



Annual Security Report

October 2024

Reporting Period January 1, 2023 - December 31, 2023

***Jackson State Community College
2046 North Parkway
Jackson, TN 38301***

INTRODUCTION

The faculty and staff of Jackson State Community College welcome you to campus. The basic mission of the Campus Police Department is to provide diligent patrol services in order to prevent accidents, eliminate fire and safety hazards, deter crime, provide for the safe removal and disposal of unsafe equipment and material, and correct any other unsafe conditions that are found. Truly safe campuses can only be achieved through the cooperation of the community, faculty, staff and students. This report is part of our effort to ensure that endeavor is effective.

To request a paper copy of the Campus Police Annual Crime Information please contact the Chief of Police:

Jackson State Community College Police Department
2046 North Parkway
Jackson, TN 38301
(731) 425-2627 or (731) 225-5952

CLERY ACT REQUIREMENTS

The College and University Security and Information Act, as enacted by the State of Tennessee and in conjunction with federal legislation, requires that each college make available certain information within the college's community relative to safety and security matters. Jackson State Community College is providing the information contained herein to assure that the college's community, students, faculty and staff are appropriately advised and informed relative to college security and safety procedures and applicable crime statistics

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

1. Publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics and certain campus security policy statements
2. Disclose crime statistics for the campus, public areas immediately adjacent to or contiguous with the campus, and certain non-campus facilities. The statistics must be gathered from campus police and local law enforcement and other college officials who have "significant responsibility for student and campus activities"
3. Provide "timely warning" notices of those crimes that have occurred which pose an ongoing "threat to students and employees"
4. Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus
5. Disclose in a public log "any crime that occurred on campus or within the patrol jurisdiction of the campus security department and is reported to the campus security department;"

The Campus Police prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our JSCC web site. A paper copy of this report will be provided to you upon request by contacting the Chief of Police at 731-425-2627. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and regional campuses (Lexington, Savannah, Trenton), and the Office of Student Services. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the JSCC Police, designated campus officials (including but not limited to directors, deans, department heads, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and are not required by law.

Each year, notification will be made to all enrolled students the website to access this report. Faculty

and staff receive similar notification via email. Copies of the report may also be obtained at the Campus Police Department located in the Student Center Building, Office 160 or by calling (731) 424-3520 ext. 50240, (731) 425-2627 or (731) 225-2627.

CAMPUS SECURITY AUTHORITIES

Campus security authorities (CSA's) as defined by the U. S. Department of Education, have been selected by the President of the college. A CSA is an individual who has significant responsibility for student and campus activities. The function of a CSA is to report to the official or office designated by the institution to collect crime report information, such as the campus police department, those allegations of Clery Act crimes that he or she concludes were made in good faith with a reasonable basis for believing that the information is not simply rumor or hearsay. Under Clery, a crime is "reported" when it is brought to the attention of a CSA or local law enforcement personnel by a victim, witness, other third party, or even the offender. A CSA should immediately report any information received relative to a crime to the campus police department. CSA's for each campus location are designated in table below:

Sara Youngerman, Transitional President of Academic Affairs	(731) 424-3520 ext. 50314
Tim Dellinger, Transitional Vice President for Student Services	(731) 425-2610
Tim Dellinger, VP of Financial and Administrative Affairs	(731) 425-2610
Aaron Patton, Chief of Police	(731) 425-2627
Sandy Stanfill, Director of the Lexington Center	(731) 424-3520 ext. 50660
Jan Rhodes, Director of Savannah Center	(731) 925-5722 ext. 50760

Sherry Channell, Director of Gibson County Center	(731) 425-8836
Paul Morgan, Dean for Students	(731) 424-3520 ext. 50354
Will Shull, Director of Advising	(731) 424-3520 ext. 50219
Terri Messer, Compliance & Risk Officer, Title IX Coordinator	(731) 424-3520 ext. 50326
Julie LaRue, Director of Human Resources	(731) 425-2604

Campus Access and Security

During business hours, the College will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key, if issued, or by admittance via the Campus Police. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean's Office, Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications.

Safety and security have been considered in the landscape and lighting of the campus and centers. The Campus Police Department reports maintenance needs sighted during patrol to the Physical Plant Director at the Jackson campus. The Center Directors for Humboldt, Lexington, Paris, and Savannah report maintenance needs for their centers or location to the Physical Plant Director. Areas that are revealed as problematic have security evaluations conducted of them. Administrators from Financial and Administrative Affairs, Student Services Office, Campus Police Department and Physical Plant review these results. These evaluations examine security issues such as landscaping, locks, alarms, lighting, and communications.

Clery Timely Warnings

In the event that a situation arises, either on or off-campus or on properties surrounding the campus that, in the judgment of the President, Administrator in Charge or the Chief of Police, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The most immediate dissemination of the warning will be issued via the Campus Emergency Notification System. In the interest of the JSCC Campus Community, a text-message alert notification system (JSCC ALERT), email notification, and computer screen notification will be used to alert the campus community of a crisis or emergency situation. Also, an emergency notification speaker (ENS) system has been placed in each building on the Jackson campus to assist the Chief of Police in the notification process.

In addition, Jackson State’s JWEB as well as social networking sites such as Twitter and Facebook, among others, may be utilized to disseminate information. Anyone with information warranting a timely warning should report the circumstances to a Campus Police Officer (731) 225-5952 or the Chief of Police (731) 425-2627 by phone or in person. If you are at our other campus locations, please call the numbers outlined in the above table or in person at their campus office.

What Constitutes Issuance of a Clery Timely Warning Notice?

Clery Timely Warning Notices are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a threat that a serious crime is ongoing or may be repeated--so that campus community members can protect themselves from harm. The Clery Act identifies specific crimes that require a timely warning notice to be issued, when crimes are reported to officials with significant responsibility for student and campus activities, campus safety, or the local police and the reported crime(s) are believed to have occurred on campus, in or on non-campus buildings or property, or on public property contiguous to the campus.

Types of incidents or situations that constitute Clery Timely Warning being sent are:

All Clery Act Crimes which represent a serious or continuing threat to the person and well-being of students and employees. Examples include but are not limited to:

- Criminal Homicide
- Sex Offenses
- Robbery
- Aggravated Assault
- Burglaries (occupied rooms/offices/structures)
- Hate Crimes
- Persons with weapons with intent to use
- Threat of violent crime
- Situations where suspect is not known

- Assault (physical or sexual)

Timing, Content, and Decision Criteria for a Clery Timely Warning Notice:

- The Clery Act does not define what is timely. However, the warning should be issued as soon as pertinent information is available, because the intent of a Clery timely warning is to alert the campus community of continuing threats, especially concerning safety, thereby enabling community members to protect themselves.
- Clery Act regulations do not specify what information should be included in a timely warning. However, the warning should include all information that would promote safety, because the intent of the warning is to enable members of the campus community to protect themselves.
- The issuing of a timely warning notice should be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.
- Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim.

Although similar, this is not to be confused with an **Emergency Notification**. An Emergency Notification is used for any type of significant emergency that poses an imminent threat to our campus community. These emergencies can range from a weather event such as a Tornado Warning or Flood to an active shooter situation on campus.

When there's an imminent threat to our campus community, you will receive an Emergency Notification as an email to your JSCC account and as a text message. You might also receive a pop-up on your computer screen or receive the message through public address systems or other channels.

Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If and when a hate crime is committed within the reporting geography of Jackson State Community College, it will be noted as such in the Annual Security Report. For this reporting cycle, there are no hate crimes to report.

Clery Geography

Definitions

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

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

Non-campus buildings or property – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. Jackson State Campus Police Department is the agency responsible for law enforcement services at all Jackson State sites. Information regarding policies and access is the same for all sites. Comments, concerns, or questions about police and security services should be communicated to Jackson State Community College Chief of Police Aaron Patton by email at apatton1@jsc.edu or phone (731) 425-2627.

Jackson Campus

Jackson State’s Jackson campus is located at 2046 North Parkway Jackson, TN. 38301. This is considered Jackson State’s main campus. The main campus of Jackson State is comprised of twelve buildings. Crimes and other emergencies at this location shall be reported to Jackson State Community College Campus Police.

Regional Campuses

According to Clery specific definition, a separate campus or branch campus is a location of an institution that is geographically apart and independent of the main campus. A location of an institution is considered independent of the main campus if the location is permanent in nature, offers courses in educational programs leading to a degree or other recognized educational credential, has its own faculty and

administrative or supervisory organization, and has its own budgetary and hiring authority. Crimes and other emergencies at Jackson State's separate campuses shall be reported to Jackson State Community College Campus Police.

Daily Crime Log

The Clery Act requires institutions to create, maintain, and make available a daily crime log. The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that are reported to the Campus Police Department. Criminal incidents are made available on the log within two business days of receiving a report. The crime log is open to public inspection, free of charge, and available for the most recent 60-day period during normal business hours at the Jackson Campus. The Daily Crime Log is maintained in the office of the Chief of Police, which is located in Room 161 of the Student Center.

Campus Law Enforcement Authority (For Institutions Whose Police Have Arrest Authority)

JSCC Campus Police have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus. If minor offenses involving College rules and regulations are committed by a student, the campus police may also refer the individual to the disciplinary division of Student Services. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from JSCC and the city police are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at either Madison County General Sessions Court, Madison County Circuit Court or the U.S. District Court of the Western District of Tennessee.

Campus Police personnel will work closely with local, state, and federal police agencies and have direct radio communication with the city police department on the city police radio network. The Campus Police Department will be a part of the Jackson Police Department 911 Emergency System.

JSCC Campus Police will work out agreement with the Jackson Police Department on the department's jurisdiction boundaries in and around the Jackson State Campus.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean for Students for any action or follow-up that may be required.

Memorandums of Understanding (MOU)

The JSCC Campus Police Department maintains a close working relationship as well as written Memorandums of Understanding (MOU) with the Jackson Police Department (JPD), Madison County Sheriff's Office, Savannah PD, Hardin County Sheriff's Office, Lexington PD, and Trenton PD. Meetings are held between the leaders of these agencies on both a formal and informal basis. The officers of JSCC PD and JPD communicate regularly on the scene of incidents that occur in and around the campus area. The JSCC Police work closely with the investigative staff at JPD and other partner agencies when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information, as deemed necessary.

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the College System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief of Police or a designee of JSCC Campus Police Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Encouragement of Accurate and Prompt Crime Reporting

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Campus Police Department in a timely manner. This publication focuses on JSCC PD because it patrols the majority of the Jackson campus. To report a crime or an emergency on the Jackson campus, call JSCC PD at (731)225-5952 or use any of the 5 Call stations located on campus.

Officers are available at this telephone number 24 hours a day to answer your call. In response to a call, JSCC PD will take the required action, dispatching an officer or asking the victim to report to JSCC PD to file an incident report.

All JSCC PD incident reports involving students are forwarded to the Students Services office for review and potential action by that office. JSCC PD officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office

of Student Services.

If assistance is required from the Jackson Police Department or the Jackson Fire Department, JSCC PD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including JSCC PD, will offer the victim a wide variety of services. JSCC has a Behavioral Intervention Team (BIT) that has trained members who are available to assist.

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

Confidential Crime Reporting

All reports will be investigated to the extent possible. JSCC does not have procedures for voluntary, confidential reporting of crime statistics. Violations of the law will be referred to law enforcement agencies and when appropriate, to the College Disciplinary Committee for review. When a potentially dangerous threat to the college community arises, timely reports or warnings will be issued through e-mail announcements, the posting of flyers at local campuses, in-class announcements, or other appropriate means.

Security Awareness Programs for Students and Employees

In addition to in-service, student orientations and seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles and advertisements.

When time is of the essence, information is released to the university community through security alerts posted prominently throughout campus. In the interest of the JSCC Campus Community, a text-message alert notification system (JSCC ALERT), email notification, and computer screen notification) will be used to alert the campus community of a crisis or emergency situation. Also, an emergency notification speaker (ENS) system has been placed in each building on the Jackson campus to assist the Chief of Police in the notification process.

Crime Prevention Programs for Students and Employees

The Jackson State Police Department provides the following information on the Jackson State website (<https://jsc.edu/campus-life-services/police/police>).

When walking or jogging:

- Go with someone.
- Stay away from isolated areas.
- Try to stay near streetlights.
- Hold your purse or briefcase tightly, close to your body
- A front pocket is safer for a wallet than a back one.
- Dress sensibly. Tight pants, clogs, or heels make movement difficult.

If you're being followed:

- Cross the street or change directions.
- Keep looking back so the person knows you can't be surprised.
- Go to a well-lighted area. Enter a building hall, classroom, library, or Gymnasium; anywhere there are people.
- Notice and remember as much as possible about the person so you can give a good description later.

If you're held up:

- Don't resist. No amount of money is worth taking chances with your life.
- Notify the campus police or local police immediately. Try to give a description that includes approximate age, height, weight, and details on hair, clothing, jewelry, scars, and tattoos - anything that is noticeable.

Where you live:

- Keep your doors and windows locked day and night.
- Don't let strangers in.
- Don't leave a door unlocked for someone planning to come back later.

Protect personal and College property:

- Lock your door every time you leave.
- Engrave expensive equipment and valuables with an I.D. number.
- Don't store your purse in an unlocked desk drawer.
- Don't leave your belongings unattended in libraries, hallways, locker rooms, classrooms, or Gymnasium.
- If you are working late: - Keep your office door locked.
- Keep your office door locked.
- Lock all doors behind you when entering or exiting at night.

In a car:

- Keep doors locked while driving.

- Don't pick up hitchhikers.
- Check the back seat before getting into a car.

Protect your car:

- Always lock your car and take the keys.
- Lock valuables in the trunk.
- Park in well lighted areas.
- Don't hitchhike.

Report suspicious activity and vandalism immediately.

JSCC personnel facilitate orientation programs for students, parents, faculty and new employees as well as programs for student organizations and community organizations. These programs provide a variety of educational strategies and tips on how to protect oneself from sexual assault, theft and other crimes.

Student Safety Policy: JSCC strives to maintain a learning-centered environment free from intimidation, threats, violent acts and theft. This includes, but is not limited to, intimidating, threatening or hostile behaviors, physical or verbal abuse, vandalism, arson, sabotage, carrying or use of weapons, or any other act which is inappropriate to the academic environment.

Students who feel they have subjected to any of the behaviors listed above are requested to immediately report the incident to the Dean of Student Services. Students who observe or have knowledge of any violation of this policy should also report it immediately. Complaints will be investigated in accordance with the JSCC Student Handbook and disciplinary action will be taken against the offender, if appropriate.

The College reserves the right to take any and all action required to enforce the above policy including searching and inspection of school property and material brought into or out of the institution.

Sex Offender Registry Information

In compliance with the federal Campus Sex Crimes Prevention Act and the Tennessee College and University Campus Sex Crimes Prevention Act of 2002, members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled or volunteering at this institution through the JSCC Police Department at (731)425-2627. Information also is available on the TBI's web site listing of sex offenders located on the internet at: <https://www.tn.gov/tbi/general-information/redirect-tennessee-sex-offender-registry-search/sex-offender-registry-search.html>.

Monitoring Off-campus Student Organizations

Jackson State Community College did not officially recognize any student organizations with off-campus locations during this reporting period.

Sexual Misconduct

Sexual misconduct is a form of sex discrimination prohibited by Title IX. Jackson State is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. As set forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking, and sexual assault. Jackson State strictly prohibits these offenses.

Definitions

Consent—an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

Dating Violence—violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to:

1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
2. Placing the accuser in fear of physical harm;
3. Physical restraint;
4. Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
5. Placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – TCA § 36-3-601(5)(c)

Domestic Violence Victim—violence against a person when the accuser and accused:

1. Are current or former spouses’
2. Live together or have lived together;
3. Are related by blood or adoption;
4. Are related or were formally related by marriage; or,
5. Are adult or minor children of a person in a relationship described above?

Domestic Violence – includes, but is not necessarily limited to:

1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
2. Placing the accuser in fear of physical harm;
3. Physical restraint;
4. Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
5. Placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – TCA § 36-3-601

Sexual Assault—the nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know at the time of the contact that the accuser did not or could not consent.

Sexual Misconduct—for the purposes of this policy, “sexual misconduct” is defined as dating violence, domestic violence, stalking, and sexual assault.

Stalking—a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Sexual Misconduct Educational Programs and Campaigns

The College will engage in comprehensive educational programming to prevent sexual misconduct. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students, staff, and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
3. Defines what behavior and actions constitute consent to sexual activity;
4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander;
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Procedures Victims Should Follow If a Sex Offense Occurs

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The JSCC Police Department strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault can be reported directly to 911 or to a JSCC Police Officer (731)225-5952. If the victim wishes to make a confidential notification, the victim should follow the procedure outlined below for confidentially reporting sexual misconduct. The victim may be assisted by campus authorities in notifying local law enforcement. The victim should contact the JSCC Police Department or the Title IX Coordinator for assistance.

A victim has the right to decline to notify local law enforcement. However, filing a police report with a law enforcement agency will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

1. Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
2. Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
3. Ensure the victim has access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a victim of sexual misconduct presents to the College, the institution will provide written information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. The College will also provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both on our campus and in the community. The College will further provide written notification to victims about options for, and available assistance in, changing academic, transportation, and working situations. The College must make such accommodations if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

Protection from abuse orders may be available through www.TNCOURTS.gov, with forms found at: www.tncourts.gov/programs/self-help-center/forms/order-protection-forms, and additional Information related to such orders may be found at <http://www.tncoalition.org/> and go to the Get Help Tab. Regardless of whether an offense occurred on or off campus, the College will provide a student or employee a written explanation of their rights and options when a student or employee

reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault, or stalking.

Reporting Sexual Misconduct

The College encourages victims of sexual violence to talk to somebody about what happened so they can get the support they need and so the College can respond appropriately. Though reports will be kept as confidential as possible, the College cannot guarantee the confidentiality of every report or complaint. The following provisions detail the confidentiality options available to individuals.

Reporting Confidentially

If a victim chooses to report an incident of sexual misconduct in a confidential manner, the victim can report the incident to the following person who is a counselor and is required by Tennessee State law to maintain confidentiality of a victim:

Dean for Students
(731)424-3520 ext. 50354
Office: Student Center; Rm 147
deanofstudents@jsc.edu

Filing an Institutional Complaint

Reports of acts of sexual misconduct to any other employee of the College must be reported to the Title IX Coordinator, and the College will take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

The College shall not share information with law enforcement without the complainant's consent or unless the victim has also reported the incident to law enforcement.

Before a complainant reveals any information to an employee, the employee must ensure that the complainant understands the employee's reporting obligations.

If the complainant wants to maintain confidentiality, the employee must direct the victim to confidential resources as detailed above.

If the complainant wants to tell an employee what happened but also maintain confidentiality, the employee must advise the complainant that the College will consider the request, but cannot guarantee that it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will also inform the Coordinator of the complainant's request for confidentiality.

In addition to all other employees on campus, an institutional complaint can be filed directly with either or both of the following:

Title IX Coordinator
Terri Messer
2046 North Parkway
Administration Bldg. Rm 125B

tmesser@jsc.edu
(731)424-3520 Ext. 50326

Filing a Criminal Complaint

If the victim chooses to file a criminal complaint, the victim should contact one of the following:

Jackson State Community College Police Department

CELL (731) 225-5952
OFFICE (731) 424-3520 ext. 50420 or (731) 425-2627

Jackson Police Department

234 Institute St.
Jackson, TN 38301
(731) 425-8400

Trenton Police Department

309 S. College St. #C
Trenton, TN 38382
(731) 855-1413

Lexington Police Department

88 1st St.
Lexington, TN 38351
(731) 968-6666

Savannah Police Department

80 King St.
Savannah, TN 38372
(731) 925-4989

Madison County Sheriff's Department

546 E College St
Jackson, TN 38301
(731) 423-6000

Henderson County Sheriff's Department

50 Natchez Trace Dr.
Lexington, TN 38351
(731) 968-7777

Gibson County Sheriff's Department

401 N. College
Trenton, TN 38382
(731) 855-1121

Hardin County Sheriff's Department

525 Water St.
Savannah, TN 38372
(731) 925-3377

Investigation Requirements and Procedures

- A. All proceedings will include a prompt, fair, and impartial investigation and result. The College will provide the respondent and complainant equitable rights during the investigative process.
- B. All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for investigation and appropriate disposition, subject to the confidentiality policy. Mediation between the complainant and respondent will never be considered an appropriate resolution

in sexual misconduct cases.

C. Initiating an investigation

1. Immediately upon receipt of a complaint, the Title IX Coordinator shall communicate with the complainant to identify and implement any reasonable interim measures necessary. Absent good cause, within three (3) business days of receipt of a report of sexual misconduct the Title IX Coordinator or designee shall attempt to get a written statement from the complainant that includes information related to the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complainant should complete a complaint form and submit a detailed written report of the alleged incident.
2. When the complainant chooses not to provide or sign a written complaint, the Title IX Coordinator or designee will investigate to the extent possible and take appropriate action.
3. In addition to immediate interim measures, the Title IX Coordinator shall consider what, if any, interim measures may be necessary during the pendency of the investigation.
4. Complaints made anonymously or by a third party will be investigated to the extent possible.
5. After consultation with TBR General Counsel, if the Title IX Coordinator determines that the complaint contains an allegation of sexual misconduct, the Title IX Coordinator shall follow the procedures set forth in this policy to investigate and adjudicate the complaint.
6. The Title IX Coordinator may appoint a qualified, sufficiently trained person to investigate the allegations made in the complaint.
7. Only one person shall be identified as the investigator for a complaint, though the investigator may have a second person present during interviews to take notes.
8. Investigations shall be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.
9. If the complainant or respondent believes the assigned investigator has a conflict of interest, that party must submit a written explanation of the reason to either the Director of Human Resources or Vice-President of Student Services. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The Vice-President of Student Services will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the Vice-President of Student Services can be appealed to the President and the President's decision will be final.

What the investigation should and should not entail

1. Once the investigator receives the complaint, the investigator shall notify the victim (Complainant) in writing of his/her rights and request a meeting.
2. The investigator shall also notify the accused (Respondent) in writing of the complaint and his/her rights and request a meeting with the respondent.
3. The investigator shall notify the complainant, respondent and all individuals interviewed during the investigation that retaliation is strictly prohibited and may be grounds for disciplinary action. In addition, the investigator shall advise all interviewees that they should contact the investigator immediately if they believe they are being retaliated against.
4. The investigation shall include interviews with both the complainant and respondent, unless either declines an in-person interview.
5. The complainant and respondent shall be provided with the same opportunities to have others present during any interview, including the opportunity to be accompanied by the advisor of their choice to any related meeting or proceeding.
6. The College will not limit the choice of advisor for either the complainant or respondent.
7. The investigation shall include interviews with relevant witnesses identified by the complainant and respondent or any other potential, relevant witness made known to the investigator via other means.
8. The investigation shall include the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.
9. The investigator is expected to request a list of relevant witnesses and evidence from complainant and respondent and take such into consideration.
10. The investigator shall not consider any evidence about the complainant's prior sexual conduct with anyone other than the respondent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

Outcome of Investigation and Determination of Appropriate Action

1. Upon completion of the investigation, the investigator shall prepare a written report that includes the allegations made by the complainant, the response of the respondent, corroborating or non-corroborating statements of the witnesses, review of other evidence obtained, conclusions that may be drawn from the evidence gathered, and recommendations about the disposition of the matter.
2. It is the responsibility of the investigator to weigh the credibility of all individuals interviewed and to determine the weight to be given to information received during the course of the investigation.
3. The report shall be delivered to a designated "decision maker."
4. The Vice President of Administrative Services if the respondent is an employee;
5. The Vice President of Student Services if the respondent is a student
6. After review of the report the decision maker shall make a determination based

on a preponderance of the evidence presented as to whether or not a violation of this policy occurred.

7. The decision maker's determination shall be communicated in writing simultaneously to the complainant and respondent, along with notice to the parties of their right to request an institutional hearing on the determination that a policy violation did or did not occur.

Timeframe for Conducting the Investigation

1. Every reasonable effort shall be made to conclude the investigation and resolve the complaint within sixty (60) calendar days following receipt of the complaint. Within this sixty (60) day timeframe, absent good cause, it is expected that the investigator will conclude the investigation, that the investigator will present a report to the, and that the investigator will notify the parties in writing of decision maker's determination.
2. If the investigator or decision maker determines that additional time is needed, both parties shall be notified in writing of the delay, the anticipated date that the investigation will be concluded, and the reasons for such delay.
3. If either party determines that additional time is needed, that party shall request such in writing to either the investigator (if the decision maker has not yet made a determination). The written request for additional time shall include the reasons for the requested delay and the number of additional days needed.
4. The investigator shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the request and shall notify both parties in written as to whether or not the request is granted.

Institutional Hearing

1. Either party may request an institutional hearing on the determination that a policy violation did or did not occur by providing written notice of the request to the investigator within ten (10) business days of receipt of the decision makers' decision.
2. If a request is not received within ten (10) business days, the decision maker's determination is final.
3. The hearing may be held before either a hearing officer or hearing committee. The President of the College shall determine whether to proceed with a hearing

officer or hearing committee and shall appoint individuals to serve in those capacities.

4. If the complainant or respondent believes the hearing officer has or the hearing committee member(s) have a conflict of interest, that party must submit a written explanation of the reason for that belief to the appropriate decision maker. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The decision maker will determine if the facts warrant the appointment of a different investigator and respond to the party in writing within three (3) business days, absent good cause. The decision of the decision maker shall be final.
5. If such a hearing is requested, every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the President, within thirty (30) business days following the College's receipt of the party's request for a hearing
6. The parties to the hearing may not engage in formal discovery.
7. Each party is entitled to have an advisor of choice available; however, the advisor may not participate in the proceeding other than to render advice to the party.
8. The College will not limit the choice of advisor for either the complainant or respondent.
9. The complainant and respondent shall be timely notified of all meetings relevant to the proceeding.
10. The hearing officer or chair of the hearing committee shall control the procedures of the hearing with due consideration given to the parties' requests related to procedures such as, but not limited to, limitations on cross-examinations, recesses so the parties may consult with their advisors, and scheduling of hearings.
11. The hearing officer or hearing committee shall use a preponderance of the evidence standard when reaching a decision.
12. Absent good cause, within five (5) business days of the close of evidence, the hearing officer or committee shall issue a written determination as to whether or not a violation of this policy occurred and the justification for this decision.
13. Each party shall be simultaneously notified of the hearing officer or committee's decision in writing, which shall include notice of their rights to appeal the hearing officer's or committee's determination to the President.

Appeal of Hearing Decision

1. If either party chooses to appeal the hearing officer's/committee's decision, the party shall notify the investigator in writing of the decision to appeal within five (5) business days of receipt of the hearing officer's/committee's determination.
2. If a written request for appeal is not received within five (5) business days, the decision of the hearing officer/committee is final.
3. The appealing party/parties must explain why it is believed the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this would change the determination in the case.
4. The President will issue a written response to the appeal as promptly as possible. This decision will constitute the College's final decision on the complaint.

Effect of a Finding of a Violation of This Policy

1. If a final decision has been made that a policy violation occurred, the respondent shall be referred to the appropriate personnel for a determination of discipline.
2. The appropriate personnel will be determined by the status of the respondent. For example, if the respondent is a student, then the matter may be referred to the Vice President of Student Services. If the respondent is an employee, the matter may be referred to the Director of Human Resources.
3. If the respondent is a student, the College will follow the procedures for disciplining students as described in TBR policy and Jackson State Community College Student Disciplinary Rules as described on pages 216-232 of the Student Handbook.
4. If the respondent is an employee, the College will follow the procedures related to disciplining employees as described in applicable employee policies.
5. Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:
6. The complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.
7. The complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.
8. The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.
9. The complainant shall be allowed access, consistent with FERPA requirements,

to any evidence presented during any disciplinary meeting or hearing.

10. The Title IX Coordinator or designee shall be appointed as the complainant's contact person for any questions or assistance during the disciplinary process.
11. The complainant shall receive written notice, consistent with FERPA, of the outcome of the disciplinary process.
12. If a final decision has been made that a policy violation occurred, the Title IX Coordinator or designee shall determine any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus. For example, the Title IX Coordinator or designee may determine that specific training is needed for a student group whose members have been accused of sexual assault.
13. Subject to federal law, state law, and TBR policies, the following sanctions may be imposed by the institution following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking:
 - a) Restitution
 - b) Warning.
 - c) Reprimand.
 - d) Service to the institution or community.
 - e) Specified educational/counseling program.
 - f) Apology.
 - g) Fines.
 - h) Restriction upon privileges.
 - i) Probation.
 - j) Suspension.
 - k) Expulsion.
 - l) Revocation of admission, degree, or credential.
 - m) Interim suspension.
 - n) Suspension of employment.
 - o) Termination of employment.
 - p) Demotion.
 - q) Termination of tenure status.Other sanctions as deemed appropriate by the institution.

Interim Measures

In situations that require immediate action because of safety or other concerns, the College will take any reasonable administrative action that is appropriate. Examples of such interim actions include, but are not limited to:

1. Providing an escort to ensure that the complainant can move safely between classes and activities;
2. Ensuring that the complainant and respondent do not attend the same classes;
3. Providing referrals or access to counseling services;
4. Providing referrals to medical services;
5. Providing academic support services, such as tutoring;
6. Issuing no contact orders; and
7. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

Policy on Drug-Free Campus

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

Policy

It is the policy of Jackson State that the unlawful manufacture, distribution, possession, use or abuse of alcohol and illicit drugs on the Jackson State campus, on property owned or controlled by Jackson State, or as part of any activity of Jackson State is strictly prohibited. All employees and students are subject to applicable federal, state and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary actions as set forth in the JSCC Student Handbook.

Legal Sanctions

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell, controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substance involved the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance, and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment, a fine of up to \$4,000,000,

supervised release, any combination of the above, or all three. These sanctions are doubled when the offense involves either: 1) distribution or possession at or near a school or college campus, or
2) distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10,000 may be assessed for simple possession of “personal use amounts” of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor’s senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. 39-17-417. (21 U.S.C. 801, et. seq.; T.C.A. 39-17-417).

It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his employment), or consume alcoholic beverages, wine, or beer, such offenses being classified Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2,500, or both. (T.C.A. 1-3-113, 57-5-301). It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified a Class A misdemeanor. (T.C.A. 39-15-404). The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both. (T.C.A. 39-17-310)

Sanctions

Jackson State will impose the appropriate sanction(s) on any student or employee who fails to comply with the terms of this policy.

- Possible disciplinary sanctions for failure to comply with the terms of this policy may include one or more of the following:
 - Expulsion
 - Suspension
 - Mandatory participation in, and satisfactory completion of a drug/alcohol abuse program or rehabilitation program
 - Referral for prosecution
 - Probation
 - Warning
 - Reprimand

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

comply with this policy, including failure to notify of conviction, may include one or more of the following:

- Termination
- Suspension
- Mandatory participation in, and satisfactory completion of a drug/alcohol abuse program or rehabilitation program
- Recommendation for professional counseling
- Letter for prosecution
- Probation

Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

There are many health risks associated with the use of illicit drugs and the abuse of alcohol including organ damage; impairment of brain activity, digestion, and blood circulation; impairment of physiological processes and mental functioning; and physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Additionally, the illicit use of drugs increases the risk of contracting hepatitis, AIDS, and other infections. If used excessively, the use of alcohol or drugs singly or in certain combinations may cause death.

Available Drug and Alcohol Counseling, Treatment, Rehabilitation Programs

Students who wish to contact drug and alcohol counseling, treatment and rehabilitation programs may obtain information on such programs from the college's Counseling office at (731)425-2616. Following is a list of some area alcohol and drug treatment centers. Jackson State does not endorse any treatment providers, nor does the college provide financial support for students' treatment programs.

ALCOHOL AND DRUG TREATMENT CENTERS

- Alcoholics Anonymous, West Tennessee Toll Free Number.....877-426-8330
- Aspell Recovery Center, 110 McCowat., Jackson, TN 731-427-7238
- Lakeside Behavioral Health System 2911 Brunswick Road, Memphis, TN 901-377-4700
Toll Free 1-800-232-5253
- JACO 900 E. Chester, Jackson, TN731-423-3653
After hours.....731-343-1800

- Pathways 238 Summar Dr., Jackson, TN 731-541-8200
- Crisis Line 1-800-372-0693
- Quinco Counseling Centers Crisis please call1-800-467-2515
- Quinco Counseling Center 45 Executive Drive, Suite A, Jackson, TN 731-664-2111
- Quinco-Bolivar-Hardeman 10710 Highway 64, Bolivar, TN 731-658-6113
- Quinco-Savannah-Hardin 1105 South Pickwick, Savannah TN 731-925-1022
- Treatment Services 1-877-274-3522

Emergency Response and Evacuation Procedures

Jackson State maintains a plan for our campus. Please see the JSCC website for complete plan/procedures.

The plan documents the procedures that the campus will use to immediately notify the campus community of significant emergencies or dangerous situations involving threats to human health or safety of students or employees occurring on campus.

In the event of a serious incident that poses an immediate threat to members of the Jackson State community, Jackson State has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. In the interest of the JSCC Campus Community, a text-message alert notification system (JSCC ALERT), email notification, and computer screen notification will be used to alert the campus community of a crisis or emergency situation. Also, an emergency notification speaker (ENS) system has been placed in each building on the Jackson campus to assist the Director of Environmental Health & Safety in the notification process.

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

Jackson State conducts emergency preparedness drills to test the emergency response and evacuation procedures of each facility at all campuses on an annual basis. The results of each of these drills are recorded documenting the date, time, and whether it was an announced or unannounced drill.

Missing Student Notification Procedures

The Department of Education requires that any institution that provides any on-campus student housing facilities must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in its annual security report. Jackson State Community College did not provide any on-campus student housing facilities during this reporting period.

**CRIME STATISTICS FOR JACKSON STATE FOR THE PAST 3 YEARS
BELOW FROM THE TBI CRIME ON CAMPUS REPORT:**

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Murder/ Non-Negligent Manslaughter	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Manslaughter by Negligence	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Rape	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Fondling	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Incest	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Statutory Rape	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Aggravated Assault	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Burglary	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Motor Vehicle Theft	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Arson	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Domestic Violence	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Dating Violence	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Stalking	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Liquor Law Arrests	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Drug Law Arrests	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Weapons Law Arrests	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Liquor Law Violation Referral	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Weapons Law Violation Referral	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Larceny - Theft from Motor Vehicle	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	1	0	0	1
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Larceny - Theft from Building	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Hate Crime - Race	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Hate Crime - Gender	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Hate Crime - Gender Identity	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Hate Crime - Religion	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Hate Crime - Sexual Orientation	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Hate Crime - Ethnicity	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
2022		0	0	0	0	
2021		0	0	0	0	
Trenton	2023	0	0	0	0	
	2022	N/A	N/A	N/A	N/A	
	2021	N/A	N/A	N/A	N/A	
Hate Crime - National Origin	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
2022		0	0	0	0	
2021		0	0	0	0	
Trenton	2023	0	0	0	0	
	2022	N/A	N/A	N/A	N/A	
	2021	N/A	N/A	N/A	N/A	

Offense	Campus	Year	On Campus	Non-Campus Buildings or Property	Public Property	Total
Hate Crime - Disability	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A
Robbery	Jackson	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Lexington	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Savannah	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Paris	2023	0	0	0	0
		2022	0	0	0	0
		2021	0	0	0	0
	Trenton	2023	0	0	0	0
		2022	N/A	N/A	N/A	N/A
		2021	N/A	N/A	N/A	N/A

NUMBER OF UNDERGRADUATE AND GRADUATE STUDENTS ENROLLED AT JACKSON STATE

TERM	UNDERGRADUATE FTE	GRADUATE FTE
FALL 2022	2126.1	0
SPRING 2023	1936.3	0
FALL 2023	2110.1	0

NUMBER OF NON-STUDENT EMPLOYEES WORKING ON JACKSON STATE CAMPUSES

TERM	FACULTY	STAFF	PART-TIME FACULTY	TEMP HOURLY
FALL 2022	75	66 Pro- tech/Exec 45 Classified	114	0 Temps (non- student)
SPRING 2023	69	61 Pro- Tech/Exec 42 Classified	106	0 Temps (non- student)
FALL 2023	67	62 Pro- Tech/Exec 40 Classified	101	0 Temps (non- student)

Sexual Misconduct

JSCC Policy Number: 6.03.00.00

TBR Policy Reference: 6.03.00.00

TBR Guideline Reference: Not Applicable

Approved By: President's Cabinet

Original Date Effective: 2020-08-31

Last Modified: 2023-06-12

Responsible Office: Compliance and Risk

Purpose

It is the intent of Jackson State Community College (College) to fully comply with Title IX of the Education Amendments of 1972, §485(f) of the HEA, as amended by § 304 of the Violence Against Women Reauthorization Act of 2013, the regulations implementing these Acts found at 34 CFR §668.41, §668.46, and Appendix A to Subpart D of Part 668. This policy addresses the offenses defined herein as "Sexual Misconduct." Sexual Misconduct is a subset of a broader category of sexual harassment. Allegations of sexual harassment that do not meet the definition of Sexual Misconduct will be handled in accordance with the College's Guideline P-080 and applicable institutional policy.

The College will provide a single, easily accessible, and user-friendly document to advise students, employees, and others affected by the sexual misconduct of each institution's rules and procedures. The college shall ensure that the sexual misconduct policy is in a format or formats that make it readily available. The following policy and procedures are adopted by the College to assist in such compliance.

Definitions

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

- Complainant – a person who is alleged to be the victim of conduct that could constitute Sexual Misconduct. A Complainant may also be referred to as a Party.
- Consent - an active agreement to participate in a sexual act. An active agreement is words and/or actions that indicate a willingness to participate in a sexual act. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.
- Dating violence - violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. Dating and dated do not include fraternization between two individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to,
 - inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
 - placing the accuser in fear of physical harm;
 - physical restraint;
 - malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
 - placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser.
- Domestic violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs. In cases involving allegations of mutual acts or threats of acts of violence, the investigator will, when appropriate, identify the primary aggressor in the situation based on the totality of the information gathered, including, without limitation: the history of violence between the Parties; the relative severity of the injuries inflicted on each person; information gathered from the persons involved in the situation and witnesses to the situation; and whether the acts or threats were made in self-defense. The primary aggressor will be considered the Respondent for purposes of evaluating Domestic Violence.

- Education program or activity - education programs and activities include locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the alleged Sexual Misconduct occurred. Relevant factors include whether the alleged conduct took place (i) on or off premises owned or controlled by the College, (ii) during school or work hours, (iii) as part of an institution-sponsored social activity, and (iv) as part of an activity that advances an educational purpose. Education programs or activities also include any building owned or controlled by a student organization officially recognized by the College. Whether the Respondent is an institutional employee, and if so, the nature of the Respondent's employment may be relevant. No single factor is determinative, including whether or not the alleged harassment took place on premises owned or controlled by the College. The Title IX Coordinator, after consulting with the Office of General Counsel, will make a fact-specific Determination whether, if proven, the allegations arise out of an education program or activity. Where some alleged Sexual Misconduct took place within the College's education program or activity, and some took place outside of it, the Title IX Coordinator will determine whether to investigate and adjudicate all of the allegations in accordance with this policy. The decision-maker will also make a Determination whether the College has established by a preponderance of the evidence that Sexual Misconduct took place in an institutional education program or activity.
- Force/Forced - words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity. Examples of Force include, without limitation:
 - Physical force (e.g., hitting, punching, slapping, kicking, restraining, choking, kidnapping, using a weapon, blocking access to an exit);
- Words and/or conduct that would cause a reasonable person to fear:
 - Physical force or other harm to the person's health, safety, or property, or a third person's health, safety, or property;
 - Loss or impairment of an academic benefit, employment benefit, or money;
 - Disclosure of sensitive personal information or information that would harm a person's reputation;
 - Disclosure of video, audio, or an image that depicts the person's nudity or depicts the person engaging in a sexual act(s); or
 - Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.
- Formal Complaint - a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Misconduct against a Respondent and requesting that the institution investigate the allegation. When filing a Formal Complaint, a Complainant must either be participating in or attempting to participate in the institution's education program or activity implicated by the Formal Complaint.
- "Incapacitation" means that a person cannot actively agree to a sexual act because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that a sexual act is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational, informed judgment. Incapacitation is not the same as legal intoxication. See Clarifications for more information.
- Respondent – a person who has been alleged to be a perpetrator of conduct that could constitute Sexual Misconduct. A Respondent may also be referred to as a Party.
- "Retaliation" means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for 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 this policy constitutes retaliation. Retaliation is a violation of this policy regardless of whether the underlying allegation of a violation of this policy is ultimately found to have merit.
 - The exercise of rights protected under the First Amendment does not constitute retaliation.
 - Charging an individual with a policy or code of conduct violation for making a materially false statement in bad faith during a grievance proceeding under this policy does not constitute retaliation.
- "Sexual Assault" is an umbrella term that includes rape, fondling, incest, and statutory rape.
 - "Rape" means the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.
 - "Fondling" means the touching of the private body Part of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
 - "Incest" means sexual intercourse between persons related to each other within degrees where marriage is prohibited by law.
 - "Statutory rape" means sexual intercourse with a person under the statutory age of consent.
- Title IX Sexual Harassment – conduct on the basis of sex that satisfies either of the following:
 - an employee of an institution conditioning provision of an aid, benefit, or service of an institution on an individual's participation in unwelcome sexual conduct (quid pro quo);

- unwelcome conduct of a sexual nature determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the Complainant. The College will consider the totality of the circumstances, including, without limitation, the context in which the conduct and/or words occurred and the frequency, nature, and severity of the words and/or conduct. In no event shall Title IX sexual harassment be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., merely offensive or insulting speech). (With respect to conduct by employees, the College also prohibits sexual harassment in accordance with Guideline P-080 and institutional policy.) See Clarifications for more information.
- Stalking – engaging in the course of conduct directed at a specific person that would cause a reasonable person to either (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress. "Course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the definition of Stalking, "reasonable person" means a reasonable person under similar circumstances and with similar identities to the Complainant.

Policy/Guideline

Prohibition of Sexual Misconduct and General Information

- A. Sexual Misconduct is a form of sex discrimination prohibited by Title IX. The College is committed to helping its institutions rid their campuses of any and all acts of Sexual Misconduct. As set forth in this policy, Sexual Misconduct includes Title IX Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Sexual Assault. The College strictly prohibits these offenses.
- B. Because Sexual Misconduct is a subset of the broader category of sexual harassment, not all sexual harassment allegations will be handled according to this policy. Allegations of sexual harassment that do not fall within the more limited definition of Sexual Misconduct or otherwise do not meet the criteria for filing a Formal Complaint will be handled in accordance with Guideline P- 080 and institutional policy.
- C. With respect to allegations of Sexual Misconduct against faculty and staff in which a student is not the Complainant, additional laws and policies apply, most notably Title VII and anti-discrimination policies. In such situations and absent unusual circumstances, the Complainant may file a Formal Complaint pursuant to this policy or proceed pursuant to Guideline P-080 and the appropriate institutional policy.
- D. With respect to allegations of Sexual Misconduct in which a student is either a Complainant or Respondent and meets the criteria for filing a Formal Complaint, absent unusual circumstances, pursuing a Formal Complaint pursuant to this policy will be the appropriate method of addressing the allegations.
- E. Upon receiving and assessing a report of Sexual Misconduct and/or sexual harassment, the Title IX Coordinator will decide whether the criteria for proceeding under this policy are met and whether another policy may apply. If there is a possibility of proceeding pursuant to Guideline P-080 and another institutional policy, the Title IX Coordinator will explain the options.
- F. This policy applies to conduct by third parties. An example of a third party is a vendor with whom the institution contracts to provide services.
- G. This policy applies to all students and employees, regardless of sexual orientation or gender identity.

Title IX Coordinators

Jackson State clearly identifies its Title IX Coordinator's name and contact information (mailing address, phone number, email address, etc.) in this policy and this information can be found on the JSCC website Compliance and Risk.

Terri Messer

Compliance & Risk Officer, Title IX Coordinator

731-424-3520, Extension 50326

tmesser@jsc.edu

Lack of Bias and Equitable Treatment

- A. Neither the Title IX Coordinator, any investigator, any decision-maker, any person designated to facilitate an informal resolution process, nor anyone deciding an appeal will have a conflict of interest or bias for or against complainants or respondents generally or against an individual Complainant or Respondent.
- B. The Title IX Coordinator is responsible for appointing investigators, decision-makers, and appellate reviewers and may appoint someone from another institution or someone not employed by a TBR institution to avoid potential bias or for other reasons. In the event of potential bias of the Title IX Coordinator, or if the Title IX Coordinator believes that another person should serve in that role for

other reasons, the Title IX Coordinator should report the matter to TBR Central Office.

- C. The Institution will provide a prompt, fair, and impartial investigation, adjudication, and, if applicable, disciplinary process. Institutions will treat Complainants and Respondents equitably, which includes an objective evaluation of all relevant evidence, including both evidence that tends to prove or disprove the allegations.
- D. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.
- E. The investigation will proceed with a presumption that the Respondent is not responsible for the alleged conduct unless and until a Determination of responsibility for violating this policy is made at the conclusion of the decision-making process. The institution's responsible for establishing Sexual Misconduct by a preponderance of the evidence.
- F. The institution shall provide simultaneous written notification to the Parties of (1) any initial, interim, or final decision by an official authorized to resolve disciplinary matters, (2) any available appeal procedures for that decision, (3) any change to that decision, and (4) when that decision becomes final. The Parties will receive timely and equal access to information.

How to Report Sexual Misconduct

- A. The College takes all complaints of sexual discrimination, sexual harassment, and Sexual Misconduct seriously. This section explains the various reporting, complaint, and confidential disclosure options available to enable individuals to make informed choices about where to turn should they experience sexual discrimination, sexual harassment, or Sexual Misconduct.
 1. The College's institutional policy shall explain how to report Sexual Misconduct to the Title IX Coordinator. Such a report can be made at any time, including during non-business hours, using the telephone number, electronic mail address, or office mail address listed for the Title IX Coordinator.
 2. The College recommends that reports and complaints of all Sexual Misconduct be made to the Title IX Coordinator so that the institution can respond appropriately. Although reports and complaints of Sexual Misconduct may be made at any time, reports should be made as soon as possible so that the institution can best address the allegation.
 3. The College encourages anyone who witnesses, experiences or has information about possible Sexual Misconduct to take reasonable actions to prevent or stop such actions. This may include speaking up while the behavior is taking place or immediately afterward, reporting the behavior (in accordance with the reporting options outlined in this policy), directly intervening when it is safe and reasonable to do so, contacting law enforcement, or other means. A person who has been subjected to any type of Sexual Misconduct need not confront the other Party. The appropriate process to address the conduct is through this or other applicable policy.
- B. Supportive and Interim Measures
 1. After receiving a report of potential Sexual Misconduct, whether or not the report is a Formal Complaint, the Title IX Coordinator will contact the Complainant to discuss the availability of Interim/Supportive Measures, inform the Complainant of their availability, and consider the Complainant's wishes with respect to potential Interim/Supportive Measures. The Title IX Coordinator will also explain the process for filing a Formal Complaint.
 2. The Title IX Coordinator, in conjunction with the appropriate department, may implement interim, supportive, or protective measures while assessing, investigating, and resolving the report. These Interim/Supportive Measures are non-disciplinary, non-punitive, individualized services. They are offered without fee or charge to the Complainant or Respondent before or after filing a Formal Complaint or where no Formal Complaint has been filed.
 3. They are designed to restore or preserve equal access to the institution's programs or activities without unreasonably burdening the other Party. They may include measures designed to protect the safety of all Parties or the institution's educational environment or deter Sexual Misconduct.
 4. These measures may include but are not limited to mutual no-contact directives; access to counseling services and assistance in setting up an initial appointment; changing schedules, assignments, or job/study locations to lessen or minimize contact; extensions of deadlines and course-related adjustments; limiting or barring an individual's or organization's access to certain institutional facilities or activities; providing an escort to ensure safe movement on campus; providing academic support services, such as tutoring; arranging for a Party to re-take a course or withdraw from a class without penalty; administrative leave; leave of absence; institution-imposed leave or physical separation from individuals or locations.
 5. The institution will attempt to maintain the confidentiality of such Interim/Supportive Measures to the extent that it can do so without impairing its ability to effectuate the Interim/Supportive Measures or to investigate and adjudicate the complaint.
- C. Formal Complaint
 1. Any person who has been a victim of Sexual Misconduct within an education program or activity of the College in the United States may file a Formal Complaint under this policy.
 2. A Complainant who wants the College to conduct an investigation and take action in accordance with this policy must file a Formal Complaint alleging Sexual Misconduct.
 3. A Complainant must submit a written Formal Complaint in person, by mail, or via electronic mail to the Title IX Coordinator. The document must contain the Complainant's physical signature or a "digital signature." (A digital signature is information transmitted electronically that enables the Title IX Coordinator to determine that the Complainant is the person submitting the complaint,

including, but not limited to an email from the College's account or a typed version of the Complainant's name. A digital signature need not reproduce a written signature.) A Formal Complaint cannot be submitted anonymously. Only the Title IX Coordinator can submit a Formal Complaint on behalf of another person.

4. Although the College will attempt to consider the wishes of Complainants, including that no investigation be conducted, the College will also consider its obligations under College policy, TBR policy, and applicable law, including Title VII of the Civil Rights Act of 1964. Thus, when the Title IX Coordinator receives a report of Sexual Misconduct, and especially when the complaint involves an employee, the Title IX Coordinator may decide to investigate the matter pursuant to Guideline P-080 and institutional policy, even if the Complainant does not want the report investigated. If the Title IX Coordinator decides to file a Formal Complaint, the Title IX Coordinator is not a "Party" to any investigation, Determination, or hearing process.
5. Complainants should provide as much of the following information as possible: what happened, where, and when; names of all people involved, including witnesses (if any); supporting documentation (if any); and contact information. The College encourages reporting Sexual Misconduct even if some or all information is unavailable or cannot be provided. The Title IX Coordinator will explain their role, the options for reporting an incident, potential available Interim/Supportive Measures, and the available resources for assistance.

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

1. The College encourages victims of Sexual Misconduct to talk to someone about what happened, whether they want their report to be investigated or not. Institutions should offer Complainants someone to talk to confidentially so that they can get the support they need. This policy explains that some resources are confidential and should be considered if the Complainant does not want the institution to investigate the matter.
2. If the institution employs or contracts with such individuals, confidential resources include licensed professional counselors/mental health providers when acting in that role, pastoral counselors acting in that capacity, and medical professionals when acting in a clinical role. These resources do not report any information about an incident to the Title IX Coordinator without a Complainant's permission. Institutional policies shall identify and provide contact information for any confidential reporting options within the institution.
3. Counselors and health care providers not affiliated with the institution will generally maintain confidentiality and not share information with the institution unless the Complainant requests the disclosure and signs a consent or waiver form. However, these resources may have reporting obligations under state or federal law. For example, healthcare providers and specific other individuals are required to notify law enforcement when a person seeks treatment for injuries related to a violent crime, including injuries resulting from Sexual Misconduct or abuse of a minor.

E. Reporting by Employees

1. Institutional policy provides that:
 - a. All employees who learn of Sexual Misconduct (or any form of sexual harassment or sex discrimination, or retaliation) are encouraged to report such matters to the Title IX Coordinator.
 - b. Supervisors and managers who learn of Sexual Misconduct (or any form of sexual harassment or sex discrimination, or retaliation) must immediately report such concerns to the Title IX Coordinator.

F. Anonymous and Third-Party/Bystander Reporting

1. This institutional policy encourages third parties to report incidents of Sexual Misconduct to the Title IX Coordinator. The institution may not be able to move forward with third-party reports if the Complainant does not wish to file a Formal Complaint or cooperate with an investigation.
2. After providing a report, third parties are not entitled to information about the institution's investigation and response due to privacy concerns and applicable federal and state laws.

G. Abuse of Minors

1. Jackson State policy states that Tennessee law mandates reporting by any person who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether the child has sustained any apparent injury due to the abuse.
2. In a life-threatening emergency, a report of child abuse or sexual abuse should be made by calling 911. In other cases, a report of child abuse or child sexual abuse must be made immediately to one of the following authorities:
 - a. The Tennessee Department of Children's Services (the Central Intake Child Abuse Hotline is 1-877-237-0004);
 - b. The sheriff of the county where the child resides;
 - c. The chief law enforcement official of the city where the child resides; or
 - d. A judge having juvenile jurisdiction over the child.
3. In addition, institutional employees shall make a report of child abuse or child sexual abuse in connection with an institutional program or activity to the Title IX Coordinator. Note that a report to an institutional law enforcement or security agency is insufficient to comply with state law.

H. Law Enforcement

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

2. Local law enforcement agencies include:

Jackson State Campus Police
CELL (731) 225-5952
OFFICE ext. 52627

Jackson Police Department
234 Institute St,
Jackson, TN 38301
(731) 425-8400

Savannah Police Department
80 King St
Savannah, TN
(731) 925-4989

Trenton Police Department
309 South College St. C
Trenton, TN 38382
(731) 855-1413

Lexington Police Department
88 1st Street
Lexington, TN 38351(731) 968-6666

Henderson County Sheriff's Department
50 Natchez Trace Dr.
Lexington, TN
(731) 968-7777

Hardin County Sheriff's Department
525 Water St
Savannah, TN 38372
(731) 925-3377

Gibson County Sheriff's Department

401 N. College St.

Trenton, TN 38382
(731) 504-1479

9. Reporting Pursuant to the Nottingham Act.

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

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

Additional Information

A. No Retaliation

1. Retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes Sexual Misconduct (or any other form of discrimination prohibited by institutional policy) is prohibited. Individuals must not interfere with an investigation. Retaliation will result in disciplinary measures, up to and including termination or expulsion.
2. In order to help prevent retaliation, the institutional policy is to keep confidential the identity of anyone who has made a report or complaint of sex discrimination, including anyone who has filed a Formal Complaint of Sexual Misconduct, any Complainant, any Respondent, and any witness except as is required to carry out an institution's responsibilities under this policy, as permitted by FERPA, or as required by law.
3. Anyone who wishes to file a retaliation complaint should contact the Title IX Coordinator.

B. Emergency Removal/Administrative Leave

1. If it appears, based on an allegation of Sexual Misconduct, that a student may constitute an immediate and direct threat to another individual's physical health or safety, the institution will conduct an individualized inquiry and risk analysis. It may place the student on interim suspension on an emergency basis. If the institution implements an interim suspension, the student shall be given the opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the interim suspension. Institutions shall follow the procedures set forth in the College's-General Regulations on Student Conduct & Disciplinary Sanctions (and applicable institutional policies) before placing any student on interim suspension.
2. The institution may place employees on administrative leave or similar action while addressing allegations of Sexual Misconduct.
3. Visitors, vendors, and other third Parties may be removed from the premises consistent with applicable policies and procedures.

C. Court Orders

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

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

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

Investigation and Outcomes

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

B. Intake and Assessment of Formal Complaints

1. The Title IX Coordinator will assess the nature of reports and Formal Complaints, including whether one or more allegations meet the criteria for the filing of a Formal Complaint (e.g., whether the allegations include conduct that if proven, took place in the United States and will constitute Sexual Misconduct in an education program or activity by a participant or someone attempting to participate in the education program or activity). Formal Complaints that include some allegations that, if proven, constitute Sexual Misconduct and some that do not meet that definition will be handled pursuant to this policy. As appropriate, the Title IX Coordinator may initiate proceedings under another policy, refer the matter to another department, and/or inform the Complainant about the availability of other methods to address the allegations.
2. As part of the assessment, the Title IX Coordinator or designee may contact the Complainant and ask for information about the allegations. Supporting documents, such as emails, photos, text messages, and other evidence, should be preserved. If witnesses are present or have relevant knowledge, it is essential to identify them, state what they may know, and inform the investigator how they can be contacted.
3. Where Formal Complaints involving more than one Complainant and/or more than one Respondent arise from the same facts and circumstances, the Title IX Coordinator may consolidate Formal Complaints.

C. Notice of Allegations

1. Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice to known Parties. (A Notice of Allegations will be provided even if the Formal Complaint is dismissed simultaneously or shortly after the Notice of Allegations issues (e.g., the allegations, if proven, do not meet the definition of Sexual Misconduct)). The Notice of Allegations will enable both

Parties to appeal the dismissal or to proceed under another policy.) The Notice of Allegations shall contain:

- a. an explanation of the investigation and grievance process, including a copy of or link to institutional policy, as well as any other applicable policies;
 - b. the availability of an informal resolution process;
 - c. explanation of the allegations potentially constituting Sexual Misconduct in sufficient detail and with sufficient time to prepare a response before any initial interview. A Respondent will have at least three (3) business days after issuance of a Notice of Allegations prior to an initial interview, but depending on the nature of the allegations, additional time may be offered or requested;
 - d. the identity of the Parties involved in the incident, if known, and the date and location of the alleged incident;
 - e. a statement that the Respondent is presumed not responsible for the alleged conduct unless and until a Determination of responsibility has been issued;
 - f. a statement that the Parties may have an advisor of their choice at meetings they are permitted to attend. The advisor may be but is not required to be, an attorney. (Parties may hire their own attorneys. At a live hearing, only the College will provide advisors to Parties who do not have their own);
 - g. any statements in the College's institutional policies, procedures, or guidelines that prohibit knowingly making false statements or knowingly submitting false information during the process; and
 - h. a statement that retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes Sexual Misconduct is prohibited and will result in disciplinary measures, up to and including termination or dismissal.
2. If, during the course of an investigation, the institution decides to investigate allegations about the Complainant or Respondent that are not included in the Notice of Allegations, the institution will provide additional written Notice of Allegations to known Parties.

D. Dismissal of Formal Complaints

1. The Title IX Coordinator shall obtain advice from the Office of General Counsel before dismissing a Formal Complaint.
2. If the Title IX Coordinator concludes that the Complainant was not participating in or attempting to participate in an institutional education program or activity at the time of the Formal Complaint or that the conduct alleged in a Formal Complaint would not constitute Sexual Misconduct even if proved, did not occur in an institution's education program or activity, or did not occur against a person while in the United States, the Title IX Coordinator shall dismiss the Formal Complaint.
3. The Title IX Coordinator has the discretion to dismiss a Formal Complaint or any allegations in it if, at any time during the investigation or hearing, a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in it; the Respondent is no longer enrolled by, employed by, or associated with the College; or specific circumstances prevent the College from gathering evidence sufficient to reach a Determination as to the Formal Complaint or allegations therein.
4. The Title IX Coordinator may decide to dismiss a Formal Complaint of Sexual Misconduct and refer the matter for disposition pursuant to a different policy, guideline, or process when an allegation of Sexual Misconduct is dismissed or when a Formal Complaint ceases to include an allegation of Sexual Misconduct.
5. Upon dismissal of a Formal Complaint for any reason, the Title IX Coordinator will promptly send the Parties a written notice explaining the reasons for dismissal. The dismissal notice will also explain whether the College will investigate or respond to the allegations under another policy, guideline, or process and the availability of other methods to address the allegations.

E. Informal Resolution

1. Because a full investigation and adjudication process may not be in the best interests of all concerned, the Title IX Coordinator may offer an informal resolution process. The informal resolution process is designed to provide flexibility in crafting a resolution to a Formal Complaint that meets the needs of the Parties and the institution. Informal resolutions may include meetings facilitated by the College or third parties, resolutions facilitated by the Title IX Coordinator without formal meetings, mediations, and/or restorative justice concepts. Disciplinary action may or may not be part of any informal resolution. Both Parties must agree in writing to participate in an informal resolution process the Title IX Coordinator may offer.
2. An informal resolution process is only available after filing a Formal Complaint and prior to a Determination regarding responsibility. If the Title IX Coordinator believes an informal resolution may be appropriate, the Title IX Coordinator will propose an informal resolution process in either the initial Notice of Allegations or a subsequent written document. The Title IX Coordinator may discuss with the Parties the details of how the process will work. The written notice will contain the allegations or refer to the Notice of Allegations, set out the informal resolution process, and explain that at any time prior to agreeing to a resolution, the Complainant, Respondent, or the institution may withdraw from the informal resolution process and resume the investigation and adjudication process under this policy, and identify any records that will be maintained or shared related to the process.
3. The Title IX Coordinator will not offer or facilitate an informal resolution process to resolve allegations that an employee engaged in Sexual Misconduct against a student.

F. Investigation of Formal Complaints

1. The College will investigate all Formal Complaints unless dismissed or resolved through an informal resolution. During the investigation:

- a. The institution will not access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional acting in the professional's capacity and made or maintained in connection with the treatment to the Party unless the Party voluntarily consents in writing;
- b. The investigator will conduct an investigation that is appropriate under the circumstances. The investigation will include a review of documents, physical evidence, and interviews with the Parties and others. The investigator may request access to premises, records, and documents deemed relevant. As the investigation progresses, the investigator may seek clarification, including during a subsequent interview, from any person participating in the investigation regarding the incident or their statement. A Party who learns or remembers any additional information should notify the investigator immediately. The Parties will have an equal opportunity to provide evidence and to identify witnesses, including fact and expert witnesses. Parties are encouraged to provide, as soon as possible, any evidence that the Party believes to be relevant and wants the investigator to consider. If at all possible, all evidence should be provided in time for the investigator to make it available for inspection and review;
- c. Although the Parties are encouraged to provide the institution with information and evidence related to the allegations, the institution is ultimately responsible for gathering evidence sufficient to reach a Determination regarding responsibility;
- d. The institution will not restrict the Parties from discussing the allegations under investigation or from gathering and presenting relevant evidence. Any restrictions on the ability of the Parties to discuss matters related to the proceeding but which are not under investigation will be explained in the Notice of Allegations;
- e. Each Party will have the opportunity to obtain and to be accompanied to a meeting or proceeding by an advisor of their choice, who may, but is not required to be, an attorney, in accordance with Section IV.H. below;
- f. When a Party is invited or expected to participate in a meeting, the institution will provide written notice of the date, time, location, participants, and purpose of the meeting, interview, or hearing, with sufficient time for the Party to prepare to participate;
- g. Both Parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including evidence that is directly related to the allegations but upon which the institution does not intend to rely in reaching a Determination regarding responsibility. The institution will include both evidence that tends to prove and disprove the allegations, whether obtained from a Party or other source so that each Party can meaningfully respond to the evidence prior to the conclusion of the investigation;
- h. Prior to completing an investigative report, the institution will send to each Party the evidence subject to inspection and review. Unless a Party requests that the institution not do so, the institution will also send the evidence to each advisor who has been identified. An institution may decide to provide access to evidence through electronic means that is not available for download. In such case, the Parties and their advisors are prohibited from, directly or indirectly, photographing or reproducing such evidence (unless the Party has independent access to the evidence independent of the portal, e.g., documents submitted by the Party or publicly available information); and
- i. The institution will provide at least ten (10) calendar days for the Parties to respond to the evidence provided for inspection and review. The investigator will share any written response with the other Party and consider any written response before completing the investigative report.

G. Investigation Report

1. At the conclusion of the investigation, the investigator will prepare a written report. The report shall:
 - a. identify the allegations;
 - b. identify relevant policies, guidelines, and other standards;
 - c. explain the procedural steps taken between receipt of the Formal Complaint and the conclusion of the investigation, including all notifications to the Parties, interviews with the Parties, interviews with other witnesses, dates of all interviews, any site visits, and the methods used to gather evidence; and
 - d. fairly summarize the relevant evidence.
2. The written report shall not make findings of fact or conclusions regarding applying facts to this policy.
3. At least (ten) 10 calendar days prior to a hearing, the investigator will send each Party the investigation report in either electronic or hard copy, for their review and written response. Unless a Party requests that the institution not do so, the institution will also send the investigation report to an advisor with whom the Party has identified.
4. The Parties should provide any written response as soon as possible, as the investigator may issue an amended investigation report if the investigator deems it appropriate and if a Party provides comments in sufficient time for the investigator to do so. The Parties' written responses and any amended investigation report will be sent to the decision-maker.

H. Advisors

1. Both the Complainant and the Respondent will be permitted to have an advisor of their choosing present during meetings where their attendance is permitted or expected. Nothing in this policy shall be read to require that the institution allow a Party to attend an interview of the other Party or a witness.
2. The advisor may accompany and confer privately with a Party. Still, the advisor may not interrupt, speak on behalf of a Party, or otherwise actively participate in any meeting except for conducting cross-examination at a live hearing.

3. An advisor's failure to comply with these guidelines may result in the termination of the meeting or the advisor no longer being permitted to be present.
4. The College and institutional personnel employed in the offices responsible for the disciplinary proceedings described in this policy, along with those in the chain of command, personnel employed by the TBR Office of General Counsel (OGC), and others whose participation could create a conflict of interest with their duties are not eligible to serve as advisors. The institution shall not otherwise limit the choice of an advisor.
5. If there is a question or concern about a possible advisor, the Title IX Coordinator should be consulted. A Party choosing to have an attorney present as an advisor must provide advance notice so that a member of OGC can attend any meeting at which an attorney will be present

I. Recordings

1. Parties are prohibited from recording any meeting conducted pursuant to this policy.
2. When a live hearing is conducted, the institution will create an audio recording, audiovisual recording, or transcript and make it available to the Parties for inspection and review.

J. Past Relationships and Conduct

1. Previous sexual relationships of the Complainant and Respondent with third parties generally are irrelevant.
2. A past sexual relationship between the Complainant and Respondent may or may not be relevant. For example, past sexual encounters may provide insight into communication patterns for purposes of determining whether consent was present.
3. Questions and evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to Respondent and are offered to prove consent.

K. Standard of Evidence

1. The College uses the preponderance of the evidence standard of evidence in evaluating whether Sexual Misconduct occurred. A "preponderance of evidence" means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.
2. The burden of proof will remain with the institution through the Determination.

L. Timeline

1. Formal Complaints typically will be resolved (exclusive of any appeals) within 90 calendar days of filing.
2. Appeals will be resolved within fifteen (15) calendar days of the filing of an appeal.
3. Given the many variables and factors that may arise in such cases, additional time may be needed in some cases. Any departure from these frames will be for a good cause and communicated in writing or by email to both the Complainant and the Respondent simultaneously, along with a new timeline and explanation of the reasons. Good cause to extend the deadlines includes, but is not limited to, the absence of a Party, a Party's advisor, or witness; concurrent law enforcement activity; or the need for language assistance or the accommodation of disabilities.
4. Incompletion of the process within such time frames is not cause for dismissal of a Formal Complaint.

M. Parallel Investigations with Law Enforcement

1. Filing a police report or the pendency of civil or criminal proceedings does not preclude the institution from proceeding with its investigation and Determination.
2. The investigation and Determination may be delayed until law enforcement has finished gathering evidence and indicated that the institution might proceed with an investigation. Still, the institution generally will not wait for the conclusion of any criminal proceeding.
3. Civil or criminal proceedings are separate and distinct from internal institutional proceedings and may or may not run parallel to one another. However, the institution may be required by law to provide information in civil or criminal proceedings.
4. The institution policy sets forth parameters and clarifies what information may and may not be shared during a parallel investigation with law enforcement (e.g., via a memorandum of understanding with local law enforcement).

N. Live Hearings

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

2. At the request of either Party, the institution will provide for the live hearing to be conducted with the Parties located in separate rooms with technology enabling the decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions.
3. In cases involving more than one Respondent, any Party may request separate hearings by submitting a request at least five (5) business days before the hearing. The Title IX Coordinator will decide whether to grant the request.
4. Live hearings may be conducted with all Parties physically present in the exact geographic location or, at the institution's discretion, any or all Parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to see and hear each other simultaneously.
5. At least ten (10) business days prior to a live hearing, the institution will provide both Parties with written notice of the following:
 - a. The time, place, date of the hearing, and electronic access information, if applicable;
 - b. The name of each witness the institution expects to present or be present at the hearing and those the institution may present if the need arises;
 - c. The right to request a copy of the investigative file (other than portions that are protected by law or privilege), which includes all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint;
 - d. The right to request copies of all documents, copies of electronically stored information, and access to tangible evidence that the institution has in its possession, custody, or control and may use to support claims or defenses;
 - e. The right to have an advisor of the Party's choice, who may be, but is not required to be, an attorney, and that if the Party does not have an advisor present at the hearing, the institution will provide an advisor of the institutions' choice, without fee or charge, to ask the other Party and any witnesses all relevant questions and follow-up questions on behalf of that Party;
 - f. Any Party in need of an institution-provided advisor must inform the Title IX Coordinator at least five (5) business days before the hearing;
 - g. Any cross-examination of any other Party or witness must be conducted by the advisor; and
 - h. Other information may be included in the notice of hearing.
6. When notice is sent by U.S. mail or courier service, the notice is effective on the date the notice is mailed or delivered to the courier service. When notice is hand delivered by the institution, notice is effective on the date that the notice is delivered to the Parties. When notice is sent by email, the notice is effective on the date the email is sent to the Parties' institution-provided email account.
7. The decision-maker may conduct a pre-hearing meeting or conference with the Parties and their advisors to discuss pre-hearing issues, including any technology to be used at the hearing and the general rules governing the hearing.
8. The decision-maker may allow a temporary delay of the process or the limited extension of time frames for a good cause with written notice to the Parties of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
9. If a Party fails to attend a hearing, the decision-maker may proceed without that Party's participation.
10. During the hearing, the decision-maker will make evidence subject to review and inspection during the investigation phase available to give each Party the equal opportunity to refer to that evidence, including for purposes of cross-examination.
11. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are offered to provide that someone other than the Respondent committed the conduct alleged by the Complainant or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
12. Only relevant cross-examination questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or question from someone other than the decision-maker, the decision-maker will determine whether the question is relevant and explain any decision to exclude a question as irrelevant first.
13. The decision-maker will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege unless the person holding the privilege has waived the privilege.
14. The decision-maker will permit each Party's advisor to ask the other Party and any witnesses all relevant and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real-time by the Party's advisor and never by a Party personally. Conducting cross-examination will be the advisor's only opportunity to speak. Advisors will not engage in other presentations of arguments or evidence, including opening statements, closing arguments, or direct examinations.
15. If a Party does not have an advisor at the live hearing, the institution will provide an advisor, without fee or charge to that Party. The institution will choose the advisor.
16. If a Party or witness does not submit to cross-examination at the live hearing, the decision-maker will not rely on any statement of that Party or witness in reaching a Determination regarding responsibility, provided however, that the decision-maker cannot draw an inference about the Determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

17. For good cause shown, a decision-maker may permit the participation of witnesses not identified by the Party to the investigator or the inclusion of evidence not provided by the Party to the investigator.
18. The institution will create an audio or audiovisual recording, or transcript, of a live hearing and make it available to the Parties for inspection and review.
19. The decision-maker may dismiss the Formal Complaint or any allegations therein if, at any time during the hearing, a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw a Formal Complaint or any allegations therein, the Respondent is no longer enrolled or employed by the institution, or specific circumstances prevent the institution from gathering evidence sufficient to reach a Determination as to the Formal Complaint or allegations therein.
20. If the decision maker dismisses the Formal Complaint during the grievance process, the decision-maker will promptly notify the Title IX Coordinator, who will promptly send written notice of the dismissal and reasons therefor simultaneously to the Parties.

O. Written Determination

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

P. Remedies and Disciplinary Action Following Determinations of Violations

1. The institution will provide remedies where a Determination of responsibility for Sexual Misconduct has been made. The institution will follow this policy before imposing any disciplinary sanctions for Sexual Misconduct that are not supportive/interim measures.
2. Remedies will be designed to restore or preserve equal access to education programs and activities and include discipline under the applicable policies and procedures. Remedies may include verbal warnings, written warnings, final written warnings, suspension, termination of employment, non-renewal of appointment, or dismissal from the institution. Faculty may be subject to proceedings under TBR Policies 5.02.03.10 and 5.02.03.30.
3. Remedies will also consider improvements to the campus-wide environment. It is the intent of the College to consider the impact of an incident of Sexual Misconduct on the campus as a whole or on specific groups or areas of campus. For example, specific training may be needed for a student group.
4. The Title IX Coordinator is responsible for ensuring the effective implementation of the remedies.

Q. Appeals/Post-Determination Procedures

1. Parties are permitted to appeal to the institution's President (or other person appointed by the Title IX Coordinator) from a Determination regarding responsibility (or no responsibility) and a dismissal of a Formal Complaint or any allegations in a Formal Complaint based on:
 - a. procedural irregularity that affected the outcome of the matter;
 - b. new evidence that was not reasonably available at the time the Determination or dismissal was made, but only if that new evidence could affect the outcome of the matter;
 - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

2. A Party wishing to appeal a Determination regarding responsibility or the dismissal of a Formal Complaint or any allegations therein must file a written appeal with the Title IX Coordinator within seven (7) business days of the Determination or dismissal date. The written appeal must identify the reasons for the appeal.
3. As to all appeals, the Title IX Coordinator will:
 - a. Notify the other Party in writing when an appeal is filed;
 - b. Implement appeal procedures equally for both Parties;
 - c. Ensure that the decision-maker(s) for the appeal is not the same person as the investigator, the decision-maker, or Title IX Coordinator;
 - d. Give each Party five (5) business days to provide a written statement supporting, or challenging, the Determination.
4. The decider of the appeal will issue a written decision describing the result of the appeal and the rationale for the result and will provide the written decision simultaneously to the Parties.

Victim Services

- A. The College intends to provide resources and assistance to victims of Sexual Misconduct.
- B. Victim Services Policy

Victim Services Policy Jackson State partners with local community organizations that may provide services for victims of Sexual Misconduct.

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

Sexual Assault Center:

Wo/Men's Resource and Rape Assistance Program (WRAP)
Crisis Line 1-8---273-8712; www.wraptn.org

WRAP Area Contacts:

Crockett County – 731-343-3389
Haywood County – 731-343-3452
Gibson County – 731-343-3524
Madison County – 731-668-0411
Chester/Hardeman/Henderson Counties – 731-343-5547
Benton/Carroll/Decatur/Henry Counties – 731-343-3532; 731-343-5217
Hardin/McNairy/Wayne Counties – 731-343-5006

-Other Area Resources:

Tennessee Domestic & Sexual Violence Hotline
1-800-356-6767 (TTY: 1-800-787-3224)

Memphis Sexual Assault Resource Center 1-800-656-4673

Lesbian, Gay, Bisexual, and Transgender Sexual Assault and Domestic Violence Assistance – 188-779-7233 (TTY 1-800-787-3224)

Care Center - <https://www.carecenterofjackson.org/what-we-do>

Safe Hope Center - https://www.jacksontn.gov/government/departments/police/victim_services/

Emergency numbers for on and off-campus safety, law enforcement, and other first responders, including the Title IX Coordinator are:

Emergency: Dial 911

Jackson State Campus Police
CELL (731) 225-5952
OFFICE ext. 52627

Jackson Police Department
234 Institute St,
Jackson, TN 38301
(731) 425-8400

Savannah Police Department
80 King St
Savannah, TN
(731) 925-4989

Trenton Police Department
309 South College St. C
Trenton, TN 38382
(731) 855-1413

Lexington Police Department
88 1st Street
Lexington, TN 38351
(731) 968-6666

Henderson County Sheriff's Department
50 Natchez Trace Dr.
Lexington, TN
(731) 968-7777

Hardin County Sheriff's Department
525 Water St
Savannah, TN 38372
(731) 925-3377

Gibson County Sheriff's Department
401 N. College St.
Trenton, TN 38382
(731) 504-1479

Jackson State Title IX Coordinator:
Terri Messer
2046 North Parkway
Administration Building, 125B
Jackson, TN 38301
(731) 424-3520, Extension 50326
tmesser@jsc.edu

Health care options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and where and how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE) are:

Jackson Madison General Hospital 620 Skyline Dr., Jackson, TN Madison County

Wo/Men's Resource & Rape Assistance Program (WRAP) 800-273-8712

SANEs on staff; Call 731-541-6289 for the SANE message information line

Shelby County CrimeVictims & Rape Crisis Center 1060 Madison Avenue, Memphis TN 901-222-4350 Shelby County

Sexual assault advocates and counselors on Staff; 24 Hour Sexual Assault Hotline : 901-222-4350

NPs/SANes on staff and on call 24/7

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

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

Available advocates (e.g., a local rape crisis center, on-campus advocacy program) who can accompany a victim to the hospital or health provider include: Care Center (<https://www.carecenterofjackson.org/what-we-do>) and the Safe Hope Center (https://www.jacksontn.gov/government/departments/police/victim_services/)

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

Education, Training, and Awareness

- A. Jackson State will offer educational programming and training to their students, faculty, and staff that is intended to end Sexual Misconduct.
- B. Jackson State will provide user-friendly materials to explain the policy and how victims can get help, and provide those materials online and through other strategies appropriate for the campus. Institutional education related to Sexual Misconduct will be provided to incoming students. The institution promotes awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Education will also include information on how to prevent sexual assault, such as information on bystander intervention, as well as how to recognize abusive behavior and avoid potential abusive relationships. Students shall be trained on the procedures for filing a report, as well as procedures for institutional disciplinary action in cases of alleged sexual violence. Institutional education will also inform students of the sanctions and protective measures the institution may impose once a report of sexual violence has been made.
- C. Jackson State has established procedures for regularly reviewing, evaluating, and updating the policy. Institutional training may provide training to all employees likely to witness or receive reports of sexual harassment, including faculty, school law enforcement, school administrators, school counselors, athletic coaches, and health personnel. Training will ensure that employees with authority to address sexual harassment know how to appropriately respond to reports of sexual harassment, that employees know whether they are obligated to report sexual harassment to the Title IX Coordinator or other designated official, and that all employees understand how to respond to reports of sexual harassment. Training will also ensure that professional counselors, pastoral counselors, and non-professional counselors or advocates also understand the extent to which they may keep a report confidential.
- D. Title IX Coordinators, investigators, decision-makers, institution-provided advisors, any person designated to facilitate an informal resolution process, and any person designated to resolve an appeal will receive training on the definition of Sexual Misconduct, the scope of the College and institutional education programs and activities, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Such individuals will receive training on issues of relevance related to creating and/or reviewing an investigative report that fairly summarizes relevant evidence. Training will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints.
- E. The institution notifies applicants for admission and employment, students and employees, that it does not discriminate based on sex in its educational programs and activities and will provide the name, title, office address, electronic mail address, and telephone number of the Title IX Coordinator in that notification.

Effective Date

- A. This policy is effective August 14, 2020.
- B. If any provision of the Title IX regulations on which this policy is based is enjoined or held invalid as it applies to the College or the Title IX regulations' application to any person, act, or practice is enjoined or held invalid as it applies to the College, the remainder of this policy or the application of its provisions to any person, act, or practice shall not be affected thereby.
- C. For conduct that occurs across multiple versions of this policy, complaints of Sexual Misconduct will be addressed utilizing the procedures outlined in the version of this policy in effect as of the date of the Notice of Allegations. The "Definitions" and "Clarifications" sections of the policy in effect as of the date of the alleged incident will be used. Complaints and reports of conduct spanning more than one version of the policy will be addressed using the "Definitions" and "Clarifications" sections in the version of the policy in effect at the time of the most recent alleged incident.

Clarifications

A. Consent

1. Consent means an active agreement to participate in sexual activity. An active agreement is words and/or conduct communicating a person's willingness to participate. The following individuals cannot give valid Consent:
 - a. A person who is Incapacitated, if either the person claiming to have obtained Consent knows that the other person is Incapacitated or a reasonable person would know that the other person is Incapacitated;
 - b. A person who is Forced; or
 - c. A person who is under the age of eighteen (18), unless the person giving Consent is at least the age of thirteen (13) and the other person is less than four (4) years older than the person giving Consent.
2. During a sexual encounter, each person has responsibility for obtaining Consent from the other person. During an investigation, the institution is burdened to obtain evidence of whether Sexual Misconduct occurred without Consent. During any hearing, the institution must prove that Sexual Misconduct occurred without Consent. (In other words, it is not a Respondent's burden to prove Consent during an investigation or hearing). Whether a person has communicated Consent generally is evaluated from the perspective of what a reasonable person who perceived the individual's words and/or nonverbal conduct would have understood; however, in the context of a relationship that has involved sexual activity and a pattern of communicating Consent, whether Consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the sexual activity conclude based on the pattern of communication?).
3. A verbal "no" (or words equivalent to "no") or the nonverbal communication of "no," even if it sounds or appears insincere or indecisive, means that Consent has not been communicated, or if previously communicated, has been withdrawn. The absence of a verbal "no" or the absence of a nonverbal communication of "no" does not necessarily mean that Consent has been communicated.
4. Consent must exist from the beginning to the end of each sexual encounter and for each sexual act that occurs during a sexual encounter. A person has a right to change their mind; thus, Consent may be withdrawn at any time. A withdrawal of Consent is communicated through clear words and/or conduct that indicate that a person no longer agrees to participate in sexual activity. Once a person's withdrawal of Consent has been communicated, the other person must cease the sexual act for which Consent was withdrawn and must obtain Consent before reinitiating that sexual act. Consent is automatically withdrawn when a person becomes incapacitated or is forced to participate in sexual activity.
5. Consent to one type of sexual activity (e.g., oral sex) does not constitute or imply Consent for another type of sexual activity (e.g., vaginal intercourse), whether during a sexual encounter or based on a previous sexual encounter.
6. The following do not communicate a person's willingness to participate in sexual activity:
 - a. Silence, unless accompanied by non-verbal conduct conveying a willingness to participate in sexual activity;
 - b. Consent communicated by the person on a previous occasion;
 - c. Consent communicated to a third person;
 - d. The person's failure to resist physical force (however, for purposes of the Policy, the person's resistance to physical force will be viewed as a clear demonstration that the person has not communicated Consent);
 - e. A current or previous dating, romantic, intimate, or sexual relationship with the other person;
 - f. Currently or previously cohabitating with the other person;
 - g. The person's attire, reputation, giving or acceptance of gifts, sexual arousal, or extension or acceptance of an invitation to go to a private residence, room, or other location.
 - h. One's own use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from the other person. Another person's use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from that person.

B. Force

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

C. Incapacitation

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

the Respondent.

2. Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.
3. Blacking out is an amnesia-like state that may be brought on by drugs, heavy drinking, or intoxication; blacking out is not necessarily incompatible with the ability to engage in simple or even complex behavior. After blacking out, a person has no recollection of all or part of the events that occurred during the blackout. There is a distinction between passing out (falling asleep or becoming unconscious) due to drug or alcohol use and blacking out in that a person in a blackout remains conscious and operative.
4. Incapacitation or Incapacitated means a person's inability, temporarily or permanently, to communicate a willingness to participate in an activity (e.g., sexual activity) because of mental or physical helplessness, sleep, unconsciousness, or other lack of awareness that the activity is taking place. Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances. Alcohol and drugs (including "date rape" drugs) are common causes of Incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication.

D. Severe and Pervasive

1. Severe and Pervasive. Severe means behavior that is more than antagonistic, non-consensual, and crass, even where the behavior is based on differences in sex or gender. Pervasive means systemic or widespread, and it necessarily involves more than one incident of sexual harassment. Sources: *Kollaritsch v. Michigan State Board of Trustees*, 944 F.3d 613, 620-21 (6th Cir. 2019) (citing *Davis v. Monroe County Board of Educ.*, 526 U.S. 629, 651-53 (1999)); *Doe v. Univ. of Kentucky*, 959 F.3d 246, 250 (6th Cir. 2020).

Sources

T.C.A. § 49-8-203; All State and Federal Statutes, Acts, Codes, Rules and Regulations referenced in this policy.