

I HAVE RECEIVED A REPORT. WHAT DO I DO?

A mandatory reporter who receives information concerning an incident of prohibited conduct **MUST**:

1. Assist the complainant with obtaining medical assistance (if needed or requested) or accessing other on- or off-campus resources (if requested);
2. Encourage the complainant to report the incident to law enforcement and assist the complainant in contacting law enforcement if requested by the complainant; and
3. Report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator no later than 48 hours after receiving the report.

A mandatory reporter who receives information from a complainant concerning an incident of prohibited conduct **SHOULD**:

1. Provide emotional support to the complainant;
2. Encourage the complainant to preserve any physical evidence (e.g., if possible, the complainant should not shower, bathe, douche, change clothes, brush his/her teeth, or comb his/her hair);
3. Inform the complainant that the mandatory reporter will be reporting the incident to the Title IX Coordinator or a Deputy Title IX Coordinator,

one of whom (or their designee) will be contacting the complainant to provide further guidance and assistance; and

4. Provide a complainant with a copy of UTC's Sexual Misconduct, Relationship Violence and Stalking Policy (available at www.utc.edu/sexual-misconduct) or another written publication approved by the Title IX Coordinator, if available, to inform the complainant of the complainant's rights under this policy.

A mandatory reporter who receives notice of an incident of prohibited conduct **MUST NOT**:

1. Guarantee to a complainant that the mandatory reporter will keep information confidential;
2. Share information about the incident with a person who does not have a UTC-related need to know;
3. Share personally identifiable information about the incident with law enforcement (including UTC PD) without the complainant's consent; and/or
4. Investigate or otherwise attempt to resolve reports of prohibited conduct without the approval of the Title IX Coordinator (this provision does not apply to UTC PD).

CAMPUS RESOURCES

Stephanie Rowland

Title IX Coordinator

(423) 425-4255 or Stephanie-Rowland@utc.edu

Jim Hicks

Dean of Students and

Deputy Title IX Coordinator for Students

(423) 425-4246 or Jim-Hicks@utc.edu

Bryan Samuel

Director of Equity and Diversity and

Deputy Title IX Coordinator for Employees

(423) 425-5468 or Bryan-Samuel@utc.edu

Laura Herron

Senior Associate Athletics Director/

Senior Woman Administrator and

Deputy Title IX Coordinator for Athletics

(423) 425-4583 or Laura-Herron@utc.edu

Division of Student Development (423) 425-4534
Office of the Dean of Students (423) 425-4761
Student Conduct (423) 425-4301
UTC Police Department (423) 425-4357

CONFIDENTIAL RESOURCES

Student Advocacy Services (423) 425-5648
Counseling & Personal Development Center (423) 425-4438
Student Health Services (423) 425-2266
Partnership Crisis Center
24 Hour Hotline (423) 755-2700



**SEXUAL MISCONDUCT,
RELATIONSHIP VIOLENCE
AND STALKING**

**MANDATORY
REPORTING**

The University of Tennessee at Chattanooga is committed to creating and maintaining a learning, living, and working environment free from all forms of sexual misconduct and relationship violence, including sexual assault, sexual harassment, dating violence, domestic violence, and stalking.

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WHAT IS SEXUAL MISCONDUCT?

Sexual Misconduct includes sexual harassment, sexual assault and sexual exploitation.

Sexual Assault

Engaging in sexual contact or sexual intercourse with another person without the consent of that person.

Sexual Contact: The intentional touching of another person (including another person's clothing) in a sexual manner with any part of one's body or with any object. Sexual contact also includes intentionally causing another person to touch themselves (including their clothing) in a sexual manner.

Sexual Intercourse: The penetration, no matter how slight, of the vagina or anus with any body part or object; or oral penetration by a sex organ of another person.

Sexual Harassment

With respect to an employee's conduct directed toward another employee or to a student, sexual harassment means: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or of an individual's participation in an educational program; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual or as the basis for evaluation or advancement in an educational program; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

With respect to the conduct of a student or other non-employee, sexual harassment is defined as unwelcome conduct of a sexual nature that is so severe or pervasive, and objectively offensive, that it substantially interferes with the ability of

a person to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by UTC. Sexual harassment may include, for example, unwelcome sexual advances, requests for sexual favors, and acts of sexual assault.

Sexual Exploitation

An act or attempted act by a person for the purpose of sexual arousal or gratification, financial gain, or other personal benefit through the abuse or exploitation of another person's sexuality.

WHAT IS RELATIONSHIP VIOLENCE?

Relationship violence includes dating violence and domestic violence.

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

Domestic Violence: A felony or misdemeanor crime of violence committed: (1) by a current or former spouse or intimate partner of the victim; (2) by a person with whom the victim shares a child in common; (3) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (5) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

WHAT IS STALKING?

Stalking includes both the crime of stalking in Tennessee and the crime of stalking defined by the Clery Act.

Tennessee Crime: The crime of stalking in Tennessee is defined in Tennessee Code Annotated § 39-17-315.

Clery Act Crime: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress. For the purposes of this definition:

1. "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property;
2. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim;
3. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

* *All definitions provided in this brochure are abridged from UTC's Sexual Misconduct, Relationship Violence and Stalking Policy. For the complete policy, see www.utc.edu/sexual-misconduct.*

AM I A MANDATED REPORTER?

If you receive a report concerning a UTC student, you are a mandated reporter and must report that information to the university.

If you receive a report of prohibited conduct concerning another UTC employee your status as a mandated reporter depends on your relationship with that employee. If you are the reporter's employment supervisor you must report that information to the university. If you have questions about your status, please see Appendix B of UTC's Policy on Sexual Misconduct, Relationship Violence and Stalking at www.utc.edu/sexual-misconduct or call Stephanie Rowland, Title IX Coordinator at (423) 425-4255.

WHAT IS CONSIDERED A REPORT?

A report is anything that gives the University notice so that it must investigate an incident of prohibited conduct. A report may include a conversation either in person or by phone and/or any written communication (including communication via email or other electronic device). A report can be made by a third party who was not involved in the incident.

Before a person reveals information to the mandatory reporter that the person may wish to keep confidential, a mandatory reporter should use his/her best efforts to ensure that the person understands:

1. The mandatory reporter's obligation to report the names of a respondent and a complainant involved in the alleged prohibited conduct, as well as other relevant facts regarding the alleged incident, to UTC;
2. A complainant's ability to share information confidentially with certain on- and off-campus resources (see Confidential Resources on the back of this brochure);
3. A complainant's option under this policy to request that UTC maintain confidentiality (UTC's policy on Sexual Misconduct, Relationship Violence and Stalking, Section III.A.5), if the person indicates that he/she wants to disclose information to the mandatory reporter but wishes to maintain confidentiality;
4. If the person indicates hesitancy to report an incident to UTC, inform the person that UTC prohibits retaliation and will not only take steps to prevent retaliation but also take strong responsive action if retaliation occurs.

utc.edu/sexual-misconduct