



“EQUIPPED FOR SUCCESS”

Clery Compliance Office

BRYAN COLLEGE
Annual Security Report
2024

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Clery Act Annual Security Report Purpose and Publication

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

- Publish an annual report by October 1 that contains three (3) years of campus crime and fire safety statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other university officials who have “significant responsibility for student and campus activities;”
- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees;
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
- Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department;” and
- Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off campus buildings or property owned or controlled by Bryan College; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, violence against women, and other matters.

This report is published annually on the Bryan College website and by email to all current students and employees.

You can obtain a paper copy of this report by emailing the Clery Compliance Officer at clery@bryan.edu.

2023 Crime Statistics

Bryan College Clery Statistics 2023

Primary Crime	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Murder/ Nonnegligent Manslaughter	0						
Negligent Manslaughter	0						
Robbery	0						
Aggravated Assault	0						
Burglary	0						
Motor Vehicle Theft	0						
Arson	0						

Sex Offenses	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Rape	0						
Fondling	0						
Incest	0						
Statutory Rape	0						

VAWA Offenses	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Dating Violence	2	2		2			
Domestic Violence	2	2	1	1			
Stalking	0						

Arrests	Total Crimes*	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Liquor Law Violations	3						
Drug Abuse Violations	3	2	2				
Illegal Weapons Possession	0						

*The total crimes for "Arrests" and "Referred for Disciplinary Action" in each section is the sum total for both categories.

Referred for Disciplinary Action	Total Crimes*	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Liquor Law Violations	3	3	1	2			
Drug Abuse Violations	3	1		1			
Illegal Weapons Possession	0						

*The total crimes for "Arrests" and "Referred for Disciplinary Action" in each section is the sum total for both categories.

Hate Crimes

There were no hate crimes reported in 2023.

2022 Crime Statistics

Bryan College Clery Statistics 2022

Primary Crime	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Murder/ Nonnegligent Manslaughter	0						
Negligent Manslaughter	0						
Robbery	0						
Aggravated Assault	0						
Burglary	1	1	<i>1</i>				
Motor Vehicle Theft	0						
Arson	0						

Sex Offenses	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Rape	0						
Fondling	0						
Incest	0						
Statutory Rape	0						

VAWA Offenses	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Dating Violence	2	2	<i>1</i>	<i>1</i>			
Domestic Violence	0						
Stalking	0						

Arrests	Total Crimes*	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Liquor Law Violations	0						
Drug Abuse Violations	0						
Illegal Weapons Possession	0						

*The total crimes for "Arrests" and "Referred for Disciplinary Action" in each section is the sum total for both categories.

Referred for Disciplinary Action	Total Crimes*	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Liquor Law Violations	0						
Drug Abuse Violations	0						
Illegal Weapons Possession	0						

*The total crimes for "Arrests" and "Referred for Disciplinary Action" in each section is the sum total for both categories.

Hate Crimes

There were no hate crimes reported in 2022.

2021 Crime Statistics

Bryan College Clery Statistics 2021

Primary Crime	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Murder/ Nonnegligent Manslaughter	0						
Negligent Manslaughter	0						
Robbery	0						
Aggravated Assault	0						
Burglary	2	2		2			
Motor Vehicle Theft	0						
Arson	0						

Sex Offenses	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Rape	0						
Fondling	0						
Incest	0						
Statutory Rape	0						

VAWA Offenses	Total Crimes	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Dating Violence	0						
Domestic Violence	0						
Stalking	1	1		1			

Arrests	Total Crimes*	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Liquor Law Violations	0						
Drug Abuse Violations	0						
Illegal Weapons Possession	0						

*The total crimes for "Arrests" and "Referred for Disciplinary Action" in each section is the sum total for both categories.

Referred for Disciplinary Action	Total Crimes*	On Campus	On Campus: Student Housing	On Campus: Not Student Housing	Noncampus Building or Property	Public Property	Unfounded
Liquor Law Violations	0						
Drug Abuse Violations	0						
Illegal Weapons Possession	0						

*The total crimes for "Arrests" and "Referred for Disciplinary Action" in each section is the sum total for both categories.

Hate Crimes

There were no hate crimes reported in 2021.

*Reporting Criminal Actions or Other Emergencies Occurring on
Campus—34 CFR § 668.46(b)(2)*

*Policy for Making Timely Warning Reports to Members of the Campus Community
Regarding the Occurrence of Relevant Crimes—34 CFR § 668.46(b)(2)(i)*

In the event that a situation arises on our campus, that in the judgment of the Vice President of Student Services or other designee of Bryan College constitutes an ongoing or continuing threat, a campus wide ‘timely warning’ will be issued through the college’s emergency alert system which will send the alert via text, voice, and email messaging.

Because the intent of a warning regarding a criminal incident(s) is to enable people to protect themselves, a warning will be issued as soon as the pertinent information is available. Upon first issuance of the timely warning, not all the facts surrounding a criminal incident, or incidents may be included; however, additional information will continue to be provided at a later time.

*Policy for Preparing the Annual Disclosure of Crime Statistics—34 CFR §
668.46(b)(2)(ii)*

The Annual Disclosure of Crime Statistics will be compiled by the Clery Coordinator, in coordination with the Clery Multidisciplinary Committee.

The Clery Multidisciplinary Committee will include the Clery Coordinator and senior level representatives (or an appropriate designee) from the following departments:

1. Campus Security
2. Student Life
3. Residence Life
4. Athletic Department
5. Human Resources
6. Operations
7. Title IX Office
8. ADA Office
9. Admissions
10. Marketing
11. College Counsel (on an *ad hoc* basis)

The Clery Multidisciplinary Committee will meet periodically, as called by the Clery Coordinator, to review the College's policies and procedures with relation to Clery requirements, to make determinations about reporting statistics, and to ensure compliance with the Clery Act.

How to Report Criminal Offenses for the Purpose of Making Timely Warning Reports and Annual Statistical Report Disclosure—34 CFR § 668.46(b)(2)(iii)

In cases of emergencies, the appropriate emergency services should be called immediately. All complaints or reports should be reported to:

- the Office of Student Life -423-775-7209 (during office hours)
- to a Resident Director or the RD on duty 423-521-5454 (after hours)
- Night Watchman 423-718-6696
- Dayton City Police Department 423-775-3876
- Call 911 (emergencies only)

Report all emergencies and crimes as soon as possible.

How to Report Crimes on a Voluntary, Confidential Basis for Inclusion in the Annual Disclosure of Crime Statistics—34 CFR § 668.46(b)(2)(iv)

Reports can be made anonymously for inclusion in the Annual Disclosure of Crime Statistics by notifying the Clery Coordinator at the following email address:

clery@bryan.edu.

Security of and Access to Campus Facilities, including Campus Residences, and Security Considerations Used in the Maintenance of Campus Facilities—34 CFR § 668.46(b)(3)

The college has enhanced its Dayton campus security capabilities. In addition to the campus Night Watchman staff which patrols the campus from midnight to 7am each night to deter criminal activity, the college has also established an agreement with the City of Dayton which provides a campus police presence from 1-9 pm, Monday through Friday.

All Bryan campus students are issued a magnetic student access card which is used to access all buildings on campus. This includes all resident halls, student services, library, classroom and meeting room buildings on campus. All residence hall rooms are also periodically subjected to safety inspection, and all safety-related repairs or problems are given first priority by the college maintenance staff.

The college has improved street and parking lot lighting and has deployed a comprehensive closed circuit TV monitoring system which utilizes dozens of cameras placed in appropriate locations around the campus. In addition, campus directional road signage has been augmented to smooth the flow of traffic and minimize conflicts with pedestrian traffic.

Finally, the college carefully follows guidance from the Tennessee Bureau of Investigation (TBI) regarding compliance with the VAWA which is validated by TBI audits of college reporting procedures. The college safety staff completes annual training and is certified by TBI.

Access to Facilities

Unauthorized entry into campus facilities constitutes a basis for immediate disciplinary action. All buildings on campus require an ID card for entrance.

- Residence Hall lounges are closed from midnight to 9:00 a.m.
- All campus buildings (Rudd, Mercer, Practice Gym, etc.) are open from 6:00 a.m. to midnight.
- Latimer and Summers Gymnasium are open from 6:00 a.m. to 2:00 a.m. on Friday and Saturday.

Firearms, Fireworks, and Weapons

Firearms, including pellet guns, other weapons such as paintball guns, airsoft guns, paintballs, bows and arrows, machetes, knives with more than 4" blades, etc., and fireworks are not permitted on campus. Students who violate these guidelines may be fined up to \$350 and have the weapons confiscated.

Under the supervision of Student Life and Operations, a safety team will inspect residence hall rooms regularly.

Keys

Students are strongly encouraged to keep their rooms locked. The College is not responsible for students' personal property. Individual room keys are provided to allow greater privacy and a sense of security and safekeeping.

The following standards govern the use of college keys:

- If a key is lost during the school year, it must be reported to Student Services or Student Life immediately. The key will be replaced and a replacement fee of \$25.00 will be charged to the student account.
- Students are not to duplicate college keys or allow duplicates to be made under any circumstances. Substantial fines and/or other appropriate corrective actions will be assessed for any student who violates this guideline.
- If a key is broken or bent, it is to be returned to Student Services. A new key will be issued at no charge if the old key is returned.

Campus Law Enforcement—34 CFR § 668.46(b)(4)

Enforcement Authority and Jurisdiction of Security Personnel—34 CFR § 668.46(b)(4)(i)

Bryan security personnel have jurisdiction over campus property. They will turn in daily reports to the Operations Services Department.

Working Relationship of Campus Security Personnel with State and Local Police Agencies—34 CFR § 668.46(b)(4)(ii)

College personnel will cooperate fully with local, state, and federal law enforcement and emergency services to assure that quick and efficient action is taken. Bryan College security personnel do not have authority to make arrests.

Encouragement to Make Police Reports—34 CFR § 668.46(b)(4)(iii)

Bryan College encourages the accurate and prompt reporting of all crimes to the local police when the victim of the crime elects to do so or, when the victim of the crime is unable to do so.

Resources and Information Provided to Pastoral and Professional Counselors—34 CFR § 668.46(b)(4)(iv)

Pastoral and professional counselors working on the campus are provided with information and training annually about available and security resources. Additionally, they are provided with an informational handout that they may provide, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Educational Programs for Students and Employees about Campus Security Procedures and Practices, to Encourage Responsibility for their Own Security and the Security of Others, and About the Prevention of Crimes—34 CFR § 668.46(b)(5) and (6)

Educational Programs for Students

Students are made aware of security procedures, of ways to maintain their own security, and about the prevention of crimes through the following means:

1. New student orientation, held annually at the beginning of the fall semester
2. Monthly residence hall meetings
3. Bryan Community Standards – distributed annually
4. Educational pamphlets

Educational Programs for Employees

Employees are made aware of security procedures, of ways to maintain their own security, and about the prevention of crimes through the following means:

1. Annual training at the beginning of the fall semester
2. Periodic online and in-person training designed, approximately twice per year

*Security at Noncampus Locations of Student Organizations Officially
Recognized by the College—34 CFR § 668.46(b)(7)*

Bryan College does not officially recognize any student organizations at noncampus locations, nor does it recognize student organizations with noncampus housing facilities.

*Possession, Use, and Sale of Alcoholic Beverages and Enforcement of
State Underage Drinking Laws—34 CFR § 668.46(b)(8)*

The possession, use, and sale of alcohol is prohibited. Bryan College will cooperate with local, state, and federal law enforcement agencies in the enforcement of underage drinking laws.

*Possession, Use, and Sale of Illegal Drugs and Enforcement of Federal
and State Drug Laws—34 CFR § 668.46(b)(9)*

The possession, use, or sale of illegal drugs or tobacco are prohibited. Additionally, the smoking of any other substance is prohibited. Additionally, individuals are not to abuse legal or prescription substances.

Bryan College will cooperate with local, state, and federal law enforcement agencies in the enforcement of federal and state drug laws.

*Description of Drug or Alcohol-Abuse Education Programs—34 CFR §
668.46(b)(10)*

The college is a participant in both the drug-free workplace and drug-free campus programs. These programs include dissemination of information through handouts, and the signing of a drug-free workplace agreement by all employees.

Alcohol and Controlled Substances

The Drug-Free Schools and Community Act requires the college to prevent students, faculty, and staff from using, distribute, or possessing illegal drugs and alcohol on college property or at college activities. The college is also required to explain the risks that drug and alcohol use may cause to one's health. Failure to have such a program will jeopardize the institution's qualification for federal funding or financial aid to students.

State of Tennessee Sanctions

This document contains a summary of state and federal sanction for the unlawful use of illicit drugs and alcohol. Portions of the summary were provided by the federal government, and while the summary is a good faith effort to provide information, Bryan College does not guarantee its accuracy. Under state law, it is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of their employment), or consume alcoholic beverages for or furnish them for any purpose to anyone under twenty-one years of age. These offenses are classified Class A Misdemeanors punishable by imprisonment for not more than eleven months and twenty-nine days, or a fine of not more than \$2,500 or both. (T.C.A. § 1-3-113, 39-15-404, 57-5-301.) The offense of public intoxication is a Class C Misdemeanor punishable by imprisonment of not more than thirty days or a fine of not more than \$50, or both. (T.C.A. § 39-17-310.) Under Tennessee law, the offense of possession or casual exchange of a controlled substance (such as marijuana) is punishable as a Class A Misdemeanor (eleven months twenty-nine days and/or a fine of \$2500). For the third or subsequent offense of possession of ½ oz. or less of marijuana, punishment is one to six years of imprisonment and a \$3,000 fine. If there is an exchange from a person over twenty-one years of age to a person under twenty-one, the older person is at least two years older than the younger, and the older person knows the younger is under twenty-one years of age, then the offense is classified as a felony. (T.C.A. § 39-17-417, 21 U.S.C. § 801, et. Seq.; T.C.A. § 39-17-417). Possession of more than ½ oz. of

marijuana under circumstances where intent to resell may be implicit is punishable by one to six years of imprisonment and a \$5,000 fine for the first offense.

State penalties for possession of substantial quantities of a controlled substance or for manufacturing or distribution range up to a maximum of fifteen to sixteen years of imprisonment and a \$5,000 fine for the first offense.

State penalties for possession of substantial quantities of a controlled substance or manufacturing or distribution range up to a maximum of fifteen to sixteen years of imprisonment and a \$500,000 fine. (Title 39, T.C.A., Chapter 17.) For example, possession of more than twenty-six grams of cocaine is punishable by eight to thirty years of imprisonment and a \$200,000 fine for the first offense.

The state may, under certain circumstances, impound a vehicle used to transport or conceal controlled substances.

United States Penalties and Sanctions for Illegal Possession of a Controlled Substance 21 U.S.C. 844(a)

First conviction: Up to one year imprisonment and fine of at least \$1,000 but not more than \$100,000, or both. After a prior drug conviction: at least fifteen days in prison, not to exceed two years, and a fine of at least \$2,500 but not more than \$250,000 or both. After two or more prior drug convictions: at least ninety days in prison, not to exceed three years, and a fine of at least \$5,000 but not more than \$250,000 or both.

Special sentencing for possession of crack cocaine:

Mandatory, at least five years on prison, not to exceed twenty years, and a fine of up to \$250,000, or both if:

- First conviction and the amount of crack possessed exceeds five grams.
- Second crack conviction and the amount of crack possessed exceeds three grams.
- Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 U.S.C. 853(a)(2) and 881(a)(7): Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year of imprisonment

21 U.S.C. 881(a)(4): Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance [An automobile may be impounded in cases involving any controlled substance in any amount.]

21 U.S.C. 884(a): Civil fine of up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853(a): Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 U.S.C. 922(g): Ineligibility to receive or purchase a firearm

Miscellaneous: Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, are vested within the authorities of individual federal agencies.

Resources

As a Christ-centered, educational institution, the college is primarily concerned with helping the individual student achieve academic and spiritual success. When health problems do arise, the college may assist and guide a student whose mental or physical health is threatened. Should students or their friends have a problem with alcohol or other drugs, there are several places on campus where one can receive assistance:

- The Resident Assistant (RA) or Resident Director (RD) is available to listen to students with such problems and make a referral if necessary. (RD Cell Phone: 423-521-5454)
- The Office of Student Life, located in Latimer Student Center, has professional counselors.

Several drug and alcohol rehabilitation centers are found locally. Bryan College is not responsible for the quality of treatment at these facilities. • Rhea County Medical Center, 9400 Rhea County Highway, Dayton, TN 37321 (423-775-1121)

- C.A.D.A.S., 207 Spears Avenue, Chattanooga, TN 37421 (423-756-7644)
- HCA Valley Hospital, Shallowford Road, Chattanooga, TN 37421 (423) 894-4220
- Young Life Center, 516 Cherokee Blvd., Chattanooga, TN 37405
- Cleveland Community Hospital, 2800 Westside Drive, Cleveland, TN 37312 (423-339-4134)
- SUMA, 632 Morrison Springs Road, Red Bank, TN 37415 (423) 778-3450
- Greenleaf Center, 500 Greenleaf Circle, Ft. Oglethorpe, GA 30742 (423-861-4357)

Health Risks

The following is a summary of known health risks associated with the use of illicit drugs and the abuse of alcohol. The federal government provided part of the summary, and Bryan College does not guarantee its accuracy.

EFFECTS OF ALCOHOL ABUSE

Acute: Alcohol consumption causes a number of marked changes in behavior. 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. Accidents are the leading cause of death among individuals aged fifteen to twenty-four years. Most are related to drinking and driving. Poor decisions and aggressive acts such as sexual assaults are almost always associated with alcohol use. 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. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effect just described.

Chronic: Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Some studies suggest that brain cells are actually permanently lost (killed) by high levels of alcohol.

Women who drink alcohol during pregnancy give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and intellectual disabilities. In addition, research indicates that children of alcoholic parents are a greater risk than other youngsters of becoming alcoholics.

EFFECTS OF OTHER DRUGS

Marijuana: Marijuana and related compounds are usually used for their "relaxation" effects or to produce an altered sense of reality – a "high." Disorders of memory (loss) and mood often occur in chronic users.

Cocaine (stimulant): Cocaine, crack, and all related forms are usually used for stimulation and to produce a sense of euphoria. All forms of cocaine are highly addictive, producing a habit that is extremely difficult to stop. In some individuals, cocaine may produce fatal cardiac rhythm disturbances.

Amphetamines (stimulants): Amphetamines, and their new derivatives "crystal," "ice," and Ecstasy, are used for stimulation. These compounds are very addictive and may produce psychotic and violent behaviors.

LSD & PCP (hallucinogens): These chemicals are used to produce "altered states" to escape reality. They are very dangerous and can cause psychosis.

Valium, Barbiturates, etc. (depressants): These and other prescription drugs of this type are usually used for their sedative or hypnotic effects. Some of these drugs are highly addictive, and others can cause seizures (convulsions) in individuals who take them over long periods of time. These drugs can be fatal if mixed with alcohol or other depressants.

Heroin, Codeine, etc. (narcotics): These are some of the most addictive substances known. They produce a high or euphoria. Withdrawal can produce convulsions or even coma. Overdose is common and can result in death. Needle drug users are in high-risk group for infection with the human immunodeficiency virus, though to be the cause of AIDS.

Other: Many medications and drugs have potential for abuse. If you have concerns or questions, ask for professional advice. For further information on commonly abused drugs go to the National Institute on Drug Abuse at <http://www.drugabuse.gov>.

Crime Awareness and Campus Security Act:

Public Law, 101-542, Title II

Prevention of Dating Violence, Domestic Violence, Sexual Assault, and Stalking and Procedures When One of These Crimes is Reported—34 CFR § 668.46(b)(11)

Sexual violence is an intolerable intrusion into the most personal and private rights of an individual and is prohibited at Bryan College. Bryan College is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law. As part of its commitment against sexual violence, Bryan College provides reporting options, an investigative and disciplinary process, and prevention training for the Bryan College community.

The health, safety, and security of those (regardless of gender) who frequent the Bryan College campus in Dayton, Tennessee is a priority. The college has been proactive in establishing a safe educational and living environment through a comprehensive planning process that integrates physical security enhancements with modern communications systems.

Educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking—34 CFR § 668.46(b)(11)(i)

Bryan College now provides training for students and employees addressing the issues of domestic violence, dating violence, sexual assault and stalking. This training includes:

- Primary prevention and awareness training for all incoming students and new employees
- Safe and positive options for bystander intervention
- Information on risk reduction to recognize warning signs of abusive behavior
- Ongoing prevention and awareness programs for students and faculty

Procedures if a Crime of Dating Violence, Domestic Violence, Sexual Assault, or Stalking has Occurred—34 CFR § 668.46(b)(11)(ii)

In the event of one of these crimes, the victim, any witnesses, or any students hearing about the incident should report it immediately to one of the following college officials:

Dean of Resident Life and Student Accountability -Mr. Stephen Ricketts – 423-775-7400

Vice President of Students Life – Mr. Nicholas Pacurari – 423-775-7217

Counseling Services – 423-775-7450

Urgent Response- 423-521-5454

Title IX Office: 423-775-2765; TitleIX@bryan.edu

The victim should also contact the Dayton Police Department or ask a college official to contact the police if the victim so desires. – 423-775- 3876 or call 911.

It is very important for all victims and witnesses not to disturb any evidence that may be useful in criminal investigation.

Both on and off campus counseling and support services available for the victims of sex offenses can be contacted through the Counseling Services Office.

The Office of Student Life (in conjunction with local law enforcement officials should the alleged victim contact them) will conduct a thorough investigation of any alleged incidents.

Victims and alleged victims may seek assistance in changing academic or living situations by contacting the Dean of Resident Life and Student Accountability -Mr. Stephen Ricketts – 423-775-7400 or Vice President of Students Life – Mr. Nicholas Pacurari – 423-775-7217.

Bryan College takes the rights of victims of dating violence, domestic violence, sexual assault, and stalking seriously and strives to supports them in understanding their rights and options under institutional policies and local, state, and federal legal proceedings.

A copy of a statement related to this information (“Notice of Rights and Options”) is available on request and will be provided via email, or in hard copy on request, to all persons who indicate that they have been a victim of one of these crimes.

Preservation of Evidence

Bryan College recognizes that a victim may need time to decide whether to report an incident to the police and/or the college. The purpose of this section is to provide victim with suggestions on preserving evidence while they decide whether to report an incident. The college encourages persons, as soon as possible after experiencing sexual assault, to take steps to preserve evidence such as:

- Have a forensic sexual assault nurse examination performed as soon as possible after the incident, but no later than 72-96 hours after the incident

- When possible, prior to having a forensic sexual assault nurse examination performed, avoid changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair.
- Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags).
- Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter).
- Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and
- Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator

Protection of Confidentiality—34 CFR § 668.46(b)(11)(iii)

Incidents of domestic violence, dating violence, sexual assault, and stalking are now disclosed in annual campus crime statistic reports. These reports will be anonymized in order to protect the confidentiality of victims and other necessary parties.

ANONYMOUS REPORTING AND DISCLOSURES

The College will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)).

ANONYMITY IN ACCOMMODATIONS OR PROTECTIVE MEASURES

The College will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Written Notification of Institutional and Community Services

The college will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community

Written Notification to Victims about Available Assistance and Support

The college will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Procedures for Institutional Disciplinary Action—34 CFR § 668.46(b)(11)(vi)

TYPES OF DISCIPLINARY PROCEEDINGS

There is a range of appropriate proceedings for disciplinary actions, depending on the allegations made and the requirements of overlapping federal regulations such as Title IX requirements

NON-COMPLAINT RESOLUTION

If an accuser elects not to make a complaint, and it is not necessary to pursue the complaint on behalf of the institution, the college may still assist the accuser by offering access to appropriate supportive measures.

INFORMAL RESOLUTION

At any time after a report of Prohibited Conduct under this Policy and with the agreement of relevant school officials, parties may voluntarily agree to resolve the allegations through an informal resolution facilitated by Bryan College that does not involve a full investigation and adjudication. In order to resolve the allegations through an informal resolution, the parties must provide voluntary, written agreement to the informal resolution process. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process. Agreed resolutions through the informal resolution process cannot be appealed. Types of informal resolution include, but are not limited to, mediation, facilitated dialogue, conflict coaching, and restorative justice and resolution by agreement of the parties.

HEARING

The primary formal resolution proceeding is a Hearing overseen by a decision maker made up of an individual or panel of reviewers of the investigation file produced by the Title IX office. The decision-maker who will oversee the hearing and make a determination based on the preponderance of the evidence standard whether the accused violated this policy.

LIVE HEARING

For some cases, due to statutory requirements, the appropriate formal resolution proceeding is a Live Hearing. At their discretion, the Title IX Coordinator may also pursue a Live hearing in cases where there is not a statutory requirement, provided that appropriate notice is given to the parties and that the seriousness or complexity of the case at hand is sufficient to warrant the additional expense.

DUE PROCESS PROTECTIONS

The accused and the accuser shall both be provided with the following in connection with the resolution process of suspected or alleged violations of this policy: rights of both parties include:

- Right to be informed of the process and all available options for resolution (Informal and Formal)
- Right to review all reports involved in the investigation
- Right to Supportive Measures and access to campus resources
- Right to an Advisor of choice
- Right to a prompt, fair, and impartial investigation of all complaints, including the opportunity for the parties to present witnesses and other evidence.
- Right to speak on their own behalf
- Right to review any information that will be offered by the other party in support of the other party's position (to the greatest extent possible and consistent with FERPA)
- Right to a live hearing (in cases that are addressed under Title IX)
- Right to object to a Title IX Coordinator, Investigator, Decision Maker(s), or any person in the informal resolution process based on conflict of interest and bias.
- Right to Decision Makers, Investigators, and other officials involved who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- Right to be informed of the outcome of the investigation and any proceeding simultaneously/contemporaneously and in writing (to the greatest extent possible and consistent with FERPA or other applicable law).
- Right to appeal final decision

BURDEN OF PROOF

All investigations and proceedings, including hearings will be conducted using a “preponderance of the evidence” (more likely than not) standard.

PRESUMPTION OF NOT RESPONSIBLE

The accused is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process.

TIME FRAMES FOR GRIEVANCE PROCESS

Bryan College strives to complete the grievance process within one hundred and twenty (120) Business Days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include but are 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.

POSSIBLE SANCTIONS

Persons found responsible in a disciplinary hearing under this policy may be subject to any of the following sanctions, as determined by adjudication:

- Verbal warning
- Written reprimand
- Probation
- Suspension
- Expulsion
- Withholding of diploma or degree until sanctions have been completed
- Revocation of admission status
- Temporary or permanent restricted access to college activities, events, organizations, or areas of campus
- Temporary or permanent removal from class or housing assignments
- Campus ban
- Conditional restriction on access to campus or college events
- No-contact directive
- Required attendance to educational meetings, or programs

- Writing a reflection paper
- Behavioral contract
- Fine
- Written apology
- Required assessment, counseling, or recovery program
- Community service hours
- Loss of salary or benefits, such as travel funding
- Suspension of promotion and salary increments, with possible reinstatement requirements required by the college
- Removal or nonrenewal of scholarships or honors
- Transfer or change of job or responsibilities
- Demotion
- Termination of employment
- Payment of restitution or costs incurred

RANGE OF SUPPORTIVE MEASURES

Upon receipt of a Formal Complaint, the College will provide reasonable and appropriate Supportive Measures designed to eliminate any existing hostile environment and protect the parties involved. The College will make reasonable efforts to communicate with the parties to ensure that all safety, emotional, and physical well-being concerns are being addressed.

Supportive Measures will be implemented at the discretion of the College in a manner that is not punitive and that respects the due process rights of all parties. Supportive measures may include, but are not limited to, the following list below, regardless of whether the Respondent is a student or an employee. Supportive measures may continue after a case is resolved if it is in the best interest of the Complainant, Respondent, or the campus community.

- Imposition of campus “No-Contact Order.”
- Rescheduling of exams and assignments.
- Providing alternative course completion options or change in class schedule.
- Change in work schedule or job assignment.
- Change in on-campus housing.

- Limit an individual or organization's access to certain College facilities or activities pending resolution of the matter.
- Increased security and monitoring
- Leave of Absence for employees

EMERGENCY REMOVAL

The College reserves the right to remove any member of the College community suspected or accused of violating this policy provided that the College's CARE/BIT Team undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to appeal the decision immediately following the removal.

NOTIFICATION REQUIREMENTS

All parties will receive simultaneous notification, in writing, of

- (A) The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
- (B) The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
- (C) Any change to the result; and
- (D) When such results become final.

PROMPT, FAIR, AND IMPARTIAL PROCEEDINGS

A prompt, fair, and impartial proceeding includes a proceeding that is:

- (A) Completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- (B) Conducted in a manner that—
 - (1) Is consistent with the institution's policies and transparent to the accuser and accused;
 - (2) Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - (3) Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and

(C) Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

Notice of Rights and Options

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options, as described in this policy.

FERPA Compliance

Compliance with 34 CFR § 668.46(k) as indicated above does not constitute a violation of FERPA.

Prohibition on Retaliation

An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this section.

Campus Sex Crimes Prevention—34 CFR § 668.46(b)(12)

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act and the Tennessee College and University Campus Sex Crimes Prevention Act of 2002 require that whenever a sex offender becomes employed, enrolls as a student or volunteers at an institution of higher education in the state of Tennessee, he or she must complete or update the Tennessee Bureau of Investigation (TBI) sexual offender registration/monitoring form and deliver it to TBI headquarters in Nashville. As defined in section 40-39-201 et seq. of the Tennessee Code, a "sexual offender" means a person who is, or has been, convicted in this state of committing a sexual offense or who is, or has been, convicted in another state or another county or who is, or has been, convicted in a federal or military court of committing an act that would be constituted a sexual offense if it had been committed in this state. A "sexual offense" means the commission of acts including but not limited to aggravated and statutory rape, sexual battery, sexual exploitation of a minor, aggravated prostitution, and kidnapping.

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

How to Find the State Sex Offender Registry

In compliance with the federal Campus Sex Crimes Prevention Act and the Tennessee College and University Campus Sex Crimes Prevention Act of 2002, members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled or volunteering at this institution from the Dayton Police Department Officer assigned to Bryan College. Information is also available on the TBI's web site listing of sex offenders: <http://www.tbi.state.tn.us/sorint/SOMainpg.aspx>.

*Emergency Response and Evacuation Procedures—34 CFR §
668.46(b)(13)*

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

Process for Initiation of the Notification System

The Executive cabinet serves as the Crisis Management Team (CMT) and has two distinct roles: First, to prepare to deal with a variety of possible emergency situations; and second, to perform certain critical functions when an emergency situation actually occurs.

Preparedness tasks consist primarily of learning individual member and area functional tasks and responsibilities, procuring needed equipment and supplies, and pre-coordinating actions to be taken during emergencies with both off-campus organizations and college students, faculty, and staff members.

CRISIS MANAGEMENT TEAM

The Executive cabinet when serving as the Crisis Management Team includes the following positions:

- a) Vice President of Student Services and Ministries (Crisis Management Director):
 - 1. Under the guidance of the college President, coordinates the actions of the Executive cabinet prior to, during, and in the immediate aftermath of an emergency. The Director Physical Plant is the alternate for this responsibility.
 - 2. Also serves as the primary Student Life Coordinator, interacting with students and their families in the event of a campus crisis situation. The Executive director of student life is the alternate for this responsibility.
- b) President (Media Coordinator): The college President is the primary media coordinator, with the Vice President of Advancement as his alternate.

CRISIS MANAGEMENT TEAM RESPONSIBILITIES

- a) Reviewing who may have been in the effected building(s)
- b) Notifying family members if circumstances warrant
- c) Determining what immediate college operational adjustments will need to be made
- d) Formulating the public response to the incident
- e) Identifying alternative or temporary venues which may be needed to provide the services normally provided in the effected building(s)
- f) Determining the need to suspend normal college operation for a determined period of time
- g) Developing instructions to give to the college community concerning how and when college operations will resume or return to normal operations
- h) Releasing the public response to the incident and identifying who (if other than the President or Vice President of Advancement) is authorized to discuss the incident with the media

Preparedness and Response Responsibilities

The following principles apply to crisis preparedness and incident response responsibilities:

- Each member of the Executive cabinet is responsible to provide annual emergency preparedness training for those under his/her leadership. This training is to include a reminder of responsibilities and how to respond to the most likely crises.
- In general, the Dayton campus response to a crisis or emergency will come from the Business Operations and Finance Office (during normal working hours and periods of non-enrollment) or the Resident Director on Duty (evenings and weekends during periods of enrollment).
- Areas providing events for guests from off-campus are responsible to annually train a person or persons from their area who will be in attendance at each such event and who will be responsible for the on-site emergency response if a crisis or emergency situation was to occur. The following is a listing of the most typical event types and the title of the person(s) primarily responsible for the on-site emergency response if a crisis or emergency situation was to occur:
 - Chapels and events overseen by the Campus Event Coordinator – Campus Event Coordinator

- Athletic competitions – Athletic director/Athletic Facilities Manager
- Prospective student visitation events – Director of Admissions/Admissions Special Events Coordinator
- Homecoming and other Alumni/Advancement events - Advancement Event Planner
- Drama events not overseen by the Campus Event Coordinator – Drama Instructor
- Musical Events not overseen by the Campus Event Coordinator – Faculty Sponsor of the event
- Academic events such as Commoner Forum, special speakers, etc. – Faculty Sponsor of the event
- On-campus student events – Resident Director on Duty
- Summer conferences - Student Services and Ministries Assistant/Conference Liaison
- Facility rental events - Bryan Sponsor of the event

Procedures for Disseminating Emergency Information to the Larger Community

The Bryan College President has the ultimate responsibility to ensure that in the event of an emergency, information released from the college is accurate as well as timely.

NOTIFICATIONS

The college Executive director of student life, in his capacity as the Student Life Coordinator, will interact with students and their families in the event of a student life threatening illness, injury, or death. He will determine all relevant facts relating to an incident and confer with the college President and the Vice-President of Student Services and Ministries prior to talking with affected family members. The Bryan College President may authorize the release of information to the college and community if he deems it appropriate.

MEDIA RELATIONS

The Bryan College President, in his capacity as the Media Coordinator, will review and approve all press releases prepared by the Vice President of Advancement prior to their release. The President (or his designated representative) is the ONLY authorized college spokesman. Media inquiries should be directed to the Office of the President.

Procedures to Test the Emergency Response and Evacuation Procedures

EMERGENCY PREPAREDNESS TRAINING MEETINGS

AUGUST OPERATIONS/STUDENT LIFE EMERGENCY RESPONSE TRAINING MEETING

- Annual training of OSL and Student Services and Ministries staff on the use of the SchoolCast system
- Annual training of OSL and Student Services and Ministries staff on the posting of watches and warnings to the campus digital signage
- Annual training of OSL and Student Services and Ministries staff on heart AED procedures

FALL STUDENT LIFE LEADERSHIP TRAINING AND DORM MEETINGS

- Annual student emergency preparedness training
- Annual Student Life staff emergency preparedness training

FALL FACULTY WORKSHOP

- Annual faculty/staff emergency preparedness training
- Annual training of Building Wardens and Floor Monitors for public buildings

ANNUAL VP LED AREA MEETING

- Annual area specific preparedness and response training by VP's
- Event preparedness and response training (sponsors, event planners, etc.)

DRILLS

- Semi-annual fire drill in each resident hall (OSL)
- Annual "lockdown" drill for each public building (Directory of Safety and Security)
- Annual evacuation/shelter in place "table top" drill for each building (Director of Safety and Security)

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

How to Report a Missing Person to the College

If a student has been missing for 24 hours, submit a report to the Vice President of Student Life or to the Dean of Resident Life and Student Accountability.

Notification of Local Law Enforcement

Upon determining that a resident student has been missing for 24 hours, the Vice President of Student Life or to the Dean of Resident Life and Student Accountability will notify the local law enforcement agency.

This notification will take place within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that the student was missing.

Notification of Student-Identified Contact Person(s)

Each student may identify a contact person or persons whom they would like notified in case they are determined to be missing. This contact will be registered confidentially and will be accessible only to authorized campus officials. It may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

Upon determining that a resident student has been missing for 24 hours, the Vice President of Student Life or to the Dean of Resident Life and Student Accountability will notify that contact person.

Notification of Parent(s) or Legal Guardian(s)

If the missing student is under 18 years of age and not emancipated, Bryan College will also notify a custodial parent or guardian within 24 hours when the student is determined to be missing (if such person is different from the contact person designated by the student).

Fire Safety Report

Fire Drills

In accordance with the NFPA 101 Code which states that fire drills should be conducted “with sufficient frequency to familiarize occupants with drill procedure and to establish conduct of the drill as a matter of routine,” Bryan College fire drills are conducted in the residence halls a minimum of once each semester. Although unplanned evacuations due to nuisance alarms, actual fires, or such causes do facilitate evacuation practice, they do not count as fire drills.

Fire Safety Procedures

- Upon discovering a fire, exit and close the door to the room where the fire is located and immediately sound the building fire alarm. Pull stations are located near exits and stairwells.
- Dial 911 and state the problem and where in the building the fire exists. Do not hang up until the operator tells you to do so, or you are in danger and must leave the vicinity of the phone.
- If in a residence hall, call the RD on duty (423-521-5454) and give your name and the location of the fire. • Alert people in your area of the danger and of the need to evacuate, assisting those with disabilities.
- Walk to the nearest stairway exit and DO NOT use elevators!
- Exit the building, closing doors between you and the fire.
- If in a resident hall, go to your gathering place
- Stay out of the way of emergency response personnel. However, notify firefighters of other public safety personnel if you suspect someone may be trapped inside the building.
- Do not return to the building until instructed to do so by the fire scene incident Commander or other public safety official.

IF TRAPPED IN SMOKE:

- If you are able, drop to your knees and crawl toward an exit
- Hold your breath as much as possible

- Breathe slowly through your nose using a towel or shirt as a filter.

IF TRAPPED IN A ROOM:

- Close as many doors as possible between you and the fire.
- Place cloth material (wet if possible) around or under the door to prevent smoke from entering the room.
- Be prepared to signal from a window to someone outside or by shouting at regular intervals.
- Place an article of clothing outside a window as a marker for rescue crews.

WHEN TO USE AN EXTINGUISHER:

- An extinguisher can be used to suppress a fire that blocks your exit from the building.
- Only use an extinguisher to attempt to extinguish a small fire.
- Remember PASS, the four basic steps to operate a fire extinguisher:
 - o P = Pull the pin
 - o A = Aim the extinguisher at the base of the fire
 - o S = Squeeze the lever
 - o S = Sweep from side to side
- If the fire is large, very smoky or rapidly spreading, evacuate the building immediately.

BUILDING EVACUATION:

- When the fire alarm is activated, immediately evacuate the building
- Take personal belongings only
- Assist people with disabilities
- Walk (do not run) to the nearest stairway exit and DO NOT use elevators.
- If in a residence hall, go to your gathering place
- Remain in the designated shelter area until the all-clear is given by the Operations Office or the RD on Duty when the emergency is over and normal operations can be resumed.

Fire Safety Regulations

APPLIANCES

The College allows for the use of most small appliances in residence hall rooms. However, the following specific items are prohibited:

- Coffee makers and irons without an automatic shut-off feature
- Camping or electric stoves/burners
- Toasters/toaster ovens
- Any appliance with exposed coils or heating surface

Please use caution! Students are financially responsible for any damage to their rooms.

CANDLES, INCENSE, AND OPEN FLAMES

Open flames and the use of candles and lit incense are prohibited in all residence halls. The following exception: lit candles on a cake for a birthday party are acceptable in the residence hall kitchen and lounge areas only, with the permission of the residence hall's RD. In addition, candle warmers and wax warmers are prohibited. If found in the residence halls, these items will be confiscated & appropriate fines (listed in the fines list) will be assessed.

HALLWAYS

In accordance with fire codes, all residence hallways are to be completely free of personal items at all times. The only exception to this policy is a doormat. Housekeeping staff or Residence Life staff will remove all items left in the hallways.

DOORS, WINDOWS, AND STAIRWELLS

Stairways must not be blocked. Room numbers or identification plates on residence hall doors must not be covered or removed. Public doors must not be propped open. When windows are open, heaters and air conditioners are to be turned off. Caution should be used to prevent blinds from being ruined by carelessness or the weather, as residents are financially responsible for the furnishings. Removal of window screens is not permitted.

ELECTRICAL CORDS

Electrical cords must not be covered by carpet, rugs, or any other articles and should not be touching the bed and/or linens in any way.

Annual Fire Statistics

Fire Safety Report

<i>Description of Fire</i>	2021	2022	2023
Unintentional Fires	0	0	0
Intentional Fires	0	0	0
Undetermined Fires	0	0	0
Deaths Related to Fire	0	0	0
Injuries Related to Fire	0	0	0
Value of Property	\$0	\$0	\$0

Definitions

Functional Definitions

Definitions Identified Under 34 CFR § 668.46(a)

BUSINESS DAY

Monday through Friday, excluding any day when the institution is closed.

CAMPUS

(i) 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

(ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) 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).

CAMPUS SECURITY AUTHORITY

(i) A campus police department or a campus security department of an institution.

(ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.

(iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

(iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

CLERY GEOGRAPHY

(i) For the purposes of collecting statistics on the crimes listed in paragraph (c) of this section for submission to the Department and inclusion in an institution's annual security report, Clery geography includes—

- (A) Buildings and property that are part of the institution's campus;
- (B) The institution's noncampus buildings and property; and
- (C) Public property within or immediately adjacent to and accessible from the campus.

(ii) For the purposes of maintaining the crime log required in paragraph (f) of this section, Clery geography includes, in addition to the locations in paragraph (i) of this definition, areas within the patrol jurisdiction of the campus police or the campus security department.

CONSENT

Consent is the voluntary, affirmative, and freely-given agreement, through words and/ or actions in reference to sexual and non-sexual physical touch.

FEDERAL BUREAU OF INVESTIGATION'S (FBI) UNIFORM CRIME REPORTING (UCR) PROGRAM

A nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes in Appendix A to this subpart and the requirements for classifying crimes in this subpart.

HATE CRIME

A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

HIERARCHY RULE

A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

NONCAMPUS BUILDING OR PROPERTY

(i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(ii) 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.

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.

PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

(i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that—

(A) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and

(B) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

(ii) Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in 34 CFR § 668.46(j)(2), as laid out in this manual.

PUBLIC PROPERTY

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

REFERRED FOR CAMPUS DISCIPLINARY ACTION

The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

TEST

Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

Procedural Definitions

Definitions related to institutional disciplinary proceedings

ADVISOR

Any individual who provides the accuser or accused support, guidance, or advice.

PROCEEDING

All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, factfinding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

RESULT

Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

Primary Crimes

Definitions identified under the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program

ARSON

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

CRIMINAL HOMICIDE—MANSLAUGHTER BY NEGLIGENCE

The killing of another person through gross negligence.

CRIMINAL HOMICIDE—MURDER AND NONNEGLIGENT MANSLAUGHTER

The willful (nonnegligent) killing of one human being by another.

RAPE

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

ROBBERY

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

AGGRAVATED ASSAULT

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

BURGLARY

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

MOTOR VEHICLE THEFT

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

WEAPONS: CARRYING, POSSESSING, ETC.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

DRUG ABUSE VIOLATIONS

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic

substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

LIQUOR LAW VIOLATIONS

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

VAWA Crimes

Definitions of crimes under the Violence Against Women Act

DATING VIOLENCE

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

(iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

DOMESTIC VIOLENCE

(i) 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.

(ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

STALKING

(i) 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.

(ii) For the purposes of this definition—

(A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

(C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

AWARENESS PROGRAMS

Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

BYSTANDER INTERVENTION

Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

ONGOING PREVENTION AND AWARENESS CAMPAIGNS

Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

PRIMARY PREVENTION PROGRAMS

Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

RISK REDUCTION

Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Crime Definitions Identified From the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program

SEXUAL ASSAULT

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in this list below.

SEX OFFENSES

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. *Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- B. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes

Crime definitions identified from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program

LARCENY-THEFT (EXCEPT MOTOR VEHICLE THEFT)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

SIMPLE ASSAULT

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

INTIMIDATION

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.