information necessary to make informed decisions about their health and safety. The two types of alerts required are Timely Warnings and Immediate Emergency Notifications.
  - Timely warning notices are issued for any Clery Act crimes that have occurred and represent an ongoing “threat to the safety of students and employees.” Timely warnings will be provided in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar occurrences.
  - Immediate Emergency Notification differs from Timely Warning –a timely warning is issued for crime only. Immediate Emergency Notification is issued upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees occurring on campus.
- Provide educational programs and campaigns promoting awareness of dating violence, domestic violence, sexual assault, and stalking focusing on primary prevention and awareness.
- Disclose procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred.
- Disclose procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking.
- Publish an annual security report every year by October 1 that contains three years of

campus crime statistics and certain campus security policy statements.

- Annually submit crime statistics by type, location, and year to the U.S. Department of Education: Campus Safety.
- Publish a daily crime log of alleged criminal incidents that is open to public inspection.

Roane State Community College implements and maintains policies and procedures that are in compliance with the reporting requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Higher Education Act of 1965 (HEA). These two pieces of federal legislation guide the dissemination of certain types of information to campus communities and to the public. Because the Clery Act and Higher Education Act encompass several areas of campus responsibility, the College has utilized the Campus Police Department to issue information that pertains to the criminal reporting requirements and policies of these two federal laws.

### Roane State Community College Campuses and Clery Geography

The definitions for these geographic categories are Clery Act-specific and are the same for every institution regardless of its physical size or configuration.

**On-Campus**—Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).

**Public Property**—All public property including thoroughfares, streets, sidewalks, and parking facilities, which are within the campus, or immediately adjacent to and accessible from the campus.

**Non-campus buildings or property**—Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

All information regarding policies and access is the same for all campuses, except where otherwise noted. Comments, concerns, or questions about police and security services at all Roane State Community College campuses should be communicated to Roane State Chief of Police Danny Wright by email at [wrightdr@roanestate.edu](mailto:wrightdr@roanestate.edu) or by calling the Police Department main office at 865-882-4500.

## Safety is Our Priority

Roane State Community College, in its continuing effort to maintain a safe academic and work environment for students, faculty, staff, and guests, presents this Annual Security Report with the knowledge that individual awareness and adherence to security procedures is the best method to maintain a safe campus environment. Roane State Community College requests anyone who witnesses or is a victim of a crime to report the incident immediately to the Roane State Community College Police Department at extension 4500 (on-campus), (865) 882-4500 (from off-campus or on satellite campus locations) or calls 911.

The campus crime statistics are furnished pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or “Clery Act,” the Tennessee College and University Security Information Act, and the Robert Nottingham Campus Crime Scene Investigation Act. Additional copies of the complete crime statistics report are available at the Roane State Police office, Yager Building 102, upon request, or by calling (865) 882-4500 (off-campus), extension 4500 (on-campus). Written requests can be made to the following address: Roane State Community College, Roane State Police Department, 276 Patton Lane, Harriman TN 37748.

In compliance with the federal Campus Sex Crime Prevention Act, the Tennessee College and University Campus Sex Crimes Prevention Act of 2002, and Tennessee Code Annotated 40-39-102, 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 at the Roane State Police Department.

Information is also available on the National Sex Offender Data Base web site listing sex offenders located on the internet at <https://www.nsopw.gov/>.

### **Total undergraduate and graduate students enrolled.**

There were 5,156 full-time and part-time undergraduate enrolled at Roane State Community College as of Fall Semester 2023. Roane State Community College does not have any graduate programs or graduate students.

### **Number of students living in student housing**

Roane State Community College is considered a “commuter” college and, as such, does not provide student housing.

### **Total employees working on campuses.**

Roane State Community College has full and part-time employees in 2023. The total number of personnel employed at Roane State is 592.

### **Police Department Services is Responsible for Security on the Campuses**

The RSPD is the office with overall responsibility for policing and security on all Roane State

property owned, controlled, or leased by the college to include the main campus, branch campus, off-campus sites, and all non-campus teaching sites. The RSPD is also responsible for policing and providing security for five Tennessee Colleges of Applied Technology (TCAT) Campuses located in Crossville, Harriman, Jacksboro, and Oneida, Tennessee. The annual security and Clery information for these TCATS's is compiled by the Tennessee Board of Regents Office of Safety and Security.

At the Roane State Harriman campus, police/security officers maintain a presence 24 hours a day, 365 days a year. At the Roane State Oak Ridge, Campbell County, Knox County, Morgan County, Scott County, Loudon County, and Cumberland County off-campus sites, police/security officers maintain a presence when students are at these sites. At the Fentress County site, RSPD has a security officer assigned to safeguard the campus. When no police officer is present and any campus is open, a security officer will be assigned to provide unarmed observation and security services.

Police officers only are provided to the five Tennessee College of Technology Campuses of the Tennessee Board of Regents for which RSPD is responsible through a Tennessee Board of Regents Memorandum of Understanding (MOU) effective January 01, 2023. Those campuses are located in Crossville, Harriman, Jacksboro, Oneida/Huntsville, and Livingston.

A Roane State police response can be made in under an hour to any campus when a police officer is not already on duty at the time. This does not account for the local law enforcement agencies response when requested. Should an event occur at any site that would require a quicker response time from first responders and an RSCC police officer is not on site, the local emergency communications district (E-911 center) for that site would be notified. The RSPD will never prevent local law enforcement responders with concurrent jurisdiction from responding to any call for service on college property. MOUs are in place with local LEA's who have concurrent jurisdiction on all RSCC and TCAT campuses for which policing responsibility exists for RSPD.

At non-campus teaching sites, located throughout our nine-county regions, Roane State Community College is dependent upon local law enforcement agencies to respond to and investigate criminal offenses that require an immediate law enforcement presence to safeguard life and/or property. Criminal offenses that do not require an immediate law enforcement presence are handled by the Roane State Police Department at non-campus sites and off-campus.

The mission statement of the Roane State Community College Police Department is "to support the educational mission, goals, and objectives of Roane State Community College, the Tennessee Colleges of Applied Technology, and the Tennessee Board of Regents by providing students, staff, and guests a safe environment to learn and grow."

The vision statement of the department is "to create an environment of safety and security through impartial, ethical, and compassionate enforcement of the rules and regulations of the Tennessee Board of Regents and Roane State Community College as well as state and federal laws."

The department's philosophy is service to our students, but in addition to our focus on serving students, RSPD relies on its mission, vision, and values to guide the agency in its day-to-day operations.

### **Police Officers and Security Officers utilized by the institution.**

Roane State Community College employs a mixture of both sworn law enforcement officers and security officers to staff the Roane State Police Department Services ("RSPD" or "department"). Sworn members of the department are certified police officers with full law enforcement power, deriving their authority to enforce state laws as well as rules and regulations of the college and the Tennessee Board of Regents from Tenn. Code Ann. § 49-7-118 and Tennessee Board of Regents policy 5:01:07:00.

Roane State employs a Chief of Police, in addition to budget allocations for the present 16 law enforcement officers as of August 2024. The law enforcement officers patrol the campuses, complete reports and conduct investigations into incidents, both criminal and non-criminal, occurring on college property. RSPD works with other law enforcement agencies to investigate cases and functions like any other law enforcement agency functions with regard to the detection and investigation of criminal activity.

All RSPD officers are P.O.S.T. certified law enforcement officers and must successfully complete in-service training, as noted above, at least forty (40) hours of P.O.S.T. approved training, in accordance with P.O.S.T. requirements.

All newly hired police officers will complete a structured field training and evaluation program in addition to more than twenty (20) hours of training in the response to incidents of sexual assault and relationship violence to better serve the college community. New police officers hired by the college must meet the guidelines for certification by the P.O.S.T. Commission, which requires a background investigation that includes a criminal history check through NCIC, a criminal history check through the Tennessee Bureau of Investigation, and the Federal Bureau of Investigation using fingerprints, and a check of expunged criminal records through TBI. Officers are also checked through the National Decertification Index, which ensures officers hired at the college are not decertified (law enforcement certification revocation) in other states.

Roane State also employs unarmed security officers to work Monday through Friday, weekends, and backfill when necessary, during other hours campuses may be open. Security officers are also present at off-campus sites when classes are being conducted. Security officers undergo initial training and annual follow-up training in areas designated by the Chief of Police.

Additionally, security officers supplement the Roane State police officers during special events or other times at the discretion of the Chief of Police. The college can have upwards of 40 total police and security staff available depending on the needs of the campuses based on the event schedule.

### **Police/Security personnel enforcement authority**

The Chief of Police and sixteen (16) full-time police officers are Tennessee P.O.S.T. certified sworn state law enforcement officers and as such have the duty and authority to enforce Tennessee state laws including detention and arrest on any Tennessee Board of Regents property throughout the state of Tennessee, which includes all Roane State property owned, controlled, or leased by the college and all properties owned, controlled, or leased to the Tennessee Colleges of Applied Technology. The jurisdiction of the RSPD officers is set forth in Tenn. Code Ann. § 49-7-118(d), which states that all properly commissioned and qualified police officers of the college have authority that extends “to all facilities or property owned, leased, or operated by the governing boards of the public institutions of higher education, including any public roads or rights-of-way that are contiguous to, within the perimeter of, or connection between the facilities, property, or interests of a particular institution.”

**It should be noted that Roane State Community College police officers have the same authority to arrest and detain persons as any other law enforcement agency in the State of Tennessee.** When responding to an incident occurring on campus, RSPD police officers will obtain all pertinent information in an official and courteous manner and will respond professionally and judiciously to any situation. If use of force is required, only a reasonable amount of force consistent with the accomplishment of duties will be used and a use of force report will be completed.

**The Roane State Community College Police Department has been certified by the International Association of Campus Law Enforcement Administrators as compliant with the presidential executive order for Safe Policing for Safe Communities.** This certification by a third-party agency demonstrates the college police department’s commitment to providing professional police services in which chokeholds are prohibited and use of force guidelines follow state and national laws. The department is currently undergoing a similar review with the Tennessee Association of Chiefs of Police.

Security officers, under applicable Tennessee laws, do not have the authority to arrest or detain any person on a Roane State or Tennessee Board of Regents (TBR) campus. Security officers will immediately report criminal or safety violations to the Chief of Police, through the chain of command, as well as the local supporting law enforcement agency if the situation warrants. As with the Roane State Police Officers, security officers will respond to complaints in a professional and courteous manner and document incidents in a thorough manner.

Roane State Community College abides by current state law as defined in the Robert “Robbie” Nottingham Campus Crime Scene Investigation Act of 2004 as noted in Tenn. Code Ann. § 49-7-129.

The Roane State Community College Police Department maintains working relationships with agencies that share concurrent jurisdiction on our property, including:

- **Roane County Campus (Including the Princess Theatre & Tamke-Allen Observatory):** Roane County Sheriff’s Office, Harriman Police Department, Rockwood Police Department
- **Campbell County:** LaFollette Police Department, Campbell County Sheriff’s



Department, Caryville Police Department

- **Anderson County Higher Education Center:** Clinton Police Department, Anderson County Sheriff's Office
- **Cumberland County:** Crossville Police Department, Cumberland County Sheriff's Office
- **Fentress County:** Fentress County Sheriff's Office
- **Knox County:** Knoxville Police Department, Knox County Sheriff's Department
- **Loudon County:** Lenoir City Police Department, Loudon County Sheriff's Office
- **Morgan County:** Wartburg Police Department, Morgan County Sheriff's Office
- **Oak Ridge Branch Campus (ORBC):** Oak Ridge Police Department, Anderson County Sheriff's Office
- **Overton County:** Overton County Sheriff's Department, Livingston Police Department
- **Scott County:** Scott County Sheriff's Office

The Roane State Community College Police Department also maintains relationships with the Tennessee Bureau of Investigation, the Tennessee Wildlife Resources Agency, the Tennessee Highway Patrol, and the offices of the District Attorneys General in the Sixth, Seventh, Eighth, and Ninth Judicial Districts, and all local law enforcement agencies in which shared authority resides.

Radios capable of communicating with the local jurisdictional emergency communications centers are assigned to each P.O.S.T. certified police officer. The Roane State Community College Police Department utilizes dedicated Police cell phones to enable the college to instantly communicate with key local law enforcement agencies in the event of an emergency that would require local law enforcement support.

### **A statement on an applicant or employee with a criminal history.**

Any person who indicates on an application for employment a conviction for a felony offense will be subject to review by the Director of Human Resources. When such a conviction directly affects the performance of an employee or poses a threat to the campus community in any way, the employee may be subject to termination or reassignment at the direction of the Director of Human Resources. These standards also apply to felony convictions after the achievement of employee status.

### **Procedures to encourage accurate/prompt reporting of all crime.**

The college has procedures that encourage accurate and prompt reporting of all crimes to the Roane State Police and the appropriate law enforcement agency. The department is consistently reviewing applications to ease the public's ability to report incidents to the RSCC Police.

First, and foremost, Roane State Community College strongly encourages anyone who witnesses a crime, suspicious activity, or is a victim of crime to immediately notify the Roane State Police Department at (865) 882-4500 or call 911 immediately.

When any alleged crime is reported to the Roane State Police Department, the Chief of Police is notified. The Chief of Police will determine whether to investigate the offense with Roane State Community College Police Department law enforcement staff or refer the offense to an outside law enforcement agency in accordance with applicable state law. The Chief of Police will make this determination based upon the facts developed, the nature/type of the offense, victim input, and department resources to investigate the crime and state and federal law.

In accordance with the Robert “Robbie” Nottingham Campus Crime Scene Investigation Act of 2004 (Tenn. Code Ann. § 49-7-129), Roane State Community College will notify the law enforcement agency with territorial jurisdiction and request a joint investigation of any medically unattended death which may occur on campus or at any off-campus site or non-campus location. The local law enforcement agency with territorial jurisdiction will be the lead agency conducting the joint investigation.

The Roane State Community College Police Department will be the primary investigating agency of any allegations of rape or attempted rape that occur on property owned, leased, or controlled by the college. The Chief of Police will notify the law enforcement agency with the territorial jurisdiction of any rape or attempted rape allegation on any property owned, leased, or controlled by the college if requested by the victim. Third-party notification allegations to the Chief of Police of alleged rape or attempted rape will not trigger notification to an outside law enforcement agency with territorial jurisdiction.

The Tennessee Bureau of Investigation and the Federal Bureau of Investigation receive monthly crime statistics from the Roane State Police Department through the Tennessee Incident Based Reporting System (TIBRS). As of January 2022, TIBRS submissions are submitted monthly to the TBI during the COVID-19 pandemic. Roane State also submits annual crime statistics to the United States Department of Education in accordance with federal law.

### **Campus locations, leased/operated facilities, and inter-agency agreement facilities.**

For reporting crimes, Roane State Community College defines its boundaries as the following: Roane State’s main campus is located at 276 Patton Lane, Harriman, Tennessee ([Google Map of RSCC Harriman Campus](#)). The main campus consists of ten (10) buildings, six (6) parking lots, a walking trail, and vacant land. The main Roane State Police Department office is located at the site and has jurisdiction over the overall security of all RSCC campuses in the institution’s inventory. The Roane County Sheriff’s Office is the local law enforcement reciprocal agency for this site.

Roane State’s Oak Ridge Branch campus is located at 701 Briarcliff Ave, Oak Ridge Tennessee ([Google Map of RSCC Oak Ridge](#)). The campus consists of (2) buildings, three (3) parking lots, and vacant land. A Roane State Community College Police Department sub-station is located at the site and is responsible for the overall safety of the property. The Oak Ridge Police Department is the local law enforcement reciprocal agency for this site when police/security officers are not present. The Anderson County Sheriff’s Office also has jurisdiction over the Oak Ridge Branch Campus.

Roane State Campbell County is classified under the Clery Act as a campus building or property and is located at 201 Independence Lane, Lafollette Tennessee ([Google Map of Campbell County Campus](#)). This property consists of one (1) building and two (2) parking lots. A Roane State Community College Police Department sub-station is located at the site. The Lafollette Police Department is the local law enforcement reciprocal agency for this site when police/security officers are not present. The Campbell County Sheriff's Office also has jurisdiction over the Campbell County site.

Roane State Cumberland County is classified under the Clery Act as two campus buildings or property and is located at 2567 Cook Rd, Crossville, Tennessee [Google Map of the RSCC Cumberland County Campus](#)). This property consists of two (2) buildings and three (3) parking lots. A Roane State Community College Police Department sub-station is located at the site and is responsible for the overall security of the property. The Crossville Police Department is the local law enforcement reciprocal agency for this site and the Cumberland County Sheriff's Office also has jurisdiction for this property.

Roane State Fentress County is classified under the Clery Act as a leased campus building and is located at 6844 South York Highway, Clarkrange, Tennessee ([Google Map of the RSCC Fentress Campus](#)). The current location consists of six classrooms, a computer lab, a student lounge, a study space, office space, and restrooms. The Fentress County Sheriff's Office has concurrent jurisdiction on the property. The statistics reported in this Annual Security Report from 2019, 2020, and 2021, are for the previous and present campuses in operation during that time period. The previous location was classified under the Clery Act as owned campus buildings on state property and was located at 114 Dragon Drive, Jamestown, TN 38556. The Fentress County Higher Education Center was located on the York Institute campus in Jamestown. The location included two classrooms, an office, restrooms, and a student lounge with computers. Student services such as financial aid and course registration were available. The land was considered an "Inter-agency agreement" from the State of Tennessee. The Jamestown Police Department was the primary servicing law enforcement agency for this site when security officers were not present.

Roane State at Loudon County is classified under the Clery Act as a leased campus building or property and is located at 100 West Broadway Suite 131, Lenoir City, Tennessee ([Google Map of the RSCC Loudon Campus](#)). This property consists of two (2) stories, nine (9) classrooms, five (5) offices, the building lobby, and two (2) parking lots. The Lenoir City Public Library and a Tennessee Career Center are also located in this building. Lenoir City and Loudon County are the joint landlords for the property and are responsible for the overall safety of the property. A Roane State Community College Police Department sub-station is located at the site. The Lenoir City Police Department is the primary servicing law enforcement agency for this site when Police and security officers are not present. The Loudon County Sheriff's Office also has jurisdiction over this location.

Roane State at Morgan County is classified under the Clery Act as a campus building or property and is located at 150 Longview Drive, Wartburg, Tennessee [Google Map of the RSCC Morgan County Campus](#). This property consists of one (1) building and two (2) parking lots. A Roane State Community College Police Department sub-station is located at the site and is

responsible for the overall security of the property. The Wartburg Police Department is the primary servicing law enforcement reciprocal agency for this site when Police and security officers are not present. The Morgan County Sheriff's Office also has jurisdiction over this property.

Roane State at Scott County is classified under the Clery Act as a campus building or property and is located at 410 W.H. Swain Blvd, Huntsville, Tennessee ([Google Map of the RSCC Scott County Campus](#)). This property consists of one (1) building, two (2) parking lots, and vacant land. A Roane State Community College Police Department sub-station is located at the site and is responsible for the overall security of the property. The Scott County Sheriff's Office is the primary servicing law enforcement reciprocal agency for this site when Police and security officers are not present.

Roane State offers health-related program classes at Knox County (Center for Health Sciences). This campus is located at 134 Hayfield Rd, Knoxville, Tennessee ([Google Map of the RSCC Knox County Campus](#)), and is defined under the Clery Act as a campus building or property. The center consists of one (1) building and one (1) parking area that encircles the building. The Knoxville Police Department is the primary servicing law enforcement reciprocal agency for this site when Police and security officers are not present. The Knoxville Police Department is the primary servicing law enforcement agency.

The Princess Theatre is leased and operated by Roane State Community College and is defined under the Clery Act as a leased building or property. The building is at 421 N. Roane St., Harriman, Tennessee ([Google map of the Princess Theater](#)). Public areas include a sidewalk, street, and sidewalk adjacent to the building's front entrance. The property is owned by the City of Harriman. The Harriman Police Department is the primary reciprocal servicing law enforcement agency when Police and security officers are not present.

The Tamke-Allen Observatory consists of two (2) buildings (classroom, and observatory) and vacant property in Rockwood, Tennessee. This property is serviced by the Roane State Community College Police Department along with the Roane County Sheriff's Office.

The Anderson County Higher Education Center (ACHEC) is a location for Roane State workforce programs. The ACHEC building is operated by the Tennessee College of Applied Technology-Knoxville. RSCC is charged with providing security only. The single building is located at 220 Frank L Diggs Drive, Clinton, TN ([Google Map of the Anderson County Higher Education Center](#)). The City of Clinton Police Department and Anderson County Sheriff's Office is responsible for the safety of the property and adjacent public areas site when Police and security officers are not present.

Roane State Police Department is responsible for providing police services to four Tennessee Colleges of Applied Technology through a memorandum of understanding prepared by the TBR legal department.

The Tennessee College of Technology-Crossville is located at 910 Miller Avenue, Crossville, TN ([Google Map of TCAT Crossville](#)). RSPD is responsible for police services to this campus. The main campus consists of two buildings. Jurisdiction is shared with the City of Crossville

Police Department and the Cumberland County Sheriff's Department.

The Tennessee College of Technology-Harriman (TCAT-H) is located at 1745 Harriman Highway, Harriman, TN ([Google Map of the TCAT Harriman Campus](#)). The Main campus consists of two buildings. TCAT-H also has off sites located at 4380 Harrison Rd, Lenoir City, TN ([Harrison Road Campus](#)) and 901 Old Roane St, Harriman, TN ([Google Map of TCAT Harriman Satellite Campus](#)). RSPD is responsible for police services to these campuses. Jurisdiction for the Harriman off-site campus is shared with the City of Harriman Police Department and the Roane County Sheriff's Department. Jurisdiction for the Lenoir City off-site campus is shared with the City of Lenoir City Police Department and the Loudon County Sheriff's Department.

The Tennessee College of Technology-Jacksboro (TCAT-J) is located at 265 Elkins Rd, Jacksboro, TN ([Google Map of the TCAT Jacksboro Campus](#)). TCAT-J also has an off site located at 2221 Jacksboro Pike, Suite C16, LaFollette, TN. RSPD is responsible for police services to these campuses. Jurisdiction for the Jacksboro Campus is shared with the City of Caryville Police Department and the Campbell County Sheriff's Department. Jurisdiction for the LaFollette off-site campus is shared with the City of LaFollette Police Department and the Campbell County Sheriff's Department.

The Tennessee College of Technology-Oneida (TCAT-O) is located at 365 Scott High Drive, Huntsville, TN ([Google Map of the TCAT Huntsville Campus](#)) TCAT-J also has an off site located at 180 Eli Lane, Oneida, TN ([Google Map of the TCAT Oneida Campus](#)). RSPD is responsible for police services to these campuses. Jurisdiction for the Huntsville Campus is shared with the Scott County Sheriff's Department. Jurisdiction for the Oneida off-site campus is shared with the City of Oneida Police Department and the Scott County Sheriff's Department.

The Tennessee College of Technology-Livingston (TCAT-L) is located at 740 Hi Tech Drive, Livingston, TN ([Google Map of the TCAT Livingston Campus](#)) RSPD is responsible for police services to these campuses. Jurisdiction for the Huntsville Campus is shared with the Livingston Police Department and the Overton County Sheriff's Department.

## **Access to institutional facilities and programs**

Campuses and facilities of Roane State Community College and the Tennessee Colleges of Applied Technology (TCAT) are governed by the Tennessee Board of Regents policy (Policy No. 3:02:02:00) and Roane State policies and specific TCAT policy (Policy No. GA-08-01, Admission to Buildings), (Policy No. GA-06-01) and Access to and Use of Campus Property and Facilities). During business hours, the colleges are open to students, faculty, staff, and guests of the college except when part or all of the campuses, their buildings, or facilities, are open to the general public for a designated time and purpose or when non-affiliated groups, organizations, or individuals have been granted approval. During non-business hours, access is by permission only. Entrance/exit doors to all buildings will be secured when the campus is closed.

All persons on campus including students, faculty, staff, visitors, and guests shall be subject to

all rules and regulations of the college, Tennessee Board of Regents policy, and all applicable federal and state laws and regulations. In addition, all persons who operate motor vehicles on campus agree by such operation to be subject to state traffic laws, college and Tennessee Board of Regents rules, regulations, policies, and procedures on traffic and parking.

All persons on campus shall provide adequate identification upon request to appropriate officials and police/security personnel of the college. Personnel and students at the college who refuse to provide such identification may be subject to disciplinary action. Other persons who refuse to provide such identification shall be requested to leave the campus and may be subject to lawful removal and prosecution.

The distribution of keys to buildings is controlled by an access control program maintained by the Roane State Community College Police Department Chief of Police or his designee and in accordance with Roane State Community College Policy GA-09-01 (Key Control) and the specific TCAT.

### **Reporting criminal actions/other emergencies occurring on campuses and leased/shared facilities.**

The colleges have procedures and locations for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institutions' response to such reports. Students, staff, faculty, and guests of the college are strongly encouraged to report all crimes and safety-related incidents immediately to the Roane State Police Department. The main Roane State Community College Police Department, at the Roane County (Main) Campus, can be reached by calling extension 4500 on campus, (865) 882-4500 (from off-campus). This departmental phone is always routed to the cell phone of the officer on duty. These officers are available 24 hours a day, 365 days a year to handle any request for assistance, including contacting appropriate officers on off-site locations as well as initiating an emergency response by contacting the local emergency communications district.

### **Reporting Crime to a Campus Security Authority (CSA)**

It is recognized that not all crimes will initially be reported to law enforcement although it is highly encouraged. Even at colleges with campus law enforcement, a victim may be more inclined to report a crime to someone such as the Title IX/EEO coordinators, the director of athletics, and so on. The Clery Act has defined those individuals as a Campus Security Authority (CSA) which encompasses four groups of individuals and organizations associated with an institution:

- A campus police department or campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.
- Any individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus

activities, including but not limited to, student discipline, and campus judicial proceedings.

**An official is defined** as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. By working together, the college community and police can reduce crime on campus. Members of the college community may report criminal activities or other emergencies in several different ways.

We encourage all campus community members to promptly report all crimes and other emergencies directly to the Roane State Community College Police Department.

See **Attachment A** for a list of Roane State's CSA.

### **Police/Security response to reported criminal actions/other emergencies on campuses.**

Roane State police/security officers patrol campuses by automobile and on foot. An Emergency/Assistance telephone is located in the Gym Lobby of the Roane County (Main) Campus and at the main lobbies of both Oak Ridge and Cumberland Branch Campuses; all can be used when the campuses are open to contact 911 or the Roane State Police Department. A quick-dial button is also available on most campus wired phones in classrooms and offices and is listed as either "police" or "security."

Police emergencies, fire emergencies, ambulance service, or other types of assistance can be obtained by calling the Roane State Police Department at (865) 882-4500 (off-campus), extension 4500 (on-campus), or 911. The departmental phone is always routed to the cell phone of the officer on duty. If a student, staff, faculty, or guest requests assistance from a local law enforcement agency, the Roane State Community College Police Department will assist that person in any way possible to make the appropriate contact, unless a police officer can handle the matter. Students, faculty, staff, and guests will not be permitted to determine the law enforcement agency that will handle an incident on RSCC property. When a person asks for assistance or files a complaint, all pertinent information is obtained and documented. All reports are maintained in the Roane State Community College Police Department. Reports are acted upon in a judicious manner consistent with Roane State policies and legal procedures and no victim's names will be released unless required by laws and criminal procedures of the courts of the State of Tennessee. **It is important to note police reports are public records and, in most cases, the contents of police reports are available to the public and the media upon appropriate request.** The Police Department will not release records pertaining to ongoing criminal investigations, per the Tennessee Rules of Criminal Procedure, specifically Rule 16. Media requesting police records will only be provided with records that are lawfully available to the public.

Crimes should be reported to the Roane State Community College Police Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

In the event a situation arises, at any main campus, off-campus sites, or non-campus locations, that, in the judgment of college officials or the Chief of Police, constitutes an immediate, ongoing, or continuing threat, a campus-wide “timely warning” will be issued. The warning could be issued using one or all of the following means:

- Raider Alert emergency notification system.
- Institutional website.
- The campus email system to students, staff, and faculty.
- Verbally by supervisors to employees and faculty to students.
- Flyers - Timely Warning Notice affixed to buildings; and/or through Building Coordinators.
- Social media accounts of the Police Department
- ReadyOp Program

The Raider Alert system is the primary means of communication the college uses to notify students, staff, and faculty of any threat that requires a campus or partial campus response. Raider Alert is a voluntary opt-in web-based mass notification system that enables emergency and non-emergency messages to be instantly communicated to students, staff, and faculty through cell phone text/voice messaging, web page, and email. The system will not be used to send advertisements; user information will not be shared with third parties outside the college. There is no cost to participate in Raider Alert, other than the normal fees your mobile service provider may charge for receiving text messages. If a student or employee prefers to not receive text messages, each has the option of receiving only email messages. To participate, access the institution’s main website <http://www.roanestate.edu> and click on “Raider Alert” to register.

The Roane County (Main) Campus has an enhanced fire alarm system that is connected to the phone system allowing both manual/pre-recorded emergency announcements to be made through the fire alarm speakers by dialing a specific emergency extension. The procedures governing such announcements are outlined in the institution’s Emergency Response Plan. This system is tested by the Police Department staff. Each TCAT has and maintains its own alarm system independent of the RSCC system.

### **Timely Warning Notification**

The Roane State Community College Police Department in coordination with the college public relations staff and each Tennessee College of Applied Technology are responsible for issuing timely warnings. Upon receipt of all pertinent information, timely warnings will, as circumstances warrant, be issued in a manner to best protect the campus community. The intent of a warning regarding the criminal incident(s) is to enable people to protect themselves. Warnings will contain information about the type of incident that has occurred, as well as information that promotes safety and aids in the prevention of similar crimes. Timely warnings are messages sent using the following methods:

- Primarily by email.
- Text alerts via Raider Alert; and
- Public announcement.



Supplemental methods are social media and the College website.

### **Incidents subject to a Timely Warning Notification**

A timely warning will be issued for criminal incidents or circumstances that may pose a serious or continuing threat to the campus community that occurs within our campus geography that has been:

- Reported to the college, Campus Police, a CSA, or local law enforcement; and is
- Considered by the college to represent a serious or continuing threat to students, employees, and guests.

A Timely Warning is issued for a significant emergency or dangerous situation involving an **immediate threat** to the health or safety of students or employees occurring on the campuses or in close proximity to the campuses that would create an immediate threat to the campus community. **An immediate threat encompasses an imminent or impending threat such as an approaching forest fire, a fire raging in one of the buildings, or other events, criminal or non-criminal, which present a substantial risk of injury or death to students, staff, or faculty.** Some other examples include, but are not limited to, the following: outbreak of meningitis, norovirus, or other serious illness; approaching tornado, hurricane, or other extreme weather condition; earthquake; gas leak; terrorist incident; armed intruder; bomb threat; civil unrest or rioting; explosion; chemical or hazardous waste spills; or a significant, reoccurring property crime.

Anyone with information warranting a Timely Warning should immediately report the circumstances to the Roane State Police Department, either in person or by telephone. Roane State primarily utilizes the Raider Alert system to disseminate this information to the campus community. However, other means of emergency communication may be used such as separate emails, flyers, website postings, social media messages, and Timely Warning Notifications may also be P.O.S.T. ed on buildings (primarily for community guests and visitors) and/or shared verbally through the Building Coordinators. The method(s) of dissemination will depend upon the emergency situation. Emergency notifications will be made using multiple methods, including mass text messages utilizing the Raider Alert system and mass emails.

See **Attachment B** for [RSCC Timely Warning Policy GA-13-02](#)

### **Voluntary Confidential Reporting**

In accordance with state law, Roane State Community College and each individual Tennessee College of Applied Technology allows limited voluntary confidential reporting. The Roane State Community College Police Department encourages anyone who is a victim or witness to any crime to promptly report the incident to the Roane State police or security officers. ***Because police reports are public records under state law, the Roane State Police Department cannot hold incident reports of crime in confidence. Records request reports for investigations that are classified as open will only be supplied with the offense report.***

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 Roane 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; determine where there is 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 crime statistics for the institution. Individuals who wish to report a crime but remain anonymous may call the Roane State Police Department at (865) 882-4500 for more information.

### **Policy for pastoral and professional counselors to inform clients of voluntary, confidential crime reporting procedures.**

Roane State Community College nor the Tennessee Colleges of Applied Technology do not employ pastoral or professional counselors for student, staff, or faculty counseling. Staff and faculty are encouraged to use the Employee Assistance Program (EAP) offered by the State of Tennessee. Staff and faculty can obtain more information about the EAP by contacting Human Resources or their health care provider. The institution's Counseling and Disability Services department provides short-term personal counseling and recommends students seek additional assistance from community agencies. Roane State Community College disclosures to a pastoral or mental health counselor, serving in that capacity at the time of disclosure, are not subject to mandatory reporting. The term "mental health counselor" is defined as a fully qualified and/or licensed professional whose official responsibilities include providing mental health counseling and functioning within the scope of his/her license or certification. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from the danger posed by the person being counseled.

When speaking to a victim or witness to a crime, counselors should inform the individual of voluntary disclosure procedures in accordance with applicable law.

### **Procedures for preparing the Annual Security Report**

The Roane State Community College Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, Title 34, CFR 668.46, Tennessee College and University Security Information Act, and the Robert Nottingham Campus Crime Scene Investigation Act. This report is prepared in cooperation with local law enforcement agencies surrounding our main, off-campus, and non-campus sites where classes are conducted. Classifying criminal offenses to be reported is the responsibility of the Chief of Police. Each Tennessee College of Applied Technology is responsible for preparing its own specific Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, Title 34, CFR 668.46.

Campus crime, arrests, and referral statistics include those reported to the Roane State Police

Department, designated campus officials (including, but not limited to, directors, deans, department heads, and advisors to student organizations), as well as local law enforcement agencies. These statistics also include reported criminal offenses that occurred on public property adjacent to our main campus, branch campus, off-campus and non-campus buildings or property at locations such as Campbell County Campus, Cumberland County Campus, Fentress County Campus, Knox County Center, Loudon County Campus, Morgan County Campus, Scott County Campus, and the Princess Theatre, Tamke-Allen Observatory. They do not include the statistics for the Tennessee Colleges of Technology campuses as they are responsible for submitting their own annual security report per a TBR memorandum of understanding.

The Chief of Police serves as the Campus Security Survey Administrator (CSSA) and as such is responsible for reporting certain criminal offenses to the United States Department of Education on an annual basis. Statistics reported to the United States Department of Education are available for review on or before October 1st of each calendar year.

RSCC and TCAT's make every effort to notify students, prospective students, staff, and faculty as well as prospective staff and faculty of safety and security policies, procedures, and issues. Each year an email notification is sent to all enrolled students, staff, and faculty giving a summary of the contents of the Annual Security Report and crime statistics. New employees are informed of the Be Safe RSCC website during the benefit sessions conducted by the Office of Human Resources. Prospective employees who use the Roane State website to obtain an application are notified on the Human Resources web page. Prospective students, as they apply for admission, are notified of the Annual Security Report on every Roane State web page on the bottom banner. The Annual Security Report may also be viewed on the Roane State Police Department website. Copies may be obtained from the Roane State Police Department in person or by calling (865) 882-4500 (non-campus) or extension 4500 (on-campus).

### **Programs for prevention of campus sexual assault/misconduct**

Roane State Community College and the Tennessee Colleges of Applied Technology strive to maintain an environment that is free of intimidation and encourages the education of students to their fullest extent. Therefore, the college will not tolerate acts or threats of acts of sexual assault, physical assault, or any type of violence. A student who individually, or in concert with others, participates or attempts to participate in a sexual offense is subject to disciplinary actions by the College up to and including expulsion notwithstanding any actions that may or may not be taken by Roane State police officers or other law enforcement authorities.

The colleges have sexual harassment prevention policies in effect for all staff, faculty, and students. Annually, all faculty and staff are required to complete online training "Preventing Sexual Harassment." Students are expected to complete Haven Understanding Sexual Assault training. This online training program is required of all students enrolled in College Learning Strategies (COLS 1010) and athletics. Directions for accessing the training are available here: [\(Training-Understanding-Sexual-Assault\)](#)

The college's extensive student safety awareness program is the Be Safe at College initiative located here: [\(Be-Safe-at-Roane-State\)](#).

## **Procedures if a sex offense occurs.**

Roane State Community Sexual Misconduct Policy (**Attachment C**) PA 02.02 ([RSCC-Policy-PA-02-02-Sexual-Assault](#))

The Tennessee Colleges of Applied Technology Sexual Misconduct Policy (**Attachment D**) [TBR Sexual Misconduct Policy 6.03.00.00](#)

Anyone who is a victim of sexual assault should take the following actions:

- Get to a safe place immediately. After experiencing a traumatizing event such as a rape, it is important to find a place where you can feel comfortable and safe from harm. This location could be an office, classroom, Roane State Community College Police Department office, or hospital.
- Call the police as soon as possible. Call extension 4500 (on-campus) or (865) 882-4500 (from off-campus), or 911, and Police/security personnel will immediately respond to your call. By calling the police you are reporting the crime that was committed against you as well as seeking the protection of the police. Options for making a Police Report; ([Roane-State-Police-Department](#))
- Call someone to be with you. If you do not want a friend or a family member to accompany you to the hospital or police station, a Roane State Community College Police Department officer will assist you or an individual from a local Sexual Assault Response Center can respond. (See below for area centers)
- Preserve all physical evidence. If possible, do not bathe, douche, eat, drink, smoke, urinate, brush your teeth, or change your clothes. Do not disturb anything in the area where the assault occurred; you may destroy evidence. If you change your clothes, take the clothes you were wearing to the police or hospital in a paper bag. Plastic bags may destroy evidence.
- Seek medical attention. You may have sustained injuries from the attack or contracted a sexually transmitted disease. The sooner you seek medical attention the better. The local emergency room is the best place to seek medical assistance. Emergency room personnel can not only treat you for injuries and sexually transmitted diseases but can also administer a Physical Evidence Recovery Kit (PERK) which gathers physical evidence in the event you pursue a criminal investigation.
- Seek follow-up counseling. Whether or not you report the assault or prosecute, a trained counselor can help you with the emotional trauma of an assault. You may call a local Sexual Assault Response Center or the Roane State Police Department (extension 4500 on campus). The information you provide will be kept confidential upon request. Reporting such an assault does not mean the victim must press charges or take the

incident to criminal court. The reporting does establish a record of the incident for use by college and/or civil authorities.

If requested, the Roane State Police Department will make every effort to preserve evidence at the scene of the crime and compose an accurate description of the events leading up to the attack.

Assaults against a student by staff or faculty should be reported through the Roane State Police Department to the college's Title IX Coordinator, at (865) 354-3000, ext. 4212, who is the Director of Human Resources. Assaults against a student, staff, or faculty by a student should be reported through the Roane State Community College Police Department to both the Assistant Vice President of Student Services and Dean of Students and the college's Title IX Coordinator. In either case, the assault should be reported as soon as possible after the incident.

### **Procedures for campus disciplinary actions in case of an alleged sex offense**

Disciplinary actions for students involved in an alleged sex offense are outlined in [RSCC Policy SA-06-01](#) (Attachment E)

Students subject to any disciplinary sanction are entitled to a due process hearing unless that right is waived by the student after receiving written notice of the available adjudication options:

The student shall be advised by the Assistant Vice President of Student Services and Dean of Students, in writing, of the breach of policy(ices) of which she/he is charged. Written charges of alleged violations will include the alleged policy violation, a statement of the facts to be presented, and a statement that a hearing will be conducted before the Roane State Student Discipline Committee on the charges, together with notice of the date, time, and place of the hearing. The hearing date will be scheduled within 10 business days of the student election of a Student Discipline Committee hearing. The hearing will be conducted at the date, time, and place specified unless postponed for good cause. Written charges and hearing determinations will be served by handing a copy to the person or by mailing via certified mail a copy to the person at his residence or last known residence. The student will have five business days to select a hearing option. Student failure to respond in writing within five days of receipt will constitute a waiver of all hearing options.

Individuals accused of misconduct will be given an explanation of the evidence against them.

Students accused of misconduct will be given a copy of the institutional policies concerning due process procedures.

The student shall be advised of the following rights applicable at the hearing:

- The right to present his or her case. However, the student's absence, absent good cause, will not hinder the Hearing Committee from meeting and rendering a decision.

- The right of both the accuser and the accused to have others present during a hearing. This person is not entitled to represent the complainant or to assist in the testimony.
- The right to be accompanied by an advisor. The hearing committee may restrict the advisor's right to speak at the hearing. The advisor can be an attorney if Roane State is equally represented; the right to call witnesses on his or her behalf; the right to confront witnesses against him or her; and the method and time limitations for appeal, if any are applicable.

The student will receive from the Assistant Vice President of Student Services and Dean of Students a written copy of the decision of the Student Discipline Committee with any sanctions within 10 business days of the hearing.

The student or student organization may appeal the decision in writing within five (5) business days to the President of the College. Any action assessed shall be suspended pending the outcome of the appeal. The President will make a determination within ten (10) business days. The President's decision is final except in those cases in which appeal is provided, by policy, to the Tennessee Board of Regents.

The college will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report of the results of any disciplinary proceeding conducted by this institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purpose of this disclosure.

If requested by victims of alleged sexual offenses and reasonably available, the college will adjust class schedules/academic situations or other reasonable actions that will reduce fear or concern.

The college maintains a Crisis Center/Sexual Assault Outreach Program. Any victim of a sexual assault should call the appropriate hotline in one of the institution's nine-county service areas:

- For students in Roane, Anderson, Campbell, Knox, and Loudon Counties, a sexual assault crisis center is located in Knoxville, TN; the helpline number is 1-865-522-7273.
- For students in Cumberland, Fentress, and Morgan Counties, a sexual assault crisis center is located in Wartburg, TN; the helpline number is 1-800-641.3434.
- For students in Scott County, a sexual assault crisis center is located in Oneida, TN; the helpline number is 423-569-3333.
- A statewide sexual assault crisis center may be contacted at 1-800-879-1999. More community resources are linked on the college counseling webpage.

## **Sexual harassment, racial harassment, and hazing**

Any form of sexual harassment, racial harassment, and hazing will not be tolerated by college officials in any form. Alleged violations should immediately be reported to the Title IX Equal Employment Opportunity/Affirmative Action (EEO/AA) Officer who also serves as the Human Resource Officer for the college.

Such allegations will be investigated and adjudicated according to TBR Policy P-080 and (**Attachment E**) [RSCC-Policy-SA-06-01-Student-Discipline](#).

Questions should be addressed to the EEO/AA Office at extension 4212.

## **Possession, use, and sale of alcoholic beverages and illegal drugs**

The possession, sale, manufacture, or distribution of any alcoholic beverage or drug is prohibited on campus by both federal and state law. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal. Violators are subject to disciplinary action by the college and/or criminal prosecution which could result in a fine and imprisonment.

TBR Institutions are committed to drug-free campuses. [RSCC Policy SA-06-01](#) (**Attachment E**) outlines all institutional rules, regulations, and procedures regarding alcoholic beverages and illegal drug use. Also, pursuant to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989, the following statement is made:

The unlawful manufacture, distribution, possession, and/or use of alcohol and illicit drugs on the campus, in the workplace, on property owned or controlled by TBR, or as part of any activity of TBR are strictly prohibited. Public intoxication is strictly prohibited. As a condition of employment, each employee, including student employees (College Work Study students are considered to be employees), must abide by the terms of this policy and must notify the Office of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. A conviction includes a finding of guilty, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body.

Possible disciplinary sanctions for students who fail to comply with the terms of this policy may include one or more of the following depending upon the severity of the offense: 1) expulsion, 2) suspension, 3) mandatory participation in and satisfactory completion of a drug/alcohol abuse program or rehabilitation program, 4) referral for prosecution, 5) probation, 6) written warning, or 7) reprimand.

Moreover, all state and/or federal financial aid recipients are required to sign a certification agreeing not to engage in the unlawful manufacturing, distributing, or using of a controlled substance during the period of his/her grant. This certification applies even if the student is off-campus or on a school break.

If a student is convicted of the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the period of the grant, the student must notify the Director, Grants and Contract Services, U.S. Department of Education, in writing within 10 calendar days of the conviction.

Failure to report the conviction subjects the grant recipient to suspension of payments under the grant, suspension or termination of the grant, or suspension or debarment. If debarred, the student shall be ineligible for the award of any grant from a federal agency for a period of five years.

In accordance with state law, any criminal allegation dealing with drugs or alcohol must be reported in the crime statistics submitted monthly to the Tennessee Bureau of Investigation.

### **Drug and alcohol abuse prevention education**

Roane State Community College and the Tennessee Colleges of Applied Technology promotes services to prevent the illicit use of drugs and abuse of alcohol by students and employees. These services are related to drug use and abuse and include the dissemination of informational materials, educational programs, referral for counseling services, and college disciplinary action.

The Dean of Students office conducts programs throughout the year to promote the prevention of both drug and alcohol abuse. The primary student program is concurrent with the national Red Ribbon Week, observed in October. Alliances are also maintained with both local and regional agencies including county health departments, Roane County Anti-Drug Coalition, Helen Ross McNabb, and other providers who are invited to visit campuses, to provide information and will take student referrals. The same agencies are invited to participate in the annual college Welcome Week and annual Suicide Awareness Week. A complete list of community resources is available via the Counseling webpage at: [Community-Resource-Quick-Reference-List](#).

Services are coordinated by college departments are listed below:

1. Alcohol and Drug Education: Employee Assistance Program (EAP) and college student handbook.
2. Counseling Services: Employee Assistance Program (for employees), college counselors, or Roane State Police for referral to an appropriate agency.
3. College Disciplinary Actions: Assistant Vice President of Student Services and Dean of Students.

Roane State is committed to drug-free campuses; policy statement here: [RSCC-Policy-GA-21-03-Drug-Free-Environment](#) (Attachment F)

**The unlawful possession or use of any drug or controlled substance including any stimulant, depressant narcotic, or hallucinogenic drug or substance or marijuana including**



**the sale or distribution of any such substances is prohibited; policy found here: [Drug-Alcohol-Weapons-Policy](#),**

The unlawful possession or use of alcohol or controlled substance including any stimulant, depressant narcotic or hallucinogenic drug or substance or marijuana including the sale or distribution of any such substances is prohibited.

### **Possession and Use of Weapons**

Any unauthorized or illegal possession or use of firearms or dangerous weapons of any kind is prohibited except as provided in [Tennessee Code Annotated Section 39-17-1309](#). College police personnel, as commissioned officers, carry firearms.

The use and/or possession of alcoholic beverages on a college-owned or controlled property is prohibited; policy found here: [RSCC-Policy-GA-20-01-Alcoholic-Beverages \(Attachment G\)](#)  
[TBR General Policy on Alcoholic Beverages: 1.07.00.05](#)

Smoking and tobacco product use is regulated by policy and can be found here: [RSCC-Policy-GA-21-01-Smoking-and-Tobacco-Product-Use \(Attachment H\)](#)  
[TBR Prohibitions on Smoking & Use of Smokeless Tobacco Products 1.07.00.10](#)

Students are expected to be law-abiding citizens and obey all campus policies. Student Disciplinary Policy is located here: [RSCC-Policy-SA-06-01-Student-Discipline, Attachment I\)](#)  
[Student Conduct & Disciplinary Sanctions 0240-02-03](#)

### **Programs for campus security procedures/practices and security awareness**

Roane State Community College and the Tennessee Colleges of Applied Technology have programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be aware of their own security and the security of others. The Roane State Community College Police Department presents safety information, including crime prevention tips and active shooter information, to incoming students at New Student Orientations as well as reinforcing that information with the parents and families of new students and Parent/Family Orientations.

At a minimum, the college tests the Emergency Preparedness Plan on an annual basis. Students, staff, and faculty can practice the established emergency procedures.

Incoming students at all Student Orientation sessions are informed about security procedures, ways to prevent crime on campus including the Be Safe program, and the fact that students must take ownership of their own safety. Roane State encourages students, staff, and faculty to utilize the Raider Alert system. Raider Alert is an opt-in self-service, web-based, mass notification system that enables emergency and non-emergency messages to be instantly communicated to students, staff, and faculty through cell phone text/voice messaging, landline, web page, and email.

“Safety tips” are available on the Roane State Police Department webpage at: [Campus-Safety-Tips](#). Staff and faculty are informed of the RSCC Be Safe website during new employee benefit sessions and Employee Orientation sessions.

### **Policy concerning monitoring/recording student off-campus criminal activity through local police, including student organizations with off-campus housing.**

Neither Roane State nor the Tennessee Colleges of Applied Technology provide housing to students. Staff and faculty who take students off our campus sites for student activities are advised that criminal behavior involving students should be reported to the local police and the Roane State Community College Police Department as soon as possible. Security considerations are used in the maintenance of campus facilities, including landscaping, grounds keeping, and outdoor lighting. The Roane State Community College Police Department, the Environmental Health and Safety Director, and the Director of the Physical Plant continuously monitor outdoor lighting and potential security risks like overgrown landscaping or secure door issues. Any potential problems are brought to the attention of the Director of the Physical Plant for resolution. Monthly fire extinguisher inspections are conducted in all buildings owned or leased by the college. Fire alarms are checked and serviced periodically. In addition, Roane State Police Officers and Building Security Associates/Coordinators/Assistant Building Security Associates/Coordinators routinely report hazardous, unsafe, and potentially unsafe conditions found to exist on campus.

### **Policy of emergency response and evacuation procedures**

When Roane State Community College or the Tennessee Colleges of Applied Technology are notified of a significant emergency or dangerous situation that may involve an **immediate threat** to the safety of students, staff, faculty, and visitors to the campus, an **immediate response** will occur. The Emergency Response Plan will be implemented by the institutional Emergency Management and Response Team (EMRT) and is summarized below. Emergency Notification and Evacuation Policy is located at: [RSCC-Policy-GA-13-03-Emergency-Notification-and-Evacuation \(Attachment J\)](#)

The institutional EMRT is comprised of authorized employees who are responsible for issuing a warning of any crisis that could endanger lives when that person has credible knowledge of a crisis. These include all members of the President’s cabinet, Roane State Community College Police Department (RSRSPD), public relations officer, director of the physical plant, dean of social sciences and business, dean of nursing, all site directors, and those designated to serve in the absence of others. The President and members of the EMRT are the individuals chiefly responsible for implementing the college’s Emergency Action Plan.

As an emergency or situation develops, updates will be provided through Raider Alert, emails, supervisors to employees, the institutional website, flyers, building coordinators and assistant building coordinators, and local media. Social media outlets may also be used to disseminate updates. Additionally, depending on the emergency or event, outside resources may be requested

to bring the emergency or event to a successful conclusion and recovery.

Each academic year the college, at a minimum, will test the college's Emergency Preparedness Plan. This test could be announced or unannounced and will involve the entire campus community. After the test, the Chief of Police will conduct an after-action report to determine needed improvements, if any. In addition, Roane State Community College has communicated with supporting law enforcement agencies requesting their cooperation and assistance in informing this institution about events reported to them that may warrant an emergency response.

### **Current training programs on stalking, domestic violence, and dating violence.**

Roane State Community College is in compliance with the federal policy regarding the Violence Against Woman Act (VAWA): [Clery Center Policy Violence Against Women Act](#) The college is committed to training staff, faculty, and students in the identification, prevention, and reporting of such occurrences.

Currently, the college has the following informative training programs on stalking, domestic violence, and dating violence available:

The annual RSCC Athlete Alcohol/Drug prevention workshop also includes information on the identification, prevention, and reporting of stalking, domestic violence, and dating violence.

Informational videos, helpful data, reporting of occurrences, and external resources are listed on the Be Safe at College page at [Be-Safe-at-Roane-State](#)

Newly hired police officers receive training related to VAWA and sexual assault.

### **Sex Offender Registry, Dating Violence, Domestic Violence, Sexual Assault, Stalking**

The campus community can find the information provided by the Tennessee Bureau of Investigation - State of Tennessee concerning registered sex offenders at: [Sex Offenders Website](#).

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.

### **Possession of weapons by Roane State Police and any other person**

As provided in Tennessee Code Annotated 39-17-1309, any unauthorized or illegal possession of, use of, or wearing of firearms or dangerous weapons of any kind shall not be permitted on any Roane State campus. State law prescribes a maximum penalty of six (6) years imprisonment and a fine not to exceed three thousand dollars (\$3,000) for carrying weapons on school property.

Roane State Police officers, in accordance with Tenn. Code Ann. § 49-7-118, the Tennessee Peace Officer Standards and Training Commission, and TBR policy 5:01:07:00 are authorized to carry firearms, chemical spray, batons, and other weapons as authorized. Officers are issued these weapons only after successfully completing training in the use of these weapons in basic training and as prescribed by department general orders and applicable state laws and P.O.S.T. regulations. Additionally, officers must undergo annual firearms training to maintain their P.O.S.T. certification. The Chief of Police determines the general orders for the department and approves the training schedule annually.

### **Policy for qualified persons carrying concealed firearms on campuses.**

Complete institutional policy for qualified persons carrying concealed firearms on campus (GA-13-04) can be located here: [RSCC-Policy-GA-13-04-Firearms-and-Other-Weapons](#)  
(Attachment K)

[TBR Firearms & Other Weapons 7.01.00.00](#)

### **Crime Statistics**

The following statistics have been collected based on the records for calls for service, complaints, and investigations from the 2021 calendar year and the two preceding calendar years. These statistics do not represent the findings of any court, coroner, jury, or decision of a prosecutor.

Roane State Community College does not have residential facilities; therefore, there are no statistics regarding On-campus Student Housing Facility included.

**MURDER/Non-negligent Manslaughter**

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Murder/Non-negligent manslaughter</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Negligent Manslaughter

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Negligent Manslaughter</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Rape

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Rape</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Fondling

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Fondling</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	4	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0



**Incest**

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Incest</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Statutory Rape

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Statutory Rape</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Robbery

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Robbery</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Aggravated Assault

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Aggravated Assault</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Burglary

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Burglary</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	1	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Motor Vehicle Theft

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Motor Vehicle Theft</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Arson

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
Arson	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Domestic Violence

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Domestic Violence</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0



### Dating Violence

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Dating Violence</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Stalking

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
Stalking	Roane	2023	1	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	1	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	1	0	0	0
		2021	1	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Liquor Law Arrests

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Liquor Law Arrests</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Drug Law Arrests

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Drug Law Arrests</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Weapons Law Arrests

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Weapons Law Arrests</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Liquor Law Violation Referrals

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Liquor Law Violation Referral</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Weapons Law Violations Referrals

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Weapons Law Violation Referral</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0

### Unfounded Crimes

Offense	Campus	Year	On-Campus	Non-Campus Buildings or Property	Public Property	Total
<b>Unfounded Crimes</b>	Roane	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Campbell	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Cumberland	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	0
	Fentress	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Knoxville	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Loudon	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Morgan	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	ORBC	2023	1	0	0	0
		2022	1	0	0	0
		2021	3	0	0	0
	Scott	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0



## Clery Hate Crime Statistics – All Campuses

Roane State Community College also collects statistics on hate or bias-based crimes. These crimes are not separate, distinct crimes but are the motivation used to perpetrate the crime by the offender. During 2021, 2022, and 2023 calendar years, RSCC recorded zero crimes in this category.

Roane State Community College is one of 46 institutions in the Tennessee Board of Regents (TBR) system, the seventh-largest system of higher education in the nation. The Tennessee Board of Regents is the governing board for this system, which is comprised of six universities, thirteen two-year colleges, and twenty-six Tennessee Technology centers. The TBR system enrolls more than 80 percent of all Tennessee students attending public institutions of higher education.

Roane State Community College is a TBR and AA/EEO employer and does not discriminate against students, employees, or applicants for admission or employment on the basis of race, color, religion, creed, national origin, sex, sexual orientation, gender identity/expression, disability, age, status as a protected veteran, genetic information, or any other legally protected class with respect to all employment, programs, and activities sponsored by Roane State. The following person has been designated to handle inquiries regarding nondiscrimination policies: Joyce Marsalis, Director of Human Resources/Affirmative Action, 276 Patton Lane, Harriman, TN 37748, (865) 882-4679. The Roane State policy on nondiscrimination can be found at [www.roanestate.edu/nondiscrimination](http://www.roanestate.edu/nondiscrimination)

The institution complies with Titles VI, VII, and IX, the Americans with Disabilities Act, the Rehabilitation Act of 1973, and all other applicable federal, state, and local statutes.

**RSCC PUBLICATION #25-003**



**Roane State Community College Police Department**  
**276 Patton Lane, Harriman, TN 37748**  
**Phone: (865) 882-4500**  
**Chief of Police: Daniel R. Wright**  
**Email: [wrightdr@roanesstate.edu](mailto:wrightdr@roanesstate.edu)**

## ATTACHMENT A

### Campus Security Authority List

Alan Holt, Men's - Basketball Coach

[holta1@roanestate.edu](mailto:holta1@roanestate.edu)

Lisa Steffensen – Dean of Students

[steffensenl@roanestate.edu](mailto:steffensenl@roanestate.edu)

Tamara Oliver – Compliance/Risk

[olivertl@roanestate.edu](mailto:olivertl@roanestate.edu)

Cynthia Cortesio-Internal Audit

[cortesiocl@roanestate.edu](mailto:cortesiocl@roanestate.edu)

## ATTACHMENT B

### Roane State Community College

**Policy Number: GA-13-02**

**Subject: Timely Warning**

#### I. Purpose

The purpose of this directive is to establish procedures for the issuance of timely warning notices for Roane State Community College (RSCC) to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. These warnings will be distributed if the incident is reported either directly or indirectly to the Chief of Campus Police/Director of Public Safety or through a campus security authority, or individual citizen, or outside law enforcement.

#### II. Policy

A. The decision to issue a timely warning must be decided on a case-by-case basis in light of all the facts surrounding a crime, including such factors as:

1. The nature of the crime
2. The continuing danger to the campus community
3. The possible risk of compromising law enforcement efforts

B. The Chief of Campus Police/Director of Public Safety issues/posts timely warnings for the following incidents:

1. Criminal homicide
2. Aggravated assault (cases involving assaults among known parties, such as two friends fighting which results in an aggravated injury, will be evaluated to determine if the aggressor(s) is/are believed to be an on-going threat to the campus community as a whole)

3. Robbery by force or threat of force or violence and/or by putting the victim in fear (cases involving pick pocketing and purse snatching will typically not result in the issuance of a timely warning but will be assessed on a case-by-case basis)

4. Sexual offenses (forcible rape, forcible sodomy, sexual assault with an object and forcible fondling, incest, statutory rape) (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the director of Public Safety/Chief of Campus Police)

5. Burglary

6. Motor vehicle theft

7. Arson

8. Hate crimes

9. Other crimes as determined necessary by the Chief of Campus Police/Director of Public Safety, or their designee in their absence

C. A timely warning will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

1. Date and time or timeframe of the incident

2. A brief description of the incident

3. Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)

4. Suspect description(s) when deemed appropriate and if there is sufficient detail (see below)

5. Campus Police/Public Safety contact information

6. Other information as deemed appropriate by the director or their designee (whether to shelter in place or evacuate)

The description of subjects in a case will only be included in the timely warning if there is a sufficient amount of detail to describe an individual.

D. The Chief of Campus Police/Director of Public Safety in coordination with Marketing and Communications, when possible, will draft and send timely warning alerts and updates. Depending upon the nature of the event, the Marketing and Communications office will use RaiderAlert, public address system, campus e-mail, the college's web page, news media, and/or social media to send notifications and updates. The Chief of Campus Police/Director of Public Safety

will advise Marketing and Communications whether the use of the college's RaiderAlert notification system is required.

1. Employees and students can sign up for RaiderAlerts [here](#).
2. Timely warnings will be filed in each case file with the corresponding incident number.
3. The Chief of Campus Police/Director of Public Safety does not issue timely warnings for the above listed crimes if:
  - a. The subject is apprehended and the threat of imminent danger for members of the college community has been mitigated by apprehension.
  - b. If a report was not filed with the Campus Police or if the Campus Police were not notified of the crime in a manner that would allow the department to post a timely warning for the community. This type of situation will be evaluated on a case-by-case basis. The Chief of Campus Police/Director of Public Safety will evaluate any late-filed reports of a crime to determine if a timely warning is nonetheless warranted.

III. For more information on evacuation or shelter in place please review policy GA-13-03 Emergency Notification and Evacuation. Access the complete detailed RSCC policy GA-13-03 at <https://www.roanestate.edu/policies/>.

IV. Responsible Party

The Chief of Campus Police/Director of Public Safety shall be responsible for development and maintenance of this policy for issuance by the president.

Revision History: 07/01/2013

**Revision Date Effective:** 02/27/2023

**Revision Approval By:** Christopher L. Whaley, President

**Original Date Effective:** 07/01/2013

**Original Approval By:** Christopher L. Whaley, President

**Office Responsible:** Vice President for Business & Finance

**Reviewed:** 09/22/2022

## ATTACHMENT C

**Roane State Community College**

**Policy Number: PA-02-02**

**Subject: Sexual Misconduct**

I. Purpose

It is the intent of Roane State Community College to fully comply with Title IX of the

Education Amendments of 1972, §485(f) of the HEA, as amended by § 304 of the Violence Against Women Reauthorization Act of 2013, the regulations implementing these Acts found at 34 CFR §668.41, §668.46, and Appendix A to Subpart D of Part 668. This policy addresses the offenses defined herein as “Sexual Misconduct.”

Sexual Misconduct is a subset of a broader category of sexual harassment. Allegations of sexual harassment that do not meet the definition of Sexual Misconduct will be handled in accordance with TBR Guideline P-080 and RSCC policy PA-02-01. This policy is intended to provide a single, easily accessible and user-friendly document to advise students, employees, and others affected by Sexual Misconduct regarding rules and procedures.

## II. Definitions

For the purpose of this policy, the following definitions shall apply:

- Complainant – a person who is alleged to be the victim of conduct that could constitute Sexual Misconduct. A Complainant may also be referred to as a Party.
- Consent - an active agreement to participate in a sexual act. An active agreement is words and/or actions that indicate a willingness to participate in a sexual act. 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.
- 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 individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to,
  - o Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
  - o Placing the accuser in fear of physical harm; physical restraint; or,
  - o 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,
  - o placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser.
- Domestic violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an adult or

youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs. In cases involving allegations of mutual acts or threats of acts of violence, the investigator will, when appropriate, identify the primary aggressor in the situation based on the totality of the information gathered, including without limitation: the history of violence between the Parties; the relative severity of the injuries inflicted on each person; information gathered from the persons involved in the situation and witnesses to the situation; and whether the acts or threats were done in self-defense. The primary aggressor will be considered the Respondent for purposes of evaluating Domestic Violence.

- Education program or activity - education programs and activities include locations, events, or circumstances over which the TBR or a TBR institution exercises substantial control over both the Respondent and the context in which the alleged Sexual Misconduct occurred. Relevant factors include whether the alleged conduct took place (i) on or off premises owned or controlled by TBR or a TBR institution, (ii) during school or work hours, (iii) as part of an institution-sponsored social activity, and (iv) as part of an activity that advances an educational purpose. Education programs or activities also include any building owned or controlled by a student organization that is officially recognized by a TBR institution. Whether Respondent is a TBR or TBR institutional employee, and if so, the nature of the Respondent's employment may be relevant. No single factor is determinative, including whether or not the alleged harassment took place on premises owned or controlled by a TBR institution. The Title IX Coordinator, after consulting with the Office of General Counsel, will make a fact-specific decision whether, if proven, the allegations arise out of an education program or activity. Where some alleged Sexual Misconduct took place within a TBR or TBR institution education program or activity and some took place outside of it, the Title IX Coordinator will determine whether to investigate all of the allegations in accordance with this policy. The decision-maker will also make a determination whether the TBR institution has established by a preponderance of the evidence that Sexual Misconduct took place in an institutional education program or activity.
- Force/Forced - words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity. Examples of Force include, without limitation:
  - o Physical force (e.g., hitting, punching, slapping, kicking, restraining, choking, kidnapping, using a weapon, blocking access to an exit);
  - o Words and/or conduct that would cause a reasonable person to fear;
  - o Physical force or other harm to the person's health, safety, or property, or a third person's health, safety, or property;
  - o Loss or impairment of an academic benefit, employment benefit, or money;

- o Disclosure of sensitive personal information or information that would harm a person's reputation;
- o Disclosure of video, audio, or an image that depicts the person's nudity or depicts the person engaging in a sexual act(s); or
- o Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.

Formal Complaint - a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Misconduct against a Respondent and requesting that the institution investigate the allegation. At the time of filing a formal complaint, a Complainant either must be participating in or attempting to participate in the institution's education program or activity implicated by the formal complaint.

"Incapacitation" means that a person lacks the ability to actively agree to a sexual act because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that a sexual act is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication. See Clarifications for more information.

Respondent – a person who has been alleged to be a perpetrator of conduct that could constitute Sexual Misconduct. A Respondent may also be referred to as a Party.

"Retaliation" means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this policy constitutes retaliation. Retaliation is a violation of this policy regardless of whether the underlying allegation of a violation of this policy is ultimately found to have merit.

- o The exercise of rights protected under the First Amendment and other provisions of the United States Constitution does not constitute retaliation.
- o Charging an individual with a policy or conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation.

"Sexual Assault" is an umbrella term that includes rape, fondling, incest, and statutory rape.



- o “Rape” means the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- o “Fondling” means the touching of the private body part of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
- o “Incest” means sexual intercourse between persons who are related to each other within degrees where marriage is prohibited by law.
- o “Statutory rape” means sexual intercourse with a person who is under the statutory age of consent.

Title IX Sexual Harassment– conduct on the basis of sex that satisfies either of the following:

- o an employee of an institution conditioning provision of an aid, benefit, or service of an institution on an individual’s participation in unwelcome sexual conduct (quid pro quo);
- o unwelcome conduct of a sexual nature determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the institution’s education program or activity. “Reasonable person” means a reasonable person under similar circumstances as and with similar identities to the Complainant. TBR institutions will consider the totality of the circumstances, including without limitation, the context in which the conduct and/or words occurred, and the frequency, nature, and severity of the words and/or conduct. In no event shall Title IX sexual harassment be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., merely offensive or insulting speech). See Clarifications for more information.

Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to either (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress. “Course of conduct” means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person’s property. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the definition of Stalking, “reasonable person” means a reasonable person under similar circumstances and with similar identities to the Complainant.

### III. Policy

#### A. Prohibition of Sexual Misconduct and General Information

1. Sexual Misconduct is a form of sex discrimination prohibited by Title IX. TBR is committed to helping its institutions rid their campuses of any and all acts of Sexual Misconduct. As set forth in this policy, Sexual Misconduct includes Title IX Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Sexual Assault. TBR and its institutions strictly prohibit these offenses. Each institution shall adopt its own policy that is consistent with this policy. For purposes of institutional policies, a reference to the institution includes the TBR System Office for any complaints, investigations, adjudications, and other proceedings that involve the TBR System Office.

2. Because Sexual Misconduct is a subset of the broader category of sexual harassment, not all sexual harassment allegations will be handled according to this policy. Allegations of sexual harassment that do not fall within the more limited definition of Sexual Misconduct or otherwise do not meet the criteria for filing a formal complaint will be handled in accordance with TBR Guideline P-080 and institutional policy.

3. With respect to allegations of Sexual Misconduct against faculty and staff in which a student is not the Complainant, additional laws and policies apply, most notably Title VII and anti-discrimination policies. In such situations and absent unusual circumstances, the Complainant may file a formal complaint pursuant to this policy or proceed pursuant to TBR Guideline P-080 and the appropriate institutional policy.

4. With respect to allegations of Sexual Misconduct in which a student is either a Complainant or Respondent and meets the criteria for filing a formal complaint, absent unusual circumstances, pursuing a formal complaint pursuant to this policy will be the appropriate method of addressing the allegations.

5. Upon receiving and assessing a report of Sexual Misconduct and/or sexual harassment, the Title IX Coordinator will decide whether the criteria for proceeding under this policy are met and whether another policy may apply. If there is a possibility of proceeding pursuant to TBR Guideline P-080 and another institutional policy, the Title IX Coordinator will explain the options.

6. In addition to conduct by students, faculty and staff, this policy applies to conduct by third parties. An example of a third party is a vendor with whom the institution contracts to provide services.

7. This policy applies to all students and employees, regardless of sexual orientation or gender identity.

B. Title IX Coordinators (A deputy Title IX Coordinator has the same authority under this policy as the Title IX Coordinator.)

1. Roane State's Title IX Coordinator is:

2. Lisa Steffensen, Deputy Title IX Coordinator  
276 Patton Lane  
Harriman, TN 37748  
D100  
865-882-4540  
steffensenl@roanestate.edu

3. To view a list of Title IX Coordinators by institution follow this link  
<https://www.tbr.edu/oesi/office-organizational-effectiveness>.

### C. Lack of Bias and Equitable Treatment

1. Neither the Title IX Coordinator, any investigator, any decision-maker, any person designated to facilitate an informal resolution process, nor anyone deciding an appeal will have a conflict of interest or bias for or against complainants or respondents generally, or against an individual Complainant or Respondent.

2. The Title IX Coordinator is responsible for appointing investigators, decision-makers, and appellate reviewers, and may appoint someone from another institution or someone not employed by a TBR institution in order to avoid potential bias or for other reasons. In the event of potential bias of the Title IX Coordinator, or if the Title IX Coordinator believes that another person should serve in that role for other reasons, the Title IX Coordinator should report the matter to TBR Central Office.

3. RSCC will provide a prompt, fair, and impartial investigation, adjudication, and, if applicable, disciplinary process. Institutions will treat Complainants and Respondents equitably, which includes an objective evaluation of all relevant evidence, including both evidence that tends to prove or disprove the allegations.

4. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

5. The investigation will proceed with a presumption that the Respondent is not responsible for the alleged conduct unless and until a determination of responsibility for a violation of this policy is made at the conclusion of the decision-making process. The burden of proof and the burden of gather evidence sufficient to reach a determination regarding responsibility rests with the institution. The parties do not carry the burden of proof. It is the institution's responsibility to establish Sexual Misconduct by a preponderance of the evidence.

6. The institution shall provide simultaneous written notification to the Parties of (1) any initial, interim, or final decision by an official authorized to resolve disciplinary matters, (2) any available appeal procedures for that decision,

(3) any change to that decision, and (4) when that decision becomes final. The Parties will receive timely and equal access to information.

#### IV. How to Report Sexual Misconduct

A. Roane State takes seriously all complaints of sexual discrimination, sexual harassment, and Sexual Misconduct. This section explains the various reporting, complaint, and confidential disclosure options available to enable individuals to make informed choices about where to turn should they experience sexual discrimination, sexual harassment, or Sexual Misconduct. There are several options to report information. Choose the one you feel most comfortable with:

1. Campus Police: 865-882-4500
2. Complete the Title IX Report Form
3. You have the option to file a report with our Title IX Coordinator.
4. [mailto: besafe@roanestate.edu](mailto:besafe@roanestate.edu) (this option will have a delayed response)
5. Make an appointment with a counselor

B. A report of Sexual Misconduct should be made to the Title IX Coordinator or the deputy coordinator. Such a report can be made at any time, including during non-business hours, by using the telephone number or electronic mail address, or office mail address listed for the Title IX Coordinator.

Lisa Steffensen, Deputy Title IX Coordinator  
276 Patton Lane  
Harriman, TN 37748  
D100  
865-882-4540  
[steffensenl@roanestate.edu](mailto:steffensenl@roanestate.edu)

C. Roane State recommends that reports and complaints of all Sexual Misconduct may be made to the Title IX Coordinator so that the college can respond appropriately. Although reports and complaints of Sexual Misconduct may be made at any time, reports should be made as soon as possible so that the college is best able to address the allegation.

D. RSCC encourages anyone who witnesses, experiences, or has information about possible Sexual Misconduct to take reasonable actions to prevent or stop such actions. This may include speaking up while the behavior is taking place or immediately afterwards, reporting the behavior (in accordance with the reporting options outlined in this policy), directly intervening when it is safe and reasonable to do so, contacting law enforcement, or other means. A person who has been subjected to any type of

Sexual Misconduct need not confront the other Party. The appropriate process to address the conduct is through this or other applicable policy.

#### E. Supportive and Interim Measure

1. After receiving a report of potential Sexual Misconduct, whether or not the report is a formal complaint, the Title IX Coordinator will contact the Complainant to discuss the availability of Interim/Supportive Measures, inform the Complainant of their availability, and consider the Complainant's wishes with respect to potential Interim/Supportive Measures. The Title IX Coordinator will also explain the process for filing a formal complaint.

2. The Title IX Coordinator, in conjunction with the appropriate department, may implement interim, supportive, or protective measures while assessing, investigating, and resolving the report. These Interim/Supportive Measures are non-disciplinary, non-punitive, individualized services and are offered without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

3. They are designed to restore or preserve equal access to the institution's programs or activities without unreasonably burdening the other Party and may include measures designed to protect the safety of all Parties or the institution's educational environment or deter Sexual Misconduct.

4. These measures may include, but are not limited to: mutual no-contact directives; access to counseling services and assistance in setting up an initial appointment; changing schedules, assignments, or job/study locations to lessen or minimize contact; extensions of deadlines and course-related adjustments; limiting or barring an individual's or organization's access to certain institutional facilities or activities; providing an escort to ensure safe movement on campus; providing academic support services, such as tutoring; arranging for a Party to re-take a course or withdraw from a class without penalty; administrative leave; leave of absence; institution-imposed leave or physical separation from individuals or locations.

5. The college will attempt to maintain the confidentiality of such Interim/Supportive Measures, to the extent that it can do so without impairing its ability to effectuate the Interim/Supportive Measures or to investigate and adjudicate the complaint.

#### F. Formal Complaint

1. Any person alleging to be a victim of Sexual Misconduct that took place within an education program or activity of a TBR institution in the United States may file a formal complaint under this policy.

2. A Complainant who wants RSCC to conduct an investigation and take action in accordance with this policy must file a formal complaint alleging Sexual Misconduct.

3. A Complainant must submit a written formal complaint in person, by mail, or via electronic mail to the Title IX Coordinator. The document must contain the Complainant's physical signature or a "digital signature." (A digital signature is information transmitted electronically that enables the Title IX Coordinator to determine that the Complainant is the person submitting the complaint, including, but not limited to, an email from a RSCC institutional account or a typed version of the Complainant's name. A digital signature need not reproduce a written signature.) A formal complaint cannot be submitted anonymously. Only the Title IX Coordinator can submit a formal complaint on behalf of another person.

4. Although RSCC will attempt to consider the wishes of Complainants, including that no investigation be conducted, RSCC will also consider its obligations under both TBR policy and applicable law, including Title VII of the Civil Rights Act of 1964. Thus, when the Title IX Coordinator receives a report of Sexual Misconduct, and especially when the complaint involves an employee, the Title IX Coordinator may decide to investigate the matter pursuant to Guideline P-080 and institutional policy, even if the Complainant does not want the report investigated. If the Title IX Coordinator decides to file a formal complaint, the Title IX Coordinator is not a "Party" to any investigation, determination or hearing process.

5. Complainants should provide as much of the following information as possible: what happened, where, and when; names of all people involved, including witnesses (if any); supporting documentation (if any); and contact information. RSCC encourages reporting of Sexual Misconduct even if some or all information is unavailable or cannot be provided. The Title IX Coordinator will explain their role, the options for reporting an incident, potential available Interim/Supportive Measures, and the available resources for assistance.

G. Confidential Resources (who will not share information with Title IX Coordinator)

1. RSCC encourages victims of Sexual Misconduct to talk to someone about what happened, whether they want their report to be investigated or not. RSCC offers Complainants the resources below for someone to talk to confidentially, so that they can get the support they need. Some resources are confidential and should be considered if the Complainant does not want the institution to investigate the matter.

2. RSCC employs individuals as confidential resources, including licensed professional counselors. These resources do not report any information about an incident to the Title IX Coordinator without a Complainant's permission. The RSCC confidential contact is:

Jeff Snell, Counseling and Disability Services  
701 Briarcliff Avenue  
Oak Ridge, TN 37830

Room B-112865-481-2003 or toll free at 1-866-462-7722 ext. 2003  
snellja@roanestate.edu

3. 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.

#### H. Reporting by Employees

Institutional policy provides that:

1. All employees who learn of Sexual Misconduct (or any form of sexual harassment or sex discrimination, or retaliation) are encouraged to report such matters to the Title IX Coordinator.

2. Supervisors and managers who learn of Sexual Misconduct (or any form of sexual harassment or sex discrimination, or retaliation) must immediately report such concerns to the Title IX Coordinator.

#### I. Anonymous and Third-Party/Bystander Reporting

1. RSCC policy encourages third parties to report incidents of Sexual Misconduct to the Title IX Coordinator. The institution may not be able to move forward with third-party reports if the Complainant does not wish to file a formal complaint or cooperate with an investigation.

2. After providing a report, third parties are not entitled to information about the institution's investigation and response due to privacy concerns and applicable federal and state laws.

#### J. Abuse of Minors

1. College policy shall include a statement that Tennessee law mandates reporting by any person who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether the child has sustained any apparent injury as a result of the abuse.

2. In the event of a life-threatening emergency, a report of child abuse or child sexual abuse should be made by calling 911. In other cases, a report of child abuse or child sexual abuse must be made immediately to one of the following authorities:

a. The Tennessee Department of Children’s Services (the Central Intake Child Abuse Hotline is 1-877-237-0004);

b. The sheriff of the county where the child resides;

c. The chief law enforcement official of the city where the child resides; or

d. A judge having juvenile jurisdiction over the child.

3. In addition, institutional employees shall make a report of child abuse or child sexual abuse in connection with an institutional program or activity to the Title IX Coordinator. Note that a report to an institutional law enforcement or security agency is not sufficient to comply with state law.

#### K. Law Enforcement

1. The following law enforcement agencies listed in this policy are available for emergency response, facilitating medical transport, investigating incidents of a criminal nature, referrals, and preserving evidence. Law enforcement may be required to report potential violations of this policy to the Title IX Coordinator and to report incidents of sexual assault and other criminal acts of a serious nature to other law enforcement authorities.

2. Local law enforcement agencies for the Roane State Community College campuses:

Emergency: Dial 911

Main Public Safety Office, Yager building, Room 102, 865-882-4500, RSCC police department

Harriman/Main Campus: City of Harriman Police Department, 865-882-3383;

Roane County Sheriff’s Office, 865-717-4700

Oak Ridge Branch Campus: City of Oak Ridge Police Department, 865-425-4399,

<http://www.oakridgetn.gov/departament/ORPD/Home>; Anderson County Sheriff’s Office, 865-457-5400, <http://www.tnacso.net/index.php>

Campbell County Center: City of LaFollette Police Department, 423-562-8381;

Campbell County Sheriff’s Office, 423-562-7446

Clinton Higher Education and Workforce Training Facility: City of Clinton Police

Department, 865-457-3112; Anderson County Sheriff’s Office, 865-457-5400,

<http://www.tnacso.net/index.php>

Cumberland County Center: City of Crossville Police Department, 931-484-7231;

Cumberland County Sheriff’s Office, 931-484-6176

Cumberland Business Incubator: City of Crossville Police Department, 931-484-

7231; Cumberland County Sheriff’s Office, 931-484-6176

Fentress County Center: City of Jamestown Police Department, 931-879-5871;

Fentress County Sheriff’s Office, 931-879-8142

Knox County Center for Health Sciences: City of Knoxville Police Department, 865-



215-7000,

[https://knoxvilletn.gov/government/city\\_departments\\_offices/police\\_department](https://knoxvilletn.gov/government/city_departments_offices/police_department),  
Knox County Sheriff's Office, 865-922-1070, <https://knoxsheriff.org/>

Loudon County Center: City of Lenoir City Police Department, 865-986-4823;

Loudon County Sheriff's Office, 865-986-4823

Morgan County Center: City of Wartburg Police Department, 423-346-7090;

Morgan County Sheriff's Office, 423-346-6262

W.H. Swain Scott County Center: Oneida Police Department, 423-569-4255; Scott  
County Sheriff's Office, 423-663-3111

Princess Theatre: City of Harriman Police Department, 865-882-3383; Roane  
County Sheriff's Office, 865-717-4700

Tamke-Allen Observatory: Roane County Sheriff's Office, 865-717-4700

#### L. Reporting Pursuant to the Nottingham Act

1. Unless the victim of a rape does not consent to the reporting of an offense, the chief security officer or chief law enforcement officer of RSCC shall immediately notify the local law enforcement agency with territorial jurisdiction over the institution if the officer is in receipt of a report from the victim alleging that any degree of rape has occurred on the property of the institution. The chief security officer or chief law enforcement officer shall designate one (1) or more persons who shall have the authority and duty to notify the appropriate law enforcement agency in the absence of the chief security officer or chief law enforcement officer. In the case of an alleged rape, RSCC's law enforcement agency shall lead the investigation. After notifying the local law enforcement agency, RSCC shall cooperate in every respect with the investigation conducted by the law enforcement agency. T.C.A. § 49-7-129.

2. If the victim does not consent to the reporting, the chief security officer or chief law enforcement officer of RSCC shall not report the offense to the local law enforcement agency. T.C.A. § 49-7-2207; T.C.A. § 49-7-129.

#### V. Additional Information

##### A. No Retaliation

1. Retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes Sexual Misconduct (or any other form of discrimination prohibited by institutional policy) is prohibited. Individuals must not interfere with an investigation. Retaliation will result in disciplinary measures, up to and including termination or expulsion.

2. In order to help prevent retaliation, RSCC policy is to keep confidential the identity of anyone who has made a report or complaint of sex discrimination, including anyone who has filed a formal complaint of Sexual Misconduct, any Complainant, any Respondent, and any witness except as is

required to carry out an institution's responsibilities under this policy, as permitted by FERPA, or as required by law.

3. Anyone who wishes to file a complaint of retaliation should contact the Title IX Coordinator.

#### B. Emergency Removal/Administrative Leave

1. If it appears, based on an allegation of Sexual Misconduct, that a student may constitute an immediate and direct threat to the physical health or safety of another individual, RSCC will conduct an individualized inquiry and risk analysis and may place the student on interim suspension on an emergency basis. If the institution implements an interim suspension, the student shall be given the opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the interim suspension. Institutions shall follow the procedures set forth in TBR Policy 3.02.00.01, General Regulations on Student Conduct & Disciplinary Sanctions (and applicable RSCC policies) before placing any student on interim suspension.

2. The college may place employees on administrative leave or similar action while addressing allegations of Sexual Misconduct.

3. Visitors, vendors, and other third Parties may be removed from the premises consistent with applicable policies and procedures.

#### C. Court Orders

Individuals may seek orders of protection, restraining orders, or other similar orders from a court of law.

D. Institutions shall not create a separate procedure for investigating and resolving complaints of Sexual Misconduct involving athletes or any other subgroup of students.

E. Participation in the formal complaint process by a Complainant, Respondent, institution, or other person does not waive applicable privileges, including attorney-client privilege, doctor-patient privilege, the peer review/quality improvement privilege, etc. The holder of a privilege may waive it in certain circumstances.

### VI. Investigation and Outcomes

A. The Office of General Counsel shall always be consulted prior to investigation.

#### B. Intake and Assessment of Formal Complaints

1. The Title IX Coordinator will assess the nature of reports and formal complaints, including whether one or more allegations meet the criteria for the filing of a formal complaint (e.g., whether the allegations include conduct that, if proven, took place in the United States and will constitute Sexual Misconduct in

an education program or activity by a participant or someone attempting to participate in the education program or activity). If a formal complaint includes some allegations that, if proved, constitute Sexual Misconduct and some that do not meet that definition, the Title IX Coordinator will decide whether the allegations will be pursuant to this policy or whether the allegations will be investigated according to another policy or guideline. As appropriate, the Title IX Coordinator may initiate proceedings under another policy, refer the matter to another department, and/or inform the Complainant about the availability of other methods to address the allegations.

2. As part of the assessment, the Title IX Coordinator or designee may contact the Complainant and ask for information about the allegations. Supporting documents, such as emails, photos, text messages, and any other evidence should be preserved. If witnesses were present or have relevant knowledge, it is important to identify them, state what they may know, and inform the investigator how they can be contacted.

3. Where formal complaints involving more than one Complainant and/or more than one Respondent arise out of the same facts and circumstances, the Title IX Coordinator may consolidate formal complaints.

#### C. Notice of Allegations

1. Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to known Parties. (A Notice of Allegations will be provided even if the formal complaint is dismissed at the same time or shortly after the Notice of Allegations issues (e.g., the allegations if proven do not meet the definition of Sexual Misconduct)). The Notice of Allegations will enable both Parties to appeal the dismissal or to proceed under another policy.) The Notice of Allegations shall contain:

a. an explanation of the investigation and grievance process, including a copy of or link to institutional policy, as well as any other applicable policies;

b. the availability of an informal resolution process;

c. an explanation of the allegations potentially constituting Sexual Misconduct in sufficient detail and with sufficient time to prepare a response before any initial interview. A Respondent will have at least three (3) business days after issuance of a Notice of Allegations prior to an initial interview, but depending on the nature of the allegations, additional time may be offered or requested;

d. the identity of the Parties involved in the incident, if known, and the date and location of the alleged incident;

e. a statement that the Respondent is presumed not responsible for the alleged conduct unless and until a determination of responsibility has been issued;

f. a statement that the Parties may have an advisor of their choice at meetings they are permitted to attend. The advisor may be, but is not required to be, an attorney. (Parties may hire their own attorneys. At a live hearing only, RSCC will provide advisors to Parties who do not have their own);

g. any statements in TBR institutional policies, procedures, or guidelines that prohibit knowingly making false statements or knowingly submitting false information during the process; and

h. a statement that retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes Sexual Misconduct is prohibited and will result in disciplinary measures, up to and including termination or dismissal.

2. If, during the course of an investigation, RSCC decides to investigate allegations about the Complainant or Respondent that are not included in the Notice of Allegations, the institution will provide additional written Notice of Allegations to known Parties.

#### D. Dismissal of Formal complaints

1. The Title IX Coordinator shall obtain advice from the Office of General Counsel before dismissing a formal complaint.

2. If the Title IX Coordinator concludes that the Complainant was not participating in or attempting to participate in an institutional education program or activity at the time of the formal complaint or that the conduct alleged in a formal complaint would not constitute Sexual Misconduct even if proved, did not occur in an institution's education program or activity, or did not occur against a person while in the United States, the Title IX Coordinator shall dismiss the formal complaint.

3. The Title IX Coordinator has discretion to dismiss a formal complaint or any allegations in it, if at any time during the investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations in it; the Respondent is no longer enrolled by, employed by, or associated with RSCC; or specific circumstances prevent RSCC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

4. The Title IX Coordinator may decide to dismiss a formal complaint of Sexual Misconduct and refer the matter for disposition pursuant to a different policy, guideline, or process when an allegation of Sexual Misconduct is

dismissed or when a formal complaint ceases to include an allegation of Sexual Misconduct.

5. Upon dismissal of a formal complaint for any reason, the Title IX Coordinator will promptly send written notice explaining the reasons for dismissal to the Parties. The dismissal notice will also explain whether RSCC will investigate or respond to the allegations under another policy, guideline, or process and the availability of other methods to address the allegations.

#### E. Informal Resolution

1. Because a full investigation and adjudication process may not be in the best interests of all concerned, the Title IX Coordinator may decide to offer an informal resolution process. The informal resolution process is designed to provide flexibility in crafting a resolution to a formal complaint that meets the needs of the Parties and the institution. Informal resolutions may include meetings facilitated by the college or third parties, resolutions facilitated by the Title IX Coordinator without formal meetings, mediations, and/or restorative justice concepts. Disciplinary action may or may not be part of any informal resolution. Both Parties must agree in writing to participate in any informal resolution process that the Title IX Coordinator may offer.

2. An informal resolution process is only available after the filing of a formal complaint and prior to a determination regarding responsibility. If the Title IX Coordinator believes an informal resolution may be appropriate, the Title IX Coordinator will propose an informal resolution process in either the initial Notice of Allegations or a subsequent written document. The Title IX Coordinator may discuss with the Parties the details of how the process will work. The written notice will contain the allegations or refer to the Notice of Allegations, set out the informal resolution process, explain that at any time prior to agreeing to a resolution, the Complainant, Respondent, or the institution may withdraw from the informal resolution process and resume the investigation and adjudication process under this policy, and identify any records that will be maintained or shared related to the process.

3. The Title IX Coordinator will not offer or facilitate an informal resolution process to resolve allegations that an employee engaged in Sexual Misconduct against a student.

#### F. Investigation of formal complaints

Roane State will investigate all formal complaints, unless dismissed or resolved. During the investigation:

1. The institution will not access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist,

psychologist, or other recognized professional acting in the professional's capacity and made or maintained in connection with the treatment to the Party, unless the Party voluntarily consents in writing;

2. The investigator will conduct an investigation that is appropriate under the circumstances. The investigation will include a review of documents and physical evidence, as well as interviews with the Parties and other witnesses, unless they decline to be interviewed. The investigator may request access to premises, records, and documents deemed relevant. As the investigation progresses, the investigator may seek clarification, including during a subsequent interview, from any person participating in the investigation regarding the incident or their statement. A Party who learns or remembers any additional information should notify the investigator immediately. The Parties will have an equal opportunity to provide evidence and to identify witnesses, including fact and expert witnesses. Parties are encouraged to provide, as soon as possible, any evidence that the Party believes to be relevant and wants the investigator to consider. If at all possible, all evidence should be provided in time for the investigator to make it available for inspection and review;

3. Although the Parties are encouraged to provide the institution with information and evidence related to the allegations, the institution is ultimately responsible for gathering evidence sufficient to reach a determination regarding responsibility;

4. The institution will not restrict the Parties from discussing the allegations under investigation or from gathering and presenting relevant evidence. Any restrictions on the ability of the Parties to discuss matters related to the proceeding but which are not under investigation will be explained in the Notice of Allegations;

5. Each Party will have the opportunity to obtain and to be accompanied to a meeting or proceeding by an advisor of their choice, who may, but is not required to be, an attorney, in accordance with Section VI. H. below;

6. When a Party is invited or expected to participate in a meeting, the institution will provide written notice of the date, time, location, participants, and purpose of the meeting, interview, or hearing, with sufficient time for the Party to prepare to participate;

7. Both Parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including evidence that is directly related to the allegations but upon which the institution does not intend to rely in reaching a determination regarding responsibility. The institution will include both evidence that tends to prove and disprove the allegations, whether obtained from a

Party or other source, so that each Party can meaningfully respond to the evidence prior to the conclusion of the investigation;

8. Prior to the completion of an investigation report, the institution will send to each Party the evidence subject to inspection and review. Unless a Party requests that the institution not do so, the institution will also send the evidence to each advisor who has been identified. An institution may decide to provide access to evidence through electronic means that is not available for download. In such case, the Parties and their advisors are prohibited from, directly or indirectly, photographing or reproducing such evidence (unless the Party has access to the evidence independent of the portal, e.g., documents submitted by the Party or publicly available information); and

9. The institution will provide at least ten (10) calendar days for the Parties to respond to the evidence provided for inspection and review. The investigator will share any written response with the other Party and will consider any written response prior to completing the investigative report.

#### G. Investigation Report

1. At the conclusion of the investigation, the investigator will prepare written report. The report shall:

- a. identify the allegations;
- b. identify relevant policies, guidelines, and other standards;
- c. explain the procedural steps taken between receipt of the formal complaint and the conclusion of the investigation, including all notifications to the Parties, interviews with the Parties, interviews with other witnesses, dates of all interviews, any site visits, and the methods used to gather evidence; and
- d. fairly summarize the relevant evidence.

2. The written report shall not make findings of fact or conclusions regarding the application of facts to this policy.

3. At least ten (10) calendar days prior to a hearing, the investigator will send to each Party the investigation report in either electronic or hard copy, for review and written response. Unless a Party requests that the institution not do so, the institution will also send the investigation report to an advisor whom the Party has been identified.

4. The Parties should provide any written response as soon as possible, as the investigator may issue an amended investigation report if the investigator deems appropriate and if a Party provides comments in sufficient time for the investigator to do so. The Parties' written responses and any amended investigation report will be sent to the decision-maker.

## H. Advisors

1. Both the Complainant and the Respondent will be permitted to have an advisor of their choosing present during meetings where their attendance is permitted or expected. Nothing in this policy shall be read to require that an institution allow a Party to attend an interview of the other Party or of a witness.

2. The advisor may accompany and confer privately with a Party, but the advisor may not interrupt, speak on behalf of a Party, or otherwise actively participate in any meeting, except for conducting cross-examination at a live hearing.

3. An advisor's failure to comply may result in the termination of the meeting or the advisor no longer being permitted to be present.

4. TBR and RSCC personnel employed in the offices responsible for the disciplinary proceedings described in this policy, along with those in the chain of command, personnel employed by OGC, and others whose participation could create a conflict of interest with their duties are not eligible to serve as advisors. The institution shall not otherwise limit the choice of an advisor.

5. If there is a question or concern about a possible advisor, the Title IX Coordinator should be consulted. A Party choosing to have an attorney present as an advisor must provide advance notice so that a member of OGC can attend any meeting at which an attorney will be present.

## I. Recordings

1. Parties are not permitted to record any meeting conducted pursuant to this policy.

2. When a live hearing is conducted, the institution will create an audio recording, audiovisual recording, or transcript and make it available to the Parties for inspection and review.

## J. Past Relationships and Conduct

1. Previous sexual relationships of the Complainant and Respondent with third parties generally are irrelevant.

2. A past sexual relationship between the Complainant and Respondent may or may not be relevant. For example, past sexual encounters may provide insight on communication patterns for purposes of determining whether consent was present.

3. Questions and evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the



questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to Respondent and are offered to prove consent.

#### K. Standard of Evidence

1. In determining whether Respondent engaged in Sexual Misconduct, TBR institutions use the preponderance of the evidence standard of evidence in evaluating whether Sexual Misconduct occurred. A "preponderance of the evidence" means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.

2. The burden of proof will remain with the institution through the determination.

#### L. Timeline

1. Formal complaints typically will be resolved (exclusive of any appeals) within 90 calendar days of filing.

2. Appeals will be resolved within fifteen (15) calendar days of the filing of an appeal.

3. Given the many variables and factors that may arise in such cases, additional time may be needed in some cases. Any departure from these time frames will be for good cause and communicated in writing or by email to both the Complainant and the Respondent simultaneously, along with a new timeline and explanation of the reasons. Good cause to extend the deadlines includes, but is not limited to, the absence of a Party, a Party's advisor, or witness; concurrent law enforcement activity; or the need for language assistance or the accommodation of disabilities.

4. Incompletion of the process within such time frames is not cause for dismissal of a formal complaint.

#### M. Parallel Investigations with Law Enforcement

1. The filing of a police report or the pendency of civil or criminal proceedings does not preclude RSCC from proceeding with its investigation and determination.

2. The investigation and determination may be delayed until law enforcement has finished gathering evidence and indicated that the institution may proceed with an investigation, but the institution generally will not wait for the conclusion of any criminal proceeding.

3. Civil or criminal proceedings are separate and distinct from internal institutional proceedings, and they may or may not run parallel to one another.

However, the institution may be required by law to provide information in civil or criminal proceedings.

4. Institutional policies shall set forth parameters and clarify what information may and may not be shared during a parallel investigation with law enforcement (e.g., via a memorandum of understanding with local law enforcement).

#### N. Live Hearings

1. The college will conduct a live hearing of formal complaints not dismissed pursuant to this policy in order to make a determination whether this policy has been violated. The decision-maker appointed by the Title IX Coordinator has the authority to maintain order at the hearing and make all decisions necessary for the fair, orderly, and expeditious conduct of the hearing. The decision-maker shall be the final decider concerning all aspects of the hearing, including prehearing matters and at the hearing, how evidence is examined and the order of witnesses.

2. At the request of either Party, RSCC will provide for the live hearing to be conducted with the Parties located in separate rooms with technology enabling the decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions.

3. In cases involving more than one Respondent, any Party may request separate hearings by submitting a request at least five (5) business days before the hearing. The Title IX Coordinator will decide whether to grant the request.

4. Live hearings may be conducted with all Parties physically present in the same geographic location or, at the institution's discretion, any or all Parties, witnesses and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

5. At least ten (10) business days prior to a live hearing, the institution will provide both Parties with written notice of the following:

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

b. The name of each witness RSCC expects to present or be present at the hearing and those RSCC may present if the need arises;

c. The right to request a copy of the investigative file (other than portions that are protected by law or privilege), which includes all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint;

d. The right to request copies of all documents, copies of electronically stored information, and access to tangible evidence that the institution has in its possession, custody, or control and may use to support claims or defenses;

e. The right to have an advisor of the Party's choice, who may be, but is not required to be an attorney, and that if the Party does not have an advisor present at the hearing, the college will provide an advisor of the college's choice, without fee or charge, to ask the other Party and any witnesses all relevant questions and follow-up questions on behalf of that Party;

f. Any Party in need of an institution-provided advisor must inform the Title IX Coordinator at least five (5) business days before the hearing;

g. Any cross-examination of any other Party or witness must be conducted by the advisor; and

h. Additional information may be included in the notice of hearing.

6. When notice is sent by U.S. mail or courier service, the notice is effective on the date the notice is mailed or delivered to the courier service. When notice is hand delivered by the college, notice is effective on the date that the notice is delivered to a party. When notice is sent by email, the notice is effective on the date that the email is sent to the Parties' institution-provided email account.

7. The decision-maker may conduct a pre-hearing meeting or conference with the Parties and their advisors to discuss pre-hearing issues, including any technology to be used at the hearing and the general rules governing the hearing.

8. The decision-maker may allow a temporary delay of the process or the limited extension of time frames for good cause with written notice to the Parties of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

9. If a Party fails to attend a hearing, the decision-maker may proceed without that Party's participation.

10. During the hearing, the decision-maker will make evidence subject to review and inspection during the investigation phase available to give each Party equal opportunity to refer to that evidence, including for purposes of cross-examination.

11. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to provide that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

12. Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or question from someone other than the decision-maker, the decision-maker will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

13. The decision-maker will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

14. The decision-maker will permit each Party's advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the Party's advisor and never by a Party personally. Conducting cross-examination will be the advisor's only opportunity to speak. Advisors will not engage in other presentation of arguments or evidence, including opening statements, closing arguments, or direct examinations.

15. If a Party does not have an advisor at the live hearing, RSCC will provide without fee or charge to that Party an advisor. RSCC will choose the advisor.

16. This section intentionally left blank.

17. For good cause shown, a decision-maker may permit the participation of witnesses who were not identified by the Party to the investigator, or the inclusion of evidence not provided by the Party to the investigator.

18. The institution will create an audio or audiovisual recording, or transcript, of a live hearing and make it available to the Parties for inspection and review.

19. The decision-maker may dismiss the formal complaint or any allegations therein, if at any time during the hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw a formal complaint or any allegations therein, the Respondent is no longer

enrolled or employed by the institution, or specific circumstances prevent the institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

20. If the decision-maker dismisses the formal complaint during the grievance process, the decision-maker will promptly notify the Title IX Coordinator, who will promptly send written notice of the dismissal and reasons therefor simultaneously to the Parties.

#### O. Written Determination

1. Within fifteen (15) business days of the hearing, the decision-maker will issue a written determination whether respondent engaged in sexual misconduct, based on a preponderance of the evidence standard, which will be provided to the Parties simultaneously.
2. The determination becomes final either on the date that the institution provides the Parties with a written result of an appeal, or if an appeal is available but not filed, the day after the deadline to appeal.
3. The determination will include:
  - a. Identification of the allegations potentially constituting Sexual Misconduct, as well as identification of any additional allegations that are being resolved but which do not constitute Sexual Misconduct;
  - b. A description of the procedural steps taken between receipt of the formal complaint and the determination, including all notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and any hearings held;
  - c. Findings of fact supporting the determination;
  - d. Conclusions regarding the application of this policy, as well as any other relevant policy, guidelines, or code, to the facts;
  - e. A statement of, and rationale for, the result as to each allegation before the decision-maker, including a determination regarding responsibility;
  - f. Any disciplinary action that the decision-maker imposes on the Respondent, including referral to another process;
  - g. Any remedies that the institution will provide designed to restore or preserve equal access to the Complainant; and
  - h. The permissible bases and procedures, including timelines, for appeals by the Parties.

#### P. Remedies and Disciplinary Action Following Determinations of Violations

1. RSCC will provide remedies where a determination of responsibility for Sexual Misconduct has been made. RSCC will follow this policy before the imposition of any disciplinary sanctions for Sexual Misconduct that are not supportive/interim measures.
2. Remedies will be designed to restore or preserve equal access to education programs and activities and will include discipline under the applicable policies and procedures. Remedies may include verbal warnings, written warnings, final written warnings, suspension, termination of employment (including tenured faculty), non-renewal of appointment, or dismissal from the institution.
3. Remedies should also consider improvements to the campus-wide environment. It is the intent of TBR that institutions consider the impact of an incident of Sexual Misconduct on the campus as a whole or specific groups or areas of campus. For example, specific training may be needed for a student group.
4. The Title IX Coordinator is responsible for ensuring effective implementation of the remedies.

#### Q. Appeals/Post-Determination Procedures

1. Parties are permitted to appeal to the institution's President (or other person appointed by the Title IX Coordinator) from a determination regarding responsibility (or no responsibility) and from a dismissal of a formal complaint or of any allegations in a formal complaint on the basis of:
  - a. procedural irregularity that affected the outcome of the matter;
  - b. new evidence that was not reasonably available at the time the determination or dismissal was made, but only if that new evidence could affect the outcome of the matter;
  - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.
2. A Party wishing to appeal a determination regarding responsibility or the dismissal of a formal complaint or any allegations therein must file a written appeal with the Title IX Coordinator within seven (7) business days of the date of the determination or the dismissal. The written appeal must identify the reasons for the appeal.
3. As to all appeals, the Title IX Coordinator will:

- a. Notify the other Party in writing when an appeal is filed;
- b. Implement appeal procedures equally for both Parties;
- c. Ensure that the decision-maker(s) for the appeal is not the same person as the investigator, the decision-maker, or Title IX Coordinator;
- d. Provide each Party five (5) business days to provide a written statement in support of, or challenging, the determination.
- e. The decider of the appeal will issue a written decision describing the result of the appeal and the rationale for the result, and will provide the written decision simultaneously to the Parties.

## VII. Victim Services

### A. Resources and Assistance to Victims of Sexual Misconduct

#### 1. Institutions Without On-Campus Services

Roane State Community College will partner with local community organizations that may be able to provide medical, counseling, or law enforcement services when those services are not available or provided on campus for victims of Sexual Misconduct.

#### 2. Victim Services Policy

##### a. RSCC provides the following assistance and services to victims

i. On/Off campus advocates and counselors who can provide an immediate and confidential response in a crisis situation are:

Jeff Snell, Counselor  
 701 Briarcliff Road, Room B-112  
 Oak Ridge, TN 37830  
 865-481-2003  
 snellja@roanestate.edu  
 Roane State Counseling Services

Sexual Assault Center of East Tennessee (SACET), 865-522-7273  
 Sexual Assault Nurse Examiners | Helen Ross McNabb Center  
 600 Arthur Street, Knoxville, TN 37921, 865.523.8695

ii. Emergency numbers for on and off-campus safety, law enforcement, and other first responders, including the Title IX Coordinator are:  
 Emergency: Dial 911  
 Main Public Safety Office, Yager building, Room 102, 865-882-4500, RSCC police department

Harriman/Main Campus: City of Harriman Police Department, 865-882-3383;

Roane County Sheriff's Office, 865-717-4700

Oak Ridge Branch Campus: City of Oak Ridge Police Department, 865-425-4399, <http://www.oakridgetn.gov/department/ORPD/Home>; Anderson County Sheriff's Office, 865-457-5400, <http://www.tnacso.net/index.php>

Campbell County Center: City of LaFollette Police Department, 423-562-8381; Campbell County Sheriff's Office, 423-562-7446

Clinton Higher Education and Workforce Training Facility: City of Clinton Police Department, 865-457-3112; Anderson County Sheriff's Office, 865-457-5400, <http://www.tnacso.net/index.php>

Cumberland County Center: City of Crossville Police Department, 931-484-7231; Cumberland County Sheriff's Office, 931-484-6176  
Cumberland Business Incubator: City of Crossville Police Department, 931-484-7231; Cumberland County Sheriff's Office, 931-484-6176

Fentress County Center: City of Jamestown Police Department, 931-879-5871; Fentress County Sheriff's Office, 931-879-8142

Knox County Center for Health Sciences: [City of Knoxville Police Department](#), 865-215-7000, Knox County Sheriff's Office, 865-922-1070, <https://knoxsheriff.org/>

Loudon County Center: City of Lenoir City Police Department, 865-986-4823; Loudon County Sheriff's Office, 865-986-4823

Morgan County Center: City of Wartburg Police Department, 423-346-7090; Morgan County Sheriff's Office, 423-346-6262

W.H. Swain Scott County Center: Oneida Police Department, 423-569-4255; Scott County Sheriff's Office, 423-663-3111

Princess Theatre: City of Harriman Police Department, 865-882-3383; Roane County Sheriff's Office, 865-717-4700

Tamke-Allen Observatory: Roane County Sheriff's Office, 865-717-4700

iii. Health care options to seek 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) are:

Sexual Assault Nurse Examiners | Helen Ross McNabb Center 600 Arthur



Street, Knoxville, TN 37921, 865.523.8695 <https://mcnabbcenter.org/victim-services/#sexual-assault>. A Sexual Assault Nurse Examiner (SANE) is available 24/7, 365 days a year to provide forensic nursing to sexual assault crime victims ages 13 and older. SANE exams can be performed at a hospital or at the Sexual Assault Forensic Exam (SAFE) Center at SACET.

Sexual Assault Center of East Tennessee Sexual Assault Nurse Examiners. 2455 Sutherland Ave. Knoxville, TN 37919, 865.558.9040. A Sexual Assault Nurse Examiner (SANE) is available 24/7, 365 days a year to provide forensic nursing to sexual assault crime victims ages 13 and older. SANE exams can be performed at a hospital or at the Sexual Assault Forensic Exam (SAFE) Center at SACET.

iv. It is very important for the Complainant to seek medical attention immediately so that the Complainant can be screened for sexually transmitted diseases/pregnancy/drugs that may have been used to incapacitate, obtain emergency contraception, and receive treatment for any injuries. Valuable physical evidence can be obtained from the Complainant and the Complainant's clothing. Even those who are unsure whether to make a police report or take action may wish to have a forensic examination, which will facilitate the identification and preservation of physical evidence.

v. To help preserve evidence in the event of a sexual assault, it is important for the Complainant not to change clothes or bedding and not take a shower, douche, use the toilet, brush their teeth, or clean up until police have had a chance to gather evidence. However, if a Complainant has already changed clothes or cleaned up/showered, evidence may still be collected. The Complainant should leave any clothes or bedding unfolded and undisturbed, if possible. If clothing or bedding must be moved, items should be kept separate to prevent transfer of body fluids or other trace evidence. Parties should not delete or destroy any text messages, social media, emails, voicemails, written notes, or any other documents that may be relevant.

vi. Available advocates (e.g., a local rape crisis center, on-campus advocacy program) who can accompany a victim to the hospital or health provider include:

[Sexual Assault Center of East Tennessee](#) 2455 Sutherland Ave, Knoxville, TN 37919 (865) 558-9040

[Helen Ross McNabb Domestic Violence Services](#) 600 Arthur St, Knoxville, TN 37921 (865) 523-8695

vii. These services are available for victims of Sexual Misconduct whether or not a victim chooses to make an official report or participate in the institutional disciplinary or criminal process.

## VIII. Education, Training, and Awareness

A. Roane State will offer educational programming and training to their students, faculty, and staff that are intended to end Sexual Misconduct.

B. Roane State will provide user friendly materials to explain the policy and how victims can get help, and provide those materials online and through other strategies appropriate for RSCC. Institutional education related to Sexual Misconduct should be provided to incoming students. Roane State Community College will promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Education will also include information on how to prevent sexual assault, such as information on bystander intervention, as well as how to recognize abusive behavior and avoid potential abusive relationships. Students shall be trained on the procedures for filing a report, as well as procedures for institutional disciplinary action in cases of alleged sexual violence. Institutional education will also inform students of the sanctions and protective measures that the institution may impose once a report of sexual violence has been made.

C. Roane State has established procedures for regularly reviewing, evaluating, and updating this policy. Institutional training may provide training to all employees likely to witness or receive reports of sexual harassment, including faculty, school law enforcement, school administrators, school counselors, athletic coaches, and health personnel. Training should ensure that employees with the authority to address sexual harassment know how to appropriately respond to reports of sexual harassment, that employees know whether they are obligated to report sexual harassment the Title IX Coordinator or other designated official, and that all employees understand how to respond to reports of sexual harassment. Training should also ensure that professional counselors, pastoral counselors, and non-professional counselors or advocates also understand the extent to which they may keep a report confidential.

D. Title IX Coordinators, investigators, decision-makers, institution-provided advisors, any person designated to facilitate an informal resolution process, and any person designated to resolve an appeal will receive training on the definition of Sexual Misconduct, the scope of TBR and institutional education programs and activities, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Such individuals will receive training on issues of relevance related to creating and/or reviewing an investigative report that fairly summarizes relevant evidence. Training will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints.

E. Roane State will notify applicants for admission and employment, students and employees, that it does not discriminate on the basis of sex in its education programs

and activities and will provide the name, title, office address, electronic mail address, and telephone number of the Title IX Coordinator in that notification.

IX. Effective Date

A. This policy is effective August 16, 2021.

B. If any provision of the Title IX regulations on which this policy is based is enjoined or held invalid as it applies to the TBR institution or the Title IX regulations' application to any person, act, or practice is enjoined or held invalid as it applies to the TBR institution, the remainder of this policy or the application of its provisions to any person, act, or practice shall not be affected thereby.

C. For conduct that occurs across multiple versions of this policy, complaints of Sexual Misconduct will be addressed utilizing the procedures outlined in the version of this policy in effect as of the date of the Notice of Allegations. The "Definitions" and "Clarifications" sections of the policy in effect as of the date of the alleged incident will be used. Complaints and reports of conduct spanning more than one version of the policy will be addressed using the "Definitions" and "Clarifications" sections in the version of the policy in effect at the time of the most recent alleged incident.

X. Clarifications

A. Consent

1. Consent means an active agreement to participate in sexual activity. An active agreement is words and/or conduct that communicate a person's willingness to participate. The following individuals cannot give valid consent:

a. A person who is incapacitated, if either the person claiming to have obtained consent knows that the other person is Incapacitated or a reasonable person would know that the other person is incapacitated;

b. A person who is forced; or

c. A person who is under the age of eighteen (18), unless the person giving consent is at least the age of thirteen (13) and the other person is less than four (4) years older than the person giving consent.

2. During a sexual encounter, each person has responsibility for obtaining consent from the other person. During an investigation, the institution has the burden of obtaining evidence whether Sexual Misconduct occurred without consent. During any hearing, the institution has the burden of proving that Sexual Misconduct occurred without consent. (In other words, it is not a Respondent's burden to prove consent during an investigation or hearing). Whether a person has communicated consent generally is evaluated from the perspective of what a reasonable person who perceived the individual's words and/or nonverbal conduct would have understood; however, in the context of a relationship that has involved

sexual activity and a pattern of communicating consent, whether consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the sexual activity conclude based on the pattern of communication?).

3. A verbal “no” (or words equivalent to “no”) or the nonverbal communication of “no,” even if it sounds or appears insincere or indecisive, means that consent has not been communicated, or if previously communicated, has been withdrawn. The absence of a verbal “no” or the absence of a nonverbal communication of “no” does not necessarily mean that consent has been communicated.

4. Consent must exist from the beginning to the end of each sexual encounter and for each sexual act that occurs during a sexual encounter. A person has a right to change their mind; thus, consent may be withdrawn at any time. A withdrawal of consent is communicated through clear words and/or conduct that indicate that a person no longer agrees to participate in sexual activity. Once a person’s withdrawal of consent has been communicated, the other person must cease the sexual act for which consent was withdrawn and must obtain consent before reinitiating that sexual act. Consent is automatically withdrawn when a person becomes incapacitated or is forced to participate in sexual activity.

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

6. The following do not communicate a person’s willingness to participate in sexual activity:

- a. Silence, unless accompanied by non-verbal conduct conveying a willingness to participate in sexual activity;
- b. Consent communicated by the person on a previous occasion;
- c. Consent communicated to a third person;
- d. The person’s failure to resist physical force (however, for purposes of the policy, the person’s resistance to physical force will be viewed as a clear demonstration that the person has not communicated consent);
- e. A current or previous dating, romantic, intimate, or sexual relationship with the other person;
- f. Currently or previously cohabitating with the other person;
- g. The person’s attire, reputation, giving or acceptance of gifts, sexual arousal, or extension or acceptance of an invitation to go to a private residence, room, or other location.

h. One's own use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain consent from the other person. Another person's use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain consent from that person.

#### B. Force

Force includes physical force (such as pushing, hitting, pinning down), threats (direct or indirect expressions of intent to inflict harm to self or others), intimidation (implied or indirect threats), and/or other forms of coercion. To coerce is to attempt to cause another person to act or think in a certain way by use of force, pressure, threats, or intimidation; to compel is to coerce.

#### C. Incapacitation

1. A person violates this policy when they engage in sexual activity with another person who is incapacitated under circumstances in which a reasonable person would have known the other person to be incapacitated. For evaluating incapacitation, a "reasonable person" means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the Respondent.

2. Incapacitation can be voluntary or involuntary. Signs of incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

3. Blacking out is an amnesia-like state that may be brought on by drugs, heavy drinking, or intoxication; blacking out is not necessarily incompatible with the ability to engage in simple or even complex behavior. After blacking out, a person has no recollection of all or part of the events that occurred during the blackout. There is a distinction between passing out (falling asleep or becoming unconscious) due to drug or alcohol use and blacking out in that a person in a blackout remains conscious and operative.

4. Incapacitation or incapacitated means a person's inability, temporarily or permanently, to communicate a willingness to participate in an activity (e.g., sexual activity) because of mental or physical helplessness, sleep, unconsciousness, or other lack of awareness that the activity is taking place. Incapacitation can be voluntary or involuntary. Signs of incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of

circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances. Alcohol and drugs (including “date rape” drugs) are common causes of incapacitation. When alcohol or drugs are involved, incapacitation is a state beyond mere drunkenness or intoxication.

**D. Severe and Pervasive**

Severe means behavior that is more than antagonistic, non-consensual, and crass, even where the behavior is based on differences in sex or gender. Pervasive means systemic or widespread, and it necessarily involves more than one incident of sexual harassment.

Revision History: 11/20/1999; 09/15/2003, 12/04/2006, 06/04/2007, 09/11/2014, 04/06/2016, 02/01/2017, 09/05/2019, 08/14/2020, 08/16/2021

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**Revision Date Effective:** 08/16/2021

**Revision Approval By:** Christopher L. Whaley, President

**Original Date Effective:** 06/03/1994

**Original Approval By:** Sherry L. Hoppe, President

**Office Responsible:** Vice President for Business & Finance

**Reviewed:** 07/29/2021

## **ATTACHMENT D**

**Roane State Community College**

**Policy Number: SA-06-01**

**Subject: Student Discipline**

**I. Purpose**

The Tennessee Board of Regents authorizes the institutions under its jurisdiction to take such action consistent with this policy as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment. Institutional policies on this subject shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs.

## II. Definitions

For the purpose of this policy, a “student” shall mean any person

- o who is admitted, enrolled and/or registered for study (including for non-credit classes) at Roane State Community College (RSCC) for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period, following the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the college; who engaged in academic misconduct as part of the application process; and/or
- o who previously attended a TBR institution and who was found to have violated the institution’s student conduct and disciplinary standards policy during the time of enrollment.
- o “Student” shall also include any person subject to a period of suspension or removal from campus resulting from a finding of a violation of this policy
- o Unless explicitly provided otherwise in these rules, the term “student” shall also refer to student organization.

Definitions of “Disciplinary Offenses” and “Disciplinary Sanction” are included in their respective sections, II. and V.

## III. Policy

A. Students enrolled at Roane State Community College are citizens of their civic communities as well as the academic community. As such they are expected to conduct themselves as law-abiding members of each community at all times.

B. Admission to RSCC carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the college and the academic community which it seeks to serve, the Tennessee Board of Regents (“TBR” or “the Board”) has authorized the presidents of the institutions under its jurisdiction to take such action as may be necessary to maintain conditions on institution-owned and controlled property and to preserve the integrity of the institution and its educational environment.

C. Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the Board has developed the following policy, which

is intended to govern student conduct at the institutions under its jurisdiction.

D. Each institution under the jurisdiction of the TBR is directed to implement policies subject to, and consistent with, this policy.

E. In addition, students are subject to all federal, state and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects the college's pursuit of its educational objectives, Roane State may enforce its own policies regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities.

F. Students are responsible for compliance with this policy and with institutional policies and regulations.

G. Disciplinary action may be taken against a student for violation of policies and regulations that occur on institutionally owned, leased or otherwise controlled property, while participating in international or distance learning programs, and off campus, when the conduct impairs, interferes with, or obstructs any college activity or the mission, processes, and functions of the college. In the case of violations that occur off institutionally owned, leased, or controlled property, the college will take into account whether the violation impairs, interferes with, or obstructs any institutional activity, or the mission, processes, and function of the college, including, but not limited to, conduct that:

1. occurs in connection with any institutional activity, including but not limited to, international, distance, online, or remote learning programs, athletics events and other extracurricular activities, clinical, internship, practicum, and similar activities;

2. occurs while using institutional resources, such as computers and network systems;

3. involves or affects another member of the TBR community (a student, faculty, staff member, or guest of RSCC) or

4. poses a credible, serious threat to the health and safety of the college community.

H. This policy, and related material incorporated herein by reference, is applicable to student organizations as well as individual students. Whether a student organization will be held responsible for a violation of these rules by one or more of its members will be based on the following considerations:



1. the violation is endorsed by the student organization or any of its officers. “Endorsed by” includes, but is not limited to, active or passive consent or support, having prior knowledge that the conduct was likely to occur, or helping to plan, advertise, or promote the conduct;

2. the violation took place during the course of an activity paid for by the student organization or by members of the student organization to support the activity in question;

3. the prohibited conduct occurred on property owned, controlled, rented, leased, or used by the student organization or any of its members for an organizational event;

4. the prohibited conduct was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; and

5. one or more officers of the student organization had prior knowledge or reasonably should have known the prohibited conduct would likely take place.

I. Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g, the Tennessee Public Records Act, T.C.A. § 10-7-504, and/or other state and federal law, a student’s disciplinary records and files are considered “education records” and are confidential in accordance with those statutes.

J. Matters involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity, if within the scope of TBR Policy 6.03.00.00, Sexual Misconduct, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Policy 6.03.00.00, Sexual Misconduct, and not this policy.

#### IV. Disciplinary Offenses

A. Disciplinary measures shall be imposed according to this policy and applicable procedures and processes.

B. Institutions shall use the “preponderance of the evidence” standard. A preponderance of the evidence means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.

C. These rules shall not be used to violate rights guaranteed under the constitution of the State of Tennessee or the constitution of the United States.

D. Institutions shall adopt and publish notice of offenses for which both individuals and student organizations may be subject to disciplinary action.

E. Both students and student organizations may be subject to disciplinary action for the following disciplinary offenses identified in this policy:

1. Threatening Conduct. Any conduct, threatened conduct, or attempted conduct that, poses a threat to a person's safety, health, or personal well-being including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement that an objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals;

1. Threatening Conduct – Any conduct, threatened conduct, or attempted conduct that poses a threat to a person's safety, health, or personal wellbeing including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement than an objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit to commit an act of unlawful violence to a particular individual or group of individuals.

2. Disruptive Conduct – Any conduct, threatened conduct, or attempted conduct that is disruptive to the college's learning environment, including, but not limited to, engaging in any action that interferes with the ability of the instructor to teach or other students to learn. Disruptive conduct in the class setting (which includes but is not limited to remote education and off-site locations) includes, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students or instructors, repeated outbursts from a student that disrupts the flow of instruction or prevent concentration, failure to cooperate in maintaining class decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others.

3. Hazing - Hazing, as defined in T.C.A. §49-7-123(a)(1), 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.

4. Disorderly Conduct - Any individual or group behavior which is abusive, obscene, lewd, indecent (including, without limitation, public exposure of one's sex organs, public urinating, and public sexual acts), violent, excessively noisy, disorderly, or which unreasonably disturbs college functions, operations, classrooms, other groups or individuals.

5. Obstruction of or interference with college activities or facilities. Any intentional interference with or obstruction of any college program, event or facility including but not limited to the following:

a. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities.

b. Interference with the right of any college member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by Roane State.

c. Any obstruction or delay of a security officer, public safety officer, police officer, firefighter, EMT, or any official of the college, or failure to comply with any emergency directive issued by such person in the performance of their duty.

d. Participation in a demonstration that substantially impedes college operations.

e. Obstruction of the free flow of pedestrian or vehicular traffic on property owned, leased or controlled by the college or at a college activity.

6. Misuse of or Damage to Property - Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to Roane State or a member of the Roane State community including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices.

7. Theft, Misappropriation, or Unauthorized Sale of Property.

8. Misuse of Documents or Identification Cards - Any forgery, alteration of or unauthorized use of college documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the college.

9. Weapons - Possession, carrying, using, storing, or manufacturing any weapon on college controlled property or in connection with a college affiliated activity, unless federal or state law provides a student with an affirmative right to possess or carry a weapon on college controlled property or in connection with a college affiliated activity. (Access the complete detailed RSCC Firearms and Other Weapons policy, GA-13-04 at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).)

10. Explosives, Fireworks, Flammable, and Hazardous Materials - The unauthorized possession, ignition or detonation of any object or article that represents a potential danger to the college community, including but not limited to explosives, fireworks, flammable materials, ammunition, hazardous liquids, chemicals, or hazardous materials.

11. Alcoholic Beverages and Alcohol-Related Conduct - The use, possession, and/or sale of alcoholic beverages, on college owned or controlled property or in connection with any college activity unless expressly permitted by Roane State.

12. Drugs - The unlawful possession, use, sale or manufacture of any drug or controlled substance (including but not limited to any stimulant, depressant, narcotic, or hallucinogenic drug, or marijuana). This offense includes using or possessing a prescription drug if the prescription was not issued to the student, as well as the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs. This includes any violation of any term of the Roane State Community College Drug-Free Schools and Communities Policy Statement. (Access the complete detailed RSCC Drug-Free Environment policy, GA-21-03 at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).) Pursuant to Tennessee Code Annotated §49-7-146, RSCC is required to notify a parent of a student under age twenty-one (21) if the student “has committed a disciplinary violation” with respect to the use or possession of alcohol or a controlled substance that is a violation of any federal, state, or local law, or of any rule or policy of RSCC, except as prohibited by the Family Educational Rights and Privacy Act (FERPA). The trigger for notification will be 1) a plea of guilty to the applicable code of conduct violation, or 2) a final finding of guilt pursuant to disciplinary procedures. The Drug-Free Schools and Communities Act of 1989 is included in the on-line student handbook.

13. Drug Paraphernalia - The use, possession, distribution, sale, or manufacture of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia.

14. Public Intoxication - Appearing on college owned or controlled property or at a college sponsored event or affiliated clinical site while under the influence of alcohol, a controlled substance or any other intoxicating substance.

15. Gambling - Unlawful gambling in any form.

16. Financial Irresponsibility - Failure to meet financial responsibilities to the RSCC promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution.

17. Unacceptable Conduct Related to Disciplinary Proceedings - Any conduct at any stage of an college disciplinary proceeding or investigation that is contemptuous, threatening, retaliatory, or disorderly, including false complaints, false testimony or other falsification of evidence, and attempts to influence the impartiality of a member of an adjudicatory body, verbal or physical harassment or intimidation of a college official, hearing panel member, complainant, respondent or witness.

18. Failure to Cooperate with College Officials - Failure to comply with reasonable directions of college officials acting in the performance of their duties. This includes, but is not limited to failing to respond to a request to report to a college administrative office, failing to cooperate in a college investigation, and/or failing to appear at a college hearing, including, without limitation, a disciplinary hearing.

19. Attempts, Aiding and Abetting - Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section. (An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission). Being present during the planning or commission of any offense listed under this section without having made an immediate report to the college prior to the commission of the planned offense will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the college.

20. Violations of State or Federal Laws - Any conviction of violation of state or federal laws, rules, or regulations prohibiting conduct or establishing offenses.

21. Violation of Imposed Disciplinary Sanctions - Intentional or unintentional violation of a disciplinary sanction imposed through a college disciplinary proceeding.

22. Sexual Misconduct – Committing any act of sexual assault, rape, sexual battery, domestic violence, or dating violence as defined by state

or federal law. Sexual misconduct is a form of sex discrimination prohibited by Title IX. Roane State is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. Any allegation of sexual misconduct as defined herein will be investigated and adjudicated according to this policy. The Roane State Community College Sexual Misconduct policy PA-02-02, fulfills the federal requirements of the Violence Against Women Act (VAWA), the Campus SaVE Act, Title IX, and the Campus Security Act of 1990: State Laws TCA §36-3-601(5)(c); TCA §39-17-315. (Access the complete detailed RSCC policy PA-02-02 at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/)). The above federal and state policies provide guidelines for Roane State to develop awareness and prevention programs for students and employees to keep our campuses safe from sexual violence.

23. Harassment, Stalking, or Retaliation - Any conduct that falls within T.C.A. § 39-17-308 (Harassment) or T.C.A. § 39-17-315 (Stalking) or “student on student harassment,” which means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal state or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to educational opportunity or benefit. Engaging in “retaliation,” which is an act or omission committed by a student because of another person’s participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation violates these standards regardless of whether the underlying allegation of a violation of policy is ultimately found to have merit. Retaliation can include, without limitation, an act or omission committed against a person’s family, friends, advisors, and/or other persons reasonably expected to provide information in connection with a college investigation or hearing, and an act or omission committed by a student through a third party.

24. Discrimination – Any conduct prohibited by any federal or state law, rule, or regulation related to discrimination, harassment, or retaliation.

25. Academic Misconduct – Any action or attempted action designed to provide an unfair academic advantage or disadvantage for oneself or others. Academic misconduct includes a wide variety of behaviors such as plagiarism, cheating, fabrication, and other academic dishonesty. For purposes of this policy the following definitions apply:

a. Plagiarism - The adoption or reproduction of ideas, words, statements, images, or works of another person as one’s own without proper attribution. Examples include but are not limited to copying of passages from works of others into one’s own work without acknowledgement, summarizing or paraphrasing ideas from another source without proper attribution, unless such information is recognized as common

knowledge, and using facts, statistics graphs, representations, or phrases without proper attribution.

b. Cheating - Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Examples include but are not limited to copying another's work, obtaining or giving unauthorized assistance, unauthorized collaboration or collusion with another person, having another person take a test for a student, and the use of unauthorized materials or devices. The term academic exercise includes all forms of work submitted for credit or hours.

c. Fabrication – Falsifying, fabricating, or misrepresenting data, research results, citations or other information in connection with an academic assignment. Unauthorized falsification or invention of any information or citation in an academic exercise.

26. Unauthorized Duplication or Possession of Keys - Making, causing to be made or the possession of any key for an institutional facility without proper authorization.

27. Litter - Dispersing litter in any form onto the grounds or facilities of the campus.

28. Pornography - Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and (3) taken as a whole, lacks serious literary, artistic, political or scientific value.

29. Abuse of Computer Resources and Facilities - Misusing and/or abusing campus computer resources including, but not limited, to the following: (Access the complete detailed RSCC Ethical and Responsible Use of Computer Resources, GA-18-01, at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/)) . The policies and procedures outlined in this document apply to all RSCC faculty, staff, students, visitors, and contractors. This policy applies to all academic, administrative, networking and microcomputer resources owned, leased or installed at all Roane State Community College locations.

a. Use of another person's identification to gain access to institutional computer resources

b. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems

c. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file.

d. Unauthorized transfer of a computer or network file

e. Use of computing resources and facilities to send abusive or obscene correspondence

f. Use of computing resources and facilities in a manner that interferes with normal operation of the college computing system

g. Use of computing resources and facilities to interfere with the work of another student, faculty member, or college official

h. Unauthorized peer-to-peer file sharing

30. Unauthorized Access to College Facilities and/or Grounds - Any unauthorized access and/or occupancy of institutional facilities and/or grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present.

31. Providing False Information - Giving any false information to, or withholding necessary information from, any college official acting in the performance of his/her duties in connection with a student's admission, enrollment, or status in the college.

32. Observation Without Consent -- Observation without consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of this policy, means knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means.

33. Smoking Violations – Smoking or tobacco use in any institution building or facility, in any state-owned vehicle, or on any college grounds or property, unless in a designated smoking or tobacco use area. For the purposes of these rules, “tobacco use” includes but is not limited to the personal use of any tobacco product, whether intended to be lit or not, which includes smoking tobacco or other substances that are lit and smoked, as well



as the use of electronic cigarette or any other device intended to simulate smoking, and the use of smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, and for of loose-leaf smokeless tobacco and the use of unlit cigarettes, cigars, and pipe tobacco. Access the complete detailed RSCC policy GA-21-01, Smoking and Tobacco Use Products at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).

34. Maintenance of Ethical and Professional Standards – Failure to maintain the high ethical and professional standards of the various disciplines of the health professions may subject a student to suspension from a program, dismissal from a program, or other appropriate remedial action.

a. A student enrolled in a program leading to a degree or certificate in a health profession is subject to disciplinary action up to and including suspension and dismissal from a program for engaging in the following acts of misconduct, regardless of location:

i. Commission of an offense classified as a felony by Tennessee or federal criminal statutes;

ii. Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious;

iii. Other unprofessional or unethical conduct that would bring disrepute and disgrace upon both the student and profession and that would tend to substantially reduce or eliminate the student's ability to effectively practice the profession in which discipline he or she is enrolled; or

iv. Conduct that is in violation of either a relevant Tennessee statute establishing professional standards or a rule or regulation of a Tennessee regulatory board or other body responsible for the establishment and enforcement of professional standards.

b. A person applying for admission to a health profession program may be denied admission to the program on the basis of his/her violation of the aforementioned ethical and professional standards.

35. Traffic and Parking Fines -- Receiving \$100.00 or more in traffic and/or parking violation on college property or college controlled property during any semester.

F. Indecent Exposure – Indecent Exposure, which is prohibited by T.C.A. §39-13-511 (a criminal statute), for purposes of this policy means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will

offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.

#### G. Disciplinary Holds.

1. An institution may place a hold on a student record when the student has
  - a. Withdrawn from the institution while a disciplinary meeting and/or proceeding is pending;
  - b. Not responded to an institutional official's request for a meeting or hearing; or
  - c. Been suspended or expelled.
2. A disciplinary hold may remain on a student's record until final resolution of a disciplinary meeting and/or disciplinary hearing.
3. Roane State will not confer a degree or credential when a student record has been placed on hold, or when a student has a pending disciplinary meeting and/or disciplinary proceeding.
4. Except for cases involving Academic Misconduct, the college will not revoke a degree or credential based on conduct occurring while a person was a student, but not discovered until after the awarding of a degree or credential.

#### V. Classroom and Academic Misconduct

##### A. Classroom Misconduct.

1. The instructor has the primary responsibility for maintenance of academic integrity and controlling class (which for this policy includes any remote class and/or offsite class such as a clinic site or other non-traditional class environment) behavior and responding to disruptive conduct.
2. The instructor may order the temporary removal or exclusion from the class of any student engaged in disruptive conduct or other conduct that violates this policy for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be effected only through appropriate procedures.

##### B. Academic Misconduct

1. Academic misconduct is prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed in accordance with this policy, the instructor has the authority to take academic discipline consistent with institutional policy, procedures, and processes.

2. An instructor who determines that a student has engaged in academic misconduct may choose to exercise academic discipline by lowering to any extent, including to a grade of “F” or “zero,” a student’s grade in the course, assignment, or examination affected by the alleged academic misconduct.

3. An instructor who initiates academic discipline shall inform the appropriate Dean (or other individual(s) identified by the college) in writing of the finding of academic misconduct, the basis therefor, the academic discipline imposed, and the appeals process within five (5) days of the imposition of academic discipline.

4. A student may not withdraw from a course pending final resolution of an allegation of academic misconduct. Students are permitted and encouraged to continue attending class until the academic disciplinary decision, including all appeals, is final.

5. A student charged with academic misconduct has the option of either accepting the academic discipline imposed by the instructor or initiating the appeals process to challenge the allegation of academic misconduct or the severity of the academic discipline. If the student does not respond in writing within five (5) days by either accepting or appealing the academic discipline to the college’s academic misconduct appeals committee, the student waives the right to contest the academic discipline, at which time it becomes final.

6. An institutional academic misconduct appeals committee shall consist of at least three (3) individuals and include at least one (1) student. The chief academic officer or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not participate on the committee. Any individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. Roane State Community College will maintain a standing pool from which individuals may be appointed and/or appoint ad hoc academic misconduct appeals committees.

7. The academic misconduct appeals committee will set a hearing date that is within fifteen (15) business days of receipt of date of the student’s appeal. The student must receive at least seven (7) calendar days’ notice of the date, time, and location of the hearing. A student will be notified of the due process protections provided for in this policy.

8. The academic misconduct appeals committee will conduct the appeal hearing, consider the evidence presented, and make a decision based on a simple majority vote using a preponderance of the evidence standard. The committee can either uphold, overturn, or lessen the academic discipline. The results of the committee’s decision will be conveyed to the student in writing, through the chief academic officer or other individual identified by the institution, within ten (10) business days of the hearing.

9. If the academic misconduct appeals committee upholds or lessens the academic discipline, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

10. The institution's chief academic officer, president, or other administrator identified by the institution has the ability to extend any deadline in this section for good cause and upon written notice to the student.

11. In addition to academic discipline, a student who is found responsible for academic misconduct, either one or more times, may be subject to disciplinary sanctions in accordance with this policy.

12. The institution shall maintain permanently all submissions by the student and all decisions of institutional officials and committees relating to academic misconduct.

## VI. Disciplinary Sanctions

A. The college shall publish this policy, provide notice of potential disciplinary sanctions applicable to both students and student organizations. Disciplinary sanctions may be imposed only after a violation of this policy has been established. Disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution or school officials.

### B. Types of Sanctions.

1. Restitution. Restitution may be required in situations which involve theft, destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student or student organization is obligated by the appropriate institutional authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). This action may take the form of appropriate service, monetary compensation, or material replacement. Any monetary payment in restitution shall be limited to actual cost of repair, replacement or financial loss;

2. Warning. The appropriate institutional official may notify orally or in writing the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;

3. Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of this policy and provides notice that any further violation(s) may result in more serious penalties;

4. Service to the Institution or Community. A student, or student organization, may be required to donate a specified number of service hours to the

institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (including but not limited to service for maintenance staff for defacing institutional property);

5. Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;

6. Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, but is not limited to denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;

7. Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to this policy. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include but not be limited to restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of this policy while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;

8. Suspension. Suspension is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;

9. Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition by the institution. A student or organization that has been expelled may not enter institution property or facilities or institution-controlled property or facilities without obtaining prior approval from an appropriate campus official with knowledge of the expulsion directive;

10. Revocation and Withholding of Admission, Degree, or Credential; and

11. Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of TBR rules, this policy, or an institutional policy should not be altered until a final determination has been made in regard to the charges. However, interim or involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the

institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment or other campus activities. In any case of interim or involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension in accordance with this policy.

C. The president is authorized, either personally or through a designee, to negotiate a mutually acceptable resolution to any disciplinary proceeding or to rescind or convert any sanction imposed to a lesser sanction.

## VII. Disciplinary Procedures

A. Institutions shall provide students with a system of constitutionally and legally sound procedures that provide the protection of due process of law in accordance with TBR Systemwide Student Rules, this policy, and applicable state and federal law. All policies adopted related to student conduct shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Once adopted or amended, all disciplinary procedures shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.

B. At community colleges, the Vice President of Student Affairs (VPSA) or other administrator designated by the institution is responsible for matters within the scope of this policy, except that the Chief Academic Officer is responsible for matters related to academic misconduct. In situations where the conduct could fall within both areas of responsibility, the two offices will confer and decide which procedures will apply and advise the student or student organization in writing of the decision.

C. Complaints related to discrimination, harassment, and retaliation that are not subject to another rule will be investigated and resolved in accordance with this policy and the institution's restatement of this policy, procedures, and processes.

1. In determining whether the evidence establishes a violation of institutional policy, the institution shall use the preponderance of the evidence standard for contested cases, as explained in TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act and Department of State Rule 1360-04-01. At all times the burden of obtaining evidence and establishing a violation shall be on the institution.

2. In the event of bias or conflict of interest by an institutional official, the institution may appoint a substitute, who may or may not be employed by the institution.

3. The investigator shall conduct an appropriate investigation, which may include interviews of the parties and witnesses, as well as review of documents and other information. The purpose of the investigation is to determine whether the

evidence establishes a violation of institutional policy and procedures. The parties are encouraged, but not required, to provide information that they want the investigator to consider.

4. The investigator shall provide written notice of receipt of a written complaint or the decision to initiate an investigation.

5. The investigator shall notify students that the institution will comply with FERPA and only disclose information in accordance with FERPA and other applicable law.

6. The investigator shall prepare a report summarizing the investigation. The report shall include, but not be limited to, the dates of the alleged occurrences, the response of the respondent, the findings of the investigator, and recommendations regarding disposition of the complaint.

7. The report shall be submitted to the institution's president within sixty (60) calendar days following receipt of the complaint, absent cause for extending the investigation timeline. In situations where more time is needed to complete the investigation, written notice shall be provided to the parties explaining the reasons.

8. The president shall review the investigator's report and shall make a written determination as to whether this policy, and institutional policy, processes, and procedures have been violated and the appropriate disciplinary sanction, if any. The president's determination and the investigator's report shall be provided to the parties, unless prohibited by law.

9. Either party may send a written request to reconsider to the president within ten (10) working days, absent good cause, of receipt of the president's determination.

a. The request to reconsider process shall consist of an opportunity for the parties to provide information to the president's attention that would change the determination and/or disciplinary sanction. A party must explain why the factual information was incomplete, the analysis of the facts was incorrect, the determination was affected by bias or a conflict of interest, procedural irregularity, and/or the appropriate standard was not applied, and how this would affect the determination. Failure to do so may result in denial of the request to reconsider.

b. The parties will not be allowed to present their request to reconsider in person unless the president determines, in his or her sole discretion, to allow an in-person appearance.

c. The president shall issue a written response to the request to reconsider as promptly as possible. The decision will constitute the institution's final decision.

d. The institution shall provide written notice of the ability to contest the determination and/or disciplinary sanctions, including where applicable, the ability to request a contested case hearing pursuant to the UAPA, to the parties at the time the parties are advised of the determination and upon the resolution of any request to reconsider or appeal.

D. Students and student organizations subject to any disciplinary sanction are entitled to a due process hearing in accordance with this policy and standards established by the constitutions of the State of Tennessee and the United States unless that right is waived after receiving written notice of the available procedures.

E. All proceedings under this policy will be held in closed session and not open to the public. Formal rules of evidence shall not be applicable. The administrator or committee chair may exclude evidence which in their judgment is immaterial, irrelevant, or unduly repetitious.

F. Written notice to a student or student organization is accomplished either by handing a copy to the student; sending documents via to email to the student's or student organization's institutional email account; email account of record on file with the institution; or by sending a copy via certified mail, registered mail, return receipt requested mail, or a nationally recognized delivery service that tracks delivery to the student's residence of record or the student organization's address of record.

G. Initiation of Changes

1. An institution may initiate the disciplinary process on the basis of written allegations received from any source, including any member of the college community. Complaints should be directed to the VPSA or other administrator identified by the institution, except that complaints relating to discrimination, harassment, and retaliation should be referred to the administrator identified by the institution so that such complaints can be handled in accordance with institutional policy and procedures. Roane State may also initiate disciplinary procedures without written allegations if it becomes aware of potential violations of these rules through other means.

2. When the allegations, if proven, may warrant the imposition of a disciplinary sanction, the institution shall inform the student of the allegations and proceed to gather information concerning the matter, including, but not limited to, interviewing relevant witnesses and reviewing relevant documents and evidence. Students who may be the subject of disciplinary sanctions will be provided the minimum due process protections identified in this policy.

3. After reviewing the evidence, the administrator with responsibility for the matter shall decide whether sufficient evidence exists to charge the student, and if so, the appropriate disciplinary sanction(s). Notice of the charges and disciplinary sanction(s), if any, shall be provided in writing to the student. If there



is insufficient evidence to continue the disciplinary process, the matter will be closed, and written notice will be provided to the student.

H. Minimum Due Process Protections. Institutions shall provide the following minimum procedural due process protection components in disciplinary matters:

1. The student shall be advised, in writing, of the breach of the policy provision(s) of which he or she is charged;
2. The student shall be advised of the time, date, and place of the hearing allowing reasonable time for preparation; and
3. The student shall be advised of the following rights applicable at the hearing:
  - a. The right to present his or her case;
  - b. The right to be accompanied by an advisor of his or her choice. The advisor's participation shall be limited to advising the student, and not include advocating on behalf of the student, speaking on behalf of the student, or otherwise actively representing the student. An advisor is not permitted to interfere with the hearing;
  - c. The right to call witnesses on his or her behalf;
  - d. The right to confront witnesses against him or her; and
  - e. The method and time limitations for appeal, if any is applicable.

I. Options for Students. Four potential processes exist for adjudication of disciplinary matters. The student will be informed in writing of each available option and the due process rights associated with each option. A student will have five (5) business days following written notification to select an option. If a student fails to return the election of a procedure in a timely manner, the student will be deemed to have waived the right to contest the disciplinary sanction. Selection of one option constitutes waiver of all other options.

1. Contested Case Hearing: All cases which may result in either: suspension or expulsion of a student from the institution for disciplinary reasons, or revocation of registration of a student organization, are subject to the contested case provisions of the Uniform Administrative Procedures Act , T.C.A. § 4-5-301 et seq., and TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act, unless the student or student organization, after receiving written notice, waives those procedures.

2. A student at a community college may elect an institutional panel hearing.

- a. Institutional Panel Hearing

i. An institutional panel hearing committee at a community college shall consist of at least three (3) individuals and include at least one (1) student. The dean of students or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not vote as to the committee's decision. An individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. The institution may appoint individuals from standing pools and/or appoint ad hoc committees.

ii. The committee will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a panel hearing. The student must be notified of the date, time, and location of the hearing as soon as possible, but given at least seven (7) calendar days' notice. A student will be notified of the due process protections provided for in these rules.

iii. The committee will conduct the hearing, consider the relevant evidence presented, and make a decision based on a simple majority vote. The committee can either uphold, overturn, or lessen the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student in writing, through the dean of students or other administrator identified by the institution, within ten (10) business days of the hearing.

iv. If the committee upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

v. The president, dean of students or other administrator identified by the institution has the ability to extend deadlines for good cause and upon written notice to the student.

vi. The institution shall maintain all submissions by the student and all decisions of institutional officials and committees permanently.

3. Administrative Resolution. An administrative resolution involves the student meeting with a single administrator appointed by the dean of students or other administrator identified by the institution.

4. A student may elect not to contest the disciplinary action, either affirmatively or by failing to return the election of a procedure in a timely manner, which serves as a waiver of the right to contest the disciplinary action.

#### J. Procedures Related to Interim Involuntary Withdrawal or Suspension Hearings.

1. When the Vice President for Student Affairs or other administrator identified by the college determines that an interim suspension or other interim measure is required for the health and safety of the college community and/or

property, or to prevent an ongoing imminent threat of disruption to or interference with the normal operations of the college, the student will receive an opportunity for an informal hearing with the VPSA or other administrator identified by the institution to contest the interim measure.

2. The informal hearing will be held within five (5) calendar days, absent good cause.

3. The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim suspension or other interim measure.

K. Alternative Resolution Procedures: An institution, with the consent of all relevant parties, may use an alternative resolution method including, but not limited to, an apology, mediation, or a negotiated resolution.

Exhibits

[Exhibit 1 - Guide to Gun Laws on Campus \(pdf /63.72 KB\)](#)

(Originally published as policy SA-06-01, General Regulations on Student Conduct and Disciplinary Sanctions)

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**Revision Approval By:** Christopher L. Whaley, President

**Original Date Effective:** 02/24/2008

**Original Approval By:** Gary Goff, President

**Office Responsible:** Vice President Student Services & Enrollment Management

**Reviewed:** 07/27/2021

## ATTACHMENT E

**Roane State Community College**

**Policy Number: GA-21-03**

**Subject: Drug-Free Environment**

This statement is being distributed online to all Roane State Community College employees, faculty, and students in compliance with the provisions of the Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et. seq.) and the Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. 3171, et. seq.).

### I. Policy

Roane State Community College supports the provision of a drug-free environment by:

- A. Providing notice to all employees and students that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace, and that violation of any of these prohibitions may result in termination of employees or expulsion of students.
- B. Establishing a drug-free awareness program to inform employees and students about:
  - 1. The dangers of drug abuse in the workplace
  - 2. The college policy of maintaining a drug-free environment
  - 3. The availability of drug counseling referral services
  - 4. The penalties that may be imposed for drug abuse violations (termination of employees or dismissal for students)
  - 5. Notification of Roane State administration of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction
- C. Providing any person employed under a grant of federal monies notice that as a condition of employment under the grant, the employee will:
  - 1. Abide by the terms of paragraph A
  - 2. The college will provide notice of the violation to the appropriate federal agency within ten days after receiving notice under subparagraph B.5., and take appropriate personnel action against the employee up to and including termination or requiring the employee to participate in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health law enforcement or other appropriate agency.
- D. Providing that any student receiving federal grants, as a condition of the grant, will certify that they will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity connected with the grant.

## II. Legal Sanctions

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell, controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substance involved, the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance, and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment, a fine of up to \$4,000,000 if an individual, supervised release, any combination of the above, or all three. These sanctions are doubled when the offense involves either: 1) distribution or possession at or near a school or college campus or, 2) distribution to

persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor's senior, and the adult knew that the person was minor, the offense is classified a felony as provided in T.C.A. §39-17-417. (21 U.S.C. 801, et. seq.; T.C.A. §39-17-417)

It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his employment), or consume alcoholic beverages, wine, or beer, such offenses being classified Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2500, or both (T.C.A. §1-3-113, 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)

### III. Institutional/School Sanctions

Roane State Community College will impose the appropriate sanctions on any employee or student who fails to comply with the terms of this policy.

#### A. Employees

As a condition of employment, each employee, including student employees, must abide by the terms of this policy and must notify their department head/supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body. Possible disciplinary sanctions for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following:

1. Termination
2. Suspension
3. Mandatory participation in, and satisfactory completion of, a drug/alcohol abuse program, or rehabilitation program
4. Recommendation for professional counseling
5. Referral for prosecution
6. Letter of warning
7. Probation

## B. Students

Possible disciplinary sanctions for failure to comply with the terms of this policy may include one or more of the following:

1. Expulsion
2. Suspension
3. Mandatory participation in, and satisfactory completion of, a drug/alcohol abuse program, or rehabilitation program
4. Referral for prosecution
5. Probation
6. Warning
7. Reprimand

See Student Disciplinary policy SA-06-01 for the full detailed version of student due process procedures for violations of this policy. Access the complete detailed RSCC policy, Student Disciplinary, at [RSCC's policy website](#).

## IV. Health Risks Associated With the Use of Illicit Drugs and the Abuse of Alcohol

A cursory description of the health risks associated with the use of beverage alcohol and illicit drugs are as follows:

### A. Alcohol

Use or abuse of alcohol is the most neglected health problem in the United States today. Alcoholism is a complex, progressive disease in which the use of alcohol 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, half of all murders, and is involved in over 50% of all arrests. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death.

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, liver disease, gastrointestinal disease, and other illnesses. Alcoholism reduces life

expectancy by twelve years.

Beverage alcohol can damage all body organs, leading to liver, heart and digestive problems, circulatory system interference, personality disorders, reproductive problems, and central nervous system disorders such as poor vision, loss of coordination, memory loss, loss of sensation, mental/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 (mood altering) drugs.

#### B. Illicit Drugs

Illicit drugs are natural and synthetic chemical substances used to affect body processes, the mind and nervous system and behavior and feelings used without medical supervision to alter the sensorium of the user. The use of illicit drugs results in many of the health risks that are involved with alcohol use. However, specifically, the illicit use of drugs 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 "flash-back phenomenon", hallucinations, unconsciousness, deep depression, distortion of time and space, permanent damage to the 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 singularly or in certain combinations may cause death.

#### V. Available Drug and Alcohol Counseling, Treatment, Rehabilitation Programs, and Employee Assistance Programs

The counselors in Roane State Counseling and Disability Services provide short term supportive counseling and referrals to appropriate community resources for current students who now have or have had a drug and/or alcohol problem. The procedures are:

- A. To encourage the individual with a problem to seek the assistance of a qualified drug/alcohol therapist or seek treatment from a drug treatment center, or other appropriate community resources. mental health center.
- B. Provide information to the individual regarding treatment and other community resources in the surrounding area Description materials are provided when available detailing the facility, length of stay, cost, etc. For a detailed list please view the [RSCC Quick Reference Community Resource List](#).
- C. Provide short term supportive counseling and encourage the student to contact community resources.

- D. Employees seeking assistance should contact [EAP](#) directly, or they may contact Human Resources.

Revision History: 03/27/1989, 07/01/1995, 11/15/1999, 12/04/2006, 06/02/2008, 09/15/2014

**Revision Date Effective:** 08/20/2018

**Revision Approval By:** Christopher L. Whaley, President

**Original Date Effective:** 02/20/1989

**Original Approval By:** Sherry L. Hoppe, President

**Office Responsible:** Vice President Student Services & Enrollment Management

**Reviewed:** 08/14/2018

## ATTACHMENT F

### Roane State Community College

**Policy Number:** GA-20-01

**Subject:** Alcoholic Beverages

- I. The use, possession, distribution, sale or manufacture of alcoholic beverages, or public intoxication on property owned or controlled by the institution (Roane State Community College), at an institution sponsored event (including any approved study abroad program), or on property owned or controlled by an affiliated clinical site is prohibited. This includes any violation of any item of the Roane State Community College's Drug-Free Environment policy GA-21-03. Access the complete RSCC policy GA-21-03, which is applicable to all RSCC students and all RSCC employees, located at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).
  - A. The president of RSCC is authorized to, and may from time to time designate a place on property owned or controlled by the institution where alcoholic beverages may be served by alumni and foundation organizations at a function or event sponsored by said organization.
  - B. The president of RSCC is also authorized to approve alcoholic beverages to be served and/or sold by the Princess Foundation at the Princess Theatre property that is controlled by the institution.
  - C. The designated area shall not be in classrooms, labs, faculty or administration offices, student gathering areas, outdoor public areas, or athletic facilities accessible to the public. Furthermore, under TBR policy 1.07.00.05 the use and/or possession of alcoholic beverages by students is prohibited on property owned or controlled by the institution. Access the complete TBR policy at <https://policies.tbr.edu/>.
  - D. The sale of alcoholic beverages at the designated place is prohibited unless application to serve/sell has been approved by the president of RSCC. This is only an option for an event organized thru the Princess Foundation for our controlled Princess Theatre property. . "Sale" means



transfer, trade, exchange, or barter, in any manner or by any means, for consideration, including, but not limited to, requiring fees or the purchase of tickets for admission to the area or event at which alcoholic beverages will be served. State funds may not be used for the purchase of alcoholic beverages.

E. Notwithstanding the provisions noted above, the sale of alcoholic beverages shall be permitted:

1. If property owned by the Tennessee Board of Regents is disposed of by lease, it is permissible for the tenants of the lessee(s) to sell alcoholic beverage subject to approval by the institution of the tenants occupying the leased property.
2. Compliance with all applicable laws and regulations shall be required.

F. This policy shall not be construed as prohibiting the use of alcoholic beverages as cooking supplies in Hospitality Management/Culinary Arts academic coursework where said beverages are not consumed as it, but, in which, the beverages are used solely in the cooking process, or in the wine tasting process, in a manner that is consistent with standard culinary practices.

## II. Students

Pursuant to Tennessee Code Annotated §49-7-146, RSCC is required to notify a parent of a student under age twenty-one (21) if the student “has committed a disciplinary violation” with respect to the use or possession of alcohol or a controlled substance that is a violation of any federal, state, or local law, or of any rule or policy of RSCC, except as prohibited by the Family Educational Rights and Privacy Act (FERPA). The trigger for notification will be 1) a plea of guilty to the applicable code of conduct violation, or 2) a final finding of guilt pursuant to disciplinary procedures. The Drug-Free Schools and Communities Act of 1989 is included in the on-line [Student Handbook](#).

## III. Student Disciplinary Procedures

Disciplinary action may be taken against a student for violations of this policy (see RSCC Student Disciplinary policy SA-06-01 at <http://www.roanestate.edu/policies/>). Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree including periods prior to or between semesters. Conduct occurring while a student is registered or enrolled at RSCC, but not discovered until after the awarding of a degree is actionable under these provisions and may result in the retroactive application of a disciplinary sanction. Should a student withdraw from the college with disciplinary action or academic misconduct action pending, the student’s record may be encumbered by the Dean of Students until the proceedings have been concluded.

#### IV. Employees

As stated above, this policy is applicable to all RSCC employees. Employees may seek the assistance of the Director of Human Resources with any issues related to any sanctions levied as a result of violations of this alcohol policy.

#### [Contract Addendum](#)

Revision History: 06/04/2007, 09/15/2014

**TBR Policy Reference:** 1.07.00.05

**Revision Date Effective:** 01/25/2018

**Revision Approval By:** Christopher L. Whaley, President

**Original Date Effective:** 01/11/1988

**Original Approval By:** Cuyler A. Dunbar, President

**Office Responsible:** Vice President Student Services & Enrollment Management

**Reviewed:** 08/29/2018

### ATTACHMENT G

#### **Roane State Community College**

**Policy Number: SA-06-01**

**Subject: Student Discipline**

#### I. Purpose

The Tennessee Board of Regents authorizes the institutions under its jurisdiction to take such action consistent with this policy as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment. Institutional policies on this subject shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs.

#### II. Definitions

- For the purpose of this policy, a “student” shall mean any person
  - o who is admitted, enrolled and/or registered for study (including for non-credit classes) at Roane State Community College (RSCC) for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period, following the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the college; who engaged in academic misconduct as part of the application process; and/or

- o who previously attended a TBR institution and who was found to have violated the institution's student conduct and disciplinary standards policy during the time of enrollment.
  - o "Student" shall also include any person subject to a period of suspension or removal from campus resulting from a finding of a violation of this policy
  - o Unless explicitly provided otherwise in these rules, the term "student" shall also refer to student organization.
- Definitions of "Disciplinary Offenses" and "Disciplinary Sanction" are included in their respective sections, II. and V.

### III. Policy

A. Students enrolled at Roane State Community College are citizens of their civic communities as well as the academic community. As such they are expected to conduct themselves as law-abiding members of each community at all times.

B. Admission to RSCC carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the college and the academic community which it seeks to serve, the Tennessee Board of Regents ("TBR" or "the Board") has authorized the presidents of the institutions under its jurisdiction to take such action as may be necessary to maintain conditions on institution-owned and controlled property and to preserve the integrity of the institution and its educational environment.

C. Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the Board has developed the following policy, which is intended to govern student conduct at the institutions under its jurisdiction.

D. Each institution under the jurisdiction of the TBR is directed to implement policies subject to, and consistent with, this policy.

E. In addition, students are subject to all federal, state and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects the college's pursuit of its educational objectives, Roane State may enforce its own policies regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities.

F. Students are responsible for compliance with this policy and with institutional policies and regulations.

G. Disciplinary action may be taken against a student for violation of policies and regulations that occur on institutionally owned, leased or otherwise controlled property, while participating in international or distance learning programs, and off campus, when the conduct impairs, interferes with, or obstructs any college activity or the mission, processes, and functions of the college. In the case of violations that occur off institutionally owned, leased, or controlled property, the college will take into account whether the violation impairs, interferes with, or obstructs any institutional activity, or the mission, processes, and function of the college, including, but not limited to, conduct that:

1. occurs in connection with any institutional activity, including but not limited to, international, distance, online, or remote learning programs, athletics events and other extracurricular activities, clinical, internship, practicum, and similar activities;
2. occurs while using institutional resources, such as computers and network systems;
3. involves or affects another member of the TBR community (a student, faculty, staff member, or guest of RSCC) or
4. poses a credible, serious threat to the health and safety of the college community.

H. This policy, and related material incorporated herein by reference, is applicable to student organizations as well as individual students. Whether a student organization will be held responsible for a violation of these rules by one or more of its members will be based on the following considerations:

1. the violation is endorsed by the student organization or any of its officers. "Endorsed by" includes, but is not limited to, active or passive consent or support, having prior knowledge that the conduct was likely to occur, or helping to plan, advertise, or promote the conduct;
2. the violation took place during the course of an activity paid for by the student organization or by members of the student organization to support the activity in question;
3. the prohibited conduct occurred on property owned, controlled, rented, leased, or used by the student organization or any of its members for an organizational event;

4. the prohibited conduct was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; and

5. one or more officers of the student organization had prior knowledge or reasonably should have known the prohibited conduct would likely take place.

I. Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g, the Tennessee Public Records Act, T.C.A. § 10-7-504, and/or other state and federal law, a student's disciplinary records and files are considered "education records" and are confidential in accordance with those statutes.

J. Matters involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity, if within the scope of TBR Policy 6.03.00.00, Sexual Misconduct, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Policy 6.03.00.00, Sexual Misconduct, and not this policy.

#### IV. Disciplinary Offenses

A. Disciplinary measures shall be imposed according to this policy and applicable procedures and processes.

B. Institutions shall use the "preponderance of the evidence" standard. A preponderance of the evidence means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.

C. These rules shall not be used to violate rights guaranteed under the constitution of the State of Tennessee or the constitution of the United States.

D. Institutions shall adopt and publish notice of offenses for which both individuals and student organizations may be subject to disciplinary action.

E. Both students and student organizations may be subject to disciplinary action for the following disciplinary offenses identified in this policy:

1. Threatening Conduct. Any conduct, threatened conduct, or attempted conduct that, poses a threat to a person's safety, health, or personal well-being including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement that an objectively reasonable person hearing or reading the statement

would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals;

1. Threatening Conduct – Any conduct, threatened conduct, or attempted conduct that poses a threat to a person’s safety, health, or personal wellbeing including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement than an objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit to commit an act of unlawful violence to a particular individual or group of individuals.

2. Disruptive Conduct – Any conduct, threatened conduct, or attempted conduct that is disruptive to the college’s learning environment, including, but not limited to, engaging in any action that interferes with the ability of the instructor to teach or other students to learn. Disruptive conduct in the class setting (which includes but is not limited to remote education and off-site locations) includes, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students or instructors, repeated outbursts from a student that disrupts the flow of instruction or prevent concentration, failure to cooperate in maintaining class decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others.

3. Hazing - Hazing, as defined in T.C.A. §49-7-123(a)(1), 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.

4. Disorderly Conduct - Any individual or group behavior which is abusive, obscene, lewd, indecent (including, without limitation, public exposure of one’s sex organs, public urinating, and public sexual acts), violent, excessively noisy, disorderly, or which unreasonably disturbs college functions, operations, classrooms, other groups or individuals.

5. Obstruction of or interference with college activities or facilities. Any intentional interference with or obstruction of any college program, event or facility including but not limited to the following:

a. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities.

b. Interference with the right of any college member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by Roane State.

c. Any obstruction or delay of a security officer, public safety officer, police officer, firefighter, EMT, or any official of the college, or failure to comply with any emergency directive issued by such person in the performance of their duty.

d. Participation in a demonstration that substantially impedes college operations.

e. Obstruction of the free flow of pedestrian or vehicular traffic on property owned, leased or controlled by the college or at a college activity.

6. Misuse of or Damage to Property - Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to Roane State or a member of the Roane State community including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices.

7. Theft, Misappropriation, or Unauthorized Sale of Property.

8. Misuse of Documents or Identification Cards - Any forgery, alteration of or unauthorized use of college documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the college.

9. Weapons - Possession, carrying, using, storing, or manufacturing any weapon on college controlled property or in connection with a college affiliated activity, unless federal or state law provides a student with an affirmative right to possess or carry a weapon on college controlled property or in connection with a college affiliated activity. (Access the complete detailed RSCC Firearms and Other Weapons policy, GA-13-04 at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).)

10. Explosives, Fireworks, Flammable, and Hazardous Materials - The unauthorized possession, ignition or detonation of any object or article that represents a potential danger to the college community,

including but not limited to explosives, fireworks, flammable materials, ammunition, hazardous liquids, chemicals, or hazardous materials.

11. Alcoholic Beverages and Alcohol-Related Conduct - The use, possession, and/or sale of alcoholic beverages, on college owned or controlled property or in connection with any college activity unless expressly permitted by Roane State.

12. Drugs - The unlawful possession, use, sale or manufacture of any drug or controlled substance (including but not limited to any stimulant, depressant, narcotic, or hallucinogenic drug, or marijuana). This offense includes using or possessing a prescription drug if the prescription was not issued to the student, as well as the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs. This includes any violation of any term of the Roane State Community College Drug-Free Schools and Communities Policy Statement. (Access the complete detailed RSCC Drug-Free Environment policy, GA-21-03 at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).) Pursuant to Tennessee Code Annotated §49-7-146, RSCC is required to notify a parent of a student under age twenty-one (21) if the student “has committed a disciplinary violation” with respect to the use or possession of alcohol or a controlled substance that is a violation of any federal, state, or local law, or of any rule or policy of RSCC, except as prohibited by the Family Educational Rights and Privacy Act (FERPA). The trigger for notification will be 1) a plea of guilty to the applicable code of conduct violation, or 2) a final finding of guilt pursuant to disciplinary procedures. The Drug-Free Schools and Communities Act of 1989 is included in the on-line student handbook.

13. Drug Paraphernalia - The use, possession, distribution, sale, or manufacture of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia.

14. Public Intoxication - Appearing on college owned or controlled property or at a college sponsored event or affiliated clinical site while under the influence of alcohol, a controlled substance or any other intoxicating substance.

15. Gambling - Unlawful gambling in any form.

16. Financial Irresponsibility - Failure to meet financial responsibilities to the RSCC promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution.



17. Unacceptable Conduct Related to Disciplinary Proceedings - Any conduct at any stage of an college disciplinary proceeding or investigation that is contemptuous, threatening, retaliatory, or disorderly, including false complaints, false testimony or other falsification of evidence, and attempts to influence the impartiality of a member of an adjudicatory body, verbal or physical harassment or intimidation of a college official, hearing panel member, complainant, respondent or witness.

18. Failure to Cooperate with College Officials - Failure to comply with reasonable directions of college officials acting in the performance of their duties. This includes, but is not limited to failing to respond to a request to report to a college administrative office, failing to cooperate in a college investigation, and/or failing to appear at a college hearing, including, without limitation, a disciplinary hearing.

19. Attempts, Aiding and Abetting - Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section. (An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission). Being present during the planning or commission of any offense listed under this section without having made an immediate report to the college prior to the commission of the planned offense will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the college.

20. Violations of State or Federal Laws - Any conviction of violation of state or federal laws, rules, or regulations prohibiting conduct or establishing offenses.

21. Violation of Imposed Disciplinary Sanctions - Intentional or unintentional violation of a disciplinary sanction imposed through a college disciplinary proceeding.

22. Sexual Misconduct – Committing any act of sexual assault, rape, sexual battery, domestic violence, or dating violence as defined by state or federal law. Sexual misconduct is a form of sex discrimination prohibited by Title IX. Roane State is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. Any allegation of sexual misconduct as defined herein will be investigated and adjudicated according to this policy. The Roane State Community College Sexual Misconduct policy PA-02-02, fulfills the federal requirements of the Violence Against Women Act (VAWA), the Campus SaVE Act, Title IX, and the Campus Security Act of 1990: State Laws TCA §36-3-601(5)(c); TCA §39-17-315. (Access the complete detailed RSCC policy PA-02-02 at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/). The above federal and state policies provide

guidelines for Roane State to develop awareness and prevention programs for students and employees to keep our campuses safe from sexual violence.

23. Harassment, Stalking, or Retaliation - Any conduct that falls within T.C.A. § 39-17-308 (Harassment) or T.C.A. § 39-17-315 (Stalking) or “student on student harassment,” which means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal state or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to educational opportunity or benefit. Engaging in “retaliation,” which is an act or omission committed by a student because of another person’s participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation violates these standards regardless of whether the underlying allegation of a violation of policy is ultimately found to have merit. Retaliation can include, without limitation, an act or omission committed against a person’s family, friends, advisors, and/or other persons reasonably expected to provide information in connection with a college investigation or hearing, and an act or omission committed by a student through a third party.

24. Discrimination – Any conduct prohibited by any federal or state law, rule, or regulation related to discrimination, harassment, or retaliation.

25. Academic Misconduct – Any action or attempted action designed to provide an unfair academic advantage or disadvantage for oneself or others. Academic misconduct includes a wide variety of behaviors such as plagiarism, cheating, fabrication, and other academic dishonesty. For purposes of this policy the following definitions apply:

a. Plagiarism - The adoption or reproduction of ideas, words, statements, images, or works of another person as one’s own without proper attribution. Examples include but are not limited to copying of passages from works of others into one’s own work without acknowledgement, summarizing or paraphrasing ideas from another source without proper attribution, unless such information is recognized as common knowledge, and using facts, statistics graphs, representations, or phrases without proper attribution.

b. Cheating - Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Examples include but are not limited to copying another’s work, obtaining or giving unauthorized assistance, unauthorized collaboration or collusion with another person, having another person take a test for a student, and the use of unauthorized materials or devices. The term academic exercise includes all forms of work submitted for credit or hours.

c. Fabrication – Falsifying, fabricating, or misrepresenting data, research results, citations or other information in connection with an academic assignment. Unauthorized falsification or invention of any information or citation in an academic exercise.

26. Unauthorized Duplication or Possession of Keys - Making, causing to be made or the possession of any key for an institutional facility without proper authorization.

27. Litter - Dispersing litter in any form onto the grounds or facilities of the campus.

28. Pornography - Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and (3) taken as a whole, lacks serious literary, artistic, political or scientific value.

29. Abuse of Computer Resources and Facilities - Misusing and/or abusing campus computer resources including, but not limited, to the following: (Access the complete detailed RSCC Ethical and Responsible Use of Computer Resources, GA-18-01, at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/)) . The policies and procedures outlined in this document apply to all RSCC faculty, staff, students, visitors, and contractors. This policy applies to all academic, administrative, networking and microcomputer resources owned, leased or installed at all Roane State Community College locations.

a. Use of another person's identification to gain access to institutional computer resources

b. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems

c. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file.

d. Unauthorized transfer of a computer or network file

e. Use of computing resources and facilities to send abusive or obscene correspondence

f. Use of computing resources and facilities in a manner that interferes with normal operation of the college computing system

g. Use of computing resources and facilities to interfere with the work of another student, faculty member, or college official

h. Unauthorized peer-to-peer file sharing

30. Unauthorized Access to College Facilities and/or Grounds - Any unauthorized access and/or occupancy of institutional facilities and/or grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present.

31. Providing False Information - Giving any false information to, or withholding necessary information from, any college official acting in the performance of his/her duties in connection with a student's admission, enrollment, or status in the college.

32. Observation Without Consent -- Observation without consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of this policy, means knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means.

33. Smoking Violations – Smoking or tobacco use in any institution building or facility, in any state-owned vehicle, or on any college grounds or property, unless in a designated smoking or tobacco use area. For the purposes of these rules, “tobacco use” includes but is not limited to the personal use of any tobacco product, whether intended to be lit or not, which includes smoking tobacco or other substances that are lit and smoked, as well as the use of electronic cigarette or any other device intended to simulate smoking, and the use of smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, and for of loose-leaf smokeless tobacco and the use of unlit cigarettes, cigars, and pipe tobacco. Access the complete detailed RSCC

policy GA-21-01, Smoking and Tobacco Use Products at [www.roanestate.edu/policies/](http://www.roanestate.edu/policies/).

34. Maintenance of Ethical and Professional Standards – Failure to maintain the high ethical and professional standards of the various disciplines of the health professions may subject a student to suspension from a program, dismissal from a program, or other appropriate remedial action.

a. A student enrolled in a program leading to a degree or certificate in a health profession is subject to disciplinary action up to and including suspension and dismissal from a program for engaging in the following acts of misconduct, regardless of location:

i. Commission of an offense classified as a felony by Tennessee or federal criminal statutes;

ii. Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious;

iii. Other unprofessional or unethical conduct that would bring disrepute and disgrace upon both the student and profession and that would tend to substantially reduce or eliminate the student's ability to effectively practice the profession in which discipline he or she is enrolled; or

iv. Conduct that is in violation of either a relevant Tennessee statute establishing professional standards or a rule or regulation of a Tennessee regulatory board or other body responsible for the establishment and enforcement of professional standards.

b. A person applying for admission to a health profession program may be denied admission to the program on the basis of his/her violation of the aforementioned ethical and professional standards.

35. Traffic and Parking Fines -- Receiving \$100.00 or more in traffic and/or parking violation on college property or college controlled property during any semester.

F. Indecent Exposure – Indecent Exposure, which is prohibited by T.C.A. §39-13-511 (a criminal statute), for purposes of this policy means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.

G. Disciplinary Holds.

1. An institution may place a hold on a student record when the student has

- a. Withdrawn from the institution while a disciplinary meeting and/or proceeding is pending;
- b. Not responded to an institutional official's request for a meeting or hearing; or
- c. Been suspended or expelled.

2. A disciplinary hold may remain on a student's record until final resolution of a disciplinary meeting and/or disciplinary hearing.

3. Roane State will not confer a degree or credential when a student record has been placed on hold, or when a student has a pending disciplinary meeting and/or disciplinary proceeding.

4. Except for cases involving Academic Misconduct, the college will not revoke a degree or credential based on conduct occurring while a person was a student, but not discovered until after the awarding of a degree or credential.

## V. Classroom and Academic Misconduct

### A. Classroom Misconduct.

1. The instructor has the primary responsibility for maintenance of academic integrity and controlling class (which for this policy includes any remote class and/or offsite class such as a clinic site or other non-traditional class environment) behavior and responding to disruptive conduct.

2. The instructor may order the temporary removal or exclusion from the class of any student engaged in disruptive conduct or other conduct that violates this policy for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be effected only through appropriate procedures.

### B. Academic Misconduct

1. Academic misconduct is prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed in accordance with this policy, the instructor has the authority to take academic discipline consistent with institutional policy, procedures, and processes.

2. An instructor who determines that a student has engaged in academic misconduct may choose to exercise academic

discipline by lowering to any extent, including to a grade of “F” or “zero,” a student’s grade in the course, assignment, or examination affected by the alleged academic misconduct.

3. An instructor who initiates academic discipline shall inform the appropriate Dean (or other individual(s) identified by the college) in writing of the finding of academic misconduct, the basis therefor, the academic discipline imposed, and the appeals process within five (5) days of the imposition of academic discipline.

4. A student may not withdraw from a course pending final resolution of an allegation of academic misconduct. Students are permitted and encouraged to continue attending class until the academic disciplinary decision, including all appeals, is final.

5. A student charged with academic misconduct has the option of either accepting the academic discipline imposed by the instructor or initiating the appeals process to challenge the allegation of academic misconduct or the severity of the academic discipline. If the student does not respond in writing within five (5) days by either accepting or appealing the academic discipline to the college’s academic misconduct appeals committee, the student waives the right to contest the academic discipline, at which time it becomes final.

6. An institutional academic misconduct appeals committee shall consist of at least three (3) individuals and include at least one (1) student. The chief academic officer or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not participate on the committee. Any individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. Roane State Community College will maintain a standing pool from which individuals may be appointed and/or appoint ad hoc academic misconduct appeals committees.

7. The academic misconduct appeals committee will set a hearing date that is within fifteen (15) business days of receipt of date of the student’s appeal. The student must receive at least seven (7) calendar days’ notice of the date, time, and location of the hearing. A student will be notified of the due process protections provided for in this policy.

8. The academic misconduct appeals committee will conduct the appeal hearing, consider the evidence presented, and make a

decision based on a simple majority vote using a preponderance of the evidence standard. The committee can either uphold, overturn, or lessen the academic discipline. The results of the committee's decision will be conveyed to the student in writing, through the chief academic officer or other individual identified by the institution, within ten (10) business days of the hearing.

9. If the academic misconduct appeals committee upholds or lessens the academic discipline, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

10. The institution's chief academic officer, president, or other administrator identified by the institution has the ability to extend any deadline in this section for good cause and upon written notice to the student.

11. In addition to academic discipline, a student who is found responsible for academic misconduct, either one or more times, may be subject to disciplinary sanctions in accordance with this policy.

12. The institution shall maintain permanently all submissions by the student and all decisions of institutional officials and committees relating to academic misconduct.

## VI. Disciplinary Sanctions

A. The college shall publish this policy, provide notice of potential disciplinary sanctions applicable to both students and student organizations. Disciplinary sanctions may be imposed only after a violation of this policy has been established. Disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution or school officials.

### B. Types of Sanctions.

1. Restitution. Restitution may be required in situations which involve theft, destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student or student organization is obligated by the appropriate institutional authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). This action may take the form of appropriate service, monetary compensation, or material replacement. Any monetary payment in restitution shall be limited to actual cost of repair, replacement or financial loss;



2. Warning. The appropriate institutional official may notify orally or in writing the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;

3. Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of this policy and provides notice that any further violation(s) may result in more serious penalties;

4. Service to the Institution or Community. A student, or student organization, may be required to donate a specified number of service hours to the institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (including but not limited to service for maintenance staff for defacing institutional property);

5. Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;

6. Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, but is not limited to denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;

7. Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to this policy. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include but not be limited to restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of this policy while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;

8. Suspension. Suspension is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;

9. Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition by the institution. A student or organization that has been expelled may not enter institution property or facilities or institution-controlled property or facilities without obtaining prior approval from an appropriate campus official with knowledge of the expulsion directive;

10. Revocation and Withholding of Admission, Degree, or Credential; and

11. Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of TBR rules, this policy, or an institutional policy should not be altered until a final determination has been made in regard to the charges. However, interim or involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment or other campus activities. In any case of interim or involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension in accordance with this policy.

C. The president is authorized, either personally or through a designee, to negotiate a mutually acceptable resolution to any disciplinary proceeding or to rescind or convert any sanction imposed to a lesser sanction.

## VII. Disciplinary Procedures

A. Institutions shall provide students with a system of constitutionally and legally sound procedures that provide the protection of due process of law in accordance with TBR Systemwide Student Rules, this policy, and applicable state and federal law. All policies adopted related to student conduct shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Once adopted or amended, all disciplinary procedures shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.

B. At community colleges, the Vice President of Student Affairs (VPSA) or other administrator designated by the institution is responsible for matters within the scope of this policy, except that the Chief Academic Officer is responsible for matters related to academic misconduct. In situations where the conduct could fall within both areas of responsibility, the two offices will confer and decide which procedures will apply and advise the student or student organization in writing of the decision.

C. Complaints related to discrimination, harassment, and retaliation that are not subject to another rule will be investigated and resolved in accordance with this policy and the institution's restatement of this policy, procedures, and processes.

1. In determining whether the evidence establishes a violation of institutional policy, the institution shall use the preponderance of the evidence standard for contested cases, as explained in TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act and

Department of State Rule 1360-04-01. At all times the burden of obtaining evidence and establishing a violation shall be on the institution.

2. In the event of bias or conflict of interest by an institutional official, the institution may appoint a substitute, who may or may not be employed by the institution.

3. The investigator shall conduct an appropriate investigation, which may include interviews of the parties and witnesses, as well as review of documents and other information. The purpose of the investigation is to determine whether the evidence establishes a violation of institutional policy and procedures. The parties are encouraged, but not required, to provide information that they want the investigator to consider.

4. The investigator shall provide written notice of receipt of a written complaint or the decision to initiate an investigation.

5. The investigator shall notify students that the institution will comply with FERPA and only disclose information in accordance with FERPA and other applicable law.

6. The investigator shall prepare a report summarizing the investigation. The report shall include, but not be limited to, the dates of the alleged occurrences, the response of the respondent, the findings of the investigator, and recommendations regarding disposition of the complaint.

7. The report shall be submitted to the institution's president within sixty (60) calendar days following receipt of the complaint, absent cause for extending the investigation timeline. In situations where more time is needed to complete the investigation, written notice shall be provided to the parties explaining the reasons.

8. The president shall review the investigator's report and shall make a written determination as to whether this policy, and institutional policy, processes, and procedures have been violated and the appropriate disciplinary sanction, if any. The president's determination and the investigator's report shall be provided to the parties, unless prohibited by law.

9. Either party may send a written request to reconsider to the president within ten (10) working days, absent good cause, of receipt of the president's determination.

- a. The request to reconsider process shall consist of an opportunity for the parties to provide information to the president's attention that would change the determination and/or disciplinary sanction. A party must explain why the factual information was incomplete, the analysis of the facts was incorrect, the determination was affected by bias or a conflict of interest, procedural irregularity, and/or the appropriate standard was not applied, and how this would affect the

determination. Failure to do so may result in denial of the request to reconsider.

b. The parties will not be allowed to present their request to reconsider in person unless the president determines, in his or her sole discretion, to allow an in-person appearance.

c. The president shall issue a written response to the request to reconsider as promptly as possible. The decision will constitute the institution's final decision.

d. The institution shall provide written notice of the ability to contest the determination and/or disciplinary sanctions, including where applicable, the ability to request a contested case hearing pursuant to the UAPA, to the parties at the time the parties are advised of the determination and upon the resolution of any request to reconsider or appeal.

D. Students and student organizations subject to any disciplinary sanction are entitled to a due process hearing in accordance with this policy and standards established by the constitutions of the State of Tennessee and the United States unless that right is waived after receiving written notice of the available procedures.

E. All proceedings under this policy will be held in closed session and not open to the public. Formal rules of evidence shall not be applicable. The administrator or committee chair may exclude evidence which in their judgment is immaterial, irrelevant, or unduly repetitious.

F. Written notice to a student or student organization is accomplished either by handing a copy to the student; sending documents via email to the student's or student organization's institutional email account; email account of record on file with the institution; or by sending a copy via certified mail, registered mail, return receipt requested mail, or a nationally recognized delivery service that tracks delivery to the student's residence of record or the student organization's address of record.

#### G. Initiation of Changes

1. An institution may initiate the disciplinary process on the basis of written allegations received from any source, including any member of the college community. Complaints should be directed to the VPSA or other administrator identified by the institution, except that complaints relating to discrimination, harassment, and retaliation should be referred to the administrator identified by the institution so that such complaints can be handled in accordance with institutional policy and procedures. Roane State may also initiate disciplinary procedures without written allegations if it becomes aware of potential violations of these rules through other means.

2. When the allegations, if proven, may warrant the imposition of a disciplinary sanction, the institution shall inform the student of the allegations and proceed to gather information concerning the matter, including, but not limited to, interviewing relevant witnesses and reviewing relevant documents and evidence. Students who may be the subject of disciplinary sanctions will be provided the minimum due process protections identified in this policy.

3. After reviewing the evidence, the administrator with responsibility for the matter shall decide whether sufficient evidence exists to charge the student, and if so, the appropriate disciplinary sanction(s). Notice of the charges and disciplinary sanction(s), if any, shall be provided in writing to the student. If there is insufficient evidence to continue the disciplinary process, the matter will be closed, and written notice will be provided to the student.

H. Minimum Due Process Protections. Institutions shall provide the following minimum procedural due process protection components in disciplinary matters:

1. The student shall be advised, in writing, of the breach of the policy provision(s) of which he or she is charged;
2. The student shall be advised of the time, date, and place of the hearing allowing reasonable time for preparation; and
3. The student shall be advised of the following rights applicable at the hearing:
  - a. The right to present his or her case;
  - b. The right to be accompanied by an advisor of his or her choice. The advisor's participation shall be limited to advising the student, and not include advocating on behalf of the student, speaking on behalf of the student, or otherwise actively representing the student. An advisor is not permitted to interfere with the hearing;
  - c. The right to call witnesses on his or her behalf;
  - d. The right to confront witnesses against him or her; and
  - e. The method and time limitations for appeal, if any is applicable.

I. Options for Students. Four potential processes exist for adjudication of disciplinary matters. The student will be informed in writing of each available option and the due process rights associated with each option. A student will have five (5) business days following written notification to select an option. If a student fails to return the election of a procedure in a timely manner, the student will be deemed to have waived the right to contest the disciplinary sanction. Selection of one option constitutes waiver of all other options.

1. Contested Case Hearing: All cases which may result in either: suspension or expulsion of a student from the institution for disciplinary reasons, or revocation

of registration of a student organization, are subject to the contested case provisions of the Uniform Administrative Procedures Act , T.C.A. § 4-5-301 et seq., and TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act, unless the student or student organization, after receiving written notice, waives those procedures.

2. A student at a community college may elect an institutional panel hearing.

a. Institutional Panel Hearing

i. An institutional panel hearing committee at a community college shall consist of at least three (3) individuals and include at least one (1) student. The dean of students or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not vote as to the committee's decision. An individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. The institution may appoint individuals from standing pools and/or appoint ad hoc committees.

ii. The committee will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a panel hearing. The student must be notified of the date, time, and location of the hearing as soon as possible, but given at least seven (7) calendar days' notice. A student will be notified of the due process protections provided for in these rules.

iii. The committee will conduct the hearing, consider the relevant evidence presented, and make a decision based on a simple majority vote. The committee can either uphold, overturn, or lessen the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student in writing, through the dean of students or other administrator identified by the institution, within ten (10) business days of the hearing.

iv. If the committee upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

v. The president, dean of students or other administrator identified by the institution has the ability to extend deadlines for good cause and upon written notice to the student.

vi. The institution shall maintain all submissions by the student and all decisions of institutional officials and committees permanently.

3. Administrative Resolution. An administrative resolution involves the student meeting with a single administrator appointed by the dean of students or other administrator identified by the institution.

4. A student may elect not to contest the disciplinary action, either affirmatively or by failing to return the election of a procedure in a timely manner, which serves as a waiver of the right to contest the disciplinary action.

**J. Procedures Related to Interim Involuntary Withdrawal or Suspension Hearings.**

1. When the Vice President for Student Affairs or other administrator identified by the college determines that an interim suspension or other interim measure is required for the health and safety of the college community and/or property, or to prevent an ongoing imminent threat of disruption to or interference with the normal operations of the college, the student will receive an opportunity for an informal hearing with the VPSA or other administrator identified by the institution to contest the interim measure.

2. The informal hearing will be held within five (5) calendar days, absent good cause.

3. The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim suspension or other interim measure.

**K. Alternative Resolution Procedures:** An institution, with the consent of all relevant parties, may use an alternative resolution method including, but not limited to, an apology, mediation, or a negotiated resolution.

**Exhibits**

[Exhibit 1 - Guide to Gun Laws on Campus \(pdf /63.72 KB\)](#)

(Originally published as policy SA-06-01, General Regulations on Student Conduct and Disciplinary Sanctions)

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**Revision Approval By:** Christopher L. Whaley, President

**Original Date Effective:** 02/24/2008

**Original Approval By:** Gary Goff, President

**Office Responsible:** Vice President Student Services & Enrollment Management

**Reviewed:** 07/27/2021

**ATTACHMENT H**

**Roane State Community College**

**Policy Number: GA-13-03**

**Subject: Emergency Notification and Evacuation**

## I. Overview

“Quick, constant, and accurate” is our purpose for information flow in a time of crisis. By making sure information is shared quickly, updated constantly and provided accurately, we can do our very best to achieve the plan’s number one objective: protecting the lives of students, faculty, staff and visitors.

When a crisis happens, it’s important to remember that we are not talking to the media. Instead, we are talking to the audience that the media serves — our students, our students’ families, future students, our alumni, our own families and friends.

Yes, the media is right in front of us. We must remember that they have a job to do, an important job, and we should assist them in their coverage. But our audience is the faceless crowd watching events unfold in their homes all across our service area. As we consider what we want to say and how we want to say it, we must remember our true audience.

## II. Crisis Defined

For the purposes of this communications plan, a crisis is defined as an act or circumstance with no prior warning that could endanger students, faculty, staff or visitors of Roane State Community College; could disrupt college operations; or could cause physical or environmental damage to the college.

Examples of a crisis include a violent act on campus, a sudden severe weather phenomenon or a catastrophic accident that could endanger others. Elements of this timeline may also be incorporated into a crisis of a different nature, such as a financial crisis or crisis threatening public image, depending on the level of response those events require. This plan assumes a comprehensive level of response is required and assumes lives are at risk in the initial stages.

Many of the stages listed include guidelines. A crisis is, by nature, a fluid changing situation. The guidelines are intended to provide a framework for decision-making, but are not intended to be rigid.

## III. Plan Objectives

The crisis communications plan has four objectives, ranked by priority.

- A. Protect the lives of students, faculty, staff and visitors.
- B. Provide comfort to external stakeholders (families, community members, alumni) during a time of crisis by providing quick, constant and accurate information.
- C. Assist the media with their needs during coverage of the crisis.
- D. Be responsive to each other and the public throughout the crisis.

## IV. Plan Stages

The following stages are based on a sudden crisis development that could endanger lives and is organized by times each action should be taken to provide best possible



chance for success in meeting objective one (protect the lives of students, faculty, staff and visitors).

A. Stage One: First seconds and minutes of a crisis guidelines

In the initial moments of a crisis, speed is the key to saving lives. In this section, the communication message of utmost importance is the first, initial warning that there is a crisis that could endanger lives. This warning should come from the first authorized person who has credible knowledge of the crisis.

Authorized persons should include all members of President's Cabinet, Marketing and Communications personnel, all site directors, Roane State Police Department (RSPD), or those designated to serve in this role in the absence of others. The only objective that needs to be fulfilled in this stage is Objective No. 1 (protection of lives). All other objectives are irrelevant at this point.

1. The authorized person(s) or designee who first obtains credible knowledge of a crisis should immediately use the phone PA system to deliver the appropriate emergency warning to the campus location, assuming they are in a position of safety. Appropriate warning could include lockdown or evacuation.
2. The authorized person(s) or designee should then call 911.
3. The authorized person(s) or designee should contact the Roane State Police Department through the button labeled "Security" on their Roane State phone. If an office phone is not available, call (865) 882-4500.
4. The Roane State Police Department will contact Marketing and Communications to send a RaiderAlert. If PR staff is not available, the RSPD will contact another RaiderAlert administrator to send an alert. RaiderAlert admins are listed in the college's inclement weather plan, which is distributed each fall.
5. The person who sent the RaiderAlert should send an e-mail with the same information as the text message.
6. If we receive information about a crisis/threat, but are not sure which campus has been affected, we will assume the threat is real, with an unknown location, and follow the steps listed above. This may include locking down all campus locations, as a precaution, until more specific information is available.

B. Stage Two: Next few minutes/few hours' guidelines:

Once the initial call to law enforcement has been made and the warning sent, the crisis moves into a phase of information management. The objectives in this stage still include the protection of lives as the top

priority; however, providing comfort to external stakeholders and assisting media with coverage are also important.

1. A Crisis Communications Leader (CCL) will be identified. This may include the President, President's Designee, Public Information Officer (PIO) or PIO designee. While in general the President would be the Crisis Communications Leader, the CCL designation may depend on the nature of the incident and the availability and responsibilities of college administration during the crisis. The goal is to best align the Crisis Communications Leader with the communications needs of the crisis. For example, in the case of a weather-related event that affected facilities, the VP for Finance, which has oversight over facilities, might be needed to provide information or to serve in a communications capacity.

2. The CCL will serve as the ONLY spokesperson for the duration of the crisis unless the CCL directs otherwise.

3. The CCL will direct the actions of the vice presidents, assistant vice presidents and Marketing and Communications. One of the first priorities is to replace the current home page with an "Emergency Site," a dormant Web site that can be turned on during a crisis. The components of the Emergency Site will be contact information for law enforcement and other reference material. The primary components are real-time updates about the crisis posted on the site through Roane State's Twitter page.

4. The Emergency Site should be online, if possible, within 30 minutes of a crisis report that warrants its use. Webmasters will be responsible to activate the Emergency Site. Marketing and Communications will post information to the Emergency Site via the Roane State Twitter account. Updates to the Emergency Site will be done through Roane State's Twitter account. Updates via Twitter are also automatically posted to Roane State's Facebook page.

5. The CCL will travel to the command post designated for the crisis at or near the campus where the crisis happened. If the CCL is away from the main campus, the CCL should designate someone to handle media/public inquiries at the main campus. Each campus director should report to their campus site to handle possible media/public inquiries. In addition, the CCL may designate individuals to assist in the following roles.

6. Marketing and Communications

- a. Answering calls

- i. PR admin assistants

ii. Callers will be directed to the Emergency Site as the best source of information.

b. Information producers

PR will produce information for Emergency Site.

c. Fact gatherers

i. Fact-gatherers will report to PR office.

ii. They will help run down information at the request of PR.

iii. Staff members as assigned.

d. Schedulers

Schedulers will help schedule media interview requests for senior administrators. Schedulers will place interviews on the Outlook calendars of the President and Vice Presidents. Schedulers will get the name of the media member and contact information for media member.

7. A Media Center will be established in the Library. Press conferences will be held in the upper floor of the library. The spokesperson should be facing the windows.

C. Stage Three: Next few Hours/days after crisis guidelines

In the hours after a crisis, the issue of safety has generally passed, and the crisis becomes much more involved with information management and media management. It's important to understand that, in general, the media plays a helpful public service role in a crisis. However, inaccurate reports are very likely. We should immediately correct inaccurate reports, whether we provided incorrect information or media outlets report incorrect information. The worst mistake in this stage is to try to hide errors we make.

1. Marketing and Communications will provide media with a regular schedule of news conferences as that information is available.

2. If victims want to speak to the media, they should be allowed to do so. Marketing and Communications will facilitate this by working with victims and families if they want our assistance. It's important that victims and families retain control over how they speak to the media. Choices over how many media members they want to talk to, where they want to talk to the media, whether they want the media close to them or a few feet away, should be presented to the victims and families, and the choice should be theirs. Giving victims and families a chance to decide helps them have a sense of control at a time when it may feel as

if they have lost control. This relates to objective 2: providing comfort to stakeholders.

3. After the Emergency Site is turned off, webmasters will work with Marketing and Communications, Counseling, Foundation, etc. to make any appropriate changes to the Roane State website in light of the crisis.

4. The student Services Call Center will become a crisis call center. Other staff members may be identified that could provide extra staffing to the call center if needed. Marketing and Communications will provide regular updates to call center staff as information comes in.

5. Student Activities will facilitate event-planning if needed with support from Alumni Relations and other departments with event-planning expertise.

#### D. Stage Four: Aftermath

1. No later than one week following a crisis, President's Cabinet and Administrative Council will convene for a review of lessons learned.

2. Marketing and Communications, in coordination with Student Activities, will develop a year-long calendar that will highlight possible events that could be tied to the crisis. For example, the calendar would note the first graduation since the crisis, the first athletic event since the crisis.

3. Marketing and Communications will continue to respond to media inquiries and monitor media coverage. Again, correcting inaccurate reports is paramount. In addition, Marketing and Communications will alert college leadership about possible windows when the crisis might receive coverage (a one-year anniversary, for example).

#### E. General Evacuation Procedures

##### 1. Building Evacuation

a. All building evacuations will occur when an alarm sounds and/or upon notification by institutional personnel.

b. When the building evacuation notice is activated during an emergency, those present are to leave by the emergency evacuation route for the area in which they are located. If the exit is blocked, use the nearest marked exit and alert others to do the same.

- c. Assist those with disabilities in exiting the building. Do not use the elevators in case of fire and/or potential power loss. Once outside, proceed to a clear area that is at least 1000 feet away from affected building. Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel. Identify an assembly point to congregate once outside.

DO NOT RETURN to an evacuated building unless instructed to do so by institutional personnel or law enforcement.

## 2. Campus Evacuation

All persons are to immediately vacate the area in question and move to another part of campus as directed. Persons with disabilities should be given necessary assistance to evacuate.

### V. Test of Emergency Procedures

- A. The institution will conduct emergency drills and post-drill assessments at least on an annual basis.
- B. Information regarding the institution's evacuation procedures will be provided as part of the drills.
- C. Documentation regarding the drill will be maintained.

### VI. Contact Information

The annual Inclement Weather Plan includes contact information for the Police Chief, potential Crisis Communication Leaders, webmasters, Roane State Police Department and personnel with access to send RaiderAlerts and media contact numbers. Administrators should keep a copy of the Inclement Weather Plan with them at all times and use it for reference.

### VII. Key Media Contacts

Please refer to the annual inclement weather plan for contact information for key media outlets which consistently cover the institution and represent a core media group that generally will be contacted in a crisis.

### VIII. Dissemination of Public Alert Notice Information

The Marketing and Communications Office to the extent feasible will coordinate the dissemination of public alert notice information including the use of the institutions text messaging system, emails, and other communication.

### IX. Responsible Party

The director of Public Safety/Chief of Police shall be responsible for development and maintenance of this policy for issuance by the president.

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**Original Approval By:** Christopher L. Whaley, President

**Office Responsible:** Vice President for Business & Finance

**Reviewed:** 07/25/2018

## ATTACHMENT I

### Roane State Community College

**Policy Number:** GA-13-04

**Subject:** Firearms and Other Weapons

#### I. Purpose

To maintain a safe educational and working environment for students and employees by establishing rules for possessing and carrying firearms and other weapons on Roane State Community College (RSCC) property.

#### II. Definitions (as used in this policy)

A. "Carry" means to physically transport a firearm or other weapon on or about the body.

B. "Concealed" means not visible to ordinary observation.

C. "Employee" means all faculty, executive, administrative, professional and support staff employed in the service of and whose compensation is paid by a TBR institution. "Employee" does not include independent contractors who provide goods or services to the institution or student workers as defined in TBR Policy 5.01.01.00 Firearms and other Weapons. Access the complete detailed TBR policy at <https://policies.tbr.edu/>.

D. "Full-time Employee" includes all faculty, executive, administrative, professional and support staff who are employed on a full-time basis by a TBR institution, but does NOT include a person who is enrolled as a student at the institution, regardless of whether the person is also an employee. A full-time employee is one who has a regular work week of at least 37.5 hours, or who is scheduled to carry a full teaching load or its equivalent. This includes full-time modified fiscal year (MODFY) employees, temporary employees and term appointees who have a regular work week of at least 37.5 hours or are scheduled to carry a full teaching load or its equivalent. "Full-time Employee" does NOT include independent contractors who provide goods or services to the institution. For example, if an institution contracts for custodial services or food services, the contractor's employees are NOT allowed to carry a handgun on the premises, even if they work on the premises full time.

E. "Enrolled as a Student" as used in the definition of "Full-time Employee" means to be registered for an academic offering at the TBR

institution where one is employed, whether or not the academic offering is offered for credit or is not for credit. “Enrolled as a Student” does not include being registered for an academic offering that is delivered solely online, with no requirement for the student to appear on campus in order to complete the course.

F. "Firearm" means any weapon designed, made or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

G. "Handgun" means any firearm with a barrel length of less than twelve inches (12") that is designed, made or adapted to be fired with one (1) hand.

H. “Institution Property” means all land, ground, structures, and any other real property owned, operated or controlled by a TBR institution.

I. “Motor Vehicle” means a motor vehicle as defined in T.C.A. § 55-1-103.

J. "On or about the person" means carried concealed on the person or carried concealed in a handbag, briefcase or other carrying case that remains within an arm’s reach of the person at all times.

K. “Parking Area” means property provided by the TBR institution for the purpose of permitting employees, students, or invitees to park motor vehicles.

L. "Possess" means either: (1) direct physical control over a firearm or other weapon at a given time; or (2) the power and intention at any given time to exercise dominion and control over a firearm or other weapon. Examples of possessing a firearm or other weapon include, without limitation, the presence of a firearm or other weapon on or about the person of the employee or in the employee’s motor vehicle, desk, lunch box, locker, tool kit, bag, purse, cabinet, or office.

M. "Student" means any person who is admitted and/or registered for study at a TBR institution for the current academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. It will also include any period which follows the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution

N. "Valid Handgun Carry Permit" or “[Enhanced Handgun Carry Permit](#)” means a current handgun carry permit issued by the State of Tennessee under T.C.A. §39-17-1351 or issued by another state that has been given reciprocity under T.C.A. §39-17-1351(r).

O. “Weapon” means firearm; explosive; explosive weapon; bowie knife; hawk bill knife; ice pick; dagger; slingshot; leaded cane; switchblade knife; blackjack; metal knuckles; razors and razor blades, except those used solely for personal shaving; any sharp pointed or edged instrument, except unaltered nail files and clips and tools used solely for preparation of food instruction and maintenance; or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes.

### III. Policy

#### A. General Prohibition.

Except as otherwise provided in this policy, possession of firearms or other weapons on institution property is prohibited. (T.C.A. § 39- 17-1309). (See Attachment 1, Guide to Gun Laws on Campus.) The permitless/constitutional carry legislation enacted in T.C.A. §39-17-1307(g) (PC-108 effective July 1, 2021) does NOT allow permitless/constitutional carry on TBR property. The requirements of T.C.A. §39-17-1309 and this policy remain in effect.

#### B. Exceptions for Employees with Valid Handgun Carry Permits/Enhanced Handgun Carry Permits.

1. In accordance with T.C.A. § 39-17-1309(e)(11) and subject to the limitations set forth in this policy, full-time employees who possess a valid handgun carry permit/enhanced handgun carry permit and are authorized to carry a handgun under T.C.A. § 39-17-1351 may carry a handgun on property owned, operated, or controlled by the TBR institution at which they are employed, provided that they are not permitted to carry a handgun openly or in any manner in which the handgun is visible to ordinary observation, unless the employee is carrying, displaying, or employing the handgun in justifiable self-defense or in justifiable defense of another during the commission of a crime in which the employee or other person defended was a victim.

2. Full-time employees who intend to exercise this right to carry a handgun must first register with the Roane State Community College Police Department. Additionally, the employee must register with the law enforcement agency or agencies designated by their employing institution to receive that registration. If an institution has locations in more than one jurisdiction, the employee must register with the law enforcement agency in each jurisdiction where they intend to carry on campus. To facilitate the registration with local law enforcement agencies, the Roane State police department will provide a copy of the completed registration form to local law enforcement agencies in the counties where the employee indicates on the registration form they may be working.. (See attachment Handgun Carry Notification & Summary of Campus Concealed Carry Rights & Responsibilities.)



- a. Anyone wishing to register will make an appointment with a Roane State Community College police officer at either the Roane County campus, Oak Ridge Branch Campus, or the Cumberland County campus. The employee will bring their gun permit and driver license. The employee will complete the Notification of Employee's Intent to Carry a Concealed Handgun registration form in the presence of a witnessing Roane State police officer. The Roane State Police Department will provide a copy of the registration form to local law enforcement agencies in the counties where the employee indicates on the registration form they may be working. The employee is responsible for updating their registration form that is on file with the Roane State Police Department should they need to add campuses depending on where the employee may work or in the event of a change in status of their state handgun permit.
- b. The registering employees' names and other identifying information shall be confidential, not open for public inspection and shall not be disclosed except to the administrative officer of the institution responsible for security of the institution. However, that administrative officer will not be provided with the names or other identifying information of employees under their direct supervision or for whom they evaluate job performance. At Roane State Community College the designated administrative officer will be the president. Additionally, the registration information will be available to all Roane State POST certified police officers.
- c. Registered employees may not carry a handgun on the property of any TBR institution other than their employing institution. If two or more institutions share a property, properly registered employees of all sharing institutions may carry on the shared property.
- d. Full-time employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) shall have their valid handgun carry permit/enhanced handgun carry permit in their immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer.
- e. Part-time employees may not carry a handgun on institution property, even if they have carry permits.
- f. Roane State's police department has developed a training course and it is available to employees electing to carry a handgun under T.C.A. §39-17-1309(e)(11). The institution is not required to offer such courses. Employees are not required to participate in such courses if they are offered.

- g. Employees who elect to carry a handgun under T.C.A. §39-17-1309(e)(11) are not permitted to carry a handgun at the following times and at the following locations:
- i. Stadiums, gymnasiums, and auditoriums when school-sponsored events are in progress, such as ball games; pep rallies; convocations; graduations; concerts, plays and other entertainment; etc. This includes such events that are sponsored by recognized student organizations.
  - ii. Formal meetings regarding employee or student disciplinary matters.
  - iii. Formal meetings regarding tenure issues.
  - iv. A hospital, or an office where medical or mental health services are the primary services provided, such as a clinic, student health center or a mental health counseling center.
  - v. Any location where a provision of state or federal law prohibits the carrying of a handgun on that property, including, but not limited to:
    1. On the premises of a child care agency, in any vehicle used by a child care agency to transport children, or in the presence of a child being cared for by a childcare agency, such as a campus day care center. (Source: Rules of the Tennessee Department of Human Services, Chapter 1240-04-03, Licensure Rules for Child Care Centers);
    2. In or on any public K-12 school building, bus, school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any K-12 board of education, school, or directors for the administration of any public or private K-12 educational institution. This includes buildings or parts of buildings that are dedicated to use by a campus K-12 school, middle college, etc. (Source: T.C.A. § 39-17-1309);
    3. In or on any building, bus, campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by a private institution of higher education that prohibits possession of firearms on its property. For

example, if a TBR institution operates in a facility shared with a private institution of higher education that prohibits firearms on its property, a TBR employee will not be able to carry a handgun into the portion of the facility controlled by the private institution. (Source: T.C.A. § 39-17-1309);

4. A public park, playground, civic center or other building facility, area or property which, at the time of the employee's possession of a handgun, the employee knows or should know is being used by board of education, school, college or university board of trustees, regents, or directors for the administration of any public or private educational institution for the purpose of conducting an athletic event or other school-related activity on an athletic field, permanent or temporary, including but not limited to, a football or soccer field, tennis court, basketball court, track, running trail, Frisbee field, or similar multi-use field (Source: T.C.A. § 39-17-1311); and

5. A federal facility. (Source: 18 United States Code § 1930)

h. Property leased to the institution, if the lessor has prohibited the possession of firearms on the premises.

3. The employee shall not possess a handgun:

a. While under the influence of alcohol or any controlled substance or controlled substance analogue (Source: T.C.A. § 39-17-1321); or

b. While consuming liquor, wine, beer, or other alcoholic beverage within the confines of an establishment open to the public where liquor, wine, beer, or other alcoholic beverages are served for consumption on the premises. (Source: T.C.A. § 39-17-1321)

4. Employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) shall not disclose the fact that they are carrying a handgun with the intent to intimidate or threaten other employees, students or third parties.

C. When on the premises of the TBR institution where they are employed, employees who are registered to carry a handgun on the premises under T.C.A. § 39-17-1309(e)(11) and this policy must have the handgun either:

1. On or about their person, which means that the gun must be carried concealed on the person or it must be carried concealed in a handbag, briefcase or other carrying case that remains within an arm's reach of the person at all times; or

2. Secured in their personal motor vehicle in accordance with section IV.A. of this policy and T.C.A. §39-17-1313.

#### IV. Other Exceptions to the Prohibition on Weapons

A. Any adult with an enhanced handgun carry permit, concealed handgun carry permit, or who lawfully carries a handgun pursuant to T.C.A. § 39-17-1307(g) may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the person's motor vehicle while on or utilizing a parking area if:

1. The person's motor vehicle is parked in a location where it is permitted to be, and

2. The firearm or ammunition being transported or stored in the motor vehicle:

a. Is kept from ordinary observation if the person is in the motor vehicles; or

b. Is kept from ordinary observation and locked within the trunk, glove box, or interior of the motor vehicle or a container securely affixed to such motor vehicle if the person is not in the motor vehicle.

B. A person may possess or carry a firearm or other weapon used solely for instructional or school-sanctioned ceremonial purposes on institution property. However, the college's police department should be notified in advance.

C. Persons employed in the Army, Air Force, Navy, Coast Guard or Marine service of the United States or any member of the Tennessee National Guard, when in the discharge of their official duties and acting under orders requiring them to carry arms or weapons, may possess the weapons required by the orders.

D. Civil officers of the United States in the discharge of their official duties may possess required weapons.

E. Officers and soldiers of the militia and the National Guard, when called into actual service, may possess required weapons.

F. POST-certified, active-duty law enforcement officers, whether on or off duty, may possess and carry their service firearm on institution property.

V. Right to Search for Weapons

Roane State has the right to search for illegally possessed weapons in any area on the institution's premises, including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, briefcases, personal bags, personal tool boxes or tool kits, parking lots, college vehicles and other vehicles parked on the institution's premises. **Such searches may only be conducted by law enforcement officers.**

VI. Violations and Sanctions

A. Violation of this policy and/or the applicable laws regarding possession of firearms or other weapons on TBR institution property shall may result in disciplinary action, up to and including immediate termination of employment or expulsion from the institution. Violation of applicable laws may also result in referral to a law enforcement agency, arrest, and/or prosecution. An institution's response to a violation of this policy and/or applicable law will be based on the totality of the circumstances; including, but not limited to any threat posed by such violation; whether the violation was intentional or inadvertent; and any history of non-compliance with this policy.

B. Roane State shall not take any adverse employment or disciplinary action against an employee or student based solely on the fact that the person has carried a handgun on Roane State property in compliance with T.C.A. §39-17-1309(e)(11) and this policy or stored a firearm or firearm ammunition in a motor vehicle on Roane State property in compliance with T.C.A. §39-17-1313.

VII. Limitations of Liability

A. Unless carrying a handgun is a requirement of the employee's job description, the carrying of a handgun as allowed by T.C.A. §39-17-1309(e)(11) is a personal choice of the employee and not a requirement of the employing institution.

Consequently, an employee is not:

1. Acting in the course of or scope of their employment when carrying or using the handgun;
2. Entitled to workers' compensation benefits under T.C.A. §9-8-307(a)(1)(K) for injuries arising from the carrying or use of a handgun; or
3. Immune from personal liability with respect to use or carrying of a handgun under T.C.A. §9-8-307(h).

B. Roane State is absolutely immune from claims for monetary damages arising solely from or related to an employee's use of, or failure to use, a handgun by an employee of RSCC who has elected to carry a handgun under T.C.A. §39-17-1309(e)(11).

Attachment 2 [Handgun Notification Form & Summary](#)

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