

**Johnson University  
Tennessee Main Campus**

**Annual Campus Security Report  
and  
Fire Safety Report**

**Includes:**

**Campus Security Policies and Procedures  
Clery Disclosure Information  
Crime Statistics for 2015, 2016, 2017  
Fire Statistics for 2015, 2016, 2017**

**September 19, 2018**

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# Security Policies and Procedures

**Introduction.** JUTN is committed to creating an environment that will be conducive to the safety and welfare of the JUTN community.

## Security Responsibilities

**Crime Control.** JUTN is registered with the state of Tennessee as a proprietary security organization and contracts with a security service to provide licensed security personnel. University Security personnel can request assistance from the Knox County Sheriff's Department for incidents that require resources not available to university personnel and will summon the assistance of other agencies to provide services that require special resources. University Security personnel receive and investigate all incident reports and refer crimes and offenses to local law enforcement authorities. The sheriff's department makes occasional patrols through the campus and responds to 911 calls made from the campus.

Students living in non-campus property residences (see below) are served by the Knoxville Police Department, with crimes and incidents also reported to the JUTN security office (251-2222).

**Reporting Crime.** Students and employees of JUTN have the *right* to report directly to the Knox County Sheriff's Department any campus crime against their person or property. Students and employees have the *responsibility* to report the same to University officials. Generally speaking, the procedure for reporting crime is similar to the procedure for reporting other emergencies on campus.

Students living in non-campus property residences (see below) should contact 911 and ask for help from the Knoxville Police Department. Crimes and emergency incidents *must* also be reported to JUTN security so that the incidents will be reported as "non-campus property" crime statistics.

**How to Get Help.** If you are a victim or a witness of a crime of violence on campus, such as aggravated or sexual assault, call 911, and ask for help from the Knox County Sheriff's Department. Then contact University officials as described in the next paragraph.

Students living in non-campus property residences (see below) should contact 911 and ask for help from the Knoxville Police Department.

**Emergency Services.** Dial 251-2222 to report security concerns and non-emergency medical injuries. Dial 911 to report an emergency medical condition, fire, vehicle accident with injury, etc.

If you need someone to assist you in making contact with security, ask your resident director or a resident assistant for help.

When the immediate emergency is past, the security office in the plant services building has forms for the victims, witnesses, and investigators of campus crime to use in filing complaints pursuant to the FBI's Uniform Crime Reporting (UCR) and data collection guidelines.

**General Responsibilities.** JUTN officials are responsible both for responding to reports of campus crime and for collecting, analyzing, and reporting crime statistics as required by federal and state laws. A summary of crime statistics for the most recent three-year period is included in **Table 1** (page 5).

Partial year statistics are being collected for non-campus property (described below) and will be reported in the 2017 report.

**Timely Warning.** When necessary, the University Security Office will use various communications systems to notify students and employees in the event of an incident which endangers the safety of the campus, unless issuing the notification will, in the professional judgment of responsible University officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency (as permitted by federal regulations). Such incidents include Clery-reportable crimes (see "Federal Reporting Requirements below), as well as fire or weather-related incidents. (See also "Campus Emergency Notifications" below).

## Security Awareness

**Public Buildings.** Public buildings (Phillips-Welshimer Building, Eubanks Activities Center, Richardson Hall, Gally Commons, Old Main, Library, Chapel, Old Gym and Swimming Pool) will be open

only during business hours and/or at other announced times Using facilities after hours requires special permission in advance.

**Private Buildings.** Residence halls for single students (Brown, Johnson and Clark Halls) are not open to the public at any time unless advance special event announcements have been made. Outside doors automatically lock at curfew. Interfering with this policy is a disciplinary offense. When the residence halls are open, only the main lobby of each residence hall is open to members of the opposite sex. Visitors of the same sex are welcome elsewhere in the residence halls only by invitation or permission. University maintenance shops are off limits to everyone except University employees and their escorted guests.

**Non-campus Property.** Effective July 1, 2016, the University leases housing units in Knoxville for use by students participating in the Urban Plunge program. These housing units are located at 298 Chickamauga Ave, Knoxville, TN 37917, and 2733 Jersey Ave., Knoxville, TN 37919. Keys for these units are issued to residents.

Johnson University maintains an office at The Regas Building, 318 N. Gay Street, Knoxville, TN, and shares the building with other organizations. The building is open during regular business hours, typically 8:00 a.m. to 5:00 p.m. Monday through Friday. Johnson University has access to the building until 10:00 p.m. with the option to occasionally request extended access time. Students attending evening classes will be met at the door by university staff. Photo ID may be requested before granting access to the building.

Johnson University also utilizes space under a memorandum of agreement at 6430 S. Franklin Road, Indianapolis, IN, in a building owned by Indian Creek Christian Church. The church provides the following space:

- One classroom each Monday from 8:30 a.m. to 5:00 p.m.
- The classroom and other areas listed below are open and accessible to students at the times indicated.
- Students may also use the Common Area, the South Room Chapel, and the Kitchenette.
- Office space sufficient for two Johnson University employees beginning in August 2016. This accommodation might include two offices (preferably adjoining) or one office large enough for two people.
- Keys to access office and classroom space are issued to Johnson University staff.

**Identification.** University employees assigned to tasks in a residence hall shall identify themselves to the resident director when initially responding to a job order. Each worker shall have an ID badge appropriately displayed. When contracts bring workers from off campus into a residence hall, they will be announced by University officials beforehand to the resident director. Wherever possible, advance notice will be made by the resident director to the resident assistants whose areas are affected. Guests of JUTN staying in the residence halls will be identified by written notification to the resident directors from the public relations office.

University personnel may enter any residence at any time for inspection, maintenance, investigation of safety concerns or investigation of a suspected violation of community living. The customary procedure of knocking before entering shall be followed at all times

**Education.** The JUTN administration will assist the campus community to become aware of possible sources of, and ways to prevent, campus crime. Information on crime prevention will be made through special bulletins, announcements, and workshops. JUTN will also respond to specific needs from time to time, and will provide "timely notice" crime prevention warnings to the community whenever appropriate.

**Words of Caution and Advice.** To a large extent, students are responsible for their own security and the security of others in the residence halls. Residence hall occupants should keep first floor doors and windows locked after curfew. Residents should report for disciplinary action the names of any students who prop outside doors open after curfew. Students should write down their ideas and turn in their suggestions to the physical plant office for making the campus more secure.

# Clery Disclosure Information

## Federal Reporting Requirements

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f); TCA 49-7-2206) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information annually by October 1 about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs, and it applies to most institutions of higher education, both public and private. The Act is enforced by the United States Department of Education.

The Campus Security Act was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblower" and others from retaliation. The 2013 amendments expanded the Clery-reportable crimes to include stalking, dating violence, and domestic violence. For more information on the details of the Clery Act, see the Johnson University website.

The 2008 Reauthorization of the Higher Education Act requires institutions with on-campus student housing facilities to collect fire statistics, publish an Annual Fire Safety Report, and keep a "fire log." Even though this law is separate from the Clery Act, the dissemination regulations of the Annual Fire Safety Report are very similar to those of the Clery Act. Historically, in accordance with federal regulations, fire statistics are reported annually to the U.S. Department of Education's Office of Postsecondary Education by way of the web-based Campus Safety and Security Survey.

The university complies with all federal reporting requirements related to campus security and fire safety. All of the information and data required for both of these annual reports is contained in the *Student Handbook*. To request a copy of previously filed Campus Safety and Security Reports or previously filed Fire Safety Reports, contact the Dean of Students in the Student Life Office on the Tennessee campus.

**Table 1. Crime Statistics – Notes on following page**

Crimes	2015			2016				2017			
	Campus	Housing	Public	Campus	Housing	Public	Non-Campus	Campus	Housing	Public	Non-Campus
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	2	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0
Domestic violence	1	1	0	1	1	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0
<b>Total Crimes</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Bias Crimes</b>											
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism to property	0	0	0	0	0	0	0	0	0	0	0
<b>Total Bias Crimes</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Arrests</b>											
Weapons: carrying, possessing etc.	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0
<b>Total Arrests</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Disciplinary Actions</b>											
Weapons: carrying, possessing, etc.	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	2	2	0	4	4	0	0	8	8	0	0
<b>Total Disciplinary Actions</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>0</b>
<b>Total Unfounded Crimes</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

- The University did not have non-campus property prior to 2016.
- See also: <http://nces.ed.gov/collegenavigator> for institution “Johnson University.”

Current crime log information is available to the public at the reception desk in the Phillips-Welshimer Building.

## Campus Emergency Notifications

The Higher Education Authorization Act of 2008 requires institutions of higher education to formulate policies and procedures for notifying the campus community concerning significant emergencies or dangerous situations involving an immediate threat to the safety of the community.

Johnson University uses the Nixle Community Information Service, which is built to provide secure and reliable communications. Its authenticated service connects city agencies to citizens (or, in this case, university officials to students) in real-time, delivering information to residents of geographically targeted areas and neighborhoods.

Information can be received online and via email for free. Residents receive messages by mobile phone as part of their text messaging plan (otherwise standard text message rates apply). The system is simple to use and there is no spam. Johnson University will only use this system to announce a campus emergency situation or to test the system (normally one test per month).

Phone only registration – text **JUTN** to **888777**

**-OR-**

E-mail and Phone registration: Go to *Nixle.com* – click the orange *SIGN UP NOW* banner.

### Step 1 - Sign up

1. Enter your e-mail address
2. Create your own password
3. Enter your full name
4. Enter your mobile phone number

Click “*I accept, sign me up!*”

**Step 2 – Your home area** - Enter 7900 Johnson Drive, Knoxville TN 37998 as your home address

**Step 3 – Refer your friends - SKIP and Finish**

**Step 4 – Optional information or SKIP and go to Nixle site.**

You have now registered your e-mail and mobile phone. You should have a text on your phone asking you to text YES to 888777. This will activate the account on your phone.

## General Information for Responding to Campus Emergencies

In addition to specific instructions which may be sent through Campus Emergency Notifications, students, employees and guests will find general instructions posted on brightly colored posters in classrooms, residence halls, and other common areas for responding to various emergencies, including fire,

medical emergency, intruder/lockdown, tornado, earthquake, and winter weather conditions. Information includes a listing of designated safe areas for severe weather conditions.

## Missing Student Notification Policy

**Introduction.** The purpose of this policy is to outline the procedures JUTN will follow in response to a missing student report, as required by the Higher Education Opportunity Act of 2008. Each student will be informed annually of the following notification procedure:

**Registering a Confidential Emergency Contact.** Each student will be given the opportunity to identify an emergency contact to be notified within 24 hours after the student is deemed missing. This information will be collected by the Student Services Office along with other directory information, but is not considered to be directory information.

**Deeming a Student Missing.** A student may be deemed missing if it is reported to appropriate university personnel (Resident Director, Resident Assistant, Campus Security, Urban Plunge Program Director) that the student has been unreachable via personal contact, telephone, e-mail or other means of electronic communication for 24 hours or more.

**Emergency Contact Procedures.** Missing persons should be immediately reported to a Resident Director, Resident Assistant, Campus Security, or Urban Plunge Program Director, who will contact the Dean of Students. Once a student has been reported as missing, the following emergency contact procedures will be initiated Dean of Students (or authorized representative) no later than 24 hours after a student is deemed missing:

- The student's confidential emergency contact will be notified that the student is missing.
- A missing person report will be filed with the Knox County Sheriff's Department and the Tennessee State Police.
- If the missing student is under 18 years of age and not emancipated, the student's parents will be notified.
- Other campus offices having a need to know (including, but not limited to, the President's Cabinet, other Residence Life Staff, etc.) will be notified.

**Annual Notification.** Annual notification will be placed in the *Johnson University Tennessee Student Handbook*, available on the JUTN web site, and in the JUTN e-mail announcement sheet.



## TITLE IX AND CLERY POLICY

**Policy.** It is the policy of Johnson University that sexual misconduct is unacceptable and will not be tolerated; therefore, **sexual misconduct committed by or upon a Johnson University student or employee is strictly prohibited.** Reported violations of this policy will be investigated thoroughly and resolved promptly.

**Rationale.** Relationships between men and women at Johnson University are guided by Biblical principles of respect for other's feelings, rights, and responsibilities. The university is committed to its moral, educational, and legal obligations to provide policies, procedures, and programs that protect students and employees from sexual misconduct (both on and off campus) and to establish an environment in which unacceptable behavior will not be tolerated. This policy complies with the following federal laws:

- Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. Sec. 1681, *et seq.*, which prohibits discrimination on the basis of sex in any federally funded education program or activity
- Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act), 20 U.S.C. Sec. 1092(f), originally enacted as the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542)
- Violence Against Women Reauthorization Act of 2013 (VAWA), an amendment to the federal Clery Act and companion to Title IX

**Scope.** This policy applies to all Johnson University students (including campus residents, commuters, and online students) and employees. It also applies to third parties involved in an act of sexual misconduct by or upon a Johnson University student or employee, although the university's response may be limited and will depend on the level of control that the university has over the third party. This policy also applies whether the act of sexual misconduct was committed on or off campus (both Tennessee and Florida campuses), regardless of whether or not the sexual misconduct is the subject of a criminal investigation.

**Non-Discrimination Policy.** Johnson is a Christian university affiliated with Christian Churches and Churches of Christ. Its mission is to educate students for "Christian ministries and other strategic vocations framed by the Great Commission in order to extend the Kingdom of God among all nations." Accordingly, Johnson seeks to hire and educate individuals who share its vision and core values to carry out that mission. Johnson University does not unlawfully discriminate in admissions, educational programs, or employment practices.

Johnson University does not discriminate on the basis of race, sex, color, national origin, age, handicap, veteran status, genetic information, or political affiliation in provision of educational opportunities, programs and activities, or employment opportunities and benefits, pursuant to the requirements of Title VI of the Civil Rights Act of 1964 and subsequent amendments to that act, Title IX of the Educational Amendments of 1972 and subsequent re-authorization of that act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 and subsequent amendments to that act.

Direct questions concerning the non-discrimination policy to Dr. Greg Linton, Vice Provost for Academic Services, Johnson University, 7900 Johnson Drive, Box 67, Knoxville, TN 37998, telephone: 865-251-2364, email: [glinton@johnsonu.edu](mailto:glinton@johnsonu.edu).

For the Tennessee and Online campuses and for the various ExtendEd locations, inquiries related to Title IX may be referred to the lead Title IX Coordinator, Dr. Greg Linton, Vice Provost for Academic Services, Johnson University Tennessee, 7900 Johnson Drive, Box 67, Knoxville, TN 37998, telephone: 865-251-2364, email: [glinton@johnsonu.edu](mailto:glinton@johnsonu.edu).

For the Florida campus, inquiries related to Title IX may be referred to the branch Title IX

Coordinator, Garrett Thompson, Assistant Director of Academic Support and Career Services, Johnson University Florida, 1011 Bill Beck Boulevard, Kissimmee, FL 34744, telephone: 407-569-1340, e-mail: [gthompson@johnsonu.edu](mailto:gthompson@johnsonu.edu).

Other inquiries related to Title IX may be referred directly to the U.S. Department of Education's Office for Civil Rights at 800-421-3481 or [ocr@ed.gov](mailto:ocr@ed.gov).

**Sexual Misconduct Definitions.** Examples of sexual misconduct prohibited by the university include, but are not limited to, sex discrimination, sexual harassment, sexual assault, sexual violence, stalking, dating violence, domestic violence, indecent exposure, and any other illegal sexual conduct. The university's editorial update to quoted source material listed below appears in [square brackets].

- a. **Sex Discrimination.** Sex discrimination involves treating someone (an applicant[, student,] or employee) unfavorably because of that person's sex. *Source: U.S. Equal Employment Opportunity Commission (EEOC) web site, specifically located on <http://www.eeoc.gov/laws/types/sex.cfm>.*
- b. **Sexual Harassment.** Sexual harassment is unwelcome conduct of a sexual nature; including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students. It has been defined by the Equal Employment Opportunity Commission (EEOC) as follows:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment [or education], (2) submission to or rejection of such conduct by an individual is used as the basis for employment [or educational] decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work [or academic] performance or creating an intimidating, hostile, or offensive working [or educational] environment. *Source: Equal Employment Opportunity Commission (EEOC) regulations, 29 C.F.R., Section 1604.11(a).*

Examples [of sexual harassment] include, but are not limited to, unwelcome sexual advances; repeated sexually oriented kidding, teasing, joking, or flirting; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess, or sexual deficiencies; derogatory or demeaning comments about women in general, whether sexual or not; leering, whistling, touching, pinching, or brushing against another's body; offensive crude language; or displaying objects or pictures which are sexual in nature that would create hostile or offensive work[, educational,] or living environments. Such conduct is coercive and threatening and creates an atmosphere that is not conducive to teaching, learning, and working. *Source: American Council on Education's publication entitled "Sexual Harassment on Campus: A Policy and Program on Deterrence."*

- c. **Sexual Assault.** Sexual assault means coerced or non-consensual sexual intercourse, sexual activity, sexual contact, or sexual conduct against the victim's will. Sexual assault includes rape, sexual battery, sexual coercion, intentional sexual touching, and sexual exploitation. For Clery purposes, sexual assault is defined as an offense that meets the definition of rape, fondling, incest, statutory rape, sodomy, or sexual assault with an object as used in the FBI's Uniform Crime Reporting (UCR) program.
- d. **Sexual Violence.** Sexual violence is a form of sexual harassment. Sexual violence means any incident of rape; sexual battery; lewd or lascivious act committed upon or in the presence of a person younger than 16 years of age; luring or enticing a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose; sexual performance by a child; or any other forcible felony wherein a sexual act is committed or attempted, regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by prosecuting

authorities.

- e. **Stalking.** Stalking is willfully, maliciously, and repeatedly following, harassing, or cyberstalking another person. Aggravated stalking includes a credible threat to the person or failure to follow an injunction for protection or other court-imposed prohibition against repeat violence toward the person. For Clery purposes, stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for the person's safety or the safety of others or (b) suffer substantial emotional distress.
- f. **Dating Violence.** Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. For Clery purposes, stalking is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- g. **Domestic Violence.** Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. For Clery purposes, domestic violence is defined as a felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) 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 of violence occurred, or (e) 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 of violence occurred.
- h. **Sexual Exploitation.** Sexual exploitation means taking the advantage of sexuality and attractiveness of a person to make a personal gain or profit (*i.e.*, coercing someone into prostitution). It is the abuse of a position of vulnerability, differential power, or trust for sexual purposes.
- i. **Indecent Exposure.** Indecent exposure means exposing or exhibiting one's sexual organs in public or on the private premises of another, or so near thereto as to be seen from such private premises, in a vulgar or indecent manner, or to be naked in public.
- j. **Any other illegal sexual conduct** that is not explicitly defined above.

#### **Other Related Definitions.**

- 1) **Consent.** Consent is a voluntary agreement to engage or participate in sexual activity. Someone who is incapacitated cannot consent. Incapacitation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the person from having the capacity to actively give consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage or participate in sexual activity with one person does not imply consent to engage or participate in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.
- 2) **Hostile environment caused by sexual harassment.** "[A] hostile environment has been created ... if sexually harassing conduct by an employee, another student, or a third party is sufficiently serious that it denies or limits a student's ability to participate in or benefit from the school's program based on sex" (p. 5, U.S. Department of Education, *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, published January 2001). This standard would be applied to the work place in the case of an employee.
- 3) **Intimidation.** Intimidation means making a person timid or fearful; compelling or deterring a person by threats.

- 4) **Responsible Employee.** A “responsible employee” is any employee who has the authority to take action to redress sexual misconduct, who has been given the duty to report to appropriate university officials about incidents of sexual violence or any other misconduct by students, or who a student could reasonably believe has this authority or responsibility. Responsible employees receive specialized training annually. Responsible employees include university administrators, Student Services personnel (including Resident Assistants), athletic coaches, Human Resources personnel, and Campus Security personnel.
- 5) **Retaliation.** It is unlawful to retaliate against anyone in any way, especially by intimidation or assault, for articulating a concern about sexual misconduct, sexual harassment, or sex discrimination. The university prohibits retaliation against those who file a complaint or third-party report or those who otherwise participate in the investigative and/or disciplinary process. The university will take strong responsive action if retaliation occurs.
- 6) **Title IX Coordinator.** For the Tennessee and Online campuses and for the various ExtendEd locations, the lead Title IX Coordinator is Dr. Greg Linton, Vice Provost for Academic Services, Johnson University Tennessee, 7900 Johnson Drive, Box 67, Knoxville, TN 37998, telephone: 865-251-2364, email: [glinton@johnsonu.edu](mailto:glinton@johnsonu.edu). For the Florida campus, the branch Title IX Coordinator is Garrett Thompson, Assistant Director of Academic Support and Career Services, Johnson University Florida, 1011 Bill Beck Boulevard, Kissimmee, FL 34744, telephone: 407-569-1340, email: [gthompson@johnsonu.edu](mailto:gthompson@johnsonu.edu). Core responsibilities of the lead Title IX Coordinator include overseeing the university’s response to Title IX reports and complaints, identifying and addressing any pattern or systemic problem revealed by such reports and complaints, and evaluating an alleged victim’s confidentiality request, if one is made. Core responsibilities of the branch Title IX Coordinator include overseeing the university’s response to Title IX reports and complaints made on the Florida branch campus and evaluating an alleged victim’s confidentiality request, if one is made.

**Expectations of Both Parties.** The following rights apply to **both the reporting party (alleged victim) and the responding party (alleged perpetrator)**:

- Investigation and appropriate resolution of a credible complaint of sexual misconduct made in good faith to university administrators
- Be treated with respect by university officials
- Have university policies and procedures followed without material deviation
- Be fully informed of the nature, rules, and procedures of the campus conduct process
- Be informed in advance, when possible, of any public release of information regarding the complaint, except in cases where university officials are required to make a timely warning to the campus community
- Request changes to their academic, living, transportation, and/or working situations or protective measures after an alleged incident, if such changes are reasonably available. No formal complaint or investigation, either campus or criminal, need occur before this option is available. Listed below are examples of such changes and/or interim measures.
  - Restrictions on contact between the parties
  - Change of a student resident’s housing to a different on-campus location
  - Assistance from university support staff in completing the housing relocation
  - Arranging to dissolve a housing agreement and pro-rating a housing refund
  - Rescheduling or extending the time to complete exams or assignments
  - Taking an “Incomplete” grade for a course
  - Transferring to a different course section
  - Temporary withdrawal or leave of absence from school
  - Alternative course completion options
  - Change in working location and/or supervisor

- Change in work duties and/or responsibilities
- Counseling or financial assistance with counseling
- Increased safety or security presence or monitoring of certain areas of campus
- Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, or other services available for either party, both on campus and in the community
- Review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least 48 hours prior to the hearing
- Be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the responding party for compelling safety reasons (this exception does not include the name of the alleged victim, which will always be revealed to the responding party)
- A hearing closed to the public
- Have complaints heard by conduct and appeals officers who have received annual sexual misconduct adjudication training
- A conduct panel comprised of representative of both genders
- Petition that any member of the conduct body be removed on the basis of bias
- Have another person present, in a support or advisory role, during a university disciplinary hearing to accompany and assist in the university hearing process, according to discipline hearing policies and procedures
- Have the university compel the presence of student, faculty, and staff witnesses, and the opportunity to ask questions of witnesses (indirectly through and at the discretion of the hearing chair), and the right to challenge documentary evidence
- Not to have irrelevant prior sexual history admitted as evidence in a university hearing
- Make an impact statement at the campus conduct proceeding and to have that statement considered by the conduct body in determining its sanction
- Appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the university

The following rights apply only to the **reporting party (alleged victim)**:

- Not to be discouraged by university officials from reporting an assault to both on-campus and off-campus authorities
- Be informed by university officials of options to notify proper law enforcement authorities, including local police, and the option to be assisted by university authorities in notifying such law enforcement authorities, if the victim so chooses. This also includes the right not to report to law enforcement authorities, if this is the victim's desire.
- Preservation of privacy, to the extent possible and allowed by law
- Not to have released to the public any personally identifiable information about the reporting party, without his or her consent
- Not to have any complaint of sexual assault mediated (as opposed to adjudicated)
- A university no-contact order against another student who has engaged in or threatened to engage in stalking, threatening, harassing, or other improper behavior that presents a danger to the welfare of the complaining student, witnesses, or others
- Give testimony in a university hearing by means other than being in the same room with the responding party
- Ask the investigators to identify and question relevant witnesses, including expert witnesses
- Be present for all testimony given and evidence presented before the conduct body
- Be informed of the outcome and sanction(s) of any disciplinary hearing involving sexual assault, usually within 24 hours of the decision being made

The following rights apply only to the **responding party (alleged perpetrator)**:

- A timely written notice of the alleged violation contained within the complaint, including the nature of the violation and possible sanctions
- A fundamentally fair hearing on the complaint, including timely notice of the hearing date and adequate time for preparation
- A campus conduct outcome based solely on the evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice.
- Written notice of the outcome of the hearing and the sanction(s) imposed by the conduct body

**Confidentiality.** Although every effort will be made to keep a complaint confidential and to protect the privacy of individuals, it is regrettable that confidentiality and anonymity may have to give way to the university's obligation to investigate and take appropriate action, especially if the university is required to provide a timely warning of a Clery-reportable campus crime or an immediate threat to the health or safety of students or employees. When necessary, university officials will make a timely warning to the campus community (as required by federal regulations) unless issuing the notification will, in the professional judgment of responsible university officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency (as permitted by federal regulations).

The university encourages our professional or pastoral counselors among the faculty and staff to inform persons they are counseling (when the counselor deems it appropriate) about procedures for confidential reporting so that Clery-reportable crimes may be included in the annual disclosure of crime statistics. Certain criteria must be met for complete confidentiality between a victim and a pastoral counselor or a professional counselor. There may be situations in which counselors are in fact under a legal obligation to report a crime. To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors, as defined below. The following definitions apply to Title IX and Clery situations:

- **Pastoral counselor** – A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, AND is functioning within the scope of that recognition as a pastoral counselor.
- **Professional counselor** – A person whose official responsibilities include providing mental health counseling to members of the institution's community AND who is functioning within the scope of the counselor's license or certification.

The university will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim and maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the university to provide the accommodations or protective measures.

## **TITLE IX AND CLERY GRIEVANCE PROCEDURES**

Implicit in the following Title IX grievance procedures is a provision that allows the complaining party to avoid her or his immediate work supervisor or faculty advisor if that person is the source of the problem.

An informal resolution process (e.g., mediation) may be used only if the reporting party affirmatively seeks such a process and all parties agree to participate in an informal resolution process that does not involve a full investigation and adjudication. Any party may decline or terminate an informal resolution process at any time, without penalty. No person reporting that he or she has been sexually assaulted will be asked to mediate or reach a resolution of the report directly with a person alleged to have committed

the assault. Before using any informal process, the Title IX Coordinator will notify those involved of the advantages and disadvantages of the informal resolution process and will establish and notify those involved about reasonable timeframes for the informal process. If all parties voluntarily choose an informal resolution process, the Title IX Coordinator will note the use, timeliness, and outcome(s) of the informal process, without disclosing the parties' names. Nevertheless, in the case of alleged sexual assault or sexual misconduct, it is unnecessary and, most likely, inappropriate for an alleged victim to attempt informal resolution with the alleged perpetrator. In such a case, the formal grievance procedure should be initiated immediately.

**Reporting Procedures.** Formal reporting procedures include the victim or eye-witness of an act of sexual misconduct initiating a criminal complaint, an institutional complaint, and/or a report to a responsible employee (including the Title IX Coordinator). Alternative reporting options include a victim's or eye-witness' privileged or confidential disclosures to a professional or pastoral counselor.

**A victim or eye-witness of sexual misconduct by or upon a Johnson University student or employee must first go to a place of safety and then immediately report the incident to a responsible employee, regardless of the time of day or night.** The complaint will then be turned over to the Title IX Coordinator for investigation and processing through to conclusion.

Time is especially critical if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred. In such a case, the victim should not bathe until physical evidence of the assault can be obtained by medical personnel or law enforcement officers. It is important to preserve all physical evidence for examination by a physician that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order, particularly if there were no witnesses. If such a crime has occurred, the university will take prompt and effective steps to end the violence, prevent its recurrence, and address its effects. When deemed necessary, the university will take steps to protect both parties, which may include interim measures taken prior to the final outcome of the investigation. Interim measures may include changes to either party's academic, living, transportation, and/or working situations or protective measures after an alleged incident, if such changes are reasonably available.

Upon the victim's request, a specially trained Student Services (in the case of a student) or Human Resources (in the case of an employee) staff member will assist the victim in notifying local law enforcement of the incident, if the victim so chooses; guide the victim through the available options; and support the victim in his or her decisions related to the incident.

If a victim or eye-witness desires to make an anonymous report, the university's ability to respond will be limited by the confidentiality request. In certain cases, strict confidentiality is not possible because of federal Clery Act requirements to report certain crimes, including but not limited to the more serious forms of sexual misconduct. Each reported Clery crime is evaluated on a case-by-case basis to determine whether or not the university must issue a timely warning to the campus community about that particular criminal incident. If confidentiality is requested, every effort will be made to keep the name and location of the alleged victim and/or witnesses confidential. Ultimately, confidentiality requests are decided by the Title IX Coordinator.

The university is obligated under the federal Clery Act to report certain crimes that occur on campus, in a non-campus building or property, or on public property within the reasonably contiguous geographic area of the institution on its annual campus crime report provided to the U.S. Department of Education. The university is also obligated to issue timely warnings to the campus community about certain crimes that have already occurred but may continue to pose a serious or ongoing threat to students and/or employees.

**Investigation Procedures.** Reported sexual misconduct of any kind will be adequately, reliably, and thoroughly investigated, regardless of whether or not the incident is the subject of a separate criminal investigation. A victim of sexual misconduct has the right to file a criminal complaint with the appropriate local law enforcement agency, if they desire to do so. The filing of a criminal complaint will not replace or hinder the university's investigation of a sexual misconduct violation. A victim of sexual

misconduct may elect to have the investigation proceed through the criminal justice system, the university's disciplinary process, or both.

A Title IX investigation begins with the initial report of sexual misconduct made to a responsible employee. It is the duty of the responsible employee to notify the Title IX Coordinator immediately of any report of sexual misconduct made by a University student, University employee, or third-party. The following link may be used to report a Title IX incident:

<https://websurvey2.johnsonu.edu/cgi-bin/rws5.pl?FORM=TitleIXReporting>

The Title IX Coordinator will appoint a lead investigator who will thoroughly investigate the claims made in the initial report. Throughout the course of an investigation, both the responding party and the reporting party will have an equal opportunity to present relevant witnesses and other evidence. The lead investigator will gather information and make a finding of fact using a preponderance of the evidence standard to evaluate the complaint (*i.e.*, it is more likely than not that sexual misconduct occurred). The lead investigator will simultaneously provide both parties with a copy of the preliminary investigative report and will state the timeframe for either party to respond with any substantive changes prior to submitting the final investigative report to the Title IX Coordinator.

The investigation and any subsequent disciplinary hearing(s) will be conducted impartially. Any real or perceived conflict of interest between the fact-finder or decision-maker and the parties involved in a complaint will be immediately disclosed and resolved.

Sexual misconduct investigations will be conducted promptly. A typical sexual misconduct case may take up to 90 days following receipt of the complaint. This is an estimated timeframe. The actual amount of time needed for each stage of the process will be determined by the facts of a particular case. This timeframe may be increased or decreased, as needed, by the Title IX Coordinator or the university official in charge of a particular case. The amount of time needed to complete the entire process is determined on a case-by-case basis by the Title IX Coordinator, based on the nature and scope of the incident.

**Hearing Procedures.** The University is committed to providing a prompt, fair, and impartial investigation and resolution for all students, employees, faculty, and staff involved. If the Title IX Coordinator determines that a hearing is necessary, a time shall be set for a Title IX hearing not less than 48 hours after the written notice has been made to both the responding party and the reporting party. In cases that involve a complaint from a student about a student, the officials will typically be the faculty members of the disciplinary committee. In cases that involve a complaint involving any faculty or staff employee of the University, the Title IX Coordinator will appoint an adjudication board consisting of three members including at least one cabinet level member and/or senior campus administrator. The Title IX Coordinator will provide specialized training for all hearing committee members prior to the scheduled hearing.

A Title IX hearing may be conducted in the absence of the responding party or reporting party when proper notice has been given. A Title IX hearing shall be conducted by the Student Life Discipline Committee (in the case of a responding party student) or by a specially appointed Human Resources Discipline Committee (in the case of a responding party employee), according to the following guidelines:

- a) A Title IX hearing is conducted in private and is closed to the public. Admission of any person to a Title IX hearing shall be at the discretion of the Discipline Committee.
- b) Both the responding party and the reporting party have the same opportunity to have another person or other persons present during a Title IX hearing, but only in a support or advisory role to accompany and assist the responding party or reporting party in the hearing process.
- c) Eyewitness testimony, written statements, relevant documents, applicable exhibits, pertinent records, and impact statements may also be presented at the Title IX hearing by either the responding party or reporting party. Both the responding party and the reporting party are entitled to present witnesses at the hearing. Any witness is subject to follow-up questioning by any



committee member. The acceptance of any testimony and/or any tangible evidence will be at the discretion of the committee.

- d) The committee's determination shall be made using a preponderance of the evidence standard on the basis of whether it is more likely than not that the responding party violated Title IX or the university's Standards of Conduct. None of the following rules of evidence apply during a Title IX hearing: the federal rules of evidence, the Tennessee rules of evidence, the Florida rules of evidence, common-law principles of evidence, or any other formal law or rule of evidence.
- e) A record of all hearings held before the Student Life Discipline Committee shall be made and preserved by the office of the Dean of Students (Tennessee campus) or the Associate Dean of Students (Florida campus). A record of all hearings held before the Human Resources Discipline Committee shall be made and preserved by the office of the Human Resources Director. The record may take the form of summary notes, a rough transcript, or an audio recording. The choice of the form of record will be left to the discretion of the committee at each hearing.
- f) The record of the hearing shall be the exclusive property of the University. The record of a Title IX hearing is not distributed to the responding party, reporting party, or any other party. The record of a Title IX hearing shall be kept for a period of at least seven (7) years.

Ultimately, the Title IX Coordinator will make a finding of responsibility for violation of the university's Title IX policy and will determine a fair and equitable resolution of a Title IX complaint after the investigation process and hearing process, if necessary, are complete. "In each case, the issue is whether the harassment rises to a level that it denies or limits a student's ability to participate in or benefit from the school's program based on sex" (p. 5, U.S. Department of Education, *Revised Sexual Harassment Guidance*). This standard would be applied to the work place in the case of an employee.

**Appeal Procedures.** Recognizing that employees and students may be reluctant and/or embarrassed to voice a complaint about sexual misconduct decisions, the university's formal grievance process is available to permit a dissatisfied victim, eye-witness, or offender to make an appeal of a Title IX decision. A dissatisfied victim, eye-witness, or offender should follow the grievance procedures that can be found at the end of Unit Six of the *Student Handbook*. In short, a Title IX appeal would begin with submission of an online grievance form, which may be accessed by using the following link on the university website:

<https://websurvey2.johnsonu.edu/cgi-bin/rws5.pl?FORM=StudentGrievances>

After the online grievance complaint form is submitted, the Title IX appeal will be investigated by the appropriate administrator and handled by the grievance committee. Since the Title IX Coordinator and lead investigator were closely involved in the resolution of the initial sexual misconduct complaint, they will be recused from service on the grievance committee assigned to a Title IX appeal.

**Records Maintenance.** The university maintains documentation and records regarding alleged violations of the Title IX Policy and their resolution in a manner that protects the confidentiality of the parties involved, complies with the Family Educational Rights and Privacy Act (FERPA), and to the extent possible excludes personally identifiable information of victims of sexual assault, domestic violence, dating violence, and stalking. The Title IX Coordinator maintains all files relating to the initial assessment, voluntary resolution, investigation, final investigative report, sanctions, and/or appeals of a Title IX case. If a student is found responsible for violating the Title IX Policy, this finding remains a part of that student's conduct record.

**Awareness and Prevention Programs.** The university offers an educational program for students and employees that promotes awareness and prevention of violence, promotes both individual and community safety, and reduces the perpetration of violent crimes. The university works to create and

maintain a campus community culture designed to prevent rape; acquaintance or date rape; dating violence, domestic violence, or stalking; other sex offenses, forcible or non-forcible, heterosexual or homosexual; and other Title IX offenses. Ultimately, the foundation for such a program comes from the university's mission, Christian perspective, and core values.

The university's initial Title IX awareness and prevention program begins with a new-student orientation session during Genesis Weekend, which is held on both Tennessee and Florida campuses. The same awareness and prevention information is also provided during the orientation process for new distance-education students and new employees.

The university's ongoing Title IX awareness and prevention program continues with additional educational activities on both campuses offered to both students and employees. These ongoing educational activities include, but are not limited to: (1) safety awareness and violence prevention articles published in the *Johnson University Royal Scribe* ([royalscribe.net](http://royalscribe.net)), a student publication for the entire university community; (2) educational materials available on the university's website and employee portal; and (3) special events or activities during Sexual Assault Awareness Month in April.

**Victim Services and Resources.** Local and referral help is available for victims of sexual misconduct from the university's Health Services department and counseling center (available only on the TN campus), as well as the Student Services department. Local community and state victim services organizations are listed below for both Tennessee and Florida campuses. Many of these resources have web sites and toll-free telephone numbers that would be helpful for online students.

#### **In Knox County, Tennessee:**

##### **Knox County Sheriff's Office – Family Crisis Unit**

[www.knoxsheriff.org/family/index.php](http://www.knoxsheriff.org/family/index.php)

Emergency Phone: 9-1-1

24-hour Helpline: 865-521-6336

Office Phone: 865-215-6820

Family Justice Center, 400 Harriet Tubman St., Knoxville, TN 37915

The Family Crisis Unit investigates incidents of domestic violence, child abuse, and elder abuse, and provides immediate safety crisis counseling information and support to victims of these crimes.

##### **Sexual Assault Crisis Center of East Tennessee**

<http://www.mcabbcenter.org/sacet>

24-hour Crisis Line: 865-522-7273

2455 Sutherland Avenue, Building B, Knoxville, TN 37919

##### **YWCA of Knoxville, Victim's Advocacy Program**

[www.ywcaknox.com/programs/vap/](http://www.ywcaknox.com/programs/vap/)

Office Phone: 865-523-6126

Advocates for victims of domestic violence.

##### **Tennessee Domestic Violence Hotline**

1-800-356-6767

#### **In Marion County, Indiana**

##### **Indianapolis Metropolitan Police Department – Victim Assistant Unit**

<http://www.indy.gov/eGov/City/DPS/MPD/Services/Pages/victim-asst.aspx>

Emergency Phone: 9-1-1

Office Phone: 317-327-3331

50 N. Alabama St, Indianapolis, IN 46204

**Indianapolis Crisis Helpline**

Phone: 800-279-TALK

Office: 317-251-7575

Text: CSIS to 839863

**Centers of Hope:**

**IU Health Methodist**

1701 Senate Blvd, Emergency Entrance, I-65 at 21st Street  
(317) 963-3394 (Forensic Nurse Examiner mobile phone)

**Eskenazi Health**

720 Eskenazi Ave, between Michigan and 10th Streets  
(317) 880-8004 (manager)

**Riley Hospital for Children (Pediatrics)**

706 Riley Hospital Drive, between Michigan and 10th Streets  
(317) 274-7377

**Community Hospital East**

1500 North Ritter Avenue  
(317) 621-4673 (HOPE)

**Franciscan St. Francis Health**

8111 S. Emerson Ave, Entrance 1  
(317) 528-5442  
(317) 528-5262

**St. Vincent Hospital**

2001 West 86th Street, Emergency Department  
(317) 338-3756  
(317) 338-1956

**In Osceola County, Florida** *(Some content omitted here, refer to full Title IX and Clery Policy)*

The university will make appropriate changes to the academic, living, transportation, and working situations of any sexual misconduct victim, if requested and reasonably available. For example, a victim of sexual assault may be moved to a different residence hall (if a student) or work location (if an employee), if available.

Immediate Assistance:

- Contact information for trained on- and off-campus victim advocates or counselors who can provide an immediate confidential response in a crisis situation
- Emergency numbers for on- and off-campus safety, law enforcement, Title IX Coordinator, and other first responders
- Health care options, both on- and off-campus

Ongoing Assistance:

- Counseling, advocacy, and support resources, both on- and off-campus
- Academic accommodations and interim protection measures

**Possible Disciplinary Sanctions.** Following a disciplinary hearing, a student or employee determined to have committed sexual misconduct will be subject to disciplinary action up to and including expulsion from school for a student or termination of employment for an employee.

Possible disciplinary sanctions for a **student** include the following:

- Issuance of disciplinary points, verbal or written warning, and/or monetary fine
- Mandatory meeting with Dean of Students or his/her designee
- Mandatory counseling or other professional intervention
- Disciplinary hearing
- Discretionary sanctions (i.e., revocation of any student privilege, community service, disqualification from awards or representing the university, loss of institutional financial aid, etc.)
- Housing suspension or expulsion
- Disciplinary probation for a specified period of time
- Institutional suspension, administrative withdrawal, or expulsion

Possible disciplinary sanctions for an **employee** include the following:

- Issuance of verbal or written warning, recorded in the personnel file
- Mandatory meeting with the appropriate university administrator or his/her designee
- Mandatory counseling or other professional intervention
- Disciplinary hearing
- Discretionary sanctions (i.e., revocation of any employee privilege, campus housing suspension or expulsion, community service, disqualification from awards or representing the university, , etc.)
- Employment probation for a specified period of time
- Suspension from or termination of employment

**Special Training for Responsible Employees.** Annual training is provided to Responsible Employees on issues related to sex discrimination, dating violence, domestic violence, sexual assault, and stalking. Adjudication hearings are conducted by university officials who also receive annual training on how to conduct an investigation and hearing that protects the safety of victims and promotes accountability.

The primary sources of special training for Responsible Employees are the Lead Title IX Coordinator for the Tennessee and Online campuses and the Branch Title IX Coordinator for the Florida campus. The secondary sources of special training for Responsible Employees are the Vice President for Student Services for the Tennessee and Online campuses and the Executive Director of Student Life for the Florida campus. These designated university officials should have the most current knowledge of federal and state laws, regulations, and policies relating to Title IX. Since these university officials are the most informed members of the university community with regard to the university's Title IX responsibilities, they are best prepared to train others in the appropriate responses to a Title IX complaint or potential sex discrimination situation that needs special attention and/or corrective action.

**Safety Awareness.** Through the years, Johnson University students and employees have not been immune from physical or sexual assault on or near the university's campuses in Tennessee and Florida. After dark, people who are driving alone to and from campus should stay on the most public roads, avoiding the less traveled back roads to the campus. According to law enforcement officials, if a car with flashing blue lights tries to pull you over, turn on your emergency blinker lights and continue driving until you come to a brightly lit public parking lot where other people are present. Legitimate law enforcement officers won't mind the extra driving.

### **Additional Considerations.**

- 1) Claims of sexual misconduct may involve one-on-one situations with no additional witnesses to refute or substantiate the complaints, making final resolution difficult.
- 2) Regardless of the truth or falsity of the allegations, sexual misconduct charges that cannot be proved may have an adverse effect upon the career and family life of both the alleged perpetrator and the alleged victim.
- 3) If allegations of sexual misconduct prove to be untrue, the complainant may cause irreparable damage to the accused's reputation, may have defamed the accused's character, and may be sued in a court of law.

## **Alcohol and Drug Abuse Policy**

**Introduction.** At most of America's colleges and universities, drinking is taken for granted as a part of university life. Unfortunately, alcohol and drug abuse are also a part of campus life at most of America's institutions of higher learning.

**Standard of Conduct.** In keeping with the mission of Johnson University, the use, possession, distribution, manufacture, or sale of narcotics, illegal drugs, alcoholic beverages, marijuana, tobacco, or the abuse of legal substances by its students and employees is strictly prohibited. NOTE: if a beverage contains more than zero percent alcohol, it is considered to be an alcoholic beverage.

**Drug Testing.** Whenever it is reasonable to suspect a student of substance abuse, JUTN officials will make drug testing available. If the results come back negative, JUTN will bear the cost of the drug test. If the results are positive, the student will bear the cost and will be subject to disciplinary action. If the student refuses a request to be tested for substance abuse, then he/she will be subject to disciplinary action.

**Sanctions for Violation of the Standard.** Violation of this policy will lead to disciplinary action up to and including expulsion from university or termination of employment (and referral for legal action when a local code, state code, or federal code has been broken).

**Why an Abstinence Policy?** The pleasures of drinking alcoholic beverages, smoking or chewing tobacco, and sniffing, smoking or injecting illegal drugs are outweighed by their destructiveness. Yes, tobacco is lawful for all university-age students, marijuana is legal in some states, and alcoholic beverages are lawful for some (21 is the legal drinking age in Tennessee and Florida). However, the apostle Paul wrote, "All things are lawful for me, but all things are not helpful. All things are lawful for me, but I will not be brought under the power of any" (I Corinthians 6:12, NKJV). Sobriety and self-control are the Biblical norm, not drunkenness and addiction. Johnson University teaches that abstinence is the best way to achieve the Biblical norm.

**Help is Available.** Confidential referrals for counseling, treatment, or rehabilitation are available on the Tennessee campus from the counseling center and the health services office to students and employees who voluntarily seek such assistance. Helpful literature on alcohol and drug abuse can also be found in the counseling center and in the health services office.

**Tennessee Codes.** Under Tennessee state law, it is unlawful for any person under the age of twenty-one to buy, possess, transport or consume alcoholic beverages (TCA 1-3-113); to provide alcoholic beverages to minors (TCA 39-15-404); to be intoxicated in public (TCA 39-17-310); to possess or exchange a controlled substance (TCA 39-17-417). Copies of the applicable Tennessee Codes are available from the student services office.

**Federal Codes.** Possession and trafficking in controlled substances is regulated by federal law. The Federal Codes provide for fines plus imprisonment for possession (21USC844); forfeiture of real and personal property used to possess or facilitate possession (21USC853, 21USC881); forfeiture of vehicles, boats, aircraft, etc, used to transport a controlled substance (21USC884); civil fines and denial of federal benefits (21USC854); ineligibility to purchase or receive a firearm (18USC922).

## **Straight Facts About Drugs and Alcohol**

*Source:* The National Clearinghouse for Alcohol and Drug Information, 05/24/2001 – excerpts from <http://www.health.org/govpubs/rpo884/>

### **Alcohol**

Alcohol abuse is a pattern of problem drinking that results in health consequences, social problems, or both. However, alcohol dependence, or alcoholism, refers to a disease that is characterized by abnormal alcohol-seeking behavior that leads to impaired control over drinking. If you have a drinking problem, or if you suspect you have a drinking problem, there are many others out there like you, and there is help available. Talk to school counselor, a friend, a parent, or a minister.

Short-term effects of alcohol use include:

- distorted vision, hearing, and coordination
- altered perceptions and emotions
- impaired judgment
- bad breath
- hangover

Long-term effects of heavy alcohol use include:

- loss of appetite
- vitamin deficiencies
- stomach ailments
- skin problems
- sexual impotence
- liver damage
- heart and central nervous system damage
- memory loss

### **Cigarette Smoking**

Although many people smoke because they believe cigarettes calm their nerves, smoking releases epinephrine, a hormone that creates physiological stress in the smoker, rather than relaxation. The use of tobacco is addictive. Most users develop tolerance for nicotine and need greater amounts to produce a desired effect. Smokers become physically and psychologically dependent and will suffer withdrawal symptoms including: changes in body temperature, heart rate, digestion, muscle tone, and appetite. Psychological symptoms include: irritability, anxiety, sleep disturbances, nervousness, headaches, fatigue, nausea, and cravings for tobacco that can last days, weeks, months, years, or an entire lifetime.

Cigarette smoking is perhaps the most devastating preventable cause of disease and premature death. Smoking is particularly dangerous for teens because their bodies are still developing and changing and the 4,000 chemicals (including 200 known poisons) in cigarette smoke can adversely affect this process. Cigarettes are highly addictive. One-third of young people who are just "experimenting" end up being addicted by the time they are 20.

Risks associated with smoking cigarettes:

- diminished or extinguished sense of smell and taste
- frequent colds
- smoker's cough
- gastric ulcers
- chronic bronchitis
- increase in heart rate and blood pressure
- premature and more abundant face wrinkles
- emphysema
- heart disease
- stroke
- cancer of the mouth, larynx, pharynx, esophagus, lungs, pancreas, cervix, uterus, bladder

### **Cocaine and Crack**

Cocaine is a white powder that comes from the leaves of the South American coca plant. Cocaine is either "snorted" through the nasal passages or injected intravenously. Cocaine belongs to a class of drugs known as stimulants, which tend to give a temporary illusion of limitless power and energy that leave the

user feeling depressed, edgy, and craving more. Crack is a smokable form of cocaine that has been chemically altered. Drug users who inject the drug and share needles are at risk for acquiring HIV/AIDS.

Cocaine and crack are highly addictive. This addiction can erode physical and mental health and can become so strong that these drugs dominate all aspects of an addict's life. Some users spend hundred or thousands of dollars on cocaine and crack each week and will do anything to support their habit. Many turn to drug selling, prostitution, or other crimes. Cocaine and crack use has been a contributing factor in a number of drownings, car crashes, falls, burns, and suicides. Cocaine and crack addicts often become unable to function sexually. Even first time users may experience seizures or heart attacks, which can be fatal.

Physical risks associated with using *any* amount of cocaine and crack:

- increases in blood pressure, heart rate, breathing rate, and body temperature
- heart attacks, strokes, and respiratory failure
- hepatitis or AIDS through shared needles
- brain seizures
- reduction of the body's ability to resist and combat infection

Psychological risks:

- violent, erratic, or paranoid behavior
- hallucinations and "coke bugs"--a sensation of imaginary insects crawling over the skin
- confusion, anxiety, and depression
- loss of interest in food or sex
- "cocaine psychosis"--losing touch with reality, loss of interest in friends, family, sports, hobbies, and other activities

## **Inhalants**

Inhalants refer to substances that are sniffed or huffed to give the user an immediate head rush or high. They include a diverse group of chemicals that are found in consumer products such as aerosols and cleaning solvents. Inhalant use can cause a number of physical and emotional problems, and even one-time use can result in death.

Using inhalants even one time can put you at risk for:

- sudden death
- suffocation
- visual hallucinations
- severe mood swings
- numbness and tingling of the hands and feet

Short-term effects of inhalants include:

- heart palpitations
- breathing difficulty
- dizziness
- headaches

Prolonged use can result in:

- headache, muscle weakness, abdominal pain
- decrease or loss of sense of smell
- nausea
- nosebleeds
- hepatitis
- violent behaviors
- irregular heartbeat
- liver, lung, and kidney impairment
- irreversible brain damage
- nervous system damage
- dangerous chemical imbalances in the body
- involuntary passing of urine and feces

## **Marijuana**

Marijuana is the most widely used illicit drug in the United States and tends to be the first illegal drug teens use. The physical effects of marijuana use, particularly on developing adolescents, can be acute. Marijuana blocks the messages going to your brain and alters your perceptions and emotions, vision, hearing, and coordination. A recent study of 1,023 trauma patients admitted to a shock trauma unit found that one-third had marijuana in their blood.

Short-term effects of using marijuana:

- sleepiness
- difficulty keeping track of time, impaired or reduced short-term memory
- reduced ability to perform tasks requiring concentration and coordination, such as driving a car
- increased heart rate
- potential cardiac dangers for those with preexisting heart disease
- bloodshot eyes
- dry mouth and throat
- decreased social inhibitions
- paranoia, hallucinations

Long-term effects of using marijuana:

- enhanced cancer risk
- decrease in testosterone levels for men; also lower sperm counts and difficulty having children
- increase in testosterone levels for women; also increased risk of infertility
- diminished or extinguished sexual pleasure
- psychological dependence requiring more of the drug to get the same effect

**Methamphetamine**

Methamphetamine is a stimulant drug chemically related to amphetamine but with stronger effects on the central nervous system. Street names for the drug include "speed," "meth," and "crank." Methamphetamine is used in pill form, or in powdered form by snorting or injecting. Crystallized methamphetamine known as "ice," "crystal," or "glass," is a smokable and more powerful form of the drug. Methamphetamine is an increasingly popular drug at raves (all night dancing parties), and as part of a number of drugs used by college-aged students. Marijuana and alcohol are commonly listed as additional drugs of abuse among methamphetamine treatment admissions.

The effects of methamphetamine use include:

- increased heart rate and blood pressure
- increased wakefulness; insomnia
- increased physical activity
- decreased appetite
- respiratory problems
- extreme anorexia
- hypothermia, convulsions, and cardiovascular problems, which can lead to death
- euphoria
- irritability, confusion, tremors
- anxiety, paranoia, or violent behavior
- can cause irreversible damage to blood vessels in the brain, producing strokes
- Drug users who inject the drug and share needles are at risk for acquiring HIV/AIDS

**Federal Financial Aid Consequences, Section 484(r):**

**(r) SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES.—**

(1) IN GENERAL — A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified in the following table:

**If convicted of an offense involving:**

<b>The possession of a controlled substance:</b>	<b>Ineligibility period is:</b>
First offense .....	1 year
Second offense.....	2 years
Third offense.....	Indefinite



<b>The sale of a controlled substance:</b>	<b>Ineligibility period is:</b>
First offense .....	2 years
Second offense.....	Indefinite

- (2) REHABILITATION — A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if—
- (A) the student satisfactorily completes a drug rehabilitation program that—
    - (i) complies with such criteria as the Secretary shall prescribe in regulations for purposes of this paragraph; and
    - (ii) includes two unannounced drug tests;
  - (B) the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with such criteria as the Secretary shall prescribe in regulations for purposes of subparagraph (A)(i); or
  - (C) the conviction is reversed, set aside, or otherwise rendered nugatory.
- (3) DEFINITIONS — In this subsection, the term “controlled substance” has the meaning given the term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

## Fire Safety

**Residence Hall Policies.** The following are prohibited in and around Johnson residence halls: burning of candles or incense, halogen lamps, appliances for cooking (other than microwaves and coffee makers in Brown and Johnson Halls), barbecue grills (including propane bottles, charcoal briquettes, lighter fluid, and unused grills), gasoline or any kind of fuel, and motorized vehicles. Because of the fire hazard involved, no real trees or live greenery are permitted in the residence halls during the Christmas season. Other fire hazards as identified by student life and/or campus safety personnel may also be prohibited, including “daisy-chained” extension cords or excessive use of flammable decorations.

**Procedures for Evacuating Residence Halls.** Residence hall evacuations procedures are initiated when a building is no longer safe for occupation. The fire alarm system is an important and effective notification system. When the fire alarm sounds in a residence hall, all occupants of the building are to proceed to the nearest exit and remain in a safe location at least 50 feet from the building and out of roads and driveways until an “all-clear” signal is given by campus safety personnel and/or residence staff. Upon evacuation, occupants are to cluster in predetermined assembly areas. If necessary, occupants will be moved to safe shelter in the Phillips-Welshimer building. Resident Assistants will check to see that occupants are evacuated and assess how many students are present. Having determined that, Resident Assistants should walk the perimeter of the building and notify campus safety personnel of any students remaining in the building.

Resident hall staff will provide instruction, at least once per semester, to residents concerning evacuation procedures and assembly points.

Fire drills are conducted annually in order to familiarize occupants with evacuation procedures.

### **Policies for Other Student Residences.**

**Bell Hall.** The following are prohibited in and within 10 feet of Bell Hall: burning of candles or incense, halogen lamps, barbecue grills (including propane bottles, charcoal briquettes, lighter fluid, and unused grills), gasoline or any kind of fuel, and motorized vehicles. Because of the fire hazard involved, no real trees or live greenery are permitted in the residence halls during the Christmas season. Other fire hazards as identified by student life and/or campus safety personnel may also be prohibited, including “daisy-chained” extension cords or excessive use of flammable decorations.

**Garrett Way and Gateway Townhouses.** The following are prohibited in and within 10 feet of Garrett Way and Gateway townhouses: barbecue grills (including propane bottles, charcoal briquettes, lighter fluid, and unused grills), gasoline or any kind of fuel, and motorized vehicles. Other fire hazards as identified by student life and/or campus safety personnel may also be prohibited, including “daisy-chained” extension cords or excessive use of flammable decorations.

**Mobile Homes and Duplexes.** The following are prohibited in mobile homes and duplexes: gasoline or any kind of fuel, and motorized vehicles. Other fire hazards as identified by student life and/or campus safety personnel may also be prohibited, including “daisy-chained” extension cords or excessive use of flammable decorations.

### **Reporting Fires.**

**Residence Halls.** After the immediate emergency has passed, students and employees are required to report all fire incidents to the Resident Director. The Resident Director will report the incident to the Campus Safety Officer located in the Plant Services office.

**Other Campus Student Housing.** After the immediate emergency has passed, students and employees are required to report all fire incidents to the Campus Safety Officer located in the Plant Services office.

### **Fire Safety System: Other Student Residences**

Townhomes, duplexes, and mobile homes are equipped with smoke detectors and fire extinguishers.

**Table 2. Fire Safety Systems: Campus Residence Halls**

Building	Fire Alarm	Fire Detection	Detector Type	Sprinklers	Sprinkler Type
Brown	Central Monitored	Full	Smoke	Full	Wet
Johnson	Central Monitored	Full	Smoke	Full	Wet
Clark	Central Monitored	Full	Smoke	Full	Wet
Bell	Central Monitored	Full	Smoke	None	

**Table 3. Fire Statistics for Campus Student Housing (notes on following page)**

	2015			2016			2017		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Bell Hall	0	0	0	0	0	0	1 [1]	0	0
Brown Hall	0	0	0	0	0	0	0	0	0
Clark Hall	0	0	0	0	0	0	0	0	0
Johnson Hall	0	0	0	0	0	0	0	0	0
2360 Bell Drive	0	0	0	0	0	0	0	0	0
Garrett Way 1	0	0	0	0	0	0	0	0	0
Garrett Way 2	0	0	0	0	0	0	0	0	0
Gateway 1	0	0	0	0	0	0	0	0	0
Gateway 2	0	0	0	0	0	0	0	0	0
7902 Sunset Ct	0	0	0	0	0	0	0	0	0
7903 Sunset Ct	0	0	0	0	0	0	0	0	0
7904 Sunset Ct	0	0	0	0	0	0	0	0	0
7905 Sunset Ct	0	0	0	0	0	0	0	0	0
7906 Sunset Ct	0	0	0	0	0	0	0	0	0
7907 Sunset Ct	0	0	0	0	0	0	0	0	0
7908 Sunset Ct	0	0	0	0	0	0	0	0	0
7909 Sunset Ct	0	0	0	0	0	0	0	0	0
7910 Sunset Ct	0	0	0	0	0	0	0	0	0
7911 Sunset Ct	0	0	0	0	0	0	0	0	0
7913 Sunset Ct	Staff Housing						0	0	0
7801 Old Orchard Ct.	0	0	0	0	0	0	0	0	0
7803 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7805/7807 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7809/7811 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7813/7815 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7821/7823 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7825/7827 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7829/7831 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7833/7835 Old Orchard Ct	0	0	0	0	0	0	1 [2]	0	0
7837/7839 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7841/7843 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7845/7847 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7853 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7855 Old Orchard Court	0	0	0	0	0	0	0	0	0
7857 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7859 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7861 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7863 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7865 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7867 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7869 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7871 Old Orchard Ct	0	0	0	0	0	0	0	0	0
7873 Old Orchard Ct	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	2	0	0

Notes: [1] Damage was limited to a scorch mark on the vinyl kitchen floor, with replacement value of \$500. [2] There was no damage. Recharging the fire extinguisher cost \$25.

Current fire log information is available to the public at the reception desk in the Phillips-Welshimer Building.

**Plans for Fire Safety Improvement**

JUTN constructed a new station housing trucks belonging to the Seymour Volunteer Fire Department in 2012. JUTN has no plans to upgrade fire safety systems in the 2018-19 budget year.

## Contact Information

### Johnson University – Tennessee Contacts:

- **Campus Security Authorities:**
  - **Campus Safety and Contract Security (24/7)**  
865-251-2222
  - **Title IX Coordinator**  
865-251-2364
  - **Dean of Students, Associate Deans, and Student Life Office**  
865-251-2137
  - **Facilities Services**  
865-251-2289
  - **Johnson Hall Resident Director**  
703-581-9815
  - **Brown Hall Resident Director**  
865-251-2379
  - **Athletic Director**  
865-251-2412
  - **Faculty Members**
  - **Athletic Coaches**
  - **Resident Assistants, all residential areas**
- **University Counseling Center**  
865-251-3402

### Off Campus Contacts:

- **Knox County Sheriff Office**  
911 (emergency)  
865-215-2444 (non-emergency)
- **Seymour Volunteer Fire Department**  
911 (Emergency)  
865-851-1157 (non-emergency)
- **Tennessee Sex Offender Registry**  
<https://www.tn.gov/tbi/general-information/redirect-tennessee-sex-offender-registry-search/sex-offender-registry-search.html>