

# Aquinas College 2017 Annual Security and Fire Safety Report

# **Aquinas College**

Rooted in Catholic heritage, Aquinas College has a history founded on Dominican Tradition. Owned and administered by the Dominican Sisters of St. Cecilia Congregation, the history of the College actually began its remote preparation with the establishment of the Saint Cecilia Congregation in 1860 at the request of Nashville's second bishop, James Whelan, O.P. The College first began at the Motherhouse of the sisters in 1928 as Saint Cecilia Normal School for the education of the sisters to prepare them for their teaching apostolate. The school was affiliated with the Catholic University of America in 1929.

In 1961, the Saint Cecilia Normal School was replaced with Aquinas Junior College. Two significant milestones in the institution's history occurred at this point: the College was moved from Saint Cecilia Motherhouse to its present location on a beautiful 83 acre campus, and it was opened to the public. The first students registered were from nearby Saint Thomas Hospital School of Nursing.

In 1971, the College was granted accreditation by the Southern Association of Colleges and Schools to award the Associate Degree. In 1994 Aquinas Junior College changed its status to a four-year college when approval was given to offer a Bachelor of Arts degree in Interdisciplinary Studies (Teacher Education). Along with educating the young sisters of the Congregation, the College has provided area schools with lay teachers who have been prepared with a strong foundation professionally and spiritually. In 2012, Aquinas College received approval to offer graduate studies with Master's degrees in Education and Nursing Education.

Since its founding in 1961, the College has been alert to both the permanent and the changing needs of the Nashville community. Sensitivity to those needs and to the needs of the Church led to the establishment of the degrees that Aquinas offers. Today, Aquinas College has grown to a level three institution excelling in the education of liberal arts students, future teachers, nurses and individuals in the field of business. Aquinas College recognizes that its identity and mission spring from Ex Corde Ecclesiae (*From "the Heart of the Church"*).

# **Demographics**

As of August 2017, Aquinas College has a work force of 20 full and part time faculty, staff, and adjuncts and a student body population 80 non-residential students. Aquinas College is located at 4210 Harding Place, Nashville, Tennessee. The main campus of Aquinas College is comprised of:

- Aquinas Main Building
- Aquinas Library
- St. Martin Hall
- St Joseph Hall
- Siena Hall

The Aquinas College campus is private property, owned by the Dominican Sisters of the St. Cecilia Congregation. Aquinas College encompasses 83 acres located to the west of downtown Nashville. Aquinas College does not own, maintain, or control any off -campus facilities for student organizations.

#### How this report was compiled

The Aquinas College Annual Security and Fire Safety Report is published by the Office of Security each year to provide information on crime statistics and security-related services offered by the university in compliance with the Jeanne Clery Disclosure of Campus Security Act and Campus Crime Statistics Act, Campus Sexual Violence Elimination (SaVE) Act, Violence Against Women Act, and the Tennessee College and University Security Information Act. This booklet was prepared with information reported to the Aquinas College Office of Security, the Student Affairs Office, and information from Campus Security Authorities (CSA). It summarizes college programs, policies, and procedures designed to enhance the personal safety and security of the campus population, whether students, faculty, staff, or visitors.

This annual report is available on the Aquinas College website <u>http://www.aquinascollege.edu/wp-content/uploads/Aquinas-College-Annual-Security-</u> Report.pdf

By October 1 of each calendar year, the report is e-mailed to all students, faculty, and staff members. A printed version is available upon request.

#### WHAT IS A CAMPUS SECURITY AUTHORITY (CSA)?

A CSA (Campus Security Authority) is an Aquinas College employee with significant responsibility for the general safety of campus and student activities. A CSA has responsibilities

under the federal Clery Act to report information for timely warnings and crime statistics. Students, staff, and faculty are required to report all *on-campus* crimes or criminally suspicious activities to one or more of the Aquinas CSAs. The CSAs are then required to report the criminal activity for statistical purposes to the Aquinas College Office of Security.

The following are official Aquinas College CSAs:

- President of Aquinas College
- Vice President for Academics
- Director of Student Affairs
- Chief of Security
- Faculty serving as advisors for student clubs and organizations.

CSAs may be contacted by calling (615)-297-7545.

# **SECURITY ON CAMPUS**

The campus is patrolled by RSS Security (615-473-4016) during selected hours, 7 days a week. All officers with RSS are certified armed security officers. RSS Security Officers are not police officers. Depending on circumstances and requirements, the Metropolitan Nashville Police Department will need to be contacted for law enforcement responses (if needed) to a specific incident or if there is a need to file a police report.

The Chief of Security for Aquinas College plans, coordinates, and/or implements security and safety

concerns, programs, and services for the overall campus.

## **Reporting Crime**

1. If an Aquinas Community Member (student, faculty, and/or staff member) is a victim of or witness to a *non-violent crime*, the individual must notify the Campus Security Officer as soon as possible to report the following information:

- a) The nature of the incident;
- b) The location of the incident;
- c) The description of the person(s) involved; and
- d) The description of the property involved.

2. If an Aquinas Community Member (student, faculty, and/or staff member) is a victim of or witness to a *violent crime in progress*, they should immediately call 911. The individual should seek a safe place and state to authorities the location of the incident so that they may locate the victim to make a complete report when they arrive. In addition, the individual should notify the Campus Security Officer immediately after calling 911.

3. If a suspicious person is observed on campus, immediately notify the Campus Security Officer and report the incident.

4. Any safety hazard observed on campus should be immediately reported to the Campus Security Officer and/or CSA.

Any crime, safety incident, or suspicious activity occurring on campus will be investigated by the appropriate Aquinas College authority in relation to policy, regulations, conduct, and/or discipline. Off campus incidents may also be investigated per policy.

Criminal investigations will be conducted by the Metropolitan Nashville Police Department. Both Aquinas College and the Metropolitan Nashville Police Department will work together within any statutory or regulatory guidelines or constraints.

# **Voluntary Confidential Reporting**

If a student, faculty, or staff member feels strongly about the need to report an issue in the interest of personal or student safety that is of a highly personal or sensitive nature and would like it to remain confidential, he or she may speak with one of the official CSAs listed in this report.

Confidentiality, where applicable and in accordance with campus policy and/or state and federal statutes, will be honored in good faith as required. However, absolute confidentiality cannot be guaranteed in every instance where unforeseen circumstances degrade or undermine the reasonable expectation of confidentiality beyond the immediate control of the college administration. In addition, crime statistics (if applicable) concerning the incident must be reported to various state and federal authorities.

#### **Safety Information**

Security is everyone's responsibility. While striving to maintain a safe and secure environment at Aquinas College, there are some things you can do to enhance your personal safety.

# **Personal Safety**

• Walk or jog in groups of three or more.

- Be aware of your surroundings.
- Be aware of crimes on and around campus.
- Avoid isolated or dark areas.
- Travel with confidence and purpose.
- Do not wear earphones while walking or jogging.
- Before exiting a building or car, look around the area for anything suspicious.
- If confronted by a situation, try to remain calm.
- If it is safe to do so, try to get a detailed description of suspects or suspicious persons and/or their vehicle(s).
- Call RSS Security at (615) 473-4016 to request an officer to meet you and walk with you to or from your vehicle or next campus destination.
- Do not use ATMs (automated bank teller machines) alone, at night, or when someone suspicious is nearby.
- Avoid strangers. You do not have to stop and talk to them.
- If you are being followed, go to the nearest area of safety.
- Stay alert, and plan ahead for "What if...?"

# **Workplace Safety**

- Do not prop open exterior doors.
- When entering a building with access control in place, do not allow strangers to enter behind you.

- Always lock your door when you leave, sleep, or work late.
- If you see someone you consider suspicious or out of place, call security immediately.

# Property

- Never leave your items unattended or unsecured.
- Keep a record of serial numbers and/or descriptions/photos of valuable items.
- Never leave your keys in your car or an unattended car running.

# **Safety Programs**

All new employees and students are required to complete an orientation that includes safety and security information and procedures. Prior to the start of the academic year staff members receive updates concerning safety and security concerns. During the 2016/2017 academic year the following programs were conducted to promote safety and security on campus:

August General Safety and Security (New student, graduate, Faculty/Staff orientation)

- October Distribution of Annual Security report
- December General/holiday safety tips awareness
- January New student orientation
- February Self Defense/Bystander Intervention

# **Security Access**

Aquinas College buildings and facilities are intended for use by students, faculty, staff and invited guests. Academic and administrative buildings are secured when not in use by locking

mechanisms and alarm systems. Maintenance personnel routinely address security concerns in maintaining buildings. New constructions and renovations are designed in such a way as to incorporate new security measures into the area as is practical.

#### **Timely Warnings**

Aquinas College provides "Timely Warnings" to faculty, staff and students when crimes occur on or near campus and pose a continuing threat to the campus community. The purpose of the warning is to enable members of the campus community to make informed decisions about their personal security, precautions they can take to help keep themselves safe, and to aid in the prevention of similar crimes.

The decision to issue a Timely Warning is made case-by-case based on the information available at the time. Factors in determining whether or not to issue a warning include:

- The Nature of the crime Was it a Clery-reportable offense: Murder; Sex Offense, forcible or non-forcible; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Manslaughter; or Arson
- The continuing danger to the campus community Are others at risk? Is there reason to believe that there is a continued threat?
- The location of the incident Did the incident occur in an area for which Aquinas College must report statistics? If not is it an area frequented by students?
- The disposition of the offender Is the suspect still at large and an ongoing threat?
- The possible risk of compromising law enforcement efforts nothing should be included in the Timely Warning that would hinder an ongoing police investigation.

If based on all of these factors the determination is made that a continuing serious criminal threat exists, then a Timely Warning will be issued.

In addition, upon the discretion of the President of Aquinas College or designee, a Timely Warning may be issued for any crime where there is a compelling need to get information to or from the Aquinas College community about a specific crime.

Timely Warnings will be issued as soon as possible after the specific event. If the incident is a delayed report (more than 24 hours) by the victim, then the time and date the victim reported the incident will also be included in the report. The Timely Warning will not identify the victim by name or address. The general description of the location may be given, for example, but not limited to, Aquinas College, residence hall, geographic location, etc. Timely Warnings will are distributed through e-mail and bulletin board postings.

# **Emergency Notification and Procedures**

If an incident and/or series of incidents which are deemed a threat to the campus community have occurred, *emergency notifications* will be issued to the campus population. The decision to issue these notifications are made through Aquinas College senior staff members. These warnings will be sent by text, e-mail, and/or phone. The Aquinas web page, public address systems, signage, and local media outlets may also be used. Once the threat is deemed by college administration and/or law enforcement to have dissipated, the notification will be lifted by the same means of communication.

#### **Emergency Evacuation Procedures and Drills**

Periodic fire, severe weather, and lock-down drills may be conducted throughout the school year. During such a drill, act according to the emergency announced in order to be properly prepared should such an emergency occur. Follow directions broadcasted through telephone and intercom systems, as well as those of emergency personnel including police, fire department, and campus members who will have radios to provide updates. Students should not leave campus during drills or actual emergency events unless instructed to do so, or unless it is a threat to one's safety to stay.

Posted in every classroom, office, and residence hall are detailed procedures for a variety of emergency incidents. In addition, evacuation route and tornado shelter maps are located throughout all buildings on campus.

## ALCOHOL AND DRUG POLICY

As required by the Federal Drug-Free Schools and Communities Act Amendments of 1989, the following constitute prohibited conduct on the Aquinas College campus or at Aquinas College sponsored activities, whether on or off campus:

1. Unauthorized distribution, possession, or use of any alcohol, prescription drug, controlled substance or illegal drug.

2. Providing alcoholic beverages to individuals under 21 years of age, or possession or use of alcoholic beverages by individuals under 21 years of age, or misrepresenting age in order to consume alcoholic beverages. 3. Unauthorized possession of an open container of an alcoholic beverage, public intoxication, operating a motor vehicle while under the influence of alcohol, or unauthorized distribution of alcoholic beverages.

In addition to imposition of disciplinary sanctions under College procedures, including suspension or separation from the College for such acts, employees and students may face prosecution and imprisonment under Tennessee laws, which make such acts felony and misdemeanor crimes.

The health risks associated with the misuse and abuse of mind-altering drugs, including prescription drugs, controlled substances and alcohol, include but are not limited to the following: physical and psychological dependence; damage to the brain, pancreas, kidneys, and lungs; high blood pressure, heart attacks and strokes; ulcers; birth defects; a diminished immune system; and death.

The College provides referral services to students and employees, and serves as an alcohol and drug information/education resource through the Office of Student Affairs. Aquinas College will comply with any parental notification requirements as set forth in Tennessee law. For further information contact the Director of Student Affairs.

# ALCOHOL AND DRUG TREATMENT INFORMATION

The following is a list of additional resources for treatment options. Aquinas College does not have a contractual relationship with any of the resources listed below. They are simply listed as a

courtesy to students. Students should determine for themselves whether they feel the agency will meet their needs. For specific referrals, please contact the Office of Student Affairs.

- Alcoholics Anonymous 615-831-1050
- Narcotics Anonymous 1-800-677-1462
- Center for Alcohol & Drug Treatment 1-800-284-2216
- Cumberland Heights Alcohol & Drug Treatment Center 615-356-2700
- Tennessee Christian Medical Center 615-865-0300
- Vanderbilt Addiction Center 615-936-3555

# POLICY ON SEXUAL MISCONDUCT

#### **I. INTRODUCTION**

Aquinas College is committed to maintaining an environment in which all students, staff and faculty are treated with dignity and respect, as created in the image and likeness of God. Sexual misconduct in all forms violates the sanctity of the human body, mind, and spirit and will not be tolerated within our community. Indeed, sexual misconduct is a serious violation of the standards of conduct for Aquinas College, and some forms of sexual misconduct violate both civil and criminal law. Students at Aquinas College are responsible for being familiar with and abiding by the standards of conduct set forth herein.

# **II. JURISDICTION**

This policy applies to all Aquinas College students, and the College may initiate disciplinary proceedings for conduct directed toward a member of the Aquinas College community or someone outside the College community. Disciplinary action may be taken whether or not

criminal charges are filed and without regard to whether the conduct occurred on or off the Aquinas College campus.

Any member of the Aquinas College community may file a complaint against a student for allegedly violating the sexual misconduct policy. The term "student" includes all persons (other than faculty, staff or administrators) taking or auditing courses at the College, either full-time or part-time. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College are considered students. The term "member of the College community" includes any person who is a student, faculty member, administrator/staff member or any other person employed by the College. A person's status in a particular situation shall be determined by the Chief of Campus Security, Director of Student Affairs, or any administrator of the College.

#### **III. PROHIBITED BEHAVIOR**

Federal law requires the definition and explanations of sexual misconduct. Aquinas College strictly prohibits sexual misconduct. Sexual misconduct includes the following:

#### A. Sexual Misconduct I

Sexual Misconduct I includes any sexual penetration (anal, oral or vaginal), however slight, with any object or sexual intercourse by a man or woman upon a man or woman without effective consent (see section IV.A for a description for what constitutes effective consent). Sexual penetration includes vaginal or anal penetration by a penis, object, tongue or finger and oral copulation by mouth to genital contact or genital to mouth contact.

# **B. Sexual Misconduct II**

Sexual Misconduct II is any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman without effective consent. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another or any other bodily contact in a sexual manner. Sexual Misconduct II also includes any disrobing of another or exposure to another by a man or woman without effective consent.

#### **C. Sexual Exploitation**

Sexual exploitation includes any conduct in which a student takes advantage of another without his/her consent for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not constitute Sexual Misconduct I or II or Sexual Harassment.

#### **D. Sexual Harassment**

Sexual harassment is any type of behavior of a sexual nature that is severe or pervasive, and that creates a hostile or abusive learning, working, or living environment, thereby unreasonably interfering with a person's ability to learn or work (For more information about Sexual Harassment, please see the non-discrimination and non-harassment complaint procedure detailed earlier in this Handbook.)

#### **IV. CONSENT**

#### A. Definition

Effective consent is informed, freely and actively given mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent may never be given by minors, mentally disabled persons, and those who are incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary). It also cannot be given by those who are unconscious, unaware, or otherwise physically helpless. Consent obtained through the use of fraud or force (actual or implied), whether that force be physical force, threats, intimidation or coercion, is not effective consent. Consent is mutually understandable when a reasonable person would consider the words and/or actions of the parties to have expressed a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with one another. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity, to make sure that he/she has the consent from his/her partner(s). Consent to some form of sexual activity does not necessarily imply consent to other forms of sexual activity. Mutually understandable consent must be obtained by the initiator at every stage of sexual interaction.

#### **B.** Incapacitation

Incapacitation means being in a state where a person lacks the capacity to appreciate the fact that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of the situation. A person who knows or should reasonably have known that another person is incapacitated may not engage in sexual activity with that person. A person's state of incapacity is a subjective determination that will be made after the incident in light of all of the facts available. **1.** Alcohol

Alcohol related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication. Incapacity may be indicated by:

- Slurred speech;
- Bloodshot eyes;

- The smell of alcohol on his or her breath;
- Shaky equilibrium;
- Vomiting;
- Outrageous or unusual behavior;
- Unconsciousness.

Two things should be noted. First, none of these indicators, except for unconsciousness, will constitute – in and of itself – incapacitation. Second, indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of another person.

# 2. Drugs

There are a number of drugs that are used to incapacitate victims for the purpose of sexual assault. Two such drugs, Rohypnol and GHB (Gamma Hydroxy Butyrate), are illegal synthetic drugs that act as powerful central nervous system depressants. The effects of these drugs can be felt within 15-30 minutes of ingestion and can cause drowsiness, confusion, reduced levels of consciousness, partial or complete amnesia, and/or seizures and respiratory distress. These drugs are commonly mixed with alcohol and given to an unsuspecting person.

# **Reporting Sexual Misconduct**

# **A. On-Campus Options**

Individuals are strongly encouraged to report incidents of sexual misconduct to the Chief of Campus Security, the Director of Student Affairs or any College Vice President, so that victims can receive help and access support services, and in order to facilitate disciplinary action against the perpetrator. The College will utilize the non-discrimination and non-harassment complaint procedure for resolving allegations of sexual misconduct. The Student Handbook provides important information about this process. Students found responsible for violations of this policy will be subject to the full range of sanctions outlined in the Student Handbook.

#### **1. Victim Advocacy**

A victim may contact the Chief of Campus Security, a College Counselor, the Director of Student Affairs, or any College Vice President for support. They will meet with students who are victims of sexual assault and provide information and support, especially in terms of directing the victim to professional resources of aid, care, and recourse both on- and off-campus. *The Campus Sexual Assault Victims' Bill of Rights* was signed into law by President George Bush in July of 1992. This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. Complaints about schools that have failed to comply with this law should be made to the U.S. Department of Education. The "Campus Sexual Assault Victims' Bill of Rights" exists as a part of the campus security reporting requirements, commonly known as the **JEANNE CLERY ACT**.

The Bill stipulates the following:

- Victims shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.

- Victims shall be notified of counseling services.
- Victims shall be notified of options for changing academic and living situations.

#### 2. Confidentiality

Aquinas College recognizes that a student reporting an incident of sexual misconduct may desire confidentiality and may not want the College to investigate and attempt to resolve the incident. For any student who so requests, officials of the College will act with that student's request for confidentiality in mind; however, the College is legally required to investigate, to the extent possible, and cannot guarantee confidentiality if that would violate other legal obligations. The College, therefore, reserves the right to investigate and to take reasonable prompt and effective steps to end the behavior and remediate the circumstances. A student who files a complaint is protected from retaliation. A student who initially decides not to pursue the College's internal grievance procedures may decide, at a later date, to pursue these grievance procedures. Reports filed with the Office of Campus Security will be noted in a log that is made public within two (2) business days of the date of the report. No names or other information that could reveal the identity of the individuals involved will be made public in this log.

#### a. Confidential Resources

Counselors and priests exercising their pastoral duties are not required to report incidents of sexual misconduct between adults; thus, students seeking complete confidentiality may seek assistance from one or both of these on-campus resources.

#### **b. Non-Confidential Resources**

All staff, faculty and administrators must report incidents of student sexual misconduct to the Chief of Campus Security. Additionally, College personnel are required to report non-personally identifiable information to the Office of Campus Security. This information is limited to the incident reported, the type of incident, and the general location of the incident. Statistics given to the Office of Campus Security will be made available through the Annual Campus Security and Fire Safety Report. Additionally, the College may post warnings about incidents that continue to pose a potential threat of bodily harm or danger to members of the College Community.

c. Confidentiality Regarding Accused Persons

Confidentiality with respect to a person accused of having violated the sexual misconduct policy is governed by the Family Educational Rights and Privacy Act (FERPA). FERPA provides that personally identifiable information maintained in the educational records of an institution shall not be disclosed, except as otherwise specified by law. One exception is in the case of students charged with violating institutional policy related to sexual misconduct. In such cases, the victim will be notified of the outcome of any grievance proceeding.

#### **3. Other Options**

Students also may file a complaint with the Nashville Metropolitan Police Department. The Office of Campus Security will assist any student wishing to file such a complaint. A student does not need to file a criminal complaint in order to initiate disciplinary proceedings with the College, and the College may find a perpetrator responsible for violating this policy regardless of the outcome of criminal proceedings.

# 4. Resources

The following is a list of services and agencies, and their contact information, to aid a victim, victim's friend, witness, and/or the accused in a sexual misconduct matter:

- St. Thomas Hospital Emergency 615-222-2111
- Sexual Assault Center 615-259-9055
- Campus Security 615-467-0213
- Metro Police 911 or 615-862-8600 (Non-emergency)
- Director of Student Affairs 615-297-7545
- Chief of Security 297-7545 x 451

#### NON-DISCRIMINATION POLICY

It is the policy of Aquinas College, while reserving its lawful rights where applicable, to take actions designed to promote the Dominican and Roman Catholic principles that sustain its mission and heritage and to comply with all federal and state laws prohibiting discrimination in employment and in its educational programs. Aquinas College admits qualified students of any race, color, national or ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the College. It does not discriminate on the basis of race, color, national or ethnic origin in administration of its education policies, admission policies, scholarships and loan programs. Aquinas College does not participate in Federal Title IV funding, nor receive and process Institutional Student Information Records (ISIRs), and as a

consequence, Aquinas College students are not able to receive state of Tennessee grants and scholarships.

The College provides equal employment opportunity to all qualified applicants without regard to any classification protected by law. The College reserves the right, however, in employment decisions to give preference to a qualified member of the St. Cecilia Congregation or if no qualified member is available for an open position, to qualified practicing Catholics. The College requires all employees as a condition of employment to be consistent at all times, in example and expression, with the tenets and morals of the Roman Catholic Faith and to sign a Witness Statement, a document affirming explicit support of the Catholic Church in the context of the Aquinas College mission.

In an attempt to better ensure full compliance with federal and/or state law, any complaints or inquiries under this Policy should be directed to Andrew Atwood, Chief of Campus Security. Andrew Atwood can be contacted at:

Aquinas Main, Rm # 127

#### 615-297-7545 ext. 451 atwooda@aquinascollege.edu

Inquiries may also be made to the Assistant Secretary of the Department of Education at:

Office of Civil Rights U.S. Department of Education 61 Forsyth Street S.W., Suite 19T10 Atlanta, GA 30303-8927 Telephone: (404) 974-9406

Facsimile: (404) 974-9471

#### OCR.Atlanta@ed.gov

A thorough investigation will be conducted of any complaint that this Policy has been violated, and violators will be subject to appropriate disciplinary action.

# NON-DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

The College makes every effort to provide educational and work conditions free from unlawful harassment and discrimination. It is important that College faculty, staff, and students enjoy an environment free from prohibited implicit and explicit behavior used to control, influence, or affect the well-being of any member of our community. Discrimination or harassment of any individual based on race, color, or national or ethnic origin is unacceptable and grounds for disciplinary action, and also may constitute a violation of federal law. The College is committed to the proper exercise of academic freedom, and this policy is not intended to stifle this freedom. Prohibited discrimination and harassment is not protected under the proper exercise of academic freedom and such conduct is incompatible with the values of Aquinas College. Nothing in this policy is intended to conflict with the Roman Catholic mission or identity of the College.

#### **GENERAL PROVISIONS**

#### A. Sexual Harassment

Sexual harassment is a form of sex discrimination which undermines the dignity of the human person and can be carried out by College personnel, students, and non-employee third parties and violates College policy. Sexual harassment is generally "unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct of a sexual nature (including sexual violence and sexual assault) when:

• submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or

• submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or

• such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or educational environment. Sexual harassment includes conduct that occurs in any College program or activity (on and off campus) and any conduct that is criminal in nature, such as rape, sexual assault, dating violence, and sexually motivated stalking.

#### **Examples of Sexual Harassment**

Examples of behavior that may constitute sexual harassment include, but are not limited to:

- verbal or physical advances of a sexual nature; or
- requests or subtle pressure, overt or implied, for sexual favors; or
- abusive or threatening behavior of a sexual nature directed at a person; or

• remarks, jokes, comments, or observations of a sexual nature that demean or offend individuals on the basis of their sex, provided that such expressions will not be considered sexual harassment if uttered for a valid academic purpose; or

• gestures or other nonverbal behavior of a sexual nature provided that such expressions will not be considered sexual harassment if based upon a valid academic purpose; or • display or distribution of offensive materials of a sexual nature provided that such expressions will not be considered sexual harassment if used for a valid academic purpose.

Sexual misconduct includes, but is not limited to, sexual harassment, non-consensual intercourse, sexual exploitation, and non-consensual sexual contact. All forms of sexual misconduct will not be tolerated, will be investigated in accordance with the procedure below, and, if substantiated, will subject a perpetrator to penalties up to and including expulsion or termination. Please refer to the College's annual Security Report (http://www.aquinascollege.edu/wp-

**content/uploads/Aquinas-College-2015-Annual-Security-and-Fire-Safety-Report.pdf**) for key terms and information regarding the College's services and resources for victims of sexual misconduct.

# **B.** Racial and Other Discrimination and/or Harassment in Educational or Employment Environment

Discrimination and/or harassment on the basis of race, color, religion, national origin, disability, military status, or any other legally protected trait is a form of unlawful discrimination and is prohibited under state and/or federal law. The principles for defining sexual harassment in the workplace apply equally to all other forms of discrimination when the harassment has the "purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive educational or employment environment."

# C. Chief of Campus Security

The College's Chief of Campus Security is:

Andrew Atwood Aquinas Main, Rm # 127 615-297-7545 ext. 451 atwooda@aquinascollege.edu

The Chief of Campus Security handles inquiries regarding issues of discrimination and harassment in the College, and identifies and addresses any patterns or systemic problems that arise during the review of such complaints. The Chief of Campus Security also ensures education, training and advisement of the campus community on overall compliance related to matters of discrimination, harassment or other hostile actions.

#### **D.** Complaint Procedure and Investigation

Any member of the College Community who believes he or she has experienced discrimination and/or harassment by an employee, student, or third party on the basis of sex (including but not limited to sexual harassment, sexual assault and sexual violence), race, color, religion, national origin, age, disability, military status or any other protected trait should immediately voice his or her concerns orally or in writing to the Chief of Campus Security or any Vice President in case of the Director's absence. The seriousness of the charge is such that it should not be made lightly, nor will it be considered lightly. In addition those that witness sexual harassment or sexual misconduct are encouraged to report their observations. A request by the complainant for confidentiality will be considered. However, Aquinas College reserves the right to fully investigate any complaint in order to meet its responsibility of providing a safe and nondiscriminatory environment for all member of the Aquinas Community.

26

**1.** All parties involved in the investigation are expected to cooperate in a truthful manner. Note that the passage of time increases the difficulty of verifying allegations. In the event the Chief of Campus Security is responsible for the alleged discrimination and/or harassment, the individual should report the misconduct to any Vice President at the College. In order to assist the investigation, complainants should document the discrimination and/or harassment as soon as possible after it occurs and with as much detail as possible including: the nature of the behavior, dates, times, places, name of alleged perpetrator, witnesses, and any response to the behavior. 2. Upon receipt of any complaint, the Chief of Campus Security, or his/her designee, will conduct a thorough and impartial investigation of the charges, will review any evidence that has been presented, and meet with the parties and any individual(s) that he/she believes will aid in the investigation. Both the complainant and the accused are entitled to fair and equitable treatment in the handling of the complaint, privacy and discretion to the extent possible, and an explanation of the investigation process. Generally, information relating to a complaint or investigation will be shared only with those who need to know in order to investigate and resolve the matter so that the College creates an environment in which legitimate complaints are encouraged, while also protecting the privacy of the parties. All parties involved in the investigation are expected to cooperate in a truthful manner.

**3.** Within sixty (60) calendar days of the receipt of the complaint, the Chief of Campus Security, or his/her designee, shall make a finding in writing as to whether it is more likely than not that discrimination and/or harassment has occurred. The parties will be periodically notified of the status of the investigation and any delay in issuing a finding. Appropriate interim steps may be taken during the investigation to guard against reprisal and to ensure that no further incidents occur.

**4.** During an investigation, the complainant and the accused are each free to designate one other person to accompany them.

**5.** Once the investigation is complete, the Chief of Campus Security, or his/her designee, will determine whether the incident is founded or not using a preponderance of the evidence. This finding will be communicated to both the complainant and the accused. The results of the investigation will be presented to the Director of Student Affairs. When it has been determined that a student has violated this policy, the nonacademic disciplinary procedures set forth in the *Aquinas College Student Handbook* shall apply. When it has been determined that a member of the faculty or staff has violated this policy, disciplinary action will follow procedures outlined in the *Aquinas College Faculty and Staff Handbook*.

6. All members of the College community who serve in a supervisory capacity, such as directors and managers, department chairs, security staff, faculty and other staff are responsible for reporting all complaints of discrimination and/or harassment to the Chief of Campus Security.
7. In cases where the complainant or the accused is a student and the claim is of harassment on the basis of disability, the Coordinator of Student Learning Services, in consultation with the Vice President for Academics, will assume primary responsibility for overseeing the investigation process.

#### E. Retaliation

No person, including interested parties and witnesses, who exercises in good faith his or her rights and/or responsibilities under this policy or any of the policies contained in this handbook, shall be subject to retaliation or threat of retaliation in any form. However, a complaint that is

28

malicious and groundless may be treated as an attempt to harass the accused. College personnel with knowledge of the accusation will make every reasonable attempt to prevent retaliation. Retaliation is defined as those actions directed against an individual, on the basis of or in reaction to the exercise of rights accorded by College policies, the Office of Civil Rights, Equal Employment Opportunity Commission, and any state and/or federal law which affects a person's education, employment, advancement, scholarship, performance, habitation, and/or property. A finding of retaliation or a threat of retaliation shall constitute a separate violation of the policy, subject to separate or consolidated disciplinary procedures, and is not dependent upon a finding of a violation of any other policy. Complaints of retaliation shall be made to the Section 504 and Chief of Campus Security. If the person accused of engaging in retaliation is the Section 504 and Chief of Campus Security, the person complaining has the option of contacting any of the Vice Presidents or the President of the College.

#### **F.** Publication of Policy

Copies of this policy are to be distributed to all members of the College community. This policy in this handbook is given to all new students during Welcome Week and is on the College's website.

#### **G. External Remedies**

Members of the College are, at all times, subject to state and federal laws. Therefore, nothing in this policy is intended to limit or postpone an individual's right to file a complaint or charge with an appropriate outside agency. An individual is not required to use the procedure in this policy before pursuing other remedies.

### H. Modification

This policy is intended as a guideline to assist in the consistent application of College policies and programs for faculty, staff and students, The College reserves the right to modify this policy in whole or in part, at any time, at the discretion of the administration of the College.

#### VIOLATIONS OF NON-ACADEMIC STUDENT RESPONSIBILITIES

# 1. Disrespect to persons or property of others including, but not limited to:

a. **Unauthorized entrance** into or occupancy of any administrative office, classroom, residence halls, or other College facility.

b. Violation of the Aquinas College Non-Discrimination Policy or Sexual MisconductPolicy. The text of these Policies is provided later in this Handbook.

c. Any intentional **physical assault or injury** to another person.

d. **Intentional damage, destruction, misuse or theft** of the property of the College or of an individual.

e. Individual or group participation in acts of vandalism.

f. Conduct that substantially **disrupts or materially interferes** with College activities or that reasonably leads College authorities to expect such disruption or interference.

g. **Hazing** – College policy strictly prohibits hazing, which is defined as any conduct or method of initiation into or affiliation with any student organization which endangers the physical or mental health of any person. According to Tennessee Code Annotated Section 49-7-123 hazing includes, but is not limited to: beating, branding, forced calisthenics, exposure to extreme weather conditions, consumption of any food, liquor, beverage, drug, or other substance; or any brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any person or which subjects

any person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

h. **Stalking** – College policy strictly prohibits stalking. The crime of stalking is defined in Tennessee Code Annotated Section 39-17-315 as "a person who intentionally and repeatedly follows or harasses another person and who makes a credible threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm is guilty of the crime of stalking." This includes the use of harassing text messages, threats made over a telephone or cell phone, email, written communications or personal contact.

i. Domestic Violence, Dating Violence, Relationship Violence, Violent or aggressive behavior between family members, spouses, ex-spouses, those who are dating or have dated, and individuals that have cohabitated. While living with one's intimate partner on campus is prohibited, domestic violence is prohibited by any student living on or off campus and will be reported if knowledge of a student's engagement in this becomes known. If someone suspects domestic violence, the student may contact the Chief of Security or the Director of Student Affairs for more information. Risk reduction, warning signs as well as safe and positive options that a bystander can take when witnessing potential domestic violence may be found at: http://www.stepupprogram.org.

j. **Bullying** – College policy strictly prohibits bullying, which is generally defined as any physical act or gesture or any verbally or electronically communicated expression that a reasonable person should expect would have the effect of:

(i) physically harming a student or damaging a student's property;

(ii) placing a student in reasonable fear of physical harm or damage to his/her property;

31

(iii) substantially disrupting the instructional program or the orderly operations of the College; or

(iv) is so severe, persistent, or pervasive that it creates an intimidating, hostile educational environment for the student who is bullied.

k. Behavior that poses a significant **risk to the health, safety or well-being** of others or the Campus community that cannot be eliminated by a modification of practices or procedures, or by the provision of available auxiliary services.

#### 2. Violations of federal, state, local law or College regulations

Students must notify the Director of Student Affairs of any criminal felony violation for which they are convicted no later than five days after such conviction. A conviction includes a finding of guilt, a plea of no contest, or imposition of a sentence by any local, state or federal court or other judicial body. Such violations include but are not limited to:

a. Possession, use, sale, or distribution of narcotics or other controlled substances on the College campus or at any College-sponsored function off campus, except when such possession or use is prescribed by a licensed physician or permitted by law.

b. Possession of alcoholic beverages on the College campus except as authorized at a College sponsored function or unauthorized possession at any College-sponsored function off campus. Aquinas College will comply with any parental notification requirements as set forth in federal or Tennessee laws. The following conduct related to alcohol use is prohibited regardless of whether it is in conjunction with a College sponsored function:

(i) Possessing or consuming alcohol if under the legal age.

(ii) Operating a motor vehicle while under the influence of alcohol that constitutes a violation of Tennessee law.

32

(iii) Misrepresenting one's age for the purposes of purchasing or consuming alcohol.

(iv) Purchasing, furnishing or serving alcohol by a legal-aged College student to a minor.

(v) Being dangerously intoxicated to the point where state law mandates that the person be taken into custody.

c. Possession, on the College Campus or at any College-sponsored function off campus, of firearms, explosives, or other dangerous weapons likely to cause harm to another.

#### 3. Violations of College Regulations include, but are not limited to:

a. misuse of fire safety equipment;

b. unauthorized use of Aquinas College computers or network or any violation of the **Network Acceptable Use Policy**.

#### **B.** Disciplinary Procedure

If a violation occurs off campus and is in no way related to an activity of the College, disciplinary proceedings will normally not be initiated by the College unless the nature of the violation is such that the continued attendance of the student is judged to be detrimental to the College or to the safety of others. Behaviors deemed hazardous to the well-being of the student or others may result in parental notification as allowed by law.

A student charged with violating a non-academic student responsibility will be required to attend a disciplinary conference with the Director of Student Affairs. Note: Incidents involving sexual misconduct, sexual harassment, relationship violence (student vs. student), and /or discrimination will be investigated using the compliant and investigation procedure for Sexual Harassment. If the charge is of a serious nature, the Director of Student Affairs may invite other administrators to attend the disciplinary conference. The student charged shall be notified in writing of both the alleged violation(s) and the time and place of the disciplinary conference at least three business days in advance. Serious allegations may warrant interim suspension of the individual involved prior to the conference. The Director of Student Affairs will notify the student if a sanction is imposed. A record is made for the student's disciplinary file, which is securely stored in the office of the Director of Student Affairs.

## **C.** Sanctions

Violations of non-academic student responsibilities may be subject to one or more sanctions. Examples of available sanctions include the following:

**1. Oral Warning:** Notice to a student, orally, that he or she has failed to meet the College's standard of conduct. The warning includes an admonition that the continuation or repetition of the specific action involved or other misconduct may result in the imposition of a more serious sanction. A record of this oral warning is placed in the student's disciplinary file.

**2. Reprimand**: Formal, written notification censuring a student for failure to meet Student Responsibilities. The Director of Student Affairs sends written reprimands to the student with copies being retained in the student's disciplinary file.

**3. Restitution and Fines:** Requirement to make restitution or to pay a fine for damage to or misuse of College or other property or in the case of personal injury. Notification of such a requirement will be in the form of a written communication.

**4. Drug/Alcohol Rehabilitation Program:** Mandatory participation in, and satisfactory completion of, a drug/alcohol abuse program or rehabilitation program (for violations of drug/alcohol policy).

**5. Individualized Risk Assessment:** When a student's behavior poses a significant risk to the health, safety or well-being of others or of the Campus community, a Risk Assessment will take place in order to determine reasonable conditions for return. If conditions cannot be met, the student may withdraw or be suspended or face expulsion.

**6. Anger Management Counseling:** Mandatory participation in, and satisfactory completion of, a designated number of anger management counseling sessions.

7. Suspension: Temporary withdrawal of student status for serious violation of Student Responsibilities, or for accusation of conduct that is deemed detrimental to the reputation of Aquinas College. Notification of suspension is in writing and indicates the term of suspension and any special condition that must be met before readmission. There is no refund of fees for the semester in which the action is taken, but any fees paid in advance for a subsequent semester are refunded. Normally, after the period of suspension, the student will be on probation for a period of time.

**8. Probation:** The student may be placed on probation as a follow up to Suspension or may be placed on probation immediately for an offense. Placement on probation will be in writing with a copy in the student's disciplinary file and sanction for violation of probation will be set forth in the written notification.

**9. Expulsion:** Termination of student status for serious violation of Student responsibilities. The same policy will be followed regarding notification and the refund of fees, as in the case of suspension. Expulsion from the College is a sanction that requires Presidential approval.

# **D.** Appeals Procedure

**1.** If the student wishes to appeal the sanction imposed by the Director of Student Affairs, the student must provide notice in writing to the Director of Student Affairs. The student's right to

appeal is waived if written notice of the intent to appeal is not provided to the Director of Student Affairs within five business days after the imposition of the sanction not including the day of the sanction.

**2.** The Director of Student Affairs will acknowledge to the student, by certified mail, receipt of the notice of intent to appeal and will forward to the student for completion a *Narrative for Appeal of Academic and Disciplinary Matters*.

**3.** The student will complete the *Narrative for Appeal of Academic and Disciplinary Matters* and return it along with any supporting documentation to the Director of Student Affairs within seven business days of the date the narrative was received. Failure to do so will be considered a withdrawal of the appeal.

**4.** A Student Disciplinary Committee shall be convened for the purpose of considering the appeal, in accordance with College policy. The Student Disciplinary Committee is comprised of Faculty and Staff members appointed on an annual basis by the President's Cabinet to serve in this capacity should the need arise.

**5.** The Chair of the Student Disciplinary Committee will notify the student by certified mail of the date, time and place of the conference on the appeal. The student shall notify the Chair in writing if the student wishes to be present at the conference. If the student elects not to be present at the conference, the Committee will consider the student's narrative and any accompanying documents as the basis for the student's appeal. If the student fails to appear after having notified the Chair of intent to appear at the conference, the Student Disciplinary Committee will consider the merits of the case based on the narrative and any accompanying documents.

**6.** Only individuals directly involved in the incident and called by the Student Disciplinary Committee or the student involved may be admitted to the conference. Proceedings of the conference will be recorded in detail and retained in the student's disciplinary file. 7. After hearing the appeal, the Student Disciplinary Committee will decide the issue(s) being appealed. Through certified mail, the Committee Chair will notify the student of the decision. The Committee has the authority to affirm totally, repeal totally, reduce or increase sanctions. Only the President of the College can overturn the Committee's decision. The Student Disciplinary Committee also has the authority, in appropriate cases, to expunge the student's disciplinary file of all reference to the incident.

# AWARENESS OF REGISTERED SEX OFFENDERS IN COMMUNITY

The sex offender registry for Nashville including the areas contiguous to the campus can be readily accessed at: http://www.tn.gov/tbi/topic/tennessee-sex-offender-registry

# **CRIME STATISTICS 2014-2016**

(In compliance with the Tennessee College and University Security Act) The following chart provides Aquinas Colleges statistics for Group A and Group B offenses for the years 2012, 2013, and 2014. Incidents reported to the Aquinas College Office of Security are entered into a computer database and reported to the Tennessee Bureau of Investigation's Statistical Unit on a monthly basis. To access the statistical information online, go to http://www.tbi.state.tn.us/tn\_crime\_stats/stats\_analys.shtml

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# The Jeanne Clery Disclosure of Campus Crime Statistics

		2014	2015	2016
Category	Location	Total	Total	Total
Murder /Non Negligent Manslaughter	On-campus	0	0	0
Mansiaughter	Student Housing	0		
	Non-Campus	0	0	0
	Public Property	0	0	0
Negligent Manslaughter	On-campus	0	0	0
Negligent Manslaughter	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	_
Sex Offenses				0
(Rape, Sodomy, Sexual Assault	On-campus	0	0	0
w/object Fondling)	Student Housing	ο	ο	ο
	Non-Campus	1	0	0
	Public Property	0	0	0
Robbery	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Burglary	On-campus	0	0	1
	Student Housing	0	0	0
	Non-Campus	0	Ο	0
	Public Property	0	ο	0
Motor Vehicle Theft	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Arson	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Liquor Law Violations: Arrests	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Liquor Law Violations:				
Referrals	On-campus	0	0	0
	Student Housing	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Related Violations	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Weapon Law Violations: Arrest	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Weapon Law Violations: Referrals	On-campus	0	0	0
	Student Housing	0	Ο	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Domestic Violence	On-campus	0	Ο	Ο
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On-campus	0	0	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Stalking	On-campus	0	1	0
	Student Housing	0	0	0
	Non-Campus	0	0	0
	Public Property	0	1	0

# **Hate Crimes**

The Clery Act requires reporting of incidents where the offender's bias against a person or property motivates him in whole or in part to commit the crime. This includes bias against race, gender, religion, sexual orientation, disability, or ethnicity/national origin. Incidents which fall under the Clery crimes above and thefts, assaults, intimidations, or vandalism must be reported. During 2014, 2015, and 2016, no hate or bias crimes were reported on the Aquinas College campus, on non-campus buildings or properties, or on public property adjacent to campus.

# FIRE SAFETY

Smoke detectors, fire alarm pull stations, and fire extinguishers are installed in the appropriate areas of all buildings and inspected by the local fire marshal regularly. Emergency lighting (in the event of power loss) and fire doors are installed in key building egresses and stairwell foyers. Fire exit plans are posted near the exits of all rooms. In addition to the above, Siena Hall and Aquinas Library has a sprinkler system installed.

Emergency evacuation drills are conducted each semester. During such a drill, building occupants are to act according to the emergency announced, in order to be properly prepared if such an emergency occurs. Follow directions broadcast through telephone and intercom systems, as well as those of emergency personnel including police, fire department, and security officers, and supervisory personnel. Students should not leave campus during drills or actual emergency events, unless instructed to do so.

The following items are prohibited in residence halls:

Candles / potpourri plug-ins	Explosives/gunpowder	
Burning incense	Hot pots/plates	
All flammable/combustible	Toasters/toaster ovens	
liquids		
Fireworks	Large coffee makers	
Halogen and Lava lamps	Space heaters	
Electric blankets	Microwaves	
Chemicals (other than cleaning supplies)		

If a fire occurs:

- An evacuation of the structure should be started immediately.
- The incident should be reported immediately to 911 and campus security officers.
- As soon as feasible to do so, a Campus Security Authority should be notified of the incident.

• The Chief of Security for the Dominican Campus should be notified as soon as possible.

The basic procedure for addressing fires is as follows:

In the event that an uncontrolled fire is observed, the following basic procedures should be followed:

# For large fires that do not appear controllable:

- Immediately locate and pull a fire pull station.
- If possible, close the door(s) and windows to the affected area to confine the fire and reduce oxygen to the fire. DO NOT LOCK THE DOORS.
- Evacuate the building immediately.

# If a minor fire appears controllable:

- Immediately pull a fire pull station to activate the fire alarm system.
- Staff members should retrieve the nearest fire extinguisher and follow the

"P.A.S.S." procedure:

- P = Pull the pin breaking the plastic seal;
- A = Aim at the base of the fire;
- S = Squeeze the handles together; and
- S = Sweep from side to side.

• In the event a fire cannot be controlled with one fire extinguisher, evacuate the building immediately to a safe area.

If you become trapped in a building during a fire and a window is available, place an article of clothing (shirt, coat, etc.) outside the window and stay near the floor where the air will be less toxic. Place a towel, coat or any article of clothing at the base of the door to block smoke from entering your room. Shout at regular intervals to alert emergency crews of your location. DO NOT PANIC!

# **Fire Statistics**

During the 2014/15, 2015/16, and 2016/2017 academic years no fires were reported in any of the Aquinas College buildings.