

# **Annual Campus Security Report**

**Chattanooga College**  
**Medical, Dental & Technical Careers**  
Chattanooga, Tennessee

October 1, 2016

34CFR Party 668.47 (iv)

Any student perspective student, employer or interested party desiring a copy of this report may request if from the campus director's office.

The Jeanne Clery disclosure of Campus security Policy and Campus Crime statistics Act, or Clery Act, requires that all Title IV (student financial aid) prepare, and distribute the Annual Security & Fire Report (fire report for institutions with campus housing).

The report prepared for distribution as of October 1, 2016 consists of information required to be disbursed to students, parents and all other interested parties. The information is distributed to assist you and or parents in making a choice for your education. The following are some of the required information that you will find in the report: where to find information on registered sex offenders, emergency response, evacuation procedures and notification of campus community, timely warning, code of conduct and the newest one here to date, Women Against Violence Act (WAVA). Should you require additional information or help regarding this see your admission representative for direction. You may obtain your personal hard copy of the report by asking the campus director.

It is the desire of Chattanooga College to provide you with all required information from all authorities. Additionally the college provides guidance, advising, tutoring, special scheduling and other personal assistance to ensure your tenure at the school is as pleasant and productive as possible.

## **EMERGENCY NOTIFICATION AND TIMELY WARNINGS**

Federal law requires colleges to “immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, unless issuing a notification will compromise efforts to contain the emergency”.

Chattanooga College MDTC utilizes on site notifications via teachers and staff, notifications as well as our website ([www.chattanoogacollege.edu](http://www.chattanoogacollege.edu)) and our Facebook page (Chattanooga College), and the local television and radio stations (WRCB, WDEF, WTVC and Suny92.3 FM).

Chattanooga College MDTC is responsible for issuing timely warnings and emergency notification. The college will, without delay, decide whether to issue a timely campus safety/crime warning or emergency notification on a case-by-case basis considering 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. Information for timely campus safety/crime warnings and emergency notifications may also come from other law enforcement agencies.

Depending on the particular circumstances of the incident, timely campus safety/crime warnings and emergency notifications may be distributed by any one or more of the following means:

1. e-mail;
2. Posting an alert on Chattanooga College web page and/or other sites where information will be likely to reach the campus community.
3. Posting on the outside entry doors of classrooms, recreational/break areas, and/or posting on bulletin boards in academic and group meeting areas.

Anyone with information warranting a timely campus safety/crime warning or emergency notification should report the circumstances to the school, by calling 423-624-0078

(Northgate) or 423-305-7783 (Eastgate), or in person at either campus location (248 Northgate Mall Drive, Suite # 130-Northgate Campus or 5600 Eastgate Loop, Suite # E-3-Eastgate Campus,

Students may also call 911 for immediate police attention.

## **EVACUATING A BUILDING**

Chattanooga College MDTC posting evacuation maps in all classrooms and general meeting areas at both college locations. Students are advised to exit all building in a clam and orderly fashion and to remain evacuated until instructed that it is safe to return. Please follow the following procedures:

1. Stay Calm, do not rush, do not panic
2. Gather all personal belongings
3. Close all doors and windows if safe to do so
4. Wait for additional instructions from teachers or staff
5. Do not re-enter the building until instructed to so.

We appreciate you cooperation. If you have any questions, please ask a teacher or staff member and we will be happy to help.

## **CHATTANOOGA COLLEGE MEDICAL, DENTAL AND TECHNICAL CAREERS**

Information about Policies and Procedures in compliance with Tennessee's College and University Information Act T.C.A. Section 49-7-2201.et.seq. and the federal Crime Awareness and Campus Security Act of 1990.

### **A SAFE ENVIRONMENT IS EVERYONE'S RESPONSIBILITY**

Chattanooga College Medical, Dental and Technical Careers (Chattanooga College) offers both a stimulating environment and a safe one. The administration at the college is involved in providing you with a safe learning environment and making your experience as trouble free as possible. However, a truly safe college can only be achieved through cooperation of all departments: students, faculty and staff.

The college security policies and procedures are aimed at your safety and welfare. You can help maintain your own safety by following them and using common sense safety practices, such as reporting suspicious activity and not leaving books, coats or personal property unattended. Circulars, pamphlets/bulletin boards, and newsletters are means by which public safety information may be distributed. The administration makes current inspections of our educational facilities to ensure safety which include fire code and compliance, door and window locks, inspection of grounds and parking, and indoor and outdoor lighting.

The college does not inquire as to whether or not students entering Chattanooga College have been arrested or convicted of a crime; however, a background check may be required of personnel before master keys are issued and the involvement of the handling of funds.

If you are the victim of a crime while on the property of the college, immediately report to this administration who in turn will contact the local Police Department (during school hours). The student may call or any faculty or staff member will assist with this notification upon request.

Please have any friends or relatives that may visits you while at the college, to ask for you at the front desk. This not only prevents "unwanted strangers" from roaming through out the buildings but it speeds up our process in locating you for them.

Students may be admitted into buildings after normal business hours only when there's and authorized access list from and signed by the director. The policy concerning the use of educational facilities for meetings, parties, and other activities must always be approved by the staff. Security considerations are reviewed prior to any approval.

Pursuant to Tennessee Law, trespassing on Chattanooga College property is strictly prohibited.

**T.C.A. 39-6-1718** states that it's a felony with a maximum penalty of five (5) years imprisonment and a fine not to exceed \$2500 for carrying weapons on school property.

It is the policy of this school to monitor the on-campus behavior of the students. Any student engaging in liquor violations, drug violations or weapons possession will be immediately reported to the Chattanooga Police Department for further action. Any of the above off-campus violations, which are reported to the College will require appearance before a Review Board. It is the policy of the college to maintain videotapes, listing of agencies, access to staff for advice and other procedures to aid victims of sex offenses. In case of alleged sex offenses on campus, the Chattanooga Police Department will be notified immediately. In the event of alleged on or off-campus sex offenses by a Chattanooga College student, both parties have the same opportunity to have others present during the hearing and both parties will be informed of the outcome of any institutional disciplinary proceedings.

## CAMPUS SECURITY INFORMATION

This information is required under Public Law 102-26. The following data will provide you with security policies and statistics concerning the occurrence of criminal offenses on out campus.

Should you witness a crime in progress or are the victim of a crime, Chattanooga College Medical, Dental and Technical Careers requests that you follow this procedure:

During school hours notify Mr. William Faour, School Director, and the Chattanooga Police Department immediately at 698-2525 or 911 for emergencies.

Remember: Preserving evidence for proof of a criminal offense is very important

Chattanooga College Medical, Dental and Technical Careers does not recognize any off campus organizations that would be included under this act.

The purpose and authority of campus security personnel is limited to securing the premises and protecting the facility. The enforcement authority of campus security personnel limited to the enforcement of campus rules and regulations. Incidents that go beyond the scope of campus security personnel are referred to and investigated by the local law enforcement agency. All crimes that are reported will be posted within a day of reporting.

To ensure the accurate and prompt reporting of all crimes, authorized administrative personnel will take a full written statement from involved parties and witnesses at all reported emergency or criminal incidents. The written statements are included as part of a written report, and such statements may be used by campus security personnel (if applicable) and local/state law enforcement authorities for the purpose of criminal apprehension and/or crime prevention. Criminal incidents may also be reviewed by the institution's administrative staff for the purpose of disciplinary action. Students are informed about campus security procedures on October 1<sup>st</sup> of each year and during orientation.

Everyone should remember that personal safety begins with you. The following should be considered:

When walking on campus, be aware of who and what is around you. Try not to walk alone and avoid streets and secluded pathways or alleyways.

Do not carry large amounts of cash

Keep your motor vehicle in good condition. Always lock your car and remove all packages and any valuables. Try to park in well-lighted areas.

Do not leave books or personal property unattended in the classroom, student lounge or library.

Sexual assault prevention programs are available at Family and Children=s Services of Chattanooga, Inc., Sexual Assault Crisis and Resource Center, 300 East 8<sup>th</sup> Street, Chattanooga, TN 37403 (423) 755-2700. Counseling for sex offense victims is also available at the facility.

If applicable and reasonable available, the institution will change the academic and living situations of a student after an alleged sex offense. For information regarding the Sex Offender Registration Law visits the Tennessee Bureau of Investigation=s site at: [www.tbi.state.tn.us](http://www.tbi.state.tn.us).

If any disciplinary proceedings are held in cases of an alleged sex offense, both the accuser and the accused have the opportunity to have others present. Both the accuser and the accused will be informed of the institution=s final determination of any institution disciplinary proceeding and any sanction imposed against the accused.

The following sanctions may be imposed regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses: termination and all information turned over to the proper authorities.

The institution is in compliance with the Drug Free Schools and Communities Act of 1989 (Public Law 101-226). All students and employees should refer to the booklet Drug and Alcohol Prevention Program@ for the information concerning the campus policies and individual responsibilities required under this Act which is available at the school.

## Crime Statistics

In compliance with Public Law 102-26, the following information on campus crimes is reported to you for your review. The following criminal offenses were reported to campus security (if applicable) authorities or local police agencies as having occurred on campus:

	2016	2015	2014
Murder	0	0	0
Rape	0	0	0
Robbery	0	0	0
Forcible Sex Offenses	0	0	0
Non-forcible Sex Offenses	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0

Of the following criminal offenses manifesting evidence of prejudice based on race, religion sexual oriented or ethnicity as prescribed by the Hate Crimes Statistics Acts were reported as having occurred on campus:

Murder	0	0	0
Rape	0	0	0
Forcible Sex Offenses	0	0	0
Aggravated Assault	0	0	0

In addition to the above crimes, the following numbers of arrests were made during the same period for these specific violations:

Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

### CAMPUS PHONE NUMBERS:

Chattanooga College Northgate Campus 423-624-0077  
Chattanooga Police Department 423-698-2525 or 911

East Gate Campus 423-305-7781

During the current period no crimes were reported to the local authorities and no arrests were made on our premises.

Director

## **Campus Security Policy**

### **How to Report Crimes?**

The Campus Security Act requires universities to collect and report campus crime statistics. Any employee on campus who is a campus security authority who receives a report, or is aware of certain crimes must immediately report the crime to the Police Department. Crimes to be reported are listed below. Threats of violence should also be reported to the Police Department.

#### **Report Crimes to the Chattanooga Police Department (423) 698-2525**

**Campus Security Authority** is an official of an institution who has significant responsibility for student and campus activities, as well as employees who control or monitor access to some part of campus. Examples are personnel including the President, Vice President, Assistant Director of Admissions, Dean of Students, Director of Education, Department Chairperson, Librarian, Instructors, Staff and the Campus Mall Security Guard. The Dean of Students serves as a professional counselor and is not considered campus security authority when acting in her capacity as counselor.

#### **Reportable Crimes and Offences:**

- **Criminal Homicide:** Murder and manslaughter. Report any homicide.
- **Sex Offenses, Forcible or Non-forcible:** A forcible sex offense is any sexual act directed against another person, forcibly and/or against that person's will; or any sexual act against a victim incapable of giving consent. Incapacitation due to drugs or alcohol renders a person incapable of giving consent. Minors are not legally capable of consenting. Non-forcible sex offenses are acts of "unlawful, non-forcible sexual intercourse," e.g., incest or statutory rape.
- **Robbery:** The taking, or attempting to take anything of value from the control, custody, or care of a person or persons by force or threat of force or violence or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This offense is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. An assault that results in hospitalization (or should have) is an aggravated assault.
- **Burglary:** The unlawful entry (breaking and entering) into a building or other structure with the intent to commit a felony or theft.
- **Arson:** Willful or malicious burning or an attempt to burn a dwelling house, public building, motor vehicle or aircraft, or personal property.
- **Arrests or persons referred for alcohol, drug, and illegal weapon violations\***



• **Hate Crimes:** Any of the crimes listed in this document in which the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, or disability must be reported as hate crimes. Category of prejudice should be reported.

• **Stalking:** Purposefully engaging in a course of conduct directed at a specific individual that would cause a reasonable individual to fear for his or her safety or the safety of another person; feel seriously alarmed, disturbed or frightened; or suffer emotional distress.

• **Dating Violence:** The term “dating violence” means violence committed by a person:  
(A) who is or has been in a social relationship of a romantic or intimate nature with the victim;  
and  
(B) where the existence of such a relationship shall be determined based on the following factors:  
    (i) The length of the relationship  
    (ii) The type of relationship  
    (iii) The frequency of interaction between the persons involved in the relationship.

• **Domestic Violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Tennessee (includes past or present marriage, domestic partnership, romantic, dating, or sexual relationship), by a former spouse or similarly situated person against a victim who is in a subsequent relationship with a former spouse or similarly situated person, or by any other person against a victim who is protected from that person’s acts under the domestic or family violence laws of Tennessee.

• **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

• **Theft:** Unlawful taking of another’s property.

• **Intimidation:** Threats of bodily injury to another person.

• **Assault:** Unlawful contact causing bodily injury.

• **Destruction/damage/vandalism of property.**

### **Does It Matter Where the Crime Occurred – On or Off Campus?**

The institution must provide a **geographic breakdown** of the crime statistics by four categories:

• On campus: Main Northgate campus located at 248 Northgate Mall Drive and near area businesses including America’s Thrift Stores and Chuck E. Cheese’s and El Meson Restaurant;

East Gate campus: located at 5600 Brainerd Road and near area businesses including Office Depot and New Horizons Computer Learning Centers.

- **On campus and in a residence hall** Not applicable;
- **Non-campus building or property** Not applicable.
- **On public property** that immediately borders and is accessible to the campus. This includes all public streets bordering the main Northgate campus and East Gate campus. Public property consists of a public sidewalk that borders the campus, the public street along the sidewalk, and the public sidewalk on the other side of the street. Only those portions of the sidewalk, street, and sidewalk that are adjacent to campus are included.

### **Further Resources: How Do I Report a Crime?**

If you suspect that a crime has been committed, report it immediately! If in doubt about whether to report something that has occurred, report it!

Do not attempt to apprehend or pursue a suspected criminal.

Crime reports may be made as follows:

#### A. Crimes that occur on campus:

Reports should be made to the President, Vice President and Dean of Students or by calling telephone (423) 305-7781. Any of the emergency telephones located throughout campus may be used as well.

#### B. Crimes that occur off campus:

Reports should be made first to local police by calling 911.

For further information on reporting a crime review the College's How to Report Crimes - Policy. For information regarding reporting sexual crimes, see the College's Sexual Misconduct Policy and Title IX Website.

\*The Dean of Students' Office counts the number of students referred for campus disciplinary actions for alcohol, drug or illegal weapon violations for the purpose of Clery reporting.

Produced by the Dean of Students' Office 2014

**Source:** *How to Report Crimes*. (2014). Retrieved July 30, 2014, from <http://counsel.cua.edu/res/docs/How-to-Report-Crimes1.pdf>

**Chattanooga Police Department**

3410 Amnicola Hwy.  
Chattanooga, TN 37406

Office hours are Monday through Friday 8:00 AM through 5:00 PM

**Emergencies: 911**

**To report a crime or request assistance:** (423) 698-2525

**General Information:**

(423) 643-5000

**Crime Prevention and Community Outreach:**

(423) 643-5090

**Crime Stoppers Hotline:**

(423) 698-3333

**Drug Tip Hotline:**

(423) 493-BUST (2878)

**Source:** *Police Department*. (2014). Retrieved July 30, 2014, from <http://www.chattanooga.gov/police-department> <http://www.chattanooga.gov/police-department>

**Chattanooga College Medical, Dental & Technical Careers  
Crime Report**

Incident: \_\_\_\_\_ Location: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Complainant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Witnesses: \_\_\_\_\_

Narrative: \_\_\_\_\_

Police Called: Yes No                      Police Came to School: Yes No

Reporting Officer (Name/Badge Number): \_\_\_\_\_

Police Report Number: \_\_\_\_\_

School Official Taking Report: \_\_\_\_\_

## Policy Statement Registered Sex Offender Information

Should an applicant be accepted into the college that is registered as a sex offender, the college notifies the local law authorities and follows their procedure. This would include if required to notify both students and parents of students as warranted. The college also culls the sexual offenders search web site to verify if any new enrollments are registered.

To obtain additional information regarding registered sex offenders, visit [www.tbi.state.tn.us](http://www.tbi.state.tn.us). Additionally, you may seek information from the director of financial aid and or the campus director.

Chattanooga College, Medical, Dental, & Technical Careers, Inc.  
Sexual Harassment Policy

Sexual harassment is considered to be a sexual offense. In basic terms, sexual harassment is defined as any unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. The key is “UNWELCOME” sexual behavior.

\* Chattanooga College, Medical, Dental, & Technical Careers, Inc. follows a zero-tolerance policy for sexual harassment.

There are five types of sexual harassment:

- Suggesting or insinuating that employment, higher grades, or future promotions will be given in exchange for sexual favors.
- Demeaning language focused on gender; sexual comments about a person’s body; telling sexual jokes or stories; spreading rumors about a co-worker or fellow student’s sex life; asking or telling about sexual fantasies, preferences, or history.
- Staring at a person’s body; sexual gestures focused on body parts; giving personal, unwanted gifts; following a person; sending suggestive letters, notes, illustrations, or photographs.
- Any manner or unwanted touching, including brushing up against another person suggestively, or touching yourself in a sexual manner in front of others.
- A sexually poisoned work environment where the atmosphere makes it difficult for an employee or student to work or feel comfortable. This includes a wide range of behaviors and actions from displaying sexually suggestive pictures, cartoons, and illustrations, to telling suggestive stories and jokes or using sexual gestures.

Requirement

You must report incidents to the Campus Director; Karen Worley, Director of Education; Joann Lowery, Assistant to the President; Angie Williams Placement Coordinator or Evelyn Davis. These choices are afforded you for your comfort. You must report any instances. This is your responsibility. Appropriate measures will be taken to include: investigating, advising, and referral to other professionals, reporting to local and state authorities, termination, and prosecution. Other actions may be taken as deemed necessary.

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Student Print Name

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Student Signature

## **Sex Discrimination Policy**

### **Title IX of the Education Amendments of 1972**

**(Updated July 30, 2014)**

**Title IX of the Education Amendments of 1972** prohibits sex discrimination in education programs and activities (such as housing, athletics, and employment) at universities that receive federal financial assistance. Sex discrimination (further defined below) includes sexual harassment and sexual assault or violence. The Chattanooga College: Medical, Dental & Technical Careers, Inc. will not tolerate such discrimination.

The Chattanooga College does not discriminate on the basis of sex against students or applicants for admission, or employees or applicants for employment or in the administration of its policies or in any aspect of its operations. The University will respond to reported violations of Title IX by protecting the victim and our community, conducting prompt and thorough investigations and providing support.

**The Chattanooga College has a Title IX Coordinator.** The Title IX Coordinator is responsible for ensuring the College's compliance with Title IX and investigating complaints of harassment, discrimination, and other sex-based complaints from students, staff and faculty. The Title IX Coordinator serves also as the Dean of Students position. The Title IX Coordinator/Dean is responsible for investigating complaints of sexual assault or violence. The Title IX Coordinator/Dean is also responsible for training the College community on Title IX.

#### **What is sex discrimination?**

Sex discrimination is any action that adversely affects the employment or educational opportunities of a person due to his or her sex. This includes discrimination on the basis of pregnancy, in sports, in scholarship programs and in decisions or actions at all operational levels on campus. Sex discrimination also encompasses harassment of an individual on the basis of sex.

#### **What is sexual harassment?**

Sexual harassment is unwanted conduct of a sexual nature which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment may include but is not limited to: unnecessary touching or brushing against someone in a sexual manner; demanding sexual favors concerning employment; unwelcome messages or communications of a sexual nature. Sexual harassment may be based upon a power differential, i.e. when submission to or rejection of conduct of a sexual nature by an individual is made either explicitly or implicitly a term of condition of an individual's employment or academic advancement or is used as the basis for employment or academic decisions.

### **What is a hostile environment?**

When sexual harassment is sufficiently severe or pervasive that it unreasonably interferes, limits or deprives someone of the ability to participate in or benefit from the College's educational programs, activities or employment, a hostile environment has been created.

### **What is the College's obligation with respect to sexual harassment?**

The College is legally required to take immediate steps to address both harassment and hostile environment discrimination and take steps to eliminate them.

Sexual harassment and the existence of a hostile environment are to be determined from both an objective and subjective viewpoint. The College encourages all community members to report sexual harassment at the earliest opportunity.

### **What is sexual assault?**

Any sexual intercourse by any person upon another with force or without consent. It includes oral, anal and vaginal penetration, to any degree, with any object. Non-consensual sexual contact is any sexual touching with any object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.

### **What is Consent?**

Informed, freely given, mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Effective consent may never be obtained when there is a threat of force or violence, or any other form of coercion or intimidation, whether physical or psychological. Consent cannot be obtained from someone who is mentally or physically incapacitated whether due to drugs, alcohol or some other condition, or from a minor. Silence or lack of active resistance does not imply consent. Intoxication is not an excuse for failure to obtain consent. A person incapacitated by alcohol or drug consumption, or who is unconscious or asleep or otherwise physically or cognitively impaired, is incapable of giving consent.

### **Prevention Efforts**

Through collaborative efforts among various departments, the College works to prevent all forms of sexual discrimination, harassment and assault through education, awareness and skill building. Employees are required to take bi-annual harassment and compliance training and policies provide guidance for everyone. The Dean of Students office provides training and workshops on sexual misconduct awareness such as workshops and Sexual Assault Awareness Month every April. The Title IX Coordinator/Dean offers training on sexual harassment and discrimination intended to raise awareness of these important issues. The Dean of Students provides training in Rape Aggression Defense Systems for faculty, staff and students.



Source: *Title IX of the Education Amendments of 1972*. (2013, September 23).

Retrieved July 30, 2014, from <http://title9.cua.edu/>

## **Sexual Misconduct Policy**

### **Sexual Misconduct Grievance Procedures**

(Updated July 29, 2014)

#### **Introduction**

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. The College does not discriminate on the basis of sex against students or applicants for admission, or employees or applicants for employment or in the administration of its policies or in any aspect of its operations in accordance with its Non-Discrimination Policy/Equal Opportunity Policy.

The Chattanooga College: Medical, Dental & Technical Careers, Inc. Sexual Misconduct Policy affirms its intolerance for sex discrimination and promotes respect for persons' bodily integrity, the virtues of chastity and the sacredness of human sexuality.

The College will conduct prompt and thorough investigations into all reported instances of sexual misconduct. Students who report sexual misconduct shall be informed of and encouraged to use all appropriate College, law enforcement, and community resources. Students accused of sexual misconduct shall be informed of and encouraged to use all appropriate College and community resources and shall receive due process in accordance with College policies and procedures.

Actual or threatened retaliation, or any act of intimidation to prevent or obstruct the reporting of sexual misconduct or the participation in proceedings related to sexual misconduct, is prohibited pursuant to the College's Non-Retaliation Policy and will result in disciplinary action regardless of the outcome of the underlying complaint of sexual misconduct.

#### **Definitions of Sexual Misconduct**

A student can face significant disciplinary sanctions, including expulsion, as well as criminal prosecution or other legal action, for the following:

A. Sexual assault is sexual intercourse or sexual contact with another person without consent. Sexual assault includes the following:

- Oral, vaginal, or anal penetration, no matter how slight, with any object or body part without consent.
- Non-consensual touching of another person in a sexual manner. This includes, but is not limited to, the touching either directly or through clothing, of another person's genitalia, breasts, inner thigh, or buttocks with a clothed or unclothed body part or object.

B. Other prohibited forms of Sexual Misconduct include but are not limited to any conduct prohibited by applicable law, such as: dating violence; domestic violence; stalking; indecent exposure; sexual exhibitionism; sending obscene materials to others; use of communication systems to send unwanted sexual material and messages; prostitution or the solicitation or employment of a prostitute; peeping or other voyeurism; allowing others to view consensual sexual activity; or the non-consensual video or audio recording of sexual activity.

Consent is informed, freely given, mutually understandable words or actions that indicate a willingness to participate in sexual activity. Effective consent may never be obtained when there is a threat of force or violence, or any other form of coercion or intimidation. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent cannot be obtained from a minor, someone who is mentally disabled, and someone who is unable to understand or who cannot communicate a lack of consent. This includes someone who is unconscious or asleep, or who is incapacitated due to drugs, alcohol or some other condition. Silence or lack of active resistance does not imply consent.

### **Confidentiality**

The College will make every reasonable effort to preserve an individual's privacy and protect the confidentiality of information. At the same time, the College's commitment to a just and safe environment for the community may warrant investigation regardless of the preferences of the individual reporting the incident.

Faculty and staff are required to report instances of sexual misconduct unless they are legally bound to confidentiality. Under Tennessee law, an adult (18 years or older) with a complaint of sexual misconduct may speak confidentially with certain persons in legally protected roles. These roles include professional counselors (including but not limited to those in the Dean of Students), physicians, and clergy when the communication is made in their professional capacity of giving religious or spiritual advice, and licensed rape crisis/sexual assault counselors. The professional being consulted should specify any limits upon confidentiality before a student-client begins to provide information. In situations where disclosure is not required by law, all College staff with responsibilities in this area should inform students being counseled of procedures for voluntarily reporting the incident to law enforcement authorities.

### **Reporting Sexual Misconduct (filing a complaint)**

A. To report an incident of sexual misconduct, contact the Police Department at telephone (423) 698-2525. Police Department is available 24 hours a day, 7 days a week, and is the local law enforcement agency. Individuals who have been subjected to sexual misconduct are always free to report it directly to local law enforcement, but should contact the Dean of Students, who will assist them in contacting the appropriate authorities.

If a student report of sexual misconduct is made to College staff, College Staff will notify the Title IX Coordinator and the Dean of Students (“Dean”) of the report, normally within 48 hours. The Title IX Coordinator/Dean will work so that the student can immediately receive support, be informed of available services, and, if necessary, be protected (e.g., no contact order, class rescheduling). The Title IX Coordinator/Dean will track all investigations for the College, and advise participants in the process as appropriate.

B. Reports of sexual misconduct may also be made to Anne O. McGintis, Dean of Students (“Dean”) at telephone (423) 305-7781, [anne.mcgintis@chattanoogacollege.edu](mailto:anne.mcgintis@chattanoogacollege.edu), Chattanooga College: Medical, Dental & Technical Careers, Inc., 5600 Brainerd Rd., Suite E-3, Chattanooga, TN 37411. The Dean will notify the President and Vice President of the report, normally within 48 hours.

C. Reports of sexual misconduct may also be made to Anne O. McGintis, the College's Equal Opportunity Officer/Title IX Coordinator/Dean (telephone (423) 305-7781, [anne.mcgintis@chattanoogacollege.edu](mailto:anne.mcgintis@chattanoogacollege.edu), Chattanooga College: Medical, Dental & Technical Careers, Inc., 5600 Brainerd Rd., Suite E-3, Chattanooga, TN 37411). The Title IX Coordinator/Dean will notify the President and Vice President of the report, normally within 48 hours.

D. A student also has the option of contacting the Office for Civil Rights regarding sex discrimination issues at: Washington D.C. (Metro), Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475, Telephone: (202) 453-6020, FAX: (202) 453-6021; TDD: 800-877-8339, e-mail: [OCR.DC@ed.gov](mailto:OCR.DC@ed.gov).

E. If a report of sexual misconduct is made to any staff or faculty member of the College, the faculty or staff member must contact the Title IX Coordinator/Dean who will inform the President and Vice President as appropriate.

Filing a report of alleged sexual misconduct does not obligate a student to participate in the disciplinary process. A student always has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue the College’s disciplinary process, or to pursue both processes simultaneously.

The College has the responsibility to protect the community at large. In light of this responsibility, the College will investigate all reports of sexual misconduct regardless of the participation of the individual reporting the incident.

### **Jurisdiction of the College**

The College’s student life policies and the Code of Student Conduct (“Code”) proceedings are under the jurisdiction of the Office of Student Services. All alleged violations of College regulations are at the disposition of that office or its designee(s). The College’s policies

regarding student behavior extend to wherever students are located on campus.. To determine whether a student is responsible for a violation of the Code, the procedures outlined below will be followed. Decisions regarding a student's responsibility – or lack thereof – for a violation of policy will be based upon careful consideration of all available information and evaluated using a preponderance of the evidence standard (it is more likely than not that the violation occurred).

### **College Procedure after Receiving Report of Sexual Misconduct**

#### **A. Referral to the Dean of Students**

A student who has made a report of sexual misconduct shall be referred to the Dean, who will identify, explain and navigate the available support services. This includes information regarding counseling, educational support, pastoral care, medical treatment, and information about filing a complaint under the Code of Student Conduct for College disciplinary action.

Upon receipt of a report of alleged sexual misconduct in which the accused is a current Chattanooga College student, the Dean shall issue no-contact orders, as appropriate, to the student alleging misconduct (complainant) and the student accused of misconduct (respondent.)

The Dean shall also provide assistance in rearranging class schedules and housing; every effort will be made to accommodate all reasonable requests, to protect the students and the campus community, and to minimize the impact on the students' educational programs.

#### **B. Title IX Investigations**

The Title IX Coordinator/Dean is responsible for conducting investigations when a report of sexual misconduct has been made to the College and to coordinate as appropriate with Police Department or other local law enforcement. Ordinarily, this administrative investigation, undertaken or directed by the Title IX Coordinator/Dean, will include a review of statements obtained from either party, interviews with both parties, interviews with witnesses and review of documentary evidence. The College is obligated to conduct this investigation regardless of the complainant's requests, but it should be particularly careful while an active law enforcement investigation is ongoing. In such circumstances it should not ordinarily conduct independent interviews or gather evidence while off campus law enforcement is actively interviewing witnesses or gathering evidence on the matter that concerns the College.

A decision to actively investigate a case that is under investigation by off campus law enforcement should be the product of a discussion among the Title IX Coordinator/Dean, Public Safety, Student Services, and the President and Vice President, who shall weigh all factors and ensure that there have been direct communications with the off campus law enforcement agency.

In the course of the administrative investigation, the Title IX Coordinator/Dean periodically will provide a status update or other pertinent information to the President and Vice President and any other officials who need to know, careful to maintain confidentiality and investigative

integrity. The President and Vice President should be consulted throughout the process and when questions arise about confidentiality, FERPA, and related issues.

### C. Administrative Review

At the conclusion of the investigation, the Title IX Coordinator/Dean will forward an investigative report to the President and Vice President. The report shall contain all material collected during the investigation, whether by College personnel or others, and may contain the Title IX Coordinator/Dean's evaluation of the facts revealed during the investigation. The President and Vice President may also return the investigation to the Title IX Coordinator/Dean with any additional questions.

As part of this administrative review, the Dean will determine, based on the information contained within the investigative report, whether there is sufficient information available to charge the respondent with an alleged violation of the Code. Should the Dean determine that there is sufficient information to charge the respondent, the Dean will refer the case for a hearing under the Disciplinary Procedures for Sexual Misconduct Complaints. Should the Dean determine that there is not sufficient information to charge the respondent, the Dean will document the matter as closed.

The determination to charge the respondent does not mean that the respondent will be found responsible for a violation of the Code. Instead, it means that the Dean has determined that based upon the available information contained within the investigative report, the case warrants further review by a hearing board. The respondent will only be found in violation if the hearing board determines, by a preponderance of the evidence, that the respondent has committed a violation of the Code.

The Dean will provide written notification of the determination of the administrative review to the complainant and respondent. The complainant may appeal the determination that there is not enough information to charge the respondent by submitting a letter to the President and Vice President outlining all reasons for the appeal. The appeal must be submitted to the President and Vice President within 5 calendar days of receipt of the outcome letter. The President and Vice President will evaluate the appeal and notify the complainant and respondent in writing whether it has been granted or denied. This determination by the President and Vice President will generally be made within 5 calendar days of when the appeal has been received. That determination is final and may not be further appealed.

In all cases, the Title IX Coordinator/Dean will inform the President and Vice President of the determination of the administrative review.

### D. Estimated Timelines

All parties have an interest in the speedy resolution of an allegation of sexual misconduct, and the following timelines are designed to accomplish that. The College cannot control all factors that might contribute to delays including, e.g., local law enforcement activity, the completion of forensic testing, or the availability of witnesses. An administrative investigation will normally be completed within 21 calendar days of receipt of a formal complaint of sexual misconduct. If a complaint is referred to a student conduct disciplinary process (discussed below), that process will normally be held within 21 calendar days of the disciplinary referral. When an estimated timeline cannot be adhered to, the Title IX Coordinator/Dean shall coordinate directly with the President and Vice President to ensure that all parties' interests in swift resolution are understood, and seek to involve the appropriate personnel and resources in solving the problems that are causing the delay or obtaining a clear explanation for the cause of the delay. The decision of when to conclude an investigation or to refer a case to a hearing board will be case-specific; for example, it is not necessary to wait for the conclusion of a criminal investigation, but College officials must decide when there is sufficient information and evidence available that moving forward would be in the interests of justice, neither premature or unduly delayed, both of which could frustrate achievement of a just result. The Title IX Coordinator/Dean also shall ensure that all parties are notified of the delay and provided an anticipated completion date.

### **Disciplinary Procedures for Sexual Misconduct Complaints**

The following procedures shall apply in student conduct proceedings for complaints of sexual misconduct. Formal rules of process, procedure, and/or technical rules of evidence, such as applied in criminal or civil court, are not used in student conduct proceedings. Deviations from prescribed procedures shall not necessarily invalidate a decision, unless significant prejudice to an accused student, complainant or the College results.

1. The complainant and respondent shall receive advanced written notification of the specific charges and the date, time, and location of the scheduled proceeding and their rights as outlined in these procedures.
2. The complainant and respondent may request a reasonable extension of time to prepare for the proceeding. Requests for an extension will not be granted for a period to exceed two business days except in unusual circumstances where the party can demonstrate the necessity for a longer delay. All requests for extension of time should be made in writing at least 24 hours prior to the scheduled proceeding, except in cases of documented serious illness or emergency.
3. The complainant and respondent shall be afforded reasonable access to review the case file prior to and during the proceeding, and may request a copy of a redacted incident report from the Dean. "Case file" means the file containing those materials pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974. If additional information becomes available and is relevant, it will be discussed and reviewed at the proceeding. The personal notes of College staff

members and investigators and privileged information of other students are not included in the case file and thus are not accessible.

4. Both parties shall have the opportunity to provide additional and relevant information to be considered by the Hearing Board constituted for the student conduct proceeding. Any additional information must be submitted in writing at least two business days prior to the proceeding to the Dean. The Dean will ensure that such information is provided to both parties, and may grant delays as the Dean considers appropriate to permit parties to prepare to respond to additional information or documents.

5. During the hearing, testimony regarding any party's past sexual conduct will ordinarily not be permitted, except in those instances where there was a prior sexual relationship between the parties and the testimony may be relevant to the issue of consent. If the respondent is found responsible for the conduct alleged in the complaint, his or her past documented sexual misconduct, if any, may be considered in determining the appropriate sanction.

6. Student conduct proceedings will be closed to the public, including friends and College personnel without an official interest in the case. The complainant and the respondent may choose to permit either or both parents or guardians to observe the proceeding.

7. The complainant will be provided options for reasonable alternative arrangements if he or she does not want to be present in the same room as the respondent during the hearing.

8. The complainant shall have an opportunity to present and the respondent shall have the opportunity to respond to the information related to the alleged violation; both parties may provide the names of witnesses from the Chattanooga College community who have relevant information pertaining to the incident. These individuals will be invited, at the discretion of the Dean, to participate in the proceeding, but are not required; character witnesses will not be heard. Ordinarily, witnesses who are not members of the Chattanooga College community will not be invited to serve as a witness in the proceeding.

9. During the hearing, the parties shall have an opportunity to have questions posed to each other and witnesses through the presider of the Hearing Board, and to address the information related to the alleged violation; questions from the complainant to the respondent or from the respondent to the complainant should be submitted in writing to the Dean no less than two business days prior to the scheduled proceedings; the parties may also submit questions during the hearing, based on information that arises during the hearing. The presiding officers for the Hearing Board will examine the questions and ensure relevance and propriety. These questions will be asked by the presiding officer. At no time will either party be permitted directly to ask the other questions. Doing so could result in removal from the proceeding.

10. Both complainant and respondent may be accompanied by one advisor. The role of the advisor shall be limited to support and consultation; the advisor may not speak during any



student conduct proceeding except privately to the party being advised, nor shall the advisor question or address witnesses. Violation of this expectation will result in the advisor being removed from a student conduct proceeding at the discretion of the presiding officer or the student conduct administrator. In consideration of the limited role of an advisor, and of the interest of the College to expeditiously conclude the matter, a student conduct proceeding will normally not be delayed if an advisor is unavailable.

11. A respondent who fails to appear at a scheduled proceeding without good cause (e.g., serious illness), after proper notice of such a proceeding, may be adjudicated in absentia, and forfeits all rights to an appeal unless it is for lack of proper notice, as required herein. In such cases, decisions will be based solely on witness testimony and other information presented during the proceeding.

12. Proceeding outcomes must be supported by a preponderance of evidence. Preponderance of evidence means that a greater weight of evidence has been demonstrated in order to decide in favor of one side over the other, to determine whether a fact is true, or to establish that an event occurred. A preponderance of the evidence does not necessarily mean the greater amount of evidence but rather the greater quality of evidence – making it more likely than not that the matter in question is true. A respondent may be found in violation of any prohibited conduct (including sections of the Code of Student Conduct (“Code”) for which he or she was not originally charged) when behaviors that were previously unknown are discovered during the course of the student conduct proceeding or if it is determined that a different section of the Code more appropriately addresses the conduct in question.

13. The outcome of the student conduct proceeding shall be conveyed to the parties in writing by the Dean normally within two calendar days.

## **Sanctions**

In the event the Hearing Board determines that sexual misconduct or other student conduct violations occurred, sanctions may be imposed.

1. The imposition of sanctions is based on the nature of the violation and the severity of any damage, injury, or harm resulting from it, and the character, disciplinary record, and rehabilitative potential of the student respondent.

2. In some cases, a sanction may be held in abeyance for a specific period. This means that, should the student be found in violation of the Code during the stated period, he or she may be subject to the deferred sanction in addition to the student conduct action appropriate to the new violation.

3. Sanctions that may be imposed in accordance with the Code include:

a) Censure: An official written reprimand for violation of specified regulations.

b) Probation: A period of time in which a student is expected to demonstrate positive behavioral change and may be excluded from participation in privileged or extracurricular institutional activities. Additional restrictions or conditions for behavioral changes may be imposed. Violations of the terms of student conduct probation, or any other violation of this Code during the period of probation, may result in eviction from residence halls, suspension or expulsion from the College.

c) Restitution: Repayment to the College or to an affected party for damages resulting from a violation of this Code.

d) Denial of Access to Specific Areas: Ban from certain non-academic area(s) for a specified length of time.

e) Eviction from Residence: Not applicable.

f) Revocation of Privileges: Restrictions placed on activities and/or use of College services and facilities for a specified period of time.

g) Suspension: Exclusion from classes and other privileges or activities, including access to College premises or College-sponsored activities off campus, as set forth in the notice of suspension, normally for at least one semester. A student who is suspended is not entitled to any tuition or fee refund and is banned from College premises for the duration of the suspension.

h) Expulsion: Termination of student status, and exclusion from College premises, privileges and activities. A student who is expelled shall not be entitled to any tuition or fee refund and is banned from College premises permanently.

i) Discretionary Sanctions: Other sanctions that bear a reasonable relation to the violation for which the student has been sanctioned may be imposed instead of or in addition to those specified above. Discretionary sanctions include, but are not limited to: service hours, fines, educational reflection assignments, and participation in alcohol or drug awareness programs, and training, counseling, and education regarding sexual assault and misconduct.

### **Appeals Process**

The outcome of a student conduct proceeding in a case of sexual misconduct may be appealed by either party subject to the following guidelines:

1. A letter of appeal shall be submitted to the President and Vice President by the student within two business days of receipt of the outcome of the student conduct proceeding.
2. A student adjudicated in absentia forfeits all rights to an appeal process unless it is proven that it is for lack of proper notice, except in an extraordinary circumstance.

3. The appeal must specify grounds that would justify consideration. General dissatisfaction with the outcome of the student conduct proceeding or an appeal for mercy are not appropriate grounds for appeal. The written appeal must specifically address at least one of the following criteria:

a. Significant procedural error that changes the findings of fact of the student conduct proceeding.

b. New evidence that significantly alters the findings of fact, that was previously unknown to the either party, has been discovered and is available during the appeal process.

4. The President and Vice President may consult other College officials as appropriate before making his decision, but shall not gather additional evidence or speak to any of the individuals who appeared at the hearing. If the President and Vice President believes that the hearing board should consider additional information, the President and Vice President may return the case to the board to hear more evidence in the presence of the complainant and respondent, but the President and Vice President may not return the case to the hearing board only for the purpose of reconsidering its original decision.

5. The College aims to ensure expeditious, equitable proceedings. One appeal is permitted. The decision on the appeal is final and shall be conveyed in writing to both parties, normally within five calendar days of receipt.

6. The imposition of sanctions may be deferred while the appeal process is pending unless, in the discretion of the Dean, the continued presence of the student on the campus poses a serious threat to her/himself or to others, or to the stability and continuance of normal College functions.

Source: *Sexual Misconduct Grievance Procedures*. (2014, April). Retrieved July 30, 2014, from <http://deanofstudents.cua.edu/res/docs/Sexual%20Misconduct%20Grievance%20Procedures.pdf>

## **Violence Against Women**

Chattanooga College has added the following crimes that information gathered and disbursed are now a part of. The newly added crimes are: incidents of sexual assault, domestic violence, dating violence, and stalking. The college endeavors to present this information to new students and employees each quarter and throughout the school year. Additionally this information will become part of the school's annual security report.

The information is related to the required parties during the orientation process. These educational prevention programs promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. The college does not condone any of the named crimes or any other crime for that matter; the school prohibits the crimes and incidents on or off premises.

Violent and controlling behavior, Relationship Violence, is by a person who is currently with or was with a victim. This may include any of the following acts: perceived, threatened or actual physical injury, emotional or psychological abuse, sexual assault, control by force intimidation or economic control and or social sequestration. Some characteristics an abusive partner may exhibit are: emotional abuse, verbal abuse, sexual abuse or physical abuse. This may occur in traditional or same sex relationships.

A pattern of behavior that reduces or destroys a person's self-worth and esteem is emotional abuse. Symptoms could include jealous behavior, ignoring feelings, belittling values, restricting social activities and or withholding love, approval or affection. Verbal abuse is intended to hurt or injure another person by name calling, insults, threats suicide, humiliation, intimidation and or exaggerated criticism. Sexual abuse could be forcible sexually activity without consent. This does not have to be penetration; it could be unwanted touching as an example. Physical abuse includes any behavior that causes or threatens bodily harm, such as hitting slapping, breaking things or threatening to do so.

To recognize a violent relationship, ask yourself does the person you are involved with exhibit a pattern of behavior of: jealousy, criticizing you, or your behavior, makes all the decisions, is he/she controlling, threatening, insulting, always wants to know where you are, or checks in frequently. These are all signs you are in a violent relationship which lead to trouble. Additionally, has your partner shove, pushed, slapped, kicked bit or intimidated you? Has he/she insisted you have sex when you did not want to? Threatened you or suicide? Retained you when you wanted to leave? Be aware, be smart – seek help. If you are on campus see anyone who will direct you to the director. If not seek immediate help via the local police department. Act now, abuse of any kind cannot be tolerated as it may lead to more serious concerns.

Stalking is a course of conduct whereby a person is in reasonable fear for his/her safety. It is a pattern of threats or harassment that is directed repeatedly toward a specific individual and is unwelcomed, intrusive, or fearful. It may include physical appearances of the stalker and harassing behavior. Note that most victims know the stalker. Again, act now before stalking becomes criminal behavior. Seek help from the college or the local police.

Consent as it pertains to instances of sexual activity in our jurisdiction means: willing, able, and knowledgeable of an act that a partner wishes to engage, and comprehends the ramifications of the act and any consequences if any.

**CHATTANOOGA COLLEGE**  
**COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT**  
**(CC - VAWA)**

**Purpose**

This document outlines Chattanooga College's support for and compliance with the Violence Against Women Act (VAWA). The Act was originally signed into law by President Bill Clinton in 1994 and has been reauthorized numerous times including the most recent in 2013 under President Barack Obama. VAWA provides a number of provisions to help prevent and address such offenses as stalking and domestic violence...

**Policy Statement**

Chattanooga College prohibits all acts of violence by students, faculty, administrators, campus visitors or anyone on the Chattanooga College premises, or participating in any event sponsored by Chattanooga College. In keeping with VAWA this includes prohibition against sexual assault, domestic violence, dating violence and stalking.

**Definitions**

- Sexual assault, known in Tennessee as Sexual Battery occurs when someone compels a victim to engage in unlawful sexual contact against the victim's will, and also includes circumstances when the victim is mentally incapable of giving consent to sex (such as being in a coma or having passed out from drug or alcohol use), and fraud (such as tricking a victim into believing that the defendant is the victim's spouse)
- "Domestic violence" includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- "Dating violence" means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- "Stalking" means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

## **Procedures for Victims to Report Offenses and Preserve Evidence**

A victim of sexual assault, dating violence, domestic violence or stalking that occurs on the Chattanooga College premises must immediately report the incident to the campus director at either location. In the absences of the director you may contact the following:

- Director of Education
- Assistant to the President
- Placement Director

If there is an immediate threat to safety the victim should first contact the Chattanooga Police Department and then inform the appropriate Chattanooga College administrator from the above list. The victim has the right to contact law enforcement at any time.

The victim should provide information on the VAWA incident form as soon as possible after the incident. The victim must preserve any evidence related to the incident (attached).

## **Explanation of Victim Rights**

The Victim has the following rights:

- to report any acts of sexual assault, dating violence, domestic violence and stalking to law enforcement, or the appropriate school administrators
- to have actions taken by the school that ensure protection of the victim from both immediate and future offenses from the offender while on school premises
- to have Chattanooga College comply with any judicial no-contact, restraining or protective orders that have been authenticated and presented to the school
- to have the victim's confidentiality preserved as much as is reasonably possible
- to have a review board decide if the offender is prohibited from campus premises if the offense is determined to have occurred either by a court of law or a campus review board
- to have a Review Board decide if the offender is prohibited from campus premises after the offense while an investigation is being conducted

## **Investigation of Offenses**

Offenses will be investigated by a Review Board consisting of the Chattanooga College President, Vice President and Director of Education and other parties as warranted. Investigations will use the “preponderance of the evidence” to determine whether an offense has occurred.

The Review Board may elect to defer to investigation by law enforcement or some other governmental entity, and rely on those findings in determining any sanctions against the offender.

Both the offender and the victim will be informed in writing of the investigative findings and any steps taken as a result of the investigation.

Both the victim and the offender have the right to have others present during any disciplinary proceeding or investigation, including an advisor of their choice.

Both the victim and offender will be informed of any appeal procedures

## **Sanctions**

Any student, faculty member, independent contractor, or administrator who is determined to have committed an act of sexual assault, dating violence, or domestic violence, stalking, rape, or acquaintance rape on the premises of Chattanooga College will be dismissed from the school. This also includes acts committed while engaging in any school sponsored event whether on Chattanooga College premises or not. An example could be offenses occurring in route to a field trip, or during a school sponsored social event away from campus.

Any individual who is determined to have committed such acts away from the premises of Chattanooga College while not engaged in school activities will not be permitted onto Chattanooga College premises until the Review Board made a determination that the individual may return.

## **Confidentiality**

Both the victim and the offender’s identities will be kept confidential as much as is reasonably possible. No personally identifiable information will be compromised. Chattanooga College will assume no responsibility or liability for failure to maintain confidentiality by third parties such as law enforcement, or others who conduct the investigation. All written documentation pertaining to the offense, including victim statements, witness statements, etc. will be kept confidential.

## **Training**

All new students, faculty and administrators will receive training on the following topics:

- Chattanooga College policy prohibiting violence against women
- Definition of rape, acquaintance rape, sexual assault, domestic violence, stalking and dating violence
- Safe and positive bystander intervention options
- Recognition the signs of abusive behavior and how to avoid potential attacks

All students, faculty and administrators will receive the training brochure on VAWA and will receive updated information as warranted on a yearly basis.

## **Investigative Training**

The Review Board members will receive training on how to investigate offenses and conduct hearings in a manner that protects the safety of victims and promotes accountability.

## **Awareness Activities**

### *VAWA Task Force*

Chattanooga College has a VAWA Task Force which meets not less than once a year to review the annual campus crime data report and discuss ways to increase awareness about prevention of violence against women on campus. The Task Force will be comprised of campus directors, department heads and other employees as necessary. A member of the Chattanooga Coalition Against Domestic and Community Violence will also be invited.

### *These Hands Don't Hurt Campaign*

“These Hands Don’t Hurt” is an awareness campaign where individuals pledge to stop relationship violence by placing their hands in paint and making their hand print on paper, then sign their name under their hand print and display it on the Chattanooga College Campus. Doing this signifies that their hands don’t and won’t hurt. This movement is especially significant for men who wish to show their support for stopping violence against women.



## **Bystander Intervention**

Bystander Intervention is the willingness to help someone who is in danger of violence. Chattanooga College encourages individuals to take action to help prevent violence against others and encourages focus on the following.

*Focus on S.E.E.*

- SAFE Responding

- Choose a course of action (direct or indirect)

- That best ensures the safety of those involved.*

- EARLY Intervention

- Before it becomes a problem, crisis or disaster.

- EFFECTIVE Helping

- Implement specific helping skills depending on the situation and avoid harmful helping.

Bystander intervention can be as simple as offering to walk to the parking lot as a group at night; helping someone recognize the signs that they are in a relationship that could lead to violence, or encouraging someone to take a walk before engaging in a confrontation that could lead to violence.

## Appendix A

### VAWA Incident Report Form

Written by: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Current time: \_\_\_\_\_

Victim Name: \_\_\_\_\_

Victim Position: \_\_\_ Student \_\_\_ Faculty \_\_\_ Administrator \_\_\_ Other

Date of Offense: \_\_\_\_\_

Time of Offense: \_\_\_\_\_

Location of Offense: \_\_\_\_\_

Type of Offense:

\_\_\_ Sexual Assault \_\_\_ Dating Violence \_\_\_ Domestic Violence \_\_\_ Stalking

Witnesses: \_\_\_\_\_

Name of Offender (s) \_\_\_\_\_

Position of Offender (s)

\_\_\_ Student \_\_\_ Faculty \_\_\_ Administrator \_\_\_ Other (describe)

\_\_\_\_\_

Description of What Happened

Chattanooga College strictly prohibits all criminal activity including sexual assault, domestic violence, dating violence and stalking

## Know the definitions

- **Sexual assault, known in Tennessee as Sexual Battery** occurs when someone compels a victim to engage in unlawful sexual contact against the victim's will, and also includes circumstances when the victim is mentally incapable of giving consent to sex (such as being in a coma or having passed out from drug or alcohol use), and fraud (such as tricking a victim into believing that the defendant is the victim's spouse)
- **"Domestic violence"** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- **"Dating violence"** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- **"Stalking"** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.



CHATTANOOGA  
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# VIOLENCE AGAINST WOMEN ACT.





## BYSTANDER INTERVENTION – WILLINGNESS TO HELP SOMEONE IN NEED OF PROTECTION AGAINST VIOLENCE

- Go out in groups. Stay together in public places
- Agree on a plan for leaving and getting home.
- Don't leave your friend behind
- Discourage drugs and alcohol
- If your friend has been drinking, don't leave her alone.
- Don't stay silent. Speak up!
- Ask the woman if she needs help and interrupt, distract, or change the focus.
- Give the victim a chance to get away by distracting the perpetrator and offer to escort her away from the situation.
- Report what you see or think is happening. (It probably is.)
- Don't wait for someone else to act. By then it could be too late.

## REDUCING THE RISK OF VIOLENCE AGAINST WOMEN

- Be aware of your surroundings and trust your instincts.
- Avoid being alone or isolated with someone you do not know or do not trust.
- Do not make any assumptions about sex. Define your limits and make your intentions known, talk about it!
- Remember that prior sexual interactions with someone do not automatically give permission for future sexual interactions with that person.
- Take care of yourself. Do not depend on others to look out for you, but do look out for your friends.
- Be aware that excessive alcohol consumption is often associated with sexual violence. Remember that alcohol does not act as a permission slip for sex.
- Know that you have an obligation to your fellow Butler community members to intervene if you oversee a situation that you feel may lead to sexual victimization. Do not let anyone "get away" with sexual assault.
- Do not accept drinks from people you do not know.
- If someone is being aggressive or possessive, alert your friends or the authorities of the establishment or the police.
- Leave with your trusted friends, not with someone you just met.
- Most date rapes involve men and women who conform to traditional, rigid sex roles so it is important to examine sexism in order to prevent rape.

### • STALKING

• Stalking is a "love obsession." Victims can recall warning signs of 'too much, too soon' – which is **not** romantic. Watch out for a 'control freak' who ignores **your** feelings. Someone obsessed with you doesn't mean he loves you, it means he's obsessive.

Beware of two or more of these warning signs: he's impulsive, obsessive, selfish, doesn't take no for an answer, has few friends, and has low self-esteem.

### Warning Signs of Possible Stalker VIOLENCE

- Expressions of helplessness;
- Over-interpreting what you say or do;
- Socially isolated;
- Overly-dependent upon you only;
- A history of relationship violence or stalking;
- Alcohol or drug abuse;
- Actual or threatened suicide attempts are especially dangerous for **you**(he has nothing left to lose).

Trust your intuition and take the warning signs seriously. If you feel unsafe, you probably are, and should seek help.

**Chattanooga College**  
**Medical, Dental, and Technical Careers**

FINANCIAL AID CONSUMER  
INFORMATION 1 JULY 2016

**A MESSAGE**

**HAVE YOU EVER DREAMED** about the new opportunities that educational experiences past the high school level could open up to you, but felt these possibilities to be out of your reach because of your personal family financial situation? All too often, students who would have been capable of attending and succeeding at the school of their choice give up on the idea of furthering their education and increasing their skills due to the problems of money. As far as they are concerned, **MONEY CLOSES THE DOOR.**

**WE WANT TO SUGGEST SOME WAYS YOU MIGHT OPEN THE DOOR** by discussing the possibility of student financial aid for use at our institution. You should be aware that millions of students across the United States apply for financial assistance every year and receive funds to make their career training possible. Before you decide you can't afford job training, take a few minutes to consider whether you can afford not to further your education. Statistics show that persons who receive training beyond high school make one of the best investments that can be made in terms of lifetime income. But like any investment, it takes time to decide what is the best route to take. You have made the first step by requesting information about our school. Invest a few minutes more to see what sources of aid might be available to you.

**AND REMEMBER, WE ARE HERE TO HELP YOU DURING THE PROCESS-** Our financial aid staff is available to:

- \* help you find sources of financial aid of which you may be unaware
- \* assist you in filing aid applications
- \* certify you for Veteran's benefits
- \* assist with budgeting your finances

One final note of caution before you begin reading this booklet. While we think this booklet will answer most of your questions, you should be aware that policies, procedures, and federal rules and regulations are subject to change. The financial aid administrator will have the latest information. Chattanooga College designates the following as information disseminators:

North Gate Campus  
Evelyn Davis Financial Aid Officer

East Gate Town Center  
Amanda Chambliss, Financial Aid Officer  
Tiffany Hodges, Financial Aid Officer  
Sidney Jackson, Financial Aid Officer

Available Monday, Tuesday, Thursday  
9:00 AM - 7:00 PM  
Wednesday 8:30 AM - 5:00 PM, Friday 10:00 AM – 1:00PM

**PURPOSE OF FINANCIAL AID**

Meeting the costs of education is primarily the responsibility of parents and students; however, in instances where families and students have difficulty in meeting these costs, ECPC endeavors to assist whenever possible by providing information regarding the sources of financial assistance and through direct financial aid awards. Students may apply for funds administered by the Institution to meet their unmet needs. These funds are provided by federal and state programs.

**BROCHURES PREPARED BY THE U. S. DEPT OF EDUCATION ARE AVAILABLE IN THE STUDENT AID OFFICE. THEY DETAIL THE TERMS AND FACTS ABOUT STUDENT LOANS. IF YOU SEEK A LOAN ASK FOR THE BROCHURES.**

Since the amount of interest you will need to repay increases with the amount you borrowed, you will want to restrict your loan only to the amount you actually need to attend school.

Should you receive a loan it is your responsibility for notifying the lender immediately of any change of name or address.

A loan maybe prepaid early without penalty. Current rules also state that the loan will be canceled should you die or become totally disabled. All of these provisions are included in the promissory note you are asked to sign. Be certain to read it in full, and retain your copy for further reference.

Please also remember that a student loan is your debt and must be repaid. If you leave school or cease to carry at least one-half the normal academic load, you must contact your lender immediately to set up a repayment schedule. You may, under certain circumstances, be eligible for a deferment of 6 months to a year before repayment begins.

**IF YOU DEFAULT** on repayment of your education loan it will result in the bank notifying the credit reporting agency and may result in the following consequences:

- \* **Loss of Federal Income Tax refunds.**
- \* **Legal Action/Suit to collect.**
- \* **Loss of eligibility for Federal Student Aid.**
- \* **Difficulty in obtaining other credit.**
- \* **You will not receive additional financial aid.**
- \* **Garnishment of Wages**

### **HOW DO I APPLY FOR FINANCIAL AID ASSISTANCE?**

#### **WHAT FORMS DO I FILE?**

All students who are applying for any type of financial aid are required to complete a Free Application for Federal Student Aid (FAFSA), which collects information on family size and income. This form is available at the financial aid office.

Be certain that you are completing the form for the correct year. The Financial Aid year, as determined by the federal government is from July 1 to June 30th of the following year. If your schooling extends over the June 30 year end you may need to file a second application for second year aid.

You will also be asked to complete an application, which includes other information such as Colleges previously attended. Students may qualify for: Pell Grant, SEOG, and Direct Loans: Sub and UnSub; Plus Loans, and TSAC (Tennessee residents only). Additionally, the financial aid office may provide other methods of scholarships.

#### **OMBUDSMAN'S OFFICE**

Borrowers may contact the Ombudsman's Office to obtain additional information regarding procedures, materials, and or other information. You may contact this office at:

E-mail - [fsaombudsmanoffice@ed.gov](mailto:fsaombudsmanoffice@ed.gov)

On-Line assistance - <http://www.ombudsman.ed.gov>

Telephone - 877-557-2575 (toll free), 202-377-3800

Fax - 202-275-0549

Mail - U.S. Department of Education, FSA Ombudsman, 830 First Street, N.E. Washington, D.C. 20202-5144

## **TYPICAL STUDENT EXPENSES**

Each school and each program within a school will have a different student expense budget. This will depend upon the tuition, as well as the length of the course, since student expense budgets include the costs of tuition and fees, books and supplies, monthly allowances for room and board, transportation to and from school, and personal expenses such as clothes and entertainment. While your tuition and fee costs are fixed, the amount you spend on living costs will depend largely on you own actions as well as your individual circumstances, such as whether or not you have other dependents. It is the policy of the college to make mandatory refunds due to federal aid programs in the following order of priority:

- |   |                            |
|---|----------------------------|
| a. unsubsidized FFEL/Direct Stafford Loan | d. PELL Grant              |
| b.subsidized FFEL/Direct Stafford Loan    | e. FSEOG                   |
| c.FFEL/Direct Plus Loan                   | f. Other Title IV Programs |

After all of the above have been satisfied any remaining refund will be mailed to the student with the refund calculation sheet. In addition to the federal and state programs, certain students may be eligible for other programs which provide assistance for educational costs. These benefits, like grants, do not have to be repaid.

**VETERANS EDUCATIONAL ASSISTANCE PROGRAMS (VEAP).** If you are a Veteran of the Armed Forces, or a dependant of a deceased or disabled Veteran, you will want to contact the Veterans Administration and request information on education aid.

**VOCATIONAL REHABILITATION.** The Division of Vocational Rehabilitation provides services and financial assistance for education to students with certain disabilities.

**PART-TIME EMPLOYMENT.** If you wish to utilize the services of our placement office to find part-time employment, request an application from the Director. We cannot guarantee you a job but will make every effort to help you find suitable employment.

## **HOW CAN I GET ADDITIONAL INFORMATION ON FINANCIAL AID?**

As we said earlier this brochure should clear up most of your questions. But you will very likely have others, and answering them is the role of our financial aid staff.

*The hours of the Financial Aid Officers are:*

Monday, Tuesday, Thursday 8:30 AM - 7:00 PM

Wednesday 8:30 AM - 5:00 PM ; Friday 9:00 AM - 12:00 PM

Remember, we have been a college and counseling on the details of financial aid for a long time. Our job is to serve our students. **We want to help you.**

## **Copyright Infringement**

Copyright infringement is exercising without permission or legal authority the exclusive right granted to the owner under section 106 of the Copyright Act (Title 17 of the Unites States Code). This also includes file sharing. Penalties include (Civil and Criminal). If you are liable you may be ordered to pay either actual damages or not less than \$750 up to \$30,000 per work infringed. If it is determined that the act was willful, a court could award up to \$150,000 per work infringed. This may not include court costs and attorney fees. If it is determined that this was a criminal act, penalties can include imprisonment of up to 5 years and fines up to \$250,000 per offense. Students are also suspended form the college if determined to be in violation.

## **Chattanooga College Code of Conduct Policy- Title IV:**

All officers, employees, and agents of the college who have responsibilities with respect to student educational loans must comply with this code of conduct.

Prohibition on revenue-sharing arrangements with any lender: This applies to the college and any individual- may not enter into any revenue sharing arrangements with any lender.

Prohibition on receiving gifts from a lender, guaranty agency or loan service: No officer, employee, or agent or any of their family members, shall solicit or accept any gift from a lender, guarantor, or servicer of education loans.

Prohibition on contracting arrangements: No officer, employee or agent shall accept from any lender or affiliate of any lender any fee, payment or other financial as compensation for any type of consulting arrangements or other contract to provide services to a lender or on behalf of a lender relating to education loans.

Prohibition against steering borrowers to particular lenders or delaying loan certifications: the college will not assign through award packaging or other methods any first-time borrower's loan to a particular lender; or refuse to certify or delay certification of any loan based on the borrower's selection of a particular lender or guaranty agency.

Prohibition on offers of funds for private loans: the college will not request or accept from any lender an offer of funds for private loans to students in exchange for providing concessions or promises to the lender for a specific number of Title IV loans made, insured, or guaranteed, a specified loan volume, or preferred lender arrangements.

Prohibition on Staffing assistance: the college will not request or accept from any lender any assistance with call center staffing or financial aid office staffing.

Prohibition on advisory board compensation: No one employed in the financial aid office or who has any responsibilities with respect to education loans or other student financial aid shall derive any material benefit from serving on an advisory board, commission, or group established by a lender, guarantor, or group of lenders or guarantors.



# Family Educational Rights and Privacy Act (FERPA) Chattanooga College MDTC (school)

[Family Policy Compliance Office \(FPCO\) Home](#)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#).

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

**Chattanooga College, Medical, Dental and Technical Careers  
Federal Direct Loan Program Interview Checklist**

Student Name: \_\_\_\_\_

SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Phone Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

I UNDERSTAND THAT:(put your initials by each statement)

1. \_\_\_\_\_ The Federal Direct Stafford is a *LOAN* program. It is money that I must *REPAY*.
2. \_\_\_\_\_ The loan interest rate I will be charged is 6.8%.
3. \_\_\_\_\_ I have a grace period of six months after I leave school before I am required to begin the repayment of my loan.
4. \_\_\_\_\_ The Department will deduct an insurance premium charge and an origination to begin the repayment of my loan.
5. \_\_\_\_\_ It is my responsibility to inform the school in writing if any of the following occur:
  - a. I change my name or address.
  - b. My employer's name or address changes.
  - c. I start attending school below half-time status.
  - d. I transfer to another post-secondary school.
6. \_\_\_\_\_ It is my responsibility to inform the servicer in writing if any of the following occur:
  - a. I change address after leaving school.
  - b. I start attending school below half-time status.
  - c. I graduate, withdraw, or just leave school.
  - d. If you will be making a late payment.
  - e. If anything affects your ability to repay, or your eligibility for deferment or cancellation.
7. \_\_\_\_\_ In general, if necessary, I can defer the payments on my loan for the following reasons:
  - a. If you are enrolled at least half-time in a program of study that meets the U.S. Department of Education's requirements for program eligibility.
  - b. If you are enrolled in a graduate fellowship program approved by the U. S. Department of Education.
  - c. If you are enrolled in a rehabilitation training program for persons with disabilities.
  - d. If you are unemployed but seeking, but cannot find full-time employment (for a period of up to three years).
  - e. If you are experiencing or will be experiencing economic hardship.
8. \_\_\_\_\_ If any of the above situations listed in #6 occur during my repayment period, I must call or write the servicer to request a deferment form. *Be sure to make loan payments while you are waiting for your deferment to be approved.*
9. \_\_\_\_\_ I can repay my loan in full or in part anytime without a penalty being assessed and I will save interest charges by doing so. I understand I may cancel all or part of my loan with written notification to the financial aid office within 14 days of disbursement.
10. \_\_\_\_\_ My minimum monthly payment during repayment will be \$50 per month until the loan is paid in full.
11. \_\_\_\_\_ The servicer may charge up to 6% as a late fee, if my payments are not made on time.
12. \_\_\_\_\_ **IF I DO NOT REPAY MY LOAN**, I may prevent other students from getting a loan at this school, and I will not qualify for any additional financial aid.
13. \_\_\_\_\_ **IF I DO NOT REPAY MY LOAN**, my account will be turned over to a collection agency, the Internal Revenue Service may withhold any income tax refunds, and credit bureaus will be notified.
14. \_\_\_\_\_ It is my responsibility to inform the Financial Aid Office if my address or telephone number changes while I am in school.
15. \_\_\_\_\_ I understand that if I am a first-time borrower as of July 2013, I cannot receive Direct Subsidized loans for more than 150% of the published length of my program.
16. \_\_\_\_\_ I understand that my information will be submitted to NSLDS and accessible by authorized agencies, lenders, and institutions when I apply for and receive Title IV funding.

**I UNDERSTAND AND FULLY ACCEPT MY RESPONSIBILITIES IN RECEIVING THIS LOAN AND ACKNOWLEDGE THAT I WILL REPAY THIS LOAN. I ALSO ACKNOWLEDGE THAT I HAVE BEEN FURNISHED A RECEIPT OF EDUCATION LOAN BROCHURE, FOR DIRECT LOAN BORROWERS & THE 150% FIRST-TIME BORROWER HANDOUT.**

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

## DRUG AND ALCOHOL PREVENTION PROGRAM

### NOTICE TO STUDENTS AND EMPLOYEES

Chattanooga College Medical, Dental, and Technical Careers (Chattanooga College) has established a Drug and Alcohol Free Awareness Program (DAFAP). The DAFAP encompasses the following four phases:

#### PHASE ONE

##### WARNING OF THE DANGERS OF DRUG AND ALCOHOL ABUSE:

Drug and alcohol use impairs memory, alertness and achievement. It erodes the capacity to perform, think and act responsibly. It may be grounds for termination with the school or other legal action. SCHEDULE A specifically details the Uses and Effects as it relates to alcohol.

#### PHASE TWO

##### CHATTANOOGA COLLEGE MDTC IS A DRUG AND ALCOHOL FREE LEARNING ENVIRONMENT

All students and employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and alcohol is prohibited in the school=s learning environment. Any student or employee must notify the school of any criminal drug and alcohol statute conviction for a violation occurring in the learning environment no later than five days after such conviction. In compliance with the Drug-Free Workplace Act of 1988, the schools A workplace@ consists of the following locations:

Chattanooga College, 248 Northgate Mall Suite 130, Chattanooga, and our Satellite Campus at 5600 Brainerd road TN 37411, or, any teaching site, or any off-site location (i.e. field trips, job placement, luncheons, meetings, etc.) where the activities are in any way related to the school.

### PHASE THREE

#### LISTING OF THE AVAILABLE LOCAL DRUG COUNSELING, REHABILITATION AND ASSISTANCE PROGRAMS:

Please refer to SCHEDULE B.

### PHASE FOUR

#### NON-COMPLIANCE WITH THE TERMS OF THIS SCHOOL DRUG-FREE WORKPLACE STATEMENT

Non-compliance will result in the following action being taken by this school:

1. The student or employee would be required to actively participate in a drug or alcohol abuse assistance or rehabilitation program approved by federal, state or local health, law enforcement or other appropriate agency. Attached SCHEDULE C contains a description of the applicable legal sanctions under local, State, and Federal law for unlawful possession, use, or distribution of illicit drugs and alcohol.
2. Community service with one of the above stated agencies. Termination.

### SCHEDULE A

#### ALCOHOL USES AND EFFECTS

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

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

## SCHEDULE B

### DRUG COUNSELING, REHABILITATION, AND ASSISTANCE PROGRAMS

1. ALCOHOL & DRUG ABUSE SERVICES  
Chattanooga, TN 756-7644
2. ALCOHOLICS ANONYMOUS  
Chattanooga, TN 267-6277
3. FAMILIES ANONYMOUS  
Chattanooga, TN 886-3380 or 698-3031
4. AL-ANON  
Chattanooga, TN 757-5833
5. HUMAN RESOURCE SERVICES  
State of Tennessee, Chattanooga 634-6200
6. HUMAN RESOURCE SERVICES  
State of Georgia, Catoosa County 935-2360

## SCHEDULE C

### FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

#### 21 U.S.C. 844(a)

1<sup>st</sup> conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both if:

- (a) 1<sup>st</sup> conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2<sup>nd</sup> crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3<sup>rd</sup> or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

#### 21 U.S.C. 853 (A) (2) AND 881 (A) (7)

Forfeiture of personal and real property used to possess or facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

21 U.S.C. 861 (A) (4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

Civil fine up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853a

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for the first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g. pilots licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

NOTE: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

LOCAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A  
CONTROLLED SUBSTANCE AND ALCOHOL:

In addition to the aforementioned federal and the following state sanctions, local ordinances generally provide for legal sanctions for unlawful possession or distribution of illicit drugs and alcohol.

STATE OF TENNESSEE PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED  
SUBSTANCE: BLOOD ALCOHOL LEVEL OF .08.

- 1<sup>ST</sup> OFFENSE: - Confinement in jail or workhouse for 48 hours.  
- Sentence of 11 months 29 days (may be suspended).  
- Forfeiture of licenses for 1 year.  
- Mandatory attendance to DUI class  
- Fine (\$250 - \$1000).

- 2<sup>ND</sup> OFFENSE: - Fine (\$500 - \$2500).  
- Confinement in county jail or workhouse for not less than 45 days nor more than 11 months and 29 days.  
- Forfeiture of license for 2 years.  
- Participation in court approved inpatient alcohol or drug treatment program

## How Drug Abuse Affects Your Whole Body

Drug abuse and addiction can affect almost every system in your body. You probably know that drugs affect feelings and moods, judgment, decision making, learning, and memory. But they can also cause or worsen other health problems—cancer; heart disease; lung disease; liver function; mental disorders; and infectious diseases such as HIV/AIDS, hepatitis, and tuberculosis. Some of these effects occur when drugs are used at high doses or after prolonged use, and some may occur after just one use.

Research has shown that drug abuse and addiction can affect almost every system in your body. Below, find out facts about the harmful health effects of various drugs throughout the body.

**Cocaine**—Cocaine restricts blood flow to the brain, increases heart rate, and promotes blood clotting. These effects can lead to stroke or heart attack. Recent NIDA research suggests that cocaine also limits the body's ability to fight infection. This means that cocaine abusers are at greater risk for infectious illnesses such as hepatitis, sexually transmitted diseases, and HIV/AIDS.

**Ecstasy (MDMA)**—Ecstasy speeds up heart rate and blood pressure and disrupts the brain's ability to regulate body temperature, which can result in overheating to the point of hyperthermia. When this happens, abusers begin to sweat, but can't cool off. In a hot and crowded dance atmosphere, this can be life-threatening if medical care is not delivered quickly. Treatment of hyperthermia requires prompt medical attention, as it can rapidly lead to muscle breakdown, which can, in turn, result in kidney failure.

**Heroin**—Medical consequences of chronic heroin injection abuse include scarred and/or collapsed veins, bacterial infections of the blood vessels and heart valves, abscesses (boils) and other soft-tissue infections, and liver or kidney disease. Lung complications (including various types of pneumonia and tuberculosis) may result from the poor health condition of the abuser as well as from heroin's depressing effects on respiration. Heroin abusers who share needles can pass the virus to each other. They can also spread other blood-based diseases like hepatitis C and tuberculosis. Heroin overdose can slow the respiratory system until breathing stops and the person dies.

**Inhalants**—Sniffing highly concentrated amounts of the chemicals in solvents or aerosol sprays can directly induce heart failure and death within minutes of a session of repeated inhalations. This syndrome, known as "sudden sniffing death," can result from a single session of inhalant use by an otherwise healthy young person. Sudden sniffing death is particularly associated with the abuse of butane, propane, and chemicals in aerosols. Also, high concentrations of inhalants also can cause death from suffocation by displacing oxygen in the lungs and then in the central nervous system so that breathing ceases. Deliberately inhaling from a paper or plastic bag or in a closed area, for example, greatly increases the chances of suffocation.

**Marijuana**—People who smoke marijuana often develop the same kinds of breathing problems as cigarette smokers, including coughing and wheezing. They tend to have more chest colds than nonusers. They are also at greater risk of getting lung infections, like pneumonia. Some studies show that when people have smoked large amounts of marijuana for years, the drug takes its toll on mental functions. Heavy or daily use of marijuana affects the parts of the brain that control memory, attention, and learning. A working short-term memory is needed to learn and perform tasks that call for more than one or two steps. In long-term marijuana abusers, some changes in the brain are similar to those seen after long-term abuse of other major drugs, including cocaine, heroin, and alcohol.

**Methamphetamine**—Methamphetamine can cause cardiac damage, elevates heart rate and blood pressure, and can cause a variety of cardiovascular problems, including rapid heart rate, irregular heartbeat, and increased blood pressure. Methamphetamine also increases wakefulness and physical activity, creating the potential for a combination of activity and overheating (hyperthermia) that, as with ecstasy, can lead to convulsions and a dangerous, sometimes lethal, elevation of body temperature.

**Prescription Drugs**—Prescription medications such as pain relievers, tranquilizers, stimulants, and sedatives can be very useful when prescribed by a physician in a specific dosage for a specific patient. Sometimes, however, people abuse prescription medications as they would an illegal drug—for nonmedical reasons and not as prescribed. This is a serious health issue, because the nonmedical use of prescription medications like opioids (Vicodin, OxyContin), central nervous system (CNS) depressants (Xanax, Valium), and stimulants (Ritalin, Adderall) can lead to addiction and other health risks, just like illegal street drugs. When abused, both prescription drugs and illegal drugs alter normal brain function. Drug abusers experience this as a rush of pleasurable feelings, but these feelings do not last, and continued drug abuse can lead to addiction. Just like people who are addicted to illegal drugs, prescription drug abusers can experience craving, addiction, physical dependency and withdrawal, and other dangerous—sometimes even fatal—side effects. Taking a single large dose of a prescription opioid or depressant could lead to severe breathing difficulty. Taking high doses of a prescription stimulant can lead to irregular heartbeat, seizures, or dangerously high body temperature.

**Steroids**—The major health consequences from abusing anabolic steroids can include liver tumors and cancer, jaundice (yellowish pigmentation of skin, tissues, and body fluids), fluid retention, high blood pressure, increases in LDL (bad cholesterol), and decreases in HDL (good cholesterol). Other side effects include kidney tumors, severe acne, and trembling. As in the case of heroin or any drug abuse via needle injection, people who inject anabolic steroids run the added risk of contracting or transmitting hepatitis, which causes serious damage to the liver, or HIV/AIDS. In addition, there are some gender-specific side effects:

- For guys—shrinking of the testicles, reduced sperm count, infertility, baldness, breast growth, increased risk for prostate cancer.
- For girls—growth of facial hair, male-pattern baldness, changes in or cessation of the menstrual cycle, enlargement of the clitoris, deepened voice.
- For all—growth halted prematurely through premature skeletal maturation and accelerated puberty changes. This means that teens risk remaining short for the remainder of their lives if they take anabolic steroids before the typical adolescent growth spurt.

**Tobacco and Secondhand Smoke**—Smoking harms every organ in the body. Cigarette smoking accounts for about one-third of all cancer deaths, including those from lung cancer. In fact, cigarette smoking has been linked to about 90 percent of all lung cancer cases. Research shows that smoking increases the risk of heart disease. Secondhand smoke exposure causes disease and premature death in children and adults who do not smoke. Children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, and severe asthma. In adults, secondhand smoke causes coronary heart disease and lung cancer. Scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke.



# The Effects of Alcohol

## Immediate Effects of Alcohol

When alcohol is consumed approximately twenty percent of it is rapidly absorbed into the bloodstream and the rest is absorbed while it gets processed through the gastrointestinal tract. Once alcohol enters the bloodstream it can diffuse into almost every biological tissue into the body because cell membranes are highly permeable to alcohol.

When a person consumes more alcohol than their body can efficiently metabolize than the amount of alcohol in their bloodstream becomes elevated. The amount of alcohol in a person's blood stream is referred to as their blood alcohol level. The higher a person's blood alcohol level is the more extreme the effects of alcohol are on a person. How fast a person's blood alcohol level raises and the effects it has on them varies greatly depending on a number of things, including weight, age, gender, body composition, general health, and the presence of other drugs or medications.

## Short term effects

When people begin consuming alcohol they initially may feel increased relaxation, self-confidence, happiness and sociability, but this generally progresses into more negative behaviors. Alcohol consumption leads to slowed reflexes, reduced coordination, impaired thinking, poor judgment, depression, impaired memory, and a decreased ability to control motor functions. Alcohol use has been linked to violent behavior and an increase in unprotected sex among young adults. Alcohol also increases the risk of becoming a victim of sexual assault. Alcohol increases the risk of motor vehicle accidents, suicide, injury, domestic violence and drowning.

## Long term effects

When alcohol is continuously consumed over a period of time it begins to affect the body in many ways. Alcohol consumption increases the risk of many cancers including liver, breast, esophagus, pancreas, mouth, larynx and pharynx. Alcohol use over time can also cause alcohol dependency, better known as alcoholism.

Alcohol dependency is an addictive disorder that is characterized by the inability to control the use or quantity of alcohol consumed, the need to consume increasingly larger amounts of alcohol to achieve the same level of intoxication, and the constant and continuous impulse to consume alcohol. Continued alcohol consumption can affect nearly every part of the body.

### Liver

Excess drinking causes the liver to accumulate fat, known as fatty liver. Fatty liver can lead to inflammation of the liver which is known as hepatitis. A liver that has become clogged with fat can not perform at an efficient level which affects the rest of the body's nutritional health. Excessive drinking can also lead to cirrhosis. Cirrhosis of the liver happens when liver cells become so damaged that they cannot regenerate. Once cirrhosis has occurred if a person does not stop drinking they will experience liver failure which is potentially fatal.

### Breasts

Alcohol consumption raises the risk for breast cancer. Research suggests that even so much as one drink a day may increase of person's risk for breast cancer. Estrogen levels are raised when alcohol is consumed and increased estrogen level is a known risk factor for developing breast cancer.

### Stomach

Alcohol creates irritation and inflammation in the stomach lining which can lead to ulcers and bleeding of the stomach lining. When the stomach lining is severely torn it can lead to anemia.

### Pancreas

Excessive alcohol use is a common cause of pancreatitis. Pancreatitis is the inflammation of the pancreas and it is major risk factor for pancreatic cancer. Heavy drinking also impairs the pancreases ability to produce insulin which can lead to diabetes.

### Heart

Heavy drinking can be very hard on the heart. It causes cardiomyopathy which is the stretching and drooping of heart muscle, myocarditis which is inflammation of the heart muscle andÂ arrhythmia which is irregular heartbeat. When alcohol is consumed it raises blood pressure and blood lipids. This increases the risk of heart attack, hypertension, raised cholesterol and stroke.

### Bones

Excessive drinking can accelerate the rate of bone deterioration and increase the risk for bone fracture and osteoporosis. Calcium is necessary from strong, dense bones and when alcohol is consumed it acts as a diuretic and flushes calcium from the bones making them weaker and more susceptible to fracture.

### Central Nervous System

Alcohol depresses the central nervous system causing many short term effects like slurred speech, blurred vision, weakened muscles, decreased reaction time and impaired memory. When alcohol is consumed excessively it can cause cell damage in the central nervous system creating a condition known as neuropathy. Neuropathy causes alternating feelings of weakness, burning, pain and numbness in the feet and hands.

### References:

- <http://www.webmd.com/cancer/features/faq-alcohol-and-your-health>
- [http://en.wikipedia.org/wiki/Long-term\\_effects\\_of\\_alcohol](http://en.wikipedia.org/wiki/Long-term_effects_of_alcohol)
- <http://www.niaaa.nih.gov/alcohol-health>
- <http://www.drugabuse.gov/drugs-abuse/alcohol>
- [http://alcoholism.about.com/od/health/Effects\\_of\\_Alcohol\\_Health\\_Effects\\_of\\_Alcohol.htm](http://alcoholism.about.com/od/health/Effects_of_Alcohol_Health_Effects_of_Alcohol.htm)
- <http://www2.potsdam.edu/hansondj/AlcoholAndHealth.html>

- See more at: <http://www.quitalcohol.com/the-truth-about-what-alcohol-does-to-your-body.html#sthash.pwvrH1r1.dpuf>

**CONTROLLED SUBSTANCES - USES AND EFFECTS**

Drugs/CSA Schedules	Trade or Other Names	Medical Uses	Dependence		Tolerance	Duration (Hours)	Usual Methods of Administration	Possible Effects	Effects of Overdose	Withdrawal Syndrome
			Physical	Psychological						
<b>NARCOTICS</b> Opium/II, III, V	Dover's Powder, Paregoric, Parepectolin	Analgesic, antidiarrheal	High	High	Yes	3-6	Oral, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine/II, III	Morphine, MS-Contin, Roxanol, Roxanol-SR, Pectoral Syrup	Analgesic, antitussive	High	High	Yes	3-6	Oral, smoked, injected			
Codeine/II, III, V	Tylenol with codeine, Empirin with codeine, Robitussin A-C, Florinal with codeine	Analgesic, antitussive	Moderate	Moderate	Yes	3-6	Oral, injected			
Heroin/I	Diacetylmorphine, Horse, Smack	Under Investigation	High	High	Yes	3-6	Injected, sniffed, smoked			
Hydromorphone/II	Dilaudid	Analgesic	High	High	Yes	3-6	Oral, injected			
Meperidine (Pethidine)/II	Demerol, Mepergan, Pethadol	Analgesic	High	High	Yes	3-6	Oral, injected			
Methadone/II	Dolophine, Methadone, Methadose	Analgesic	High	High	Yes	12-24	Oral, injected			
Other Narcotics/ I, II, III, IV, V	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin*, <b>LAAM,</b> <b>Leritine, Levo-</b> <b>Dromoran</b>	Analgesic, antidiarrheal, antitussive	High-Low	High-Low	Yes	Variable	Oral, injected			
<b>DEPRESSANTS</b> Chloral Hydrate/IV	Noctec, Somnos	Hypnotic	Moderate	Moderate	Possible	5-8	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbiturates/II, III, IV	Amytal, Butisol, Florinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbital, Amobarbital, Phenoxbarbital, Fecodarbital	Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	High Mod.	High Mod.	Yes	1-16	Oral			
(Continued)										

Drugs/ CSA Schedules	Trade or Other Names	Medical Uses	Dependence		Tolerance	Duration (Hours)	Usual Methods of Administration	Possible Effects	Effects of Overdose	Withdrawal Syndrome
			Physical	Psychological						
<b>DEPRESSANTS</b> (Continuation) Benzodiazepines/IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxene, Verstran, Versed, Halcion, Paxipam, Restoril, Azene, Clonopin, Tranxene	Antianxiety, anticonvulsant, sedative, hypnotic	Low	Low	Yes	4-8	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Methaqualone/I	Quaalude, Optimil, Parest, Somnofac, Sopor	Sedative, hypnotic	High	High	Yes	4-8	Oral			
Glutethimide/III	Doriden	Sedative, hypnotic	High	High	Yes	4-8	Oral			
Other Depressants/ III, IV	Equanil, Miltown, Noludar, Placidyl, Valmid	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4-8	Oral			
<b>STIMULANTS</b> Cocaine/II**	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High	Yes	1-2	Sniffed, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamines/II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol, Mediatric	Attention deficit disorders, narcolepsy, weight control, hyperkinesis	Possible	High	Yes	2-4	Oral, injected			
Phenmetrazine/II	Preludin	Weight control	Possible	High	Yes	2-4	Oral, injected			
Methylphenidate/II	Ritalin	Attention deficit disorders, narcolepsy	Possible	Moderate	Yes	2-4	Oral, injected			
Other Stimulants/ III, IV	Adipex, Cylert, Didrex, Ionamin, Melfiat, Plegine, Sanorex, Tenuate, Tepanil, Pre- 2, Bacarate, Presate, Voramil	Weight control	Possible	High	Yes	2-4	Oral, injected			

Drugs/ CSA Schedules	Trade or Other Names	Medical Uses	Dependence		Tolerance	Duration (Hours)	Usual Methods of Administration	Possible Effects	Effects of Overdose	Withdrawal Syndrome
			Physical	Psychological						
<b>HALLUCINOGENS</b> LSD/I	Acid, Microdot, Green/Red Dragon	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, poor perception of time and distance, depression, violent behavior, anxiety; Large doses could result in convulsions, heart and lung failure	Longer and more intense "trip" episodes, psychosis, possible death	Withdrawal syndrome not reported
Mescaline & Peyote/I	Mexc, Buttons, Cactus, Mesc, Mex, Mexo	None	None	Unknown	Yes	8-12	Oral			
Amphetamine Variants/I	2.5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected			
Phencyclidine/II	PCP, Angel Dust, Hog, Love Boat	Vet Anesthetic	Unknown	High	Yes	Days	Smoked, oral, injected			
Phencyclidine Analogues/I	PCE, PCPy, TCP	None	Unknown	High	Yes	Days	Smoked, oral, injected			
Other Hallucinogens/I	Bufotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	None	Unknown	Possible	Variable	Smoked, oral, injected, sniffed			
<b>CANNABIS</b> Marijuana/I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	Under Investigation	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disoriented behavior	Fatigue, paranoia, possible psychosis	Insomnia, hyperactivity, and decreased appetite occasionally reported
Tetrahydrocannabinol/ I, II	THC, Marinol	Cancer chemotherapy, antinauseant, anesthetic	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashish/I	Hash	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashish Oil/I	Hash Oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
<b>ALCOHOL</b> Ethyl, Alcohol, Ethanol		None	Possible	Possible		1-4	Oral	Intoxication, sensory alteration, Anxiety reduction	Staggering, odor of alcohol on breath, loss of coordination, slurred speech, dilated pupils, nerve and liver damage	Sweating, tremors, altered perception, psychosis, fear, auditory hallucinations

## Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p><b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances		<p><b>First Offense:</b> Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		<p><b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount Of All Schedule V Drugs		<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

**Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances**

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	<p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)  1 to 49 marijuana plants</p>	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	