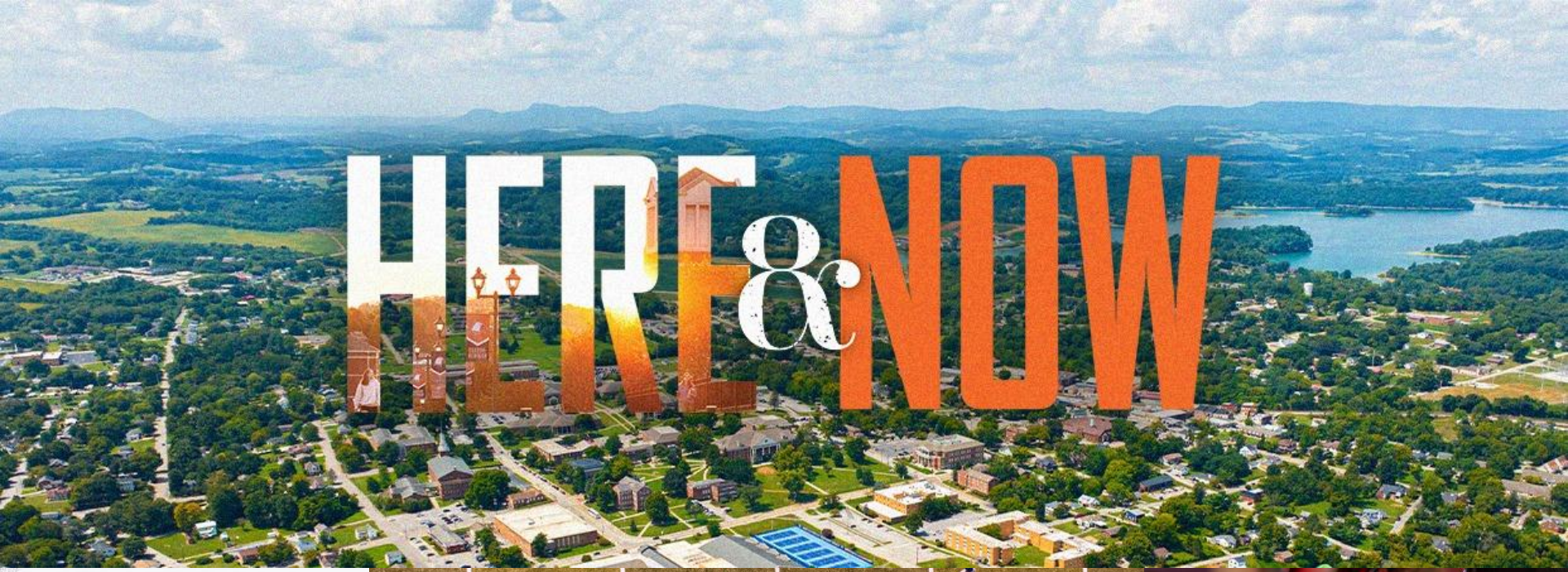
CARSON-NEWMAN

A CHRISTIAN UNIVERSITY

2026

ANNUAL SECURITY REPORT

HERE & NOW



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#TALONSUP!

SECTION 1

CARSON-NEWMAN UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Joel Lyons
Director of Public Safety

Cpl. Mark Snowden
Commander JCPD

Carson-Newman University Department of Public Safety (C-N DPS) is pleased to present the 2026 Annual Security and Fire Safety Report.

This report is provided to inform our Carson-Newman community of safety and security policies, support and assistance provided to victims of crime, as well as three years of crime and fire statistics.

OUR MISSION

The mission of the Department of Public Safety is to ensure that Carson-Newman University is a safe and secure environment for the campus community to achieve the University's mission of helping our students reach their full potential as educated citizens and worldwide servant-leaders.

To fulfill our mission, we will:

- Deliver superior security services with integrity and pride.
- Respect and safeguard the dignity and rights of all individuals.
- Demonstrate respect toward the people we serve and one another to maintain an environment of trust.
- Develop partnerships with all segments of our campus community through effective communication and collaboration.
- Carefully select and maintain a well-trained, educated, and professional staff.
- Accept individual responsibility and accountability for our actions.

ACCREDITATION

Carson-Newman University Department of Public Safety (C-N DPS) operates as a Proprietary Security Organization under the State of Tennessee's Department of Commerce & Insurance. C-N DPS and their Security Officers have met all training requirements set by the State of Tennessee and IACLEA (International Association of Campus Law Enforcement Administrators.)

Carson-Newman University partners with the Jefferson City Police Department (JCPD). JCPD maintains accreditation through TLEA (Tennessee Law Enforcement Accreditation).

Accreditation is a process that is difficult to achieve and requires continuous oversight to maintain. Accreditation is the cornerstone of C-N DPS as a safety agency. Accreditation provides the foundation upon which C-N DPS demonstrates an ongoing commitment to serve Carson-Newman's community with excellence and professionalism.

CARSON-NEWMAN UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Carson-Newman University is comprised of three sections: Security and Administration provided by Carson-Newman University and Law Enforcement provided by Jefferson City Police Department. Police Officers may choose to assist Security Officers in their duties, however Security Officers can not and shall not perform tasks that require actions of a sworn law enforcement officer.

CARSON-NEWMAN UNIVERSITY SECURITY

Carson-Newman University Security provides comprehensive security services 24 hours a day, 365 days a year. Security Officers participate in annual training continuum and recertify with the Tennessee Department of Commerce and Insurance. C-N Security currently employs 7 full-time armed security officers. The Director and Patrol Supervisor also meet the same training and recertification requirements, bring the total number of armed officers to 9.

DPS Participating in Active Shooter Training

JEFFERSON CITY POLICE DEPARTMENT

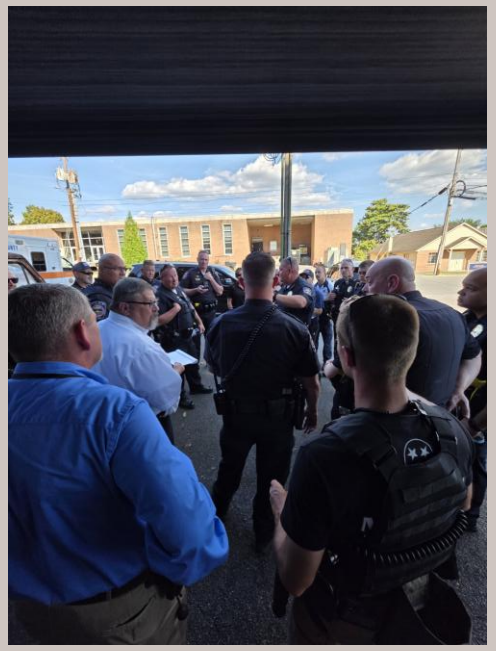
Carson-Newman University has enjoyed a partnership with the Jefferson City Police Department (JCPD) since 2016. This partnership assigns 4 full-time officers that are Peace Officer Standards and Training (POST) qualified. They patrol the campus and the surrounding areas enforcing state and city laws. This also opens an opportunity for students to have many interactions with law enforcement, almost all interactions are positive.

Cpl. Snowden leading HOCO parade

Sgt. Dean explaining the responsibilities of a K-9 Officer

PARKING ON AND AROUND CAMPUS

Carson-Newman University Public Safety enforces parking regulations for the university. As of 2024, we have around 1,500 parking spaces for visitors and students. With limited parking, available, we encourage visitors and C-N personal to utilize the available street parking. City parking violations are handled by the Jefferson City Police Department.



SECTION 2

REPORTING CRIMES AND OTHER EMERGENCIES

ALL VICTIMS AND WITNESSES ARE ENCOURAGED TO REPORT ANY OR ALL INFORMATION REGARDING SUSPECTED CRIMINAL ACTIVITY, MISSING PERSONS, AND ANY EMERGENCY TO PUBLIC SAFETY AS SOON AS POSSIBLE. IN AN EMERGENCY, DIALING 911 FROM ANY CARSON-NEWMAN TELEPHONE OR (865) 475-6855 FROM A CELL PHONE WILL CONTACT THE JEFFERSON COUNTY DISPATCH CENTER. ALL OFFICERS (JCPD AND DPS) CAN BE DISPATCHED BY JEFFERSON COUNTY DISPATCH.

Dialing 911 from any non-Carson-Newman phone or cell phone will contact Jefferson County Dispatch Center, who will notify C-N DPS of the call. For non-emergency situations, call (865) 548-9067, this will contact the on-duty officer directly or for non-emergencies off campus, call at (865) 475-6855.

VECTOR LIVESAFE

LiveSafe is a free mobile safety application available through the Apple Store and Google Play.

LiveSafe can be used to:

- Contact JCPD or DPS for emergency or non-emergency assistance via call or chat
- Submit non-emergency reports to C-N DPS with text, photos, or videos
- Assign contacts to monitor your safety at your request
- Request “Virtual Walk home” where C-N DPS monitors your walk to your car, office, or residence hall
- Share your location with a friend or C-N DPS
- View C-N emergency guides

QUESTIONS? EMAIL DPS@CN.EDU.

SECTION 3

EMERGENCY RESPONSE

THE ERP PROVIDES PROCEDURES FOR CRITICAL EMERGENCIES OF SEVERE WEATHER, CRIMINAL INCIDENTS, AND PANDEMIC FLU THAT COULD CAUSE A PARTIAL OR TOTAL SHUTDOWN OF THE CAMPUS. VARIOUS LOCAL, STATE, AND FEDERAL EMERGENCY RESPONDERS WILL BE REQUESTED AS NEEDED, AND EVERYONE SHOULD MONITOR THE LOCAL NEWS, CAMPUS EMAIL, AND OTHER EMERGENCY ALERT SYSTEMS IN THE LOCAL AREA DURING CRITICAL EMERGENCIES.

Carson-Newman University has established an Emergency Response Plan, (ERP), for emergency situations that might pose a threat to the campus community, to include natural or man-made incidents. The University understands that no emergency plan can be designed to meet every potential disaster that might arise, but that the purpose of its ERP to provide basic and reasonable administrative guidelines necessary for the management of a critical incident in concert with outside emergency responders.

In the event of a critical incident on or adjacent to the campus, the college will utilize Live Safe to send short cell phone text messages, email and application alerts to students, faculty and staff about the incident and what they should do at that time. The University urges everyone on campus to sign up for the Live Safe. Live Safe is available through both the Apple Store and Google Play. If you experience problems signing up, please call the Department of Public Safety at 865-471-3559 to ask for assistance (during Normal Business Hours). The only cost that may be associated is the fees for texts your respective phone company may charge if you opt-in on this feature.

The EMP provides procedures for critical emergencies of severe weather, criminal incidents, and pandemic flu that could cause a partial or total shutdown of the campus. Various local, state, and federal emergency responders will be requested as needed, and everyone should monitor the local news, campus email, and other emergency alert systems in the local area during critical emergencies.

During inclement weather, the college has a weather committee that monitors the National Weather Service in Morristown, TN, for local weather concerns, and the President or his designated representative will make public announcements related to canceling classes or delayed classes starting later in the day. Students and staff should make every effort to acquaint themselves with the various facilities on the campus in the event of a tornado or other major weather concerns which would force them to seek shelter in a basement or enclosed area.

The University receives outside support from the local police, fire, sheriff, county EMA and 911 officials during emergencies that affect the safety of the campus. The campus community should avoid any area near such an incident and cooperate with both emergency responders and school administrators to ensure their own safety. When a major incident occurs, LiveSafe will be utilized to alert the campus of the incident, along with emails providing instructions to students and staff on how best to protect themselves.

A partial or total lockdown of the campus may be implemented, and classrooms, offices, residence halls and recreational areas will be secured as reasonably possible.

The University has adopted a Pandemic Flu Plan, (PFP), in the event of a major outbreak on campus that would cause a partial or total shutdown of the campus. It will work closely with the local Jefferson County Health Department in the procurement of necessary medical supplies and the embedding of students too ill to care for themselves or unable to go to their respective homes.

Additional assistance will be afforded by the various on-campus departments, such as the food services, the wellness center nurse, counseling services, campus ministries, intramural, student activities, maintenance, and housekeeping and residence life.

In all instances that may require the University to close, every effort will be made to evacuate the campus, except for students who cannot go home for various reasons, to include international travel, illness or a campus wide quarantine. In the event of a required evacuation of the entire campus, the campus community will be notified Via LiveSafe, emails and in person as needed. In such situations, other emergency responders may assist in ensuring for the safest routes and for a place to go. Students are encouraged to keep both the University and their relatives aware of their whereabouts during such emergencies.

SECTION 4

CRIME RESPONSE

REPORTING CRIMES DIRECTLY TO DPS OR JEFFERSON CITY POLICE DEPARTMENT ALLOWS THE DEPARTMENT TO INVESTIGATE THE CRIME, IMPLEMENT NECESSARY ADDITIONAL PREVENTATIVE MEASURES, AND OFTEN PREVENT OTHERS FROM BEING VICTIMIZED.

This also ensures that timely warnings to the community are distributed when appropriate. Timely Warnings, as well as other publicly available information published in the crime log and the annual disclosure of crime statistics, will not include personally identifiable information of victims or witnesses.

DPS procedures require that calls involving crimes against persons and life/safety issues, such as fire or injury, receive priority response from the department. Property crimes in progress and other criminal acts with a high potential for violence also necessitate a rapid response. Requests for officers to file reports on criminal acts not in progress or general assistance requests are answered in a timely manner; however, response may be delayed if a higher priority call is in progress.

When any criminal incident is reported to DPS or JCPD, the report is public record under state law. To obtain a copy of the report, a request can be submitted to dps@cn.edu. Crimes against persons, including sexual assaults, may be jointly investigated and reviewed by DPS and JCPD.

Members of the community can stay informed about criminal incidents at Carspn-Newman University by reading the Daily Crime Log or Timely Warnings distributed to members of the C-N community as part of an ongoing effort to keep the community informed and to raise awareness of significant unsolved crimes that occur at or near the University.

TIMELY WARNINGS

Timely Warnings are issued in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This federal law requires that a timely warning on or near Carson-Newman University facilities or property and there is reason to believe that there is a continued threat to students and/or employees:

- Murder
- Sex offense
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Manslaughter
- Arson
- Hate crimes
- Stalking, domestic violence, or dating violence or
- When repeated offenses warrant public notice, such as multiple unsolved thefts with the same possible suspect(s) or established pattern(s) or when DPS otherwise determines that there is a compelling need to get information to the Carson-Newman community.

Timely Warnings are meant to assist the community in making informed decisions about their safety and, depending on the nature of the incident, they should contain as much of the following information as possible, when available and pertinent:

- Date, time, location (general or specific)
- Summarized event description
- Vehicle description (i.e., make, model, color, any damage to vehicle, and direction of flight)
- Any special instructions that may be needed
- Risk reduction tips
- Resources available for students, faculty, and staff

When DPS receives a report of a crime, it is immediately assessed by a supervisor to determine if there is a risk to the Carson-Newman community. The Director of Public Safety or their designee is consulted on the incident and, if it is determined there is an ongoing risk to the community, a Timely Warning will be issued as soon as possible after the specific event. If the incident is a delayed report (more than 24 hours) by the victim, then the time and date the victim reported the incident will also be included in the notice. The Timely Warning will not contain information that may hinder an ongoing police investigation and will not identify the victim by name or address. A general location designation, such as "residence hall" may be given instead of a specific location to ensure the privacy of the victim. Timely Warnings are usually distributed via email through the University's mass notification system, but fliers, posters, or other media may be used as appropriate in addition to or instead of email.

DAILY CRIME LOG

The Department of Public Safety maintains a Daily Crime Log in compliance with the Clery Act and the Tennessee College and University Security Information Act. As previously noted, personally identifiable information regarding victims or witnesses will not be published in the crime log. The Daily Crime Log may be viewed at the DPS Office located at 2209 Branner Avenue during normal business hours, or online at https://www.cn.edu/life-at-c-n/public-safety/.

REPORTING REQUIREMENTS

Everyone (not limited to individuals who interact with Minors) is required by Tennessee law to report to the Department of Children's Services (DCS) or law enforcement, any type of known or suspected child abuse or neglect, including suspected child sexual abuse. Community members making a report in good faith will be protected from criminal and civil liability for making the report. Additional Carson-Newman policy requirements include the internal reporting of abuse or maltreatment of or inappropriate interactions with (including conduct code violations) a Minor in a Carson-Newman program at location, C-N hosted event using campus facilities or spaces. It is important to understand that every member of the University community is required to report any type of suspected abuse (physical or sexual), misconduct, neglect, or inadequate care. This reporting policy includes disclosures of abuse which may or may not involve Carson-Newman personnel. When abuse or neglect of a Minor is suspected, two reports, one external and one internal, must be made:

EXTERNAL REPORT

Tennessee law requires every person to make a report when they suspect sexual or physical abuse or neglect of a Minor. Failure to report child abuse is a Class A misdemeanor, and intentional failure to report child sexual abuse is a Class E Felony. The required external report may be made to the State of Tennessee Child Abuse Hotline at (877) 237-0004, online at apps.tn.gov/carat or to a Tennessee sheriff's office or police department, including DPS at (865) 548-9067. If the situation is a life-threatening emergency, contact 911.

INTERNAL REPORT

In addition to any external report made, and in situations affecting or having the potential to affect the safety, supervision, and well-being of minors, every member of the University community has an obligation to report known or suspected abuse, neglect, maltreatment, exploitation, or inappropriate interactions with (including conduct code violations) a Minor on campus or in a Carson-Newman program immediately to Carson-Newman University.
Internal reporting steps are as follows:

• Immediately contact the program supervisor (where appropriate) and DPS at (865) 548-9067.

• Program supervisors receiving any report of concern of abuse to a Minor must report the concern to DPS at (865) 548-9067. This includes if the program supervisor has already made a referral to the Department of Children's Service or law enforcement as outlined in the external reporting procedure above.

SECTION 5

MISSING STUDENT NOTIFICATION POLICY

IN THE EVENT A STUDENT HAS BEEN MISSING FOR AT LEAST 24 HOURS, CONTACT DPS AT (865) 548-9067 OR RESIDENCE LIFE. ALL POTENTIAL MISSING STUDENT REPORTS WILL BE REFERRED TO DPS, JCPD OR LOCAL LAW ENFORCEMENT FOR INVESTIGATION.

This policy outlines the official notification procedures of Carson-Newman University for missing students who reside in on-campus housing, per the requirements of the Higher Education Opportunity Act, Section 488. In addition, this policy aims to promote the safety and welfare of members of the university community through compliance with the requirements of the HEOA.

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Department of Public Safety at (865) 548-9067. Upon receiving information that a student cannot be located and may be missing, The Department of Public Safety, along with Student Services personnel, will initiate an investigation which may include the following:

- Conduct a welfare check into the student's residence hall room
- Call known contacts (parents, guardians, roommates, and friends)
- Contact employers and associates, if known
- Contact the student's professor to ascertain the student's recent attendance in class.
- Determine if the student's identity card has been used to enter the residence hall, dining facility, or library

If the student cannot be located after reasonable efforts, Student Affairs personnel will contact the student's emergency contact no later than 24 hours after the student has been determined to be missing for 24 hours. If a Confidential Contact has been listed that person will be contacted. If the missing student is under 18 and is not an emancipated individual, the Department of Public Safety personnel will notify the student's custodial parent or legal guardian within 24 hours of the student being determined to be missing.

The Department of Public Safety will file a Missing Persons Report with the law enforcement agency with jurisdiction If outside of Jefferson City, TN, within 24 hours of the student being determined to be missing.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify an individual confidentially to be contacted by Carson-Newman University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Carson-Newman University will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to specify a confidential contact can do so through the Department of Public Safety. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate.

SECTION 6

TITLE IX, SEXUAL HARASSMENT AND PROCESSES

Carson-Newman is committed to equal opportunity and to maintaining a safe and healthy environment for all members of the Carson-Newman Community (including students, faculty, staff, and contractors), guests, and visitors.

Garry Kelley
Benefits and Title IX Coordinator

1.1 STATEMENT OF PURPOSE

Carson-Newman University seeks to glorify Jesus Christ in all endeavors. The university's confessional statement and Christian values acknowledge that every person "possesses full dignity and is worthy of respect and Christian love." (Baptist Faith & Message 2000 ("BF&M") § III). The Bible instructs that there should be no sexual immorality or obscenity in a Christian community. (Ephesians 5:1-5, Christian Standard Version). Because both men and women are created in the image of God, it is essential to the university's mission to help students reach their full potential as educated citizens and worldwide-servant leaders that Carson-Newman's policies addressing sex discrimination and sexual misconduct affirm the inherent value and potential of each individual, whether male or female. (Genesis 1:26-28; BF&M § XVIII).

Recognizing the preciousness of each person, Carson-Newman expects that members of its community strive to follow Romans 12:10: "Love one another deeply as brothers and sisters. Take the lead in honoring one another." Doing so requires conduct characterized by respect and self-control, upholding the rights and sexual purity of others.

Carson-Newman University has established this Title IX Policy ("Policy") on sex discrimination and Sexual Harassment in compliance with Title IX of the Education Amendments of 1972 and its implementing regulations at 34 C.F.R. § 106 (collectively "Title IX"). The university provides notice of this Policy to applicants for admission and employment, students, employees, and third-party vendors to the extent required by law.

1.2 CONSTRUCTION

1.2.1 Headings Not Limiting. Headings and subheadings in this Policy are provided only to make finding information easier. They shall not be used to limit the scope of any substantive provisions of the Policy.

1.2.2 Grammar. Any gendered pronouns shall be read to include individuals of either sex who are in similar roles or circumstances. Plural and singular uses of titles, nouns, and pronouns shall be read to include the alternative, as applicable (for example: employee/employees, activity/activities).

1.2.3 Defined Terms. Key roles and terms, which are capitalized throughout, are explained in Section 2.4: Definitions.

1.2.4 Revision. This Policy and its grievance procedure are to be reviewed for revision each June and promptly upon the release of federal or Tennessee-specific Title IX regulations.

1.3 SCOPE AND APPLICABILITY

1.3.1 Individuals Covered by this Policy

This Policy affects students, employees, and third parties (visitors and vendors) in the United States when Title IX Sex Discrimination, including Sexual Harassment, in a Carson-Newman Education Program or Activity is alleged. This Policy governs the application of the university's included Title IX Sexual Harassment grievance procedure, as differentiated from the application of criminal law, Title VII, student Code of Conduct, employee policies, and their respective disciplinary procedures.

1.3.2 Jurisdiction of Authority

This Policy is under the approval jurisdiction of the Executive Leadership Team and enforced by the Title IX Coordinator.

1.3.3 Effective Date

The effective date of this policy is August 1, 2023. This policy applies to all Title IX sex discrimination and Sexual Harassment reported to have occurred on or after August 1, 2023.

1.3.4 Other University Policies

This Policy refers or relates to Carson-Newman University's

- Policy on Sexual Misconduct, Sexual Harassment, and Sexual Abuse;
- Abuse of Process Policy;
- Eagle Student Handbook, specifically the Code of Conduct, Sexual Misconduct Policy, and section titled Discrimination and Harassment;
- Employee Handbook, specifically the Non-Discrimination Policy and sections under the following headings: Discriminatory Harassment, Sexual Harassment, Disciplinary Action Procedures, Conflict Resolutions Procedures, Whistleblower Policy, and Campus Security & University Security Act; and
- Faculty Handbook, Sections 2.1.2, 2.9.4 and 2.9.5.

(A) Preemption

In the event of a conflict with another university policy concerning Sexual Harassment within the Title IX jurisdiction, as described in this section, this Policy and its grievance procedure shall control.

(B) Conduct Outside the Application of Title IX

For incidents outside the Title IX jurisdiction or substantive scope of this Title IX Policy, refer to Section 2.1.5. The university maintains a Policy on Sexual Misconduct, Sexual Harassment, and Sexual Abuse that applies to student and employee conduct both in and outside of university activities.

2.1 APPLICATION OF TITLE IX REGULATIONS

2.1.1 Non-Discrimination

The university does not unlawfully discriminate on the basis of sex with regard to its programs and activities.

Title IX does not apply to undergraduate admissions at private institutions, including Carson-Newman.
Questions or inquiries about the application of Title IX may be addressed to the university's Title IX Coordinator, to the Assistant Secretary of the Department of Education, or both.

2.1.2 Religious Exemption

This Policy shall at all times be interpreted within the context of the university's religious tenets, which are summarized in the Baptist Faith & Message 2000 and referenced in university handbooks. Nothing in this Policy waives the university's rights to religious freedom under the United States Constitution and other applicable laws. To the extent that a regulation issued under Title IX is inconsistent with the university's religious tenets, Carson-Newman is exempt (34 C.F.R. § 106.12(a)).

2.1.3 Title IX Jurisdiction

Title IX jurisdictional requirements are met when all the following are applicable:

(A) *Complainant.* At the time of filing a Formal Complaint, the Complainant must be participating or attempting to participate in the university's Education Program or Activity.

B) *Respondent.* At the time of the alleged Prohibited Conduct, Respondent was a student, employee, or official agent of Carson-Newman University.

(C) *Location and Context.* The alleged conduct must have occurred against a person in the United States and in Carson-Newman University's Education Program or Activity.

2.1.4 Specified Procedure for Allegations of Sexual Harassment

This Policy's grievance procedure applies when the alleged conduct, if proven, would constitute Sexual Harassment (Quid Pro Quo, Hostile Environment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking). Any intentional sexual contact with an Incapacitated person is considered Sexual Assault under this Policy.

2.1.5 Non-Title IX Harassment and Discrimination

Reports of discrimination, harassment, sexual misconduct, and/or retaliation that do not fall within the definitions or jurisdiction of this Policy will be remedied under the university's other policies prohibiting such behavior. The university's Title IX Coordinator is available to assist in determining whether this Title IX Policy applies in any particular instance. When this Policy does not apply, complaints will be referred to Human Resources (for employees) or the Dean of Students (for students). For non-Title IX complaints, the university follows grievance procedures published in the Employee Handbook and Eagle Student Handbook, as applicable to the status of the person/entity alleged to be in violation of a relevant policy.

2.2 PROHIBITED CONDUCT

Carson-Newman University prohibits Sexual Harassment in all its operations.

2.2.1 Title IX Sexual Harassment

Sexual Harassment is defined as conduct that falls within one or more of the following categories:

(A) Quid Pro Quo ("Something for Something"):
A university employee conditioning the provision of a university aid, benefit, or service on an individual's participation in unwelcome sexual conduct;

(B) Hostile Environment:
Unwelcome conduct on the basis of sex that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the university's Education Program or Activity; or

(C) Sexual Offenses:
Sexual Assault (20 U.S.C. 1092(f)(6)(A)(v));
Dating Violence (as defined in 34 U.S.C. 12291(a)(11));
Domestic Violence (as defined in 34 U.S.C. 12291(a)(12));
or Stalking (as defined in 34 U.S.C. 12291(a)(36)).

2.2.2 Retaliation Expressly Prohibited

The university prohibits Retaliation with regard to reports of violations of Title IX and this Policy. Neither the university nor any other person may engage in Retaliation against an individual because the individual has made a report or Formal Complaint or has testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or Hearing under the Title IX Sexual Harassment grievance procedure, including an Informal Resolution process.

Any person who believes that he or she has experienced Retaliation which is prohibited under this Policy may file a complaint with the Title IX Coordinator.

2.3 REPORTING SEX DISCRIMINATION

2.3.1 Emergency Report

If you witness or experience any emergency involving Sexual Assault or any other crime of violence, or if you have immediate safety concerns, first call 911, then call the Department of Public Safety 24-Hour number **(865) 548-9067**, or you may report to the Department of Public Safety through the Carson-Newman **LiveSafe** mobile phone app.

2.3.2 Reporting to the Title IX Coordinator

The university has designated the following employee to coordinate its efforts to comply with its policies to prevent Sexual Harassment and discrimination based on sex:

TITLE IX COORDINATOR: Garry Kelley
Ted Russell Hall - 744 W. Ken Sparks Way – Rm. 156
Mail: 1646 Russell Ave., Jefferson City, TN 37760
(865) 471-4186 TitleIX@cn.edu

Any person may report a grievance relating to sex discrimination, including Sexual Harassment, whether or not the person reporting is the person who may be the victim of conduct being reported. A report may be made to the Title IX Coordinator **in person** during normal business hours **or at any time by mail, telephone, or email.**

2.3.3 Anonymous Reports

A report may be made anonymously, but a report that does not include the names of the potential Complainant and/or Respondent substantially limits the university's ability to respond. To encourage detailed reporting, the university will maintain confidentiality of information to the extent possible in conducting any grievance process that results from a report.

2.3.4 Who Should Report

In order to promptly stop sexual misconduct, prevent its recurrence, and remedy its effects, the university encourages students and Employees to promptly report incidents and allegations of Sexual Harassment to the Title IX Coordinator.

2.3.5 Mandated Reports

Officials with authority to institute corrective measures, who are identified in the definition of Actual Knowledge, must report alleged Title IX Sexual Harassment to the Title IX Coordinator within forty-eight (48) hours of witnessing or becoming aware of the conduct.

There is no duty for an employee to report sexual trauma disclosed only during a public awareness event or only in an academic assignment. Reports made to Counseling Services staff, Health Services staff, and Campus Ministries staff acting in their respective professional roles are confidential and not subject to a reporting expectation except in cases of imminent danger.

When the alleged victim is a minor (under eighteen (18) years of age), Tennessee law (TCA § 37-1-403) requires anyone with knowledge of sexual abuse (see TCA § 13-39-509) to report it law enforcement or the Tennessee Department of Children's Services. The Title IX Coordinator will assist with reporting.

2.3.6 Confidentiality

Except as necessary to carry out the grievance procedure and as permitted by law, the university will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness.

2.4 DEFINITIONS

2.4.1 Procedural Roles

(1) Complainant means an individual who is alleged to have been subjected to conduct that could constitute sex discrimination, including Sexual Harassment, under this Policy.

(2) Decision-maker means the person or panel designated by the university to conduct a Title IX Hearing and make a determination on the allegations in a Formal Complaint. No Decision-maker will be the Title IX Coordinator or the Investigator.

(3) Facilitator means a person or organization serving to facilitate an Informal Resolution of a Formal Complaint through mediation, arbitration, restorative justice, or a similar process.

(4) Investigator means a person designated by the university to investigate a Formal Complaint. If more than one person is designated, this term refers to all of the Investigators.

(5) Party means either the Complainant or the Respondent. Parties refers to all Complainants and all Respondents with respect to a report or Formal Complaint of sex discrimination under Title IX or Prohibited Conduct under this Policy, or with respect to multiple Formal Complaints which have been consolidated.

(6) Respondent means an individual alleged to have engaged in conduct that could constitute a violation of this Policy.

2.4.2 IMPORTANT TERMS

2.4.2 Important Terms

(1) **Actual Knowledge** means notice of Sexual Harassment or allegations of Sexual Harassment when received by the university's Title IX Coordinator or an official with authority to institute corrective measures on behalf of the university. The university is deemed to have Actual Knowledge when a report is made to one or more of these officials, who must report knowledge of Sexual Harassment to the Title IX Coordinator:

- University President
- Provost/Executive Vice President
- Vice President for Student Services
- Assistant Vice President for Student Services/Dean of Students
- Director of the Department of Public Safety
- Director of Human Resources
- Director of Residence Life

(2) Consent means informed, knowing and voluntary permission. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts. Consent cannot be procured by use of physical force, compelling threats, or intimidating behavior. In order to give effective consent, one must be of legal age and not otherwise Incapacitated.

A Respondent's voluntary consumption of alcohol or other substances is not a defense to instances in which lack of consent is alleged.

3) **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim, where the existence of such a relationship is determined based on consideration of (a) the length of the relationship, (b) the type of relationship, and (c) the frequency of interaction between the persons involved in the relationship.

(4) **Domestic Violence** means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Tennessee, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Tennessee (TN Code § 39-13-111).

(5) **Education Program or Activity** means any official operation of Carson-Newman University, including any location (such as a building), event, or circumstance in which the university or an officially chartered student organization exercises (or exercised at the relevant time) substantial control over both the Respondent and the context.

(6) **Employees** means Carson-Newman Faculty, Staff, Residence Assistants, and all individuals in coaching roles for Carson-Newman Athletics, regardless of compensation and including Graduate Assistants assigned coaching duties.

(7) **Formal Complaint** means a document which:

(a) is filed by a Complainant or signed by the Title IX Coordinator,

(b) concerns a Complainant who is participating in or attempting to participate in the university's Education Program or Activity,

(c) alleges that a Respondent engaged in Sexual Harassment, and

(d) requests that the university investigate.

Specific to the definition of Formal Complaint, "document" means a physical paper or electronic submission (such as an email) that contains a Complainant's physical or digital signature, or otherwise indicates that the Complainant is the individual submitting it.

(8) **Hearing** means a live hearing, either in person or using real-time technology, before a Decision-maker for the purpose of presenting evidence regarding the allegations in a Formal Complaint and allowing for questioning and cross-examination of Parties and witnesses by Parties' Advisors in order for the Decision-maker to determine whether a Respondent is responsible for violating Carson-Newman's Title IX Policy.

(9) **Incapacitation** (or Incapacitated) means the inability, temporary or permanent, to give Consent. Incapacitation may result from, by way of example: mental, developmental, and/or physical disability; involuntary physical restraint; sleep; unconsciousness; being unaware that sexual activity is occurring; or lacking the ability to make informed, rational decisions (unable to understand the "who, what, when, where, why, or how" of a sexual interaction) in order to give Consent. The responsibility for establishing Consent falls on the initiator of a sexual act, even if the initiator was under the influence of alcohol or other drugs at the time of the alleged violation. Intoxication is not a defense to a complaint under this Policy.

Evaluating Incapacitation requires an assessment of whether a Respondent knew or should have known of the Complainant's Incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent's position.

(10) **Informal Resolution** is a voluntary method for remedying a Formal Complaint without a complete investigation or Hearing. It may include individual meetings with counselors or the Title IX Coordinator, mediation, or restorative justice.

(11**) Investigative Report** means a written report created by the Investigator that fairly summarizes all relevant evidence obtained during the investigation of a Formal Complaint.

(12) **Prohibited Conduct** means Sexual Harassment or Retaliation under this Policy.

(13) **Sexual Assault** means an offense classified as a sex offense (forcible or nonforcible) under the uniform crime reporting system of the Federal Bureau of Investigation (https://ucr.fbi.gov/nibrs/2018/resource-pages/nibrs_offense_definitions-2018.pdf), including any non-consensual act of genital or anal penetration, however slight, with any body part or object; non-consensual touching of the private body parts of another person for the purpose of sexual gratification; statutory rape (TN Code §13-19-506); or incest (TN Code § 39-15-302).

(14) **Sexual Harassment** is defined in Section 2.2.1: Title IX Sexual Harassment.

(15) **Retaliation** means any conduct intended to intimidate, threaten, coerce, harass, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. § 106, this Policy, or its grievance procedure. Retaliation includes, but is not limited to, the bringing of disciplinary charges against an individual for Code of Conduct violations that do not involve sex discrimination or Sexual Harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. § 106, this Policy, or its grievance procedure.

(16) **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer Substantial Emotional Distress.

As used above, "course of conduct" means two or more acts, including but not limited to, acts in which one person (directly, indirectly, or through third parties) follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with that person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(17) **Supportive Measures** means non-disciplinary, non-punitive individualized services offered to a Party or potential Party in response to a report of Prohibited Conduct.

SECTION 3 - PROCEDURES

This grievance procedure applies to allegations of Title IX Sexual Harassment and does not restrict the university's ability to investigate and pursue discipline based on alleged violations of other federal, state, or local laws, their implementing regulations, or other university policies. The university may enforce any and all of these through additional procedures described in Carson-Newman's Code of Conduct and/or employee and faculty handbooks.

3.1 PROMPT RESPONSE TO REPORT

3.1.1 University Responsibilities

If the university has Actual Knowledge of Sexual Harassment in its Education Program or Activity, the Title IX Coordinator is responsible for coordinating a response that is prompt and reasonable in light of the known circumstances and includes at least the following:

(1) Treating Complainants and Respondents equitably;
(2) Promptly contacting the Complainant to discuss the availability of Supportive Measures;
(3) Offering Supportive Measures to the Complainant whether or not the Complainant files a Formal Complaint;
(4) Considering the Complainant's wishes with respect to Supportive Measures;
(5) Explaining to the Complainant the procedure for filing a Formal Complaint; and
(6) Following this Policy's grievance procedure before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent.

3.1.2 Rights and Options

The university will provide students or employees who report being victims of Sexual Assault, Dating Violence, Domestic Violence, or Stalking with a written explanation of their rights and options for reporting and seeking additional help, regardless of whether the offense occurred on campus. The explanation will include written notification of mental health/counseling services, medical services victim advocacy, and other services available for victims (within the university and in the community) and notice of availability of changes to academic, living, and/or working situations, and other Supportive Measures, regardless of whether the student or employee files a Formal Complaint.

3.1.3 Availability of Supportive Measures

The university will offer the Parties, or those who may become Parties, Supportive Measures as appropriate and reasonably available, without fee or charge, before or after the filing of a Formal Complaint, including where no Formal Complaint is filed. Supportive Measures are designed to restore or preserve equal access to the university's Education Program or Activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the university's educational environment, or to deter Sexual Harassment.

The following is a non-exhaustive list of Supportive Measures the university may make available:

- Modifications of class schedules or other course-related adjustments
- Academic support services, such as free tutoring
- Adjustments to campus housing assignments
- Adjustments to campus work schedule or assignments
- Mutual no-contact orders (prohibiting contact with another Party in person or by phone, email, text message, social network, or other means, including a third person)
- Counseling Services
- Health Services
- Increased security and monitoring of certain areas of the campus

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

Confidentiality of Supportive Measures. The university will maintain as confidential any Supportive Measures provided to the Complainant or Respondent to the extent that maintaining such confidentiality would not impair the university's ability to provide the Supportive Measures.

3.1.4 Emergency Removal from the University

The university may place a non-student employee Respondent on administrative leave during the pendency of the grievance procedure. The university may remove any Respondent from its Education Program or Activity on an emergency basis if:

(1) The university conducts an individualized safety and risk analysis.
(2) As a result of the analysis, the university 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 of the Respondent.
(3) The university provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision for administrative leave or emergency removal does not modify any of the Respondent's rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

3.2 INITIAL PROCESSING OF FORMAL COMPLAINTS

3.2.1 Filing a Formal Complaint

Only the Complainant or the Title IX Coordinator may sign a Formal Complaint.

The Formal Complaint requires an investigation into the alleged Sexual Harassment and a resolution through Hearing with a finding of responsibility or non-responsibility or through an agreed Informal Resolution Process, when available.

The Title IX Coordinator will only file a Formal Complaint against the wishes of a Complainant when the Coordinator believes the alleged conduct is likely to be repeated and creates a substantial risk to others in the Carson-Newman community. The Complainant may be asked to provide evidence but may not be compelled to participate in the grievance procedure.

Carson-Newman will:
a) Treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against a Respondent.
b)Presume that a Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance procedure.
c) Follow this grievance procedure before the imposition against a Respondent of any disciplinary sanctions that are not Supportive Measures, with the exception of emergency removal or administrative leave as described in Section 3.1.4: Emergency Removal from the University.
d) Provide any Party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Party to prepare to participate.
e) Require all persons who serve as the Title IX Coordinator, Investigator, Decision-maker, Appeal Decision-maker, or Facilitator not to have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
f) Ensure that Title IX Coordinators, Investigators, Decision-makers, and Facilitators receive appropriate training.
g) Apply the preponderance of the evidence standard in making determinations with respect to all Formal Complaints.
h) Following a determination of responsibility for a violation of this Policy, the university will design remedies to restore or preserve equal access to the university's Education Program or Activity. Remedies may include the same individualized services described as Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening a Respondent who has been found responsible for violating this Policy.

3.2.3 Notice of Allegations

Upon receiving a Formal Complaint, the university will provide all known Parties written notice that includes at least the following:

a) The university's Title IX Sexual Harassment grievance procedure, including any Informal Resolution options.
b) All allegations which may constitute Sexual Harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting Sexual Harassment; and the date and location of the alleged incident, if known.
c) A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance procedure.
d) A statement that the Parties may have an Advisor of their choice, who may be, but is not required to be, an attorney.
e) A statement that the Parties may inspect and review evidence.
f) A statement that the university's Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance procedure under the university's Abuse of Process Policy.

If, in the course of an investigation, the university decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice, the university will provide notice of the additional allegations to Parties whose identities are known.

3.2.4 Dismissing a Formal Complaint

Mandatory Dismissal. The university must dismiss a Formal Complaint as a complaint of Sexual Harassment under Title IX and this Policy and grievance procedure if the conduct alleged in the Formal Complaint:

a) would not constitute Sexual Harassment even if proved,
b) did not occur in an Education Program or Activity, or
c) did not occur against a person in the United States.

The university may separately pursue allegations of conduct which would violate other provisions of the university's Code of Conduct.

Discretionary Dismissal. The university may dismiss all or part of a Formal Complaint if at any time during the investigation or Hearing:

a) Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in it,
b) the Respondent is no longer enrolled or employed by the university, or
c) specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations in it.

If all or part of a Formal Complaint is dismissed, the university must promptly and simultaneously send written notice of the dismissal and reason(s) for it to the Parties and advise the Parties of their right to appeal the dismissal

3.2.5 Consolidating Formal Complaints

The university may consolidate Formal Complaints:

a) as to allegations of Sexual Harassment against more than one Respondent, or
b) by more than one Complainant against one or more Respondents, or
c) by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance procedure involves more than one Complainant or more than one Respondent, singular references to "Party," "Complainant," or "Respondent" include the plural, as applicable.

3.3 ADVISORS

3.3.1 Designated Advisors and University-Appointed Advisors

A Party may choose and designate an Advisor, who may be an attorney but is not required to be. The university will not limit the choice or presence of an Advisor for either a Complainant or a Respondent in any meeting or grievance proceeding.

Each Party must have an Advisor during the Hearing but is encouraged to designate an Advisor as soon as possible after notice of the Formal Complaint. A Party may find that having an Advisor is helpful throughout the grievance procedure. The university will appoint an Advisor for any Party who does not have one present for the Hearing. University-appointed Advisors serve at no cost to a Party. However, Advisors appointed by the university serve for the limited purpose of conducting cross-examination at the Hearing. A university-appointed Advisor is not required to be an attorney or to have a level of competency comparable to that of another Party's designated advisor. An Advisor is not required to perform any function beyond relaying a Party's desired questions to the other Party and witnesses.
Because the university is required to provide certain information to a Party's Advisor, each Party must notify the Title IX Coordinator in writing when the Party designates an Advisor or changes to a different Advisor. The Party must include the Advisor's contact information.

3.3.2 Rules for Advisors

Except during a Hearing, the role of the Advisor is limited to providing support, guidance, and/or advice to the Complainant or Respondent throughout the grievance procedure. The following rules apply to all Advisors, including those appointed by the university:

a) Advisors are not to answer questions posed directly to any Party or witness, nor otherwise interfere with questioning by the Investigator.
b) An advisor may request reasonable opportunities to confer with the Party being advised.
c) During meetings, Parties and their respective Advisors may talk quietly with each other.
d) Advisors do not have the right to question witnesses except in a Hearing.
e) Advisors may not present opening statements, closing statements, or arguments.
f) Advisors must act in a respectful manner at all times; bullying, yelling, and abusive conduct are never permitted.
g) Parties and Advisors must not disturb the Hearing or any other proceeding by loudly conferring with one another.
h) Advisors must comply with the decisions and directions of the Decision-maker
i) Advisors may not disclose to other persons any confidential student information which is revealed to the Advisor during the grievance procedure.

If a Party's Advisor (whether designated by the Party or appointed by the university) refuses to comply with these rules, including rules relating to decorum, the university may require the Party to designate a different Advisor or, if no other Advisor is designated, to accept an Advisor appointed by the university to conduct cross-examination on behalf of the Party. The university may remove from any proceeding Advisors who become disruptive or who do not abide by the above restrictions on Advisor participation.

At any time after a Formal Complaint has been filed but before reaching a determination regarding responsibility, the university may facilitate an Informal Resolution process that does not involve a full investigation and adjudication. Before an Informal Resolution can proceed, the University must notify the Parties in writing disclosing:

- the allegations;
- the requirements of the Informal Resolution process, including the circumstances under which it precludes the Parties from resuming a Formal Complaint arising from the same allegations;
- that at any time prior to agreeing to a resolution, either Party has the right to withdraw from the Informal Resolution process and resume the grievance procedure with respect to the Formal Complaint; and
- any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.

The university must obtain the Parties' voluntary, written consent to proceed with an Informal Resolution process. The formal procedure for resolving a Formal Complaint will normally be suspended during the Informal Resolution process. If the informal process produces a resolution that is agreed upon by the Parties in writing, the grievance procedure shall end, and no further investigation or Hearing shall occur. Informal Resolution does not remove the university's ability to enforce sanctions but permits the Parties to accept them voluntarily after discussion.

The university:
(1) may not offer an Informal Resolution process unless a Formal Complaint has been filed;
(2) may not offer or facilitate Informal Resolution to resolve allegations that a university employee engaged in Sexual Harassment against a student (Student Complainant/Employee Respondent Sexual Harassment);
(3) may not require the Parties to participate in an Informal Resolution process; and
(4) may not require any person to waive the right to an investigation and adjudication of a Formal Complaint as a condition of enrollment or continuing enrollment, of employment or continuing employment, or of exercising any other right.

3.5 INVESTIGATION OF FORMAL COMPLAINTS

3.5.1 The University's Responsibilities

The university will designate one or more Investigators to investigate the allegations in the Formal Complaint. The burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the university and not on the Parties. The university shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived it. If the Investigator makes any determinations regarding credibility, those determinations may not be based on a person's status as a Complainant, Respondent, or witness.

The university may restrict attendees for any meeting or proceeding related to the grievance procedure, including meetings or interviews conducted by the Investigator. However, both the Complainant and the Respondent will have the same opportunities to have others present during any grievance proceeding.

3.5.2 Equal Opportunity to Present and Review Evidence

In the course of the investigation, all Parties have an equal opportunity to present witnesses, including fact and expert witnesses as approved by the Decision-maker, and other inculpatory and exculpatory evidence. The university does not restrict the ability of either Party to discuss the allegations under investigation in order to gather and present relevant evidence. However, the ability to discuss the allegations freely does not give a Party permission to make false or harassing statements - on social media, for example - without consequences for violating the university's Code of Conduct, expectations for employees, or relevant laws.

Before completing the Investigative Report, the Investigator will send to each Party and the Party's Advisor, if any, all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the university does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a Party or another source. The evidence may be presented to the Parties in the form of a draft Investigative Report. *

The evidence will be subject to inspection and review by both Parties and may be provided in an electronic format, a hard copy, or a mixture of both. Each Party will have at least ten (10) days to submit a written response to the evidence. This written response shall be the Party's final opportunity to identify and present witnesses and other inculpatory and exculpatory evidence.

If the Investigator finds that either Party has provided new evidence (including witnesses) directly related to the allegations, the Investigator will provide the new evidence to both Parties and permit an additional ten (10) days for each Party to respond to the new evidence. The Investigator will consider the Parties' written responses to the evidence before completing the Investigative Report.

3.5.3 Medical and Treatment Records

In gathering evidence, except with the Party's voluntary, written consent, the university cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained (a) by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity and (b) made or maintained in connection with the provision of treatment to the Party.

3.5.4 The Investigative Report

After the time for a Party's written response to the evidence has expired, the Investigator will create a final Investigative Report that fairly summarizes all of the relevant evidence gathered in the course of the investigation, including a description of the procedural steps taken from the receipt of the Formal Complaint through the investigation. This should include any notifications to the Parties, interviews with Parties and witnesses, site visits, and description of methods used to gather other evidence.

At least ten (10) days prior to the Hearing, the Investigator will send each Party and each Party's Advisor a copy of the Investigative Report in an electronic format or a hard copy. A Party or a Party's Advisor may make a written response to the Investigative Report by providing a copy of the response to the Investigator and the Title IX Coordinator by noon on the third business day before the day of the Hearing (for example, on Monday for a Thursday Hearing or on Thursday for a Tuesday Hearing). The Title IX Coordinator will provide a Party's written response, if any, to the other Party. A copy of the Investigative Report and all written responses from the Parties will be provided to the Decision-maker prior to the Hearing.

3.6 PRE-HEARING PROCEDURE

3.6.1 When Hearings Are Required

A live hearing must be held with respect to a Formal Complaint of Title IX Sexual Harassment unless the Formal Complaint has been dismissed or the Parties choose to resolve the case through an Informal Resolution process without a completed investigation or adjudication.

The Parties cannot waive a Hearing except by agreement to use the university's Informal Resolution process.

3.6.2 Preparation for a Hearing

The university may designate a Hearing manager, who may be the Title IX Coordinator, to arrange the logistics of the Hearing. The manager may invite the Parties, separately, and their Advisors to meetings to review the procedural details of the Hearing.

At least five (5) days before the Hearing, the university will notify each Party and Advisor in writing of the date, time, location, and participants for the Hearing, including the name of each witness whom the University will request to appear at the Hearing (in person or virtually) for the purpose of providing evidence. The Hearing may be conducted with all participants physically present in the same location or, at the University's discretion, any or all Parties, witnesses, and other participants may appear virtually, with technology enabling participants simultaneously to see and hear each other.

Requesting Separate Rooms. At the request of either Party, the university will provide for the Hearing to occur with the Parties located in separate rooms using technology enabling the Decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions. In order to have sufficient time to make the appropriate arrangements, a Party's request to be in a separate room must be made in writing to the Title IX Coordinator at least three (3) business days before the Hearing.

Voluntary Pre-Hearing Submission of Questions. At the discretion of the Decision-maker and to help the Hearing run efficiently, the Title IX Coordinator or Hearing manager may suggest that Parties and their Advisors submit, in writing, the questions their Advisors intend to ask at the live Hearing. Following this submission, the Decision-maker may request a pre-Hearing conference to hear arguments about the relevance of questions or of evidence in the Investigative Report. Pre-Hearing submission of questions does not remove the option for Advisors to ask additional questions at the Hearing.

3.6.3 Attendance of Parties and Witnesses; Delay for Absent Witness

The university is prohibited by law from requiring any Party or witness to appear at the Hearing, or from engaging in any act that would intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, grievance proceeding, or Hearing.

For these reasons, the university is not responsible if a Party or witness fails to appear at the Hearing, and the Hearing may proceed in the absence of the Party or witness. The university may grant a Party's reasonable request to delay the Hearing if that Party or an important witness is unable to attend the Hearing. A request for a delay should be made as soon as possible as described in Section 3.11.2: Temporary Delays or Extensions.

3.7 THE HEARING

3.7.1 Advisors Required at the Hearing

If a Party does not have an Advisor present at the Hearing, the university will provide the Party an Advisor of the university's choice without fee or charge to that Party. Advisors are not required to be attorneys. Unless the university grants a delay for good cause shown, the university shall appoint an Advisor for a Party whose designated Advisor is absent from the Hearing.

Each Party's Advisor shall be responsible to conduct cross-examination on behalf of the represented Party. See Section 3.3.1 regarding the limited role of an advisor appointed by the University.

3.7.2 Beginning the Hearing

The Decision-maker shall convene the Hearing at the appointed time. The Decision-maker will review Hearing procedures for the Parties. In order to maintain students' privacy as much as possible, witnesses will not be in the Hearing room or attending by technological means except when providing evidence or being cross-examined. Parties and witnesses will be reminded that providing false information in connection with the Hearing is a violation of the university's Code of Conduct for students or expectations of employees.

Presentation of Final Investigative Report. The investigator(s) will present a summary of the final investigation report, identifying items that are contested and those that are not. The Decision-maker and each Party's Advisor may question the investigator(s). The investigator should not be asked to disclose opinions on credibility, recommended findings, or determinations. Decision-makers, Advisors, and Parties will refrain from discussion of these assessments and from questions for investigators about them. If such information is introduced, the Decision-maker will direct that it be disregarded.

3.7.3 Examining Parties and Witnesses

Each Party's Advisor will be given an opportunity to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the Party's advisor, and never by a Party personally.

Relevance. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-maker must first determine whether the question, if answered, would tend to make a fact material to the allegations more or less likely to be true and explain any decision to exclude a question as not relevant. The Decision-maker may ask both Advisors to provide reasons why a question should or should not be considered relevant. The Decision-maker will instruct all Parties and witnesses not to answer any question until the Decision-maker has allowed the question.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

a) Such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or

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

The Decision-maker shall not permit any questions, nor the introduction of any evidence, that would involve the disclosure of information protected under a legally recognized privilege, unless the person holding the privilege has waived it.

Cross-Examination. A cross- examination proceeds as follows:

- An Advisor asks a question.
- The Decision-maker determines whether the question is relevant and indicates either: "Relevant" or "Not relevant."
- If the Decision-maker determines the question is relevant, the person being examined may choose to answer.
- If the Decision-maker determines the question is not relevant, the Decision-maker provides a rationale for the determination.

Because the university's grievance procedure is not a civil proceeding or state action, there is no right against self-incrimination. However, the Decision-maker may not draw an inference regarding responsibility based solely on a Party's or witness's absence from the Hearing or refusal to answer cross-examination or other questions.

3.7.4 Availability of Evidence

The university will make all evidence that was subject to inspection and review by the Parties in connection with the preparation of the Investigative Report available at the Hearing, digitally or otherwise, to give each Party equal opportunity to refer to such evidence during the Hearing, including for purposes of cross-examination. Parties must notify the Title IX Coordinator at least twenty-four (24) hours prior to the Hearing regarding any physical evidence, transcripts, recordings, or other items requested to be physically available at the Hearing.

3.7.5 Conducting the Hearing
The Hearing will be conducted substantially as provided below. The Decision-maker may recess the Hearing for appropriate and reasonable rest and meal breaks. Any Hearing participant may request a break.

a) A university representative, who may be the Hearing manager, will serve as the moderator for the Hearing. The function of the moderator is to move the proceeding forward in an unbiased manner and to give the Parties and witnesses an opportunity to have their evidence presented before the Decision-maker.
b) The investigator(s) will summarize the final Investigative Report as described in Section 3.7.2 above.
c) Each Party, beginning with the Complainant, will have an opportunity to make an opening statement to the Decision-maker. The Decision-maker may set a reasonable time limit for such statements, provided the limit is the same for each Party. Advisors or others may not make opening statements on behalf of the Parties.
d) The Decision-maker will question the Complainant.
e) The Respondent's Advisor will question the Complainant as described in Section 3.7.3 Cross-Examination above, and the Decision-maker may further question the Complainant.
f) The Decision-maker will question the Respondent.
g) The Complainant's Advisor will question the Respondent Complainant as described in Section 3.7.3 above, under Order, and the Decision-maker may further question the Respondent.

3.7.5 Conducting the Hearing (cont.)

h) Each witness will be called before the Decision-maker, either in person or through appropriate technology. The Parties' Advisors, beginning with the Advisor for the Complainant, will question each witness. The Parties themselves may not question each other or any witness.

i) The Decision-maker may question any witness while that witness is being examined and may further question the Investigator(s) with regard to the Investigative Report. If an Investigator or other university representative is called to address evidence from the Investigative Report, each Party's Advisor, beginning with the Advisor for the Complainant, will have the opportunity to question the Investigator or representative.

j) Each Party, beginning with the Complainant, will have the opportunity to make a brief closing statement to the Decision-maker. The Decision-maker may set a reasonable time limit for such statements, provided the limit is the same for each Party. Advisors or others may not make closing statements on behalf of the Parties.

k) After confirming that there is no additional evidence or other matters to be addressed, the Decision-maker will adjourn the Hearing.

3.7.6 Record of the Hearing

The university will create an audio or audiovisual recording, or transcript, of the Hearing and make it available to the Parties and to the Decision-maker for inspection and review.

3.8 DETERMINATION OF THE ALLEGATIONS

The Decision-maker shall exercise independent and unbiased judgment with respect to:

- findings of fact which support the determination(s);
- conclusions regarding the application of the university's Title IX Sexual Harassment Policy to the facts;
- the determination regarding responsibility as to each allegation; and
- the rationale for the Decision-maker's conclusions.

The Decision-maker may consult with university officials for information about sanctions and remedies typically used. To provide information to the Decision-maker and ensure fair and consistent application of sanctions, the Title IX Coordinator will seek input from an Associate Provost and/or the Director of Human Resources for employee Respondents and from the Dean of Students for student Respondents.

3.8.1 Preponderance of the Evidence Standard

The Decision-maker shall determine whether the Respondent is responsible for each of the allegations in the Formal Complaint that could constitute Prohibited Conduct under this Policy. The Decision-maker shall reach these decisions by applying the Preponderance of the Evidence standard of evidence. A finding of responsibility under this standard means that the Decision-maker determines that it is *more likely than not* that the Respondent engaged in Prohibited Conduct identified in this Policy. In making the determination, the Decision-maker:

a) must make an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence;
b) must not make credibility determinations based on a person's status as a Complainant, Respondent, or witness;
c) must not draw an inference about responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions; and
d) must not rely upon evidence or information protected under a legally recognized privilege unless the person holding the privilege has waived it.

The Decision-maker may consider statements made by the Parties and witnesses during the investigation, as well as other relevant evidence, regardless of whether the Parties or witnesses submit to cross-examination at the Hearing. For example, the Decision-maker may consider written communication (texts, emails, etc.) between the Parties from times leading up to the alleged Sexual Harassment and statements about the alleged Sexual Harassment which the Decision-maker determines to be relevant under this Policy. Additionally, the Decision-maker may consider relevant police reports, Sexual Assault Nurse Examiner (SANE) documents, medical reports for which privilege has been waived, and other documents, even if those documents contain statements of a party or witness who is not cross-examined at the Hearing.

3.8.2 Letter of Determination

The Decision-maker shall issue a written determination regarding the Respondent's responsibility for the alleged misconduct. The written determination must include:

a) the allegations potentially constituting Sexual Harassment;
b) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
c) findings of fact supporting the determination;
d) conclusions regarding the application of this Carson-Newman Title IX Policy to the facts;
e) a decision and supporting rationale corresponding to each allegation, including a determination of "Responsible" or "Not Responsible";
f) identification of any disciplinary sanctions the university will impose on the Respondent and any remedies designed to restore or preserve equal access to the university's Education Program or Activity the university will provide to the Complainant; and
g) permissible reasons for Parties to appeal and the university's appeal procedure.

3.8.3 Effective Date of Determination

The university will provide the written determination regarding responsibility to the Parties simultaneously. If neither Party appeals, the determination becomes final on the date on which an appeal would no longer be considered timely.

If a Party appeals the determination, the determination becomes effective on the date the university provides the Parties with the written determination of the result of the appeal, unless the appeal decision requires further proceedings.

3.9 SANCTIONS AND REMEDIES

Carson-Newman may impose a range of disciplinary sanctions and remedies with respect to any misconduct for which a Respondent has been determined to be responsible. Possible sanctions and remedies include any combination of, but are not limited to, the following:

- Imposing, continuing, or modifying any Supportive Measures;
- Warning: A verbal or written reminder to the Respondent about relevant university rules, regulations, or policies and the potential consequences for violating them;
- No Contact Order: A directive to have no contact with the Complainant, including contact in person or by phone, email, text message, social media, or any other means, either directly or through a third party;
- Reprimand: Written notice that university rules, regulations, or policies have been violated and that continuation or repetition of misconduct may result in a more severe sanction;
- Letter(s) or Essays regarding harm and consequences;
- Participation in educational programming for the prevention of sexual misconduct;
- Fines: A monetary fine assessed for a disciplinary violation;
- Disciplinary Probation: Official warning that a student has been found responsible for violating Carson-Newman University policy, and future violations may result in more severe sanctions (which may include suspension or expulsion). The student will not be in "good disciplinary standing" with the university for a designated period of time and may face specific restrictions on behavior and/or privileges;
- Restitution: Requirement to reimburse or otherwise compensate another for actual harm;
- Temporary or Permanent Residence Life Suspension: Notice that the student is not eligible to live in a residence hall for a designated period of time. The student will not receive a refund for room and board fees. A student placed on Residence Life Suspension must vacate the residence hall within the timeframe specified by the Decision-maker and surrender keys;
- Online education in lieu of physical attendance;
- Disciplinary Suspension: Termination of student status at the Carson-Newman for a specified period of time;
- Disciplinary Expulsion: Permanent termination of student status at the university
- Transcript notation: Disciplinary Suspension or Expulsion noted on transcript;
- Paid or unpaid leave from employment;
- Loss of supervisory or oversight responsibilities;
- Change in employment role or work location;
- Reduction in Pay;
- Termination of employment.

The Title IX Coordinator is responsible for ensuring effective implementation of any sanctions or remedies.

3.10 APPEALS

3.10.1 Right of Appeal

Either Party may request an appeal from a determination regarding responsibility, or from the university's dismissal of all or any part of a Formal Complaint. Appeals are not automatic and are not a "re-hearing" of a case. Rather, they are an opportunity to request a review of a case based on specified grounds for appeal. The appeal procedure shall apply equally to both Parties.

The following are the only allowable bases for appeal:

a) Procedural irregularity that affected the outcome of the matter

b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter

c) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

3.10.2 Filing an Appeal

In order to appeal, a Party must file a written Notice of Appeal challenging the initial outcome that is received by the Title IX Coordinator within ten (10) days after the written Letter of Determination was issued. The Notice of Appeal must state, at a minimum:

- every basis for the appeal;
- a complete statement of the facts and evidence that support each basis for the appeal; and
- what relief is requested as a result of the appeal.

3.10.3 Consideration of an Appeal

The university will promptly notify both Parties in writing that an appeal has been filed and provide a copy of the Notice of Appeal to the other Party. The non-appealing Party shall have ten (10) days from the date of such notice to submit to the Title IX Coordinator a written statement in support of the initial outcome or in opposition to the appeal. A copy of any such written statement shall be provided to the appealing Party.

The appeal shall be considered and decided by an Appeal Decision-maker who is not the same person as the Investigator, the Title IX Coordinator, or the Decision-maker that reached the determination regarding responsibility or dismissal. The Appeal Decision-maker shall review the Notice of Appeal, the response of the non-appealing Party, and may review the record of the Hearing as necessary to reach a conclusion on the appeal.

3.10.4 Decision on Appeal

The Appeal Decision-maker shall issue a written decision describing the result of the appeal and the rationale for the result.

The decision on appeal shall be appropriate to the basis or bases for appeal and may adopt one or more of the following holdings, regardless of which Party filed the appeal:

a) Affirm the initial written determination.
b) Change any part of the written determination, including a change to find responsibility or to find no responsibility.
c) Increase or decrease the sanctions.
d) Require additional investigation (particularly in the case of new evidence that is material, not merely cumulative, and if presented in the Hearing could reasonably have resulted in a different determination).
e) Order a new Hearing.

The written decision on the appeal shall be provided simultaneously to both Parties.

3.11 TIMING OF GRIEVANCE PROCEDURE

The university will conclude this grievance procedure in a reasonably prompt manner and in accordance with the following time frames:

a) The university will generally issue the written Hearing determination within 120 days after the filing of the Formal Complaint.
b) The university will generally issue the written Appeal determination within twenty (20) days after the filing of the Notice of Appeal.
c) The university will generally conclude any Informal Resolution process within sixty (60) days after the Parties agree to an Informal Resolution.

3.11.2 Temporary Delays or Extensions

The university may direct a temporary delay in the grievance procedure or the limited extension of the normal time frames for good cause. The university will notify the Complainant and the Respondent in writing of any temporary delay or limited extension and the reasons for the action.

The Complainant or Respondent may request a temporary delay or limited extension in writing to the Title IX Coordinator. The written request must state the reason for the delay or extension and the length of the delay or extension being requested.

Some examples of situations which may constitute good cause for a delay or extension include the reasonable 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.

The university will attempt to accommodate the schedules of Parties and witnesses throughout the grievance procedure in order to provide Parties with a meaningful opportunity to exercise their lawful rights. However, the University will not delay the grievance procedure indefinitely because a Party, witness, or Advisor is refusing to cooperate. In order to resolve complaints within reasonable time frames, the grievance procedure can proceed to conclusion even in the absence of a Party or witness.

3.12 RECORD RETENTION

The university will maintain any and all documents, images, audio or visual recordings, and/or transcripts related to a report, Formal Complaint, investigation, Supportive Measures, Informal Resolution, Sanctions and/or remedies administered under this Policy for seven (7) years from the date of resolution.

SECTION 7

CAMPUS FACILITIES AND PHYSICAL SECURITY

ADMINISTRATIVE AND CLASSROOM FACILITIES

The building manager for each building or the department administrator for each department is responsible for physical security and determining access rights and hours. They may coordinate with DPS to conduct security assessments and patrols of their facilities. In general, classroom buildings are locked after the last class in the building ends, and administrative buildings are locked after normal business hours.

RESIDENCE HALLS

Living on campus at Carson-Newman is a once-in-a-lifetime experience. Faith-fueled community is the foundation of living on campus, and residence halls don't just provide housing. This is where you'll forge friendships that last a lifetime—friendships where you can share and grow your faith and while encouraging other Christ-followers.

While living on campus, you'll have the opportunity to get involved in leadership positions by serving on your floor's Residence Hall Council (RHC) or becoming a Resident Assistant (RA) or Desk Assistant. With a position in leadership in your residence hall, you'll get to make a positive impact on other students navigating college life.

Residential life goes way beyond residence halls. You'll have access to an entire campus recreational system that provides ample opportunity for activity and relaxation when you're not in class or studying. The Maddox Student Activity Center (MSAC) is the hub for all things fun at C-N. Grab your friends, hit the gym, Chick-fil-A or the pool! While you're there, make sure you sign up for our popular intramural events. There's something for everyone !

RESIDENCE HALLS

Public Safety may be requested to be present during a certain time period or may due walkthroughs. It is not uncommon to see officers in and around every building on campus.

Room Keys

Residence Life is the only department that can assign and collect keys for individual dorm rooms.

Student ID's or Temp ID's

DPS will assign a student ID or a temp ID once they have been made aware of the housing assignment from the appropriate department.

Cameras have been installed at all entry/exit points and in common areas. Exterior doors that have been propped open should be closed and reported immediately to the resident adviser or, during normal business hours, to the area maintenance supervisor or front desk staff. Tampering with or disabling security devices and smoke detectors may lead to disciplinary action.

Residence halls are closed during breaks.

Traditionally, students who need housing over breaks may register for housing and will be permitted to remain in their halls.

Carson-Newman University traditionally does not operate off-campus housing, nor does the University recognize any student organizations that own or control off-campus property; however, many graduate students and undergraduate students live in neighborhoods surrounding Carson-Newman.

Jessica Lawson
Director of Residence Life

MAINTENANCE OF CAMPUS FACILITIES

Carson-Newman University Maintenance Department provides all maintenance and repairs for the university. If you have facility need, please, contact the Physical Plant, during business hours. If it is after hours, you can report if to DPS, but maintenance will not return unless they constitute it as an emergency.

Ondes Webster
Director of Physical Plant

SECTION 8

ALCOHOL, OTHER DRUGS AND WEAPONS ON CAMPUS

Carson-Newman University is an alcohol and drug-free community. Unlawful behavior related to alcohol while enrolled at the university, regardless of where the behavior occurs, will subject the student (or student organization) to disciplinary action by the university. In addition, the university prohibits the possession, use, distribution or manufacture of alcohol on its property or as a part of any of its activities. University activities include on-campus activities, off-campus activities sponsored by the university or activities engaged in by any recognized student organization. Any student who violates the university's policy is subject to the university's disciplinary sanctions and to applicable criminal penalties.

ALCOHOL AND ILLICIT DRUGS

Carson-Newman embraces the Biblical understanding that God has created each person for a purpose and has equipped us to serve Him (Ephesians 2:10). As an intentionally Christian community, the University strives to help students make healthy choices that will allow them to reach their full God-given potential. The University believes that spiritual, intellectual, emotional, physical, and social growth are best cultivated when a person is free from mind-altering chemicals (Ephesians 5:18).

STANDARD OF CONDUCT

Carson-Newman University is an alcohol and drug-free community. A violation of alcohol or drug laws while enrolled at the university will subject the student (or student organization) to disciplinary action by the university. In addition, the university prohibits the possession, use, distribution or manufacture of alcohol or of illicit drugs and drug paraphernalia, and the misuse or abuse of prescription medications, over-the-counter drugs, and synthetic drugs on its property or as a part of any of its activities. University activities include on-campus activities, off-campus activities sponsored by the university or activities engaged in by any recognized student.

STANDARD OF CONDUCT

A positive drug test is considered evidence that a student has violated the University's drug policy unless the student has a valid prescription for the substance indicated on the drug test. Any student (or student organization) who violates the university's policy is subject to the university's disciplinary sanctions and to applicable criminal penalties. The prohibition against the use, possession or distribution of alcohol and illegal drugs also includes possession or distribution of empty alcohol containers and/or drug paraphernalia. No person may be intoxicated or under the influence of alcohol or illicit drugs while on campus or at university activities. Whether a student has violated the alcohol and illicit drug policy may be determined by evidence such as the odor of alcohol or drugs or questionable conduct suggesting that the student is under the influence of such substances (such as slurred speech, vomiting, passing out). The University reserves the right to report any illegal act occurring on campus or at any University-sponsored activity to the appropriate authorities for criminal prosecution.

DISCIPLINARY SANCTIONS

Carson-Newman University will impose sanctions against students who are determined to have violated the University's rules regarding alcohol and drugs. Sanctions range from required counseling and abuse education classes, monetary fines, community service hours, disciplinary probation to, in appropriate cases, suspension from the University. In addition, residential students may be removed from the housing system. The University may also refer cases to the Carson-Newman Department of Public Safety law enforcement authorities or other appropriate authorities for criminal prosecution.

NOTIFICATION

The University encourages students to talk to their parents, ministers, and counselors about problems they encounter with alcohol and drugs. The University may disclose to the parents or legal guardians of a student information regarding the student's violation of any law or University rule regarding alcohol and controlled substances if the student is under the age of 21 and the University has determined that the student has violated the University's rules (see the PARENTAL NOTIFICATION section of this handbook). Regardless of the age of a student, the University may contact parents or guardians in connection with an emergency to protect the health or safety of the student or of another.

REVIEW

The University will review its alcohol and other drugs programs annually for effectiveness and consistency of application and, where necessary, make appropriate changes.

CRIMINAL SANCTIONS

The following are some of the local and State of Tennessee sanctions for unlawful use of alcohol and drugs. The University does not guarantee this listing is complete or free of error.

ALCOHOL

Jefferson City, TN ordinances prohibit possessing beer or liquor in an open container in a public place not licensed for the consumption of alcohol. Violators are subject to a fine and court costs.

State of Tennessee statutes criminalizing alcohol-related activity include the following: It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer, such offense being classified a 24 Class A misdemeanor punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than $2500, or both. It is also unlawful for an adult to buy alcoholic beverages for or furnish them for any purpose to anyone under 21 years of age.

It is illegal to be intoxicated in public and such behavior can result in up to 30 days in jail and/or a fine.

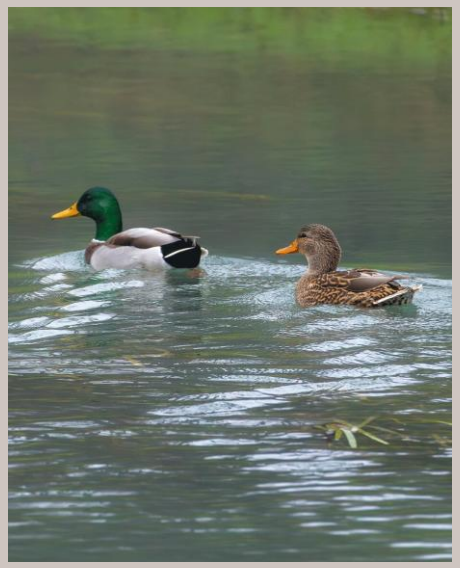
It is illegal to consume or possess alcohol on the premises of an elementary, junior high or high school. Punishment includes up to 30 days in jail and/or a fine.

Driving under the influence of alcohol or drugs is subject to eleven months and twenty-nine days, a $1,500 fine and loss of driver's license for one year for the first offense; $10,000 fine and loss of license for up to ten years for third offense. The court may order inpatient treatment. If one kills a person while driving under the influence, one can be sentenced up to fifteen years in prison and fined up to $10,000 and suffer the loss of license.

Consuming or possessing in an open container any alcoholic beverage or beer while operating a motor vehicle is illegal and may result in up to 30 days in jail and/or a fine.

WEAPONS

The University prohibits firearms on University property at all times. This prohibition includes firearms and explosive devices of any type (including ammunition, smoke bombs, stink bombs and firecrackers). BB guns, pellet guns, bows and arrows, sling shots, paintball guns, martial arts equipment (such as nun chucks) are also prohibited. Additionally, possession of knives with blades over 4 inches long or switch blade knives of any type, are prohibited with an exception made for knives issued through ROTC to student cadets. Possession or use of weapons may result in disciplinary and legal proceedings by the university and the local police. Please contact the Department of Public Safety via the LiveSafe application or at (865) 548-9067 if you have questions about this policy or if you know of weapons being kept in an unauthorized manner or location on campus.



SECTION 9

STOP CAMPUS HAZING ACT

HAZING POLICY STATEMENT

Carson-Newman University strictly prohibits hazing in any form.
For purposes of this report and in alignment with federal law, hazing is defined as **any intentional, knowing, or reckless act committed by a person (whether individually or in concert with others) against another person or persons, regardless of the willingness of such other person or persons to participate, that is committed in the course of initiation into, affiliation with, or maintenance of membership in a student organization**, and that causes or creates a risk of physical or psychological injury. Such acts may include, but are not limited to:

- Physical abuse, including whipping, beating, striking, or placing a person in physical danger
- Forced consumption of food, alcohol, drugs, or other substances
- Sleep deprivation, exposure to extreme conditions, or confinement
- Conduct that causes extreme mental stress, embarrassment, harassment, or intimidation
- Any activity that creates a reasonable likelihood of bodily injury or harm

This definition applies to all student organizations, whether recognized or unrecognized, and regardless of location, when such conduct falls within the University's Clery geography or institutional jurisdiction.
The University may impose disciplinary action on both individuals and student organizations found responsible for hazing violations. Sanctions may include, but are not limited to, educational measures, probation, suspension, or the temporary or permanent loss of organizational privileges or university recognition.

CAMPUS HAZING TRANSPARENCY REPORT STATEMENT

This Campus Hazing Transparency Report is published in accordance with the Stop Campus Hazing Act and summarizes findings of responsibility for hazing violations involving recognized student organizations at Carson-Newman University.

REPORTED HAZING INCIDENTS

For calendar year 2025, Carson-Newman University reported: **zero (0) hazing incidents** within its Clery geography.

COUNSELING

Carson-Newman University is concerned about a student who has a problem with substance abuse. Assistance is available through campus and community resources. Please do not hesitate to reach out for support by contacting the people and/or agencies listed below.

If you are concerned about your alcohol and/or other drug use or you feel someone close to you may have a problem with alcohol and/or other drug use, you are encouraged to contact Counseling Services at 865-471-3550, located in the Kathleen Manley Building, located directly across from First Baptist Church on the corner of Russell Avenue and College Street next to Burnett Hall. You may also contact the Dean of Students at 865-471-3238, located in room 2009 of the Maddox Student Activities Center. Carson-Newman University currently offers an Alcohol and Drug Program for students who are found in violation of the University's Code of Conduct policies regarding alcohol and illicit drugs. Counseling Services personnel are also able to provide more time-intensive drug and alcohol counseling using the BASICS and Prime for Life substance programs. Referral to community treatment facilities may also be made in appropriate cases. Some community treatment options are on the following page.

OUTPATIENT SERVICES

- Cherokee Health Systems: Newport (423) 623-5301; Morristown (423) 586-5032; Knoxville (865) 544-0406; Jefferson City: (865) 471-0312
- New Hope Recovery Center Morristown: (423) 581-2411
- Bendel Associates: (423) 317-0057
- Helen Ross McNabb Center: Knoxville (865) 637-9711
- Peninsula Outpatient : Knoxville (865) 970-9800
- Alcoholics Anonymous, Central Office: (865) 974-9888, Helpline 9am-10pm: (865) 522-9667
- Narcotics Anonymous, 1-866-617-1710; Emmanuel Baptist Church, Jefferson City, TN (865) 475-9424
- Celebrate Recovery, Manley Baptist Church, Morristown, TN: (423) 586-8665
- Celebrate Recovery, Cokesbury United Methodist Church, Knoxville, TN: (865) 693-0353

INPATIENT SERVICES

- Helen Ross McNabb Center (CenterPointe), Knoxville, TN (865) 523-4704

- Peninsula's Women in Treatment, for women ages 18-64 who do not have insurance or have
exhausted their insurance benefits Knoxville, TN (865) 374-7262

- Peninsula Lighthouse, Louisville, TN (865) 970-9800

- Mobile Clinic for those without insurance (865) 212-5570

- Focus Health Care of Tennessee (An Alcohol and Drug Abuse Treatment Center), 7429 Shallowford
Road, Chattanooga, TN : 1-800-675-2041
www.focustreatmentcenters.com/chattanooga/.

CRIME STATISTICS 2023-2025

The Clery Act requires colleges and universities that receive federal funding to disseminate a public annual security report (ASR) to employees and students every October 1st. This ASR must include statistics of campus crime for the preceding 3 calendar years, plus details about efforts taken to improve campus safety. The statistics for 2023, 2024 and 2025 will be presented on the following pages.

Carson-Newman University

DEPARTMENT OF PUBLIC SAFETY

2025 Criminal Offenses	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
CRIMINAL HOMICIDE					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
SEX OFFENSES					
SEX OFFENSE: FONDLING	0	1	1	0	0
SEX OFFENSE: INCEST	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0
SEX OFFENSE: STATUTORY RAPE	0	0	0	0	0
ROBBERY	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0
BURGLARY	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0
ARSON	0	0	0	0	0
UNFOUNDED CRIMES TOTAL: 0					

2024 Criminal Offenses	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
CRIMINAL HOMICIDE					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
SEX OFFENSES					
SEX OFFENSE: FONDLING	0	3	3	0	0
SEX OFFENSE: INCEST	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0
SEX OFFENSE: STATUTORY RAPE	0	0	0	0	0
ROBBERY	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0
BURGLARY	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0
ARSON	0	0	0	0	0
UNFOUNDED CRIMES TOTAL: 0					

2023 Criminal Offenses	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
CRIMINAL HOMICIDE					
MURDER/NONNEGLIGENT MANSLAUGHTER	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0
SEX OFFENSES					
SEX OFFENSE: FONDLING	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0
SEX OFFENSE: STATUTORY RAPE	0	0	0	0	0
ROBBERY	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0
BURGLARY	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0
ARSON	0	0	0	0	0
UNFOUNDED CRIMES TOTAL: 0					

2025 Arrest and Judicial Referrals	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
ARRESTS					
LIQUOR LAW VIOLATIONS	1	0	1	0	0
DRUG LAW VIOLATIONS	3	0	3	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
JUDICIAL REFERRALS					
LIQUOR LAW VIOLATIONS	1	0	1	0	0
DRUG LAW VIOLATIONS	1	0	1	0	0
ILLEGAL WEAPONS POSSESSION	1	0	1	0	0

2024 Arrest and Judicial Referrals	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
ARRESTS					
LIQUOR LAW VIOLATIONS	6	0	6	0	1
DRUG LAW VIOLATIONS	3	0	3	0	5
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
JUDICIAL REFERRALS					
LIQUOR LAW VIOLATIONS	3	0	3	0	0
DRUG LAW VIOLATIONS	0	0	0	0	1
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0

2023 Arrest and Judicial Referrals	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
ARRESTS					
LIQUOR LAW VIOLATIONS	1	1	2	0	0
DRUG LAW VIOLATIONS	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0
JUDICIAL REFERRALS					
LIQUOR LAW VIOLATIONS	13	0	13	0	0
DRUG LAW VIOLATIONS	1	0	1	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0

ON CAMPUS Clery Hate Crime Statistics

2025 ON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							
	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2024 ON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							
	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2023 ON CAMPUS	Category of Hate Crime							
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

NON CAMPUS Clery Hate Crime Statistics

2025 NON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							
	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2024 NON CAMPUS Clery Act Reportable Offenses	Category of Hate Crime							
	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2023 NON CAMPUS	Category of Hate Crime							
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

PUBLIC PROPERTY

Clery Hate Crime Statistics

2025 PUBLIC PROPERTY	Category of Hate Crime							
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2024 PUBLIC PROPERTY	Category of Hate Crime							
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2023 PUBLIC PROPERTY	Category of Hate Crime							
Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disability	National Origin	Gender Identity
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

2025 VAWA	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
VAWA Crimes					
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

2024 VAWA	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
VAWA Crimes					
Dating Violence	0	1	1	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

2023 VAWA	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
	Student Housing	Other			
VAWA Crimes					
Dating Violence	0	0	0	2	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

2025	HAZING	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
HAZING						
HAZING		0	0	0	0	0

2024	HAZING	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
HAZING						
HAZING		0	0	0	0	0

2023	HAZING	ON CAMPUS		ON CAMPUS (TOTAL)	NON CAMPUS	PUBLIC PROPERTY
		Student Housing	Other			
HAZING						
HAZING		0	0	0	0	0