



CAMPUS CRIME REPORT AND POLICIES
FOR
STUDENTS AND EMPLOYEES

2016-17 Annual Security Report

Initial Crime and Emergencies Report, 2016-17
Crime-Related Policies and Report Data for Years 2013-2015 for
Fountainhead College of Technology,
3203 Tazewell Pike,
Knoxville, Tennessee 37918

Issued by Casey Rackley
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865-688-9422

Report located at:
www.ecampus.fountainheadcollege.edu,
FCT Business Office

Contents

Introduction.....	3
I. Policies Regarding Security, Safety, Access, and Maintenance	3
II. Policies and Procedures for Crime Reporting and Clery Act Reporting	4
Crime Awareness.....	4
Alleged Sex Offenses, including rape, acquaintance rape, or other forcible or nonforcible sex offenses ..	4
Crime Emergencies	5
Crime Non-emergencies	5
Crime Incident Report File.....	5
Clery Act Reporting.....	5
Hate Crimes.....	6
III. Fountainhead College Policies Regarding Law Enforcement	7
Obeying Laws	7
Security Vigilance	7
Privacy and Rights; Disciplinary Procedures and Sanctions	7
IV. Awareness and Training Resources Regarding Crime	8
V. Policy Regarding Drug-Free Campus and Workplace	9
Drug Prevention.....	9
Drug Prevention Program of A Drug-Free Campus and Workplace.....	9
Possible criminal penalties for violations related to drugs and alcohol.....	10
Federal.....	10
VI. Policy Regarding Emergency Response and Evacuations.....	11
VII. Awareness and Training Resources Regarding Sexual Crimes and Sexual Harassment.....	12
Title IX.....	12
VIII. Fountainhead College Crime Report (Data) for 2012-2014.....	13
IX. ITT Institute Crime Report for 2012-2014.....	14
X. Distribution of Additional Crime and Emergency Reporting Policies and Data.....	15
XI. Emergency Responses (Crime, Fire, Weather, etc.)	16
Crime Emergency, immediately.....	16
Evacuation Emergency (Fire, Bomb Threat, Inhalant, Earthquake, Etc.).....	16
Indoor Sheltering Emergency (Weather, Crime, Etc.)	16

Introduction

Fountainhead College of Technology is required by the United States Clery Act to disclose in a timely manner to students and employees recent crime statistics and its crime-related policies. The Clery Act is incorporated into the U.S. Code as Title 20, Chapter 28, Subchapter IV, Part F-1, Paragraph (§) 1092.

Crime report data is located in the final section of this document.

I. Policies Regarding Security, Safety, Access, and Maintenance

- A. The Fountainhead College building on Tazewell Pike is locked whenever classes are not in session or the college is not open for business. Doors are open Mondays-Thursdays, 7:30 AM to 9:30 PM; Fridays, 7:30 AM to 4:00 PM; and occasional Saturdays by appointment. The main telephone number is: 865-688-9422.
- B. Security of the staff area(s) of Fountainhead College is controlled by passcode access.
- C. Fountainhead College maintains emergency procedures for evacuation in the event of fire or other interior threat and for sheltering indoors in the event of serious wind storms or other external threat. Procedures and maps are posted in classrooms and a variety of other locations.
- D. Anyone who becomes aware of an emergency safety or security threat, regardless of source or cause, should report it immediately for the safety and security of all others. For how to report, see Section II, "Fountainhead College Policies and Procedures for Crime Reporting and Clery Act Reporting" below.
- E. Fountainhead College management intends and works to maintain the building and grounds in a safe and secure state. If a student or employee finds anything that seems to counter that intention, please report it to management promptly. Students may do this via their instructor, if preferred. Instructors should pass student-reported concerns to management in a timely manner.
- F. Campus Security Authorities include:
Casey C. Rackley, Fran Clemmons and Richard Rackley

II. Policies and Procedures for Crime Reporting and Clery Act Reporting

Crime Awareness

The law requires that the college provide applicants, students and employees with data pertaining to campus security and the incidence of campus crime. Applicants will be given this information during the enrollment process. This data may be requested from the main office during regular business hours. Campus policy regarding procedures for students to report criminal acts or other emergencies occurring on campus is as follows: If there is an emergency, dial 911 from the closest telephone. After calling 911, or to report any other crime, immediately go to the reception area and report to the director or any other school official available. The college will report the incident to the proper authorities. If the student prefers, he or she may contact the authorities independently, or a staff member of the college can assist the student in notifying these authorities.

It is vitally important that any and all crime be reported either to the school or the local police department. The security of individuals and property is of utmost importance to the college. The identity of the victim will be kept strictly confidential, and the alleged perpetrator will be given the opportunity to defend him/herself.

Alleged Sex Offenses, including rape, acquaintance rape, or other forcible or nonforcible sex offenses

The accuser and the accused are entitled to equal opportunities to have others present during a disciplinary proceeding. Both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. This does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). The outcome of a disciplinary proceeding means only the college's final determinations with respect to the alleged sex offense and any sanction that is imposed against the accused.

Sanctions may include, but are not limited to:

- Dismissal from the college
- Proof of psychological counseling
- Proof of compliance with all mandated judicial sentencing requirements

For sexual assault prevention information, call 800-656-4673. The college will aid in the prevention of similar crimes.

The college will also report in a timely manner to the campus community on crimes that include: murder; negligent manslaughter; non-negligent manslaughter; rape and sex offenses either forcible or non-forcible; robbery; aggravated assault; burglary; motor-vehicle theft; arson; offenses that manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, or disability as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534); and offenses that are considered by the college to represent a threat to students and/or employees. The Campus Crime Log is open for inspection, by appointment, during regular business hours.

Crime Emergencies

1. Call 911 -- to report to authorities.
2. Notify Fountainhead College Senior Management immediately.
3. If appropriate, employee phones can page all employees at once with the number "460".
4. Students, if no employee is available, notify management yourself.

Crime Non-emergencies

1. Report crime to the Campus Director or senior manager present on campus.
2. An instructor should accompany a student to make the report if either prefers such.
3. A student or employee may report a crime independently to authorities, if preferred.
4. Evidence of a crime should be preserved.
5. Fountainhead College management will report crimes to the authorities.

Crime Incident Report File

The Campus Director will maintain a confidential file of crime incident reports, should any occur, to be written by same or designee shortly after a crime emergency incident occurs or any crime is reported by personnel. The report should include: date reported; date and time, nature of, and general location of the crime; name(s) of person(s) reporting the incident and those victimized, aggrieved, or injured; and disposition of the incident. In the event of an emergency incident, the log and filed report should contain the name and signature of the manager in charge of leading the College's emergency response, the name of the leading officer of a responding emergency service (e.g., police, fire), and, in the event of an extended incident, a timeline-oriented description of the significant component events.

Clery Act Reporting

The following crimes are required by law to be reported to the U. S. Secretary of Education: (1) criminal homicide (murder and non-negligent manslaughter); (2) negligent manslaughter; (3 - 4) sex offences, forcible and non-forcible (Rape, Fondling, Incest, Statutory rape); (5) robbery; (6) aggravated assault; (7) burglary; (8) arson; (9) motor vehicle theft; (10 - 12) arrest for liquor law, drug-related, or weapons possession violations; and (13-15) disciplinary referrals for liquor law, drug-related, or weapons possession violations. Should any of these crimes occur, Fountainhead College will report these as prescribed by law.

Hate Crimes

The Clery Act also mandates reporting whether victims of the above-named crimes *or of intimidation* were singled out because of actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, or disability. Including Larceny-theft, Simple assault, Destruction/damage/vandalism of property, Dating violence, domestic violence, and stalking. (Reference also the Hate Crimes Statistics Act, 28 USC 534.) Should any hate crime occur, Fountainhead College will report these as prescribed by law.

III. Fountainhead College Policies Regarding Law Enforcement

Obeying Laws

Fountainhead College expects students and employees to obey all laws at all times. College policies regarding alcohol and illegal drugs are detailed in the Fountainhead College Academic Catalog.

Security Vigilance

It is incumbent on all employees and students to be alert to and report any obvious or suspected crime or unattended, suspicious object.

Privacy and Rights; Disciplinary Procedures and Sanctions

Items listed below are in agreement with FERPA, the Family Educational Rights and Privacy Act (20 USC 1232g).

1. The identity of a victim shall be kept strictly confidential. Protective measures or accommodations provided to the victim shall be kept confidential whenever possible.
2. A victim of an alleged sexual offense may be given a class schedule change, if possible.
3. An alleged perpetrator will be given the opportunity to defend him/herself.
4. Both accuser and accused may have others present during a disciplinary proceeding.
5. Both accuser and accused shall be simultaneously informed of the outcome of a disciplinary proceeding in writing.
6. Fountainhead College sanctions may include: dismissal from the College, proof of psychological counseling before continued enrollment, and proof of compliance with all judicially mandated sentencing requirements.
7. Fountainhead College reserves the right to institute disciplinary proceedings for offenses other than those described by the Clery Act if they are deemed a threat to students and employees.
8. Safe and positive options for bystander intervention include: either notifying Campus Security Authorities privately or stepping away from the incident briefly to call the police depending on the severity of the situation.

IV. Awareness and Training Resources Regarding Crime

- A. This document will be updated annually and made available to students and employees. It will be provided to new enrollees and, upon request, to prospective students. All personnel shall be made aware of the policies described in this document as well as related policy information contained in the College Academic Catalog.
- B. A page of resources for awareness training pertaining to crimes reportable under the Clery Act, as well as those under anti-discrimination laws, will be available online to students and employees.

V. Policy Regarding Drug-Free Campus and Workplace

Drug Prevention

Federal laws require the college to provide students and employees with information pertaining to efforts to maintain a drug-free workplace and school. Additionally, the college is a tobacco-free facility. An outdoor smoking area is provided behind the school.

Drug Prevention Program of A Drug-Free Campus and Workplace

Includes: Minimum Sanctions

1. Students and employees are made aware that the “Rules of Conduct” of Fountainhead College of Technology clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on the college’s property or as part of any of the college’s activities.
2. Students and employees will receive a description of the applicable legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol. 34 CFR Section 86.100 a (2) Appendix A.
3. Students and employees will receive a description of the health risks associated with the use of illicit drugs and the abuse of alcohol. 34 CFR Section 86.100 a (3) Appendix B.
4. In the event that a student or employee needs drug and/or alcohol counseling, treatment, or rehabilitation or reentry programs, he or she should call the toll-free number for The National Institute on Drug Abuse Hotline (800-662-HELP), to be directed to treatment centers in his or her local community.
5. The student understands the college will impose disciplinary sanctions on students and employees who are found to be in violation, or charged with being in violation, of the college’s Rules of Conduct as pertaining to the college’s determination to maintain a drug-free school and workplace.

Sanctions imposed, except for minimums, will be at the discretion of the college and will be determined by a committee made up of the Campus Director and/or staff members designated by the Campus Director. Sanctions imposed, except for minimums may be probation, leave of absence, termination, required attendance of rehabilitation program, or referral for prosecution. Circumstances surrounding an offense may be considered.

- **FCT minimum sanctions for trafficking of illicit drugs on campus:**

Termination from the school and referral to the appropriate authorities for prosecution.

- **FCT minimum sanction for the illegal possession and/or consumption of a controlled substance or alcohol on campus:**

Termination until a school-approved rehabilitation program is satisfactorily completed, at the expense of the violator.

All personnel (students and employees) understand that the college has the right and obligation to question students and staff members concerning behavior that could indicate being under the influence of controlled substances or alcohol, and that the student or employee may experience

sanctions at the discretion of the college. Further, all personnel understands if the college becomes suspicious that a student or staff member is trafficking illicit drugs on campus, is in possession of or is consuming controlled substances and/or alcohol on campus, proper law enforcement officials will be notified.

Possible criminal penalties for violations related to drugs and alcohol

Students or employees found in violations of the drug and/or alcohol offenses may also be subject to the following criminal penalties:

Federal

Federal fines and penalties can vary dependent upon the infraction. For simple possession fines of up to \$1000 dollars can be imposed in addition to incarceration for up to a year. More severe violations could result in fines up to \$50 million and life imprisonment. Violations can also include loss of federal aid eligibility for a period of up to a year through five years dependent upon the type of violation. Subsequent convictions can result in the permanent loss of federal benefit eligibility. The full details of the possible criminal penalties can be found in the Chapter 13 of the Federal Controlled Substance Act which can be found at <http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html> . A full chart of trafficking offenses and penalties can be viewed at http://www.dea.gov/druginfo/ftp_chart1.pdf .

State

Laws governing how alcohol and drug offenses vary from state-to-state and the laws of where the violation occurred would be applied.

VI. Policy Regarding Emergency Response and Evacuations

In the event of a campus emergency or dangerous situation that involves an immediate threat to the health and/or safety of students and/or employees, the school will notify the campus community via text, emergency alarms, and/or personal notification.

1. Prior to notification, school personnel will confirm the threat via:
 - Personal reports
 - Media reports
 - Weather reports
 - Contact with appropriate law enforcement or safety authorities
 - Any other means necessary
2. The school will without delay and taking into account the safety of the community and will issue notification unless it will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or other mitigate the emergency.
3. Decisions regarding notification and implementation will be made by the CEO, President or Campus Director. In the absence of these administrators, decisions will be made by department directors. In the absence of these administrators, decisions will be made by supervisors, senior staff or appropriately qualified personnel.
4. Tests of the schools emergency response procedures will occur at least annually and may be either announced or unannounced.

Results:

In the fall semester of 2016, we conducted 3 announced fire drills. The first was practiced during an October company meeting with the college personnel. Results were used to enhance procedures in preparation for upcoming college-wide drills. November 3rd, 2016, we conducted 2 fire drills, at 9:45am and again at 6pm. Two more drills were conducted and both resulted in everyone getting out of the building in under 2 minutes.

VII. Awareness and Training Resources Regarding Sexual Crimes and Sexual Harassment

1. The Fountainhead College Academic Catalog, Rules and Policy Section provides detailed policies regarding student conduct, and it expressly prohibits any abusive conduct, including physical abuse or threat of abuse. Fountainhead College of Technology prohibits crimes of dating violence, domestic violence, sexual assault, and stalking. This includes sexual abuse and/or harassment of any kind, broadly referred to herein as “sexual misconduct.”
2. If students or employees are victims of any sexual misconduct, they should first ensure their safety by removing themselves from the threatening environment. Next, they should report the misconduct to appropriate authorities (as outlined in Section II of this report). Privacy rights as outlined in Section II apply to all sexual misconduct reports. If students or employees do not feel comfortable notifying law enforcement, they may seek assistance from Fountainhead College Senior Management to assist them or they may decline to notify law enforcement.
3. For sexual assault assistance, contact the East Tennessee Sexual Assault Crisis Line at **865-522-7273** or the website at sacetn.org. The National Sexual Assault Hotline, 800-656-4673, refers back to the nearest assault center. For news, programs, events, and more, see the Rape, Abuse, & Incest National Network website: rainn.org.
4. The Tennessee Sex Offender Registry is located at:
http://www.tbi.tn.gov/sex_ofender_reg/sex_ofender_reg.shtml

Title IX

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities (hereinafter “schools”) receiving any Federal funds must comply with Title IX. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion.

Fountainhead College of Technology does not discriminate on the basis of sex in its education programs and activities. Inquiries concerning Title IX may be referred to the school’s **Title IX coordinator, Fran Clemmons at 865-688-9422.**

VIII. Fountainhead College Crime Report (Data) for 2013-2015

Fountainhead College is located at 3203 Tazewell Pike and formerly at 10208 Technology Drive, both in Knoxville. The below data pertains to the Tazewell Pike location and the Technology Drive locations. Future reports will address both locations, as long as legally required. Moreover, this report covers crimes that might have been committed on public property (streets) adjacent to Fountainhead College. These locations are considered the school's Clery geography.

NONE of the following crimes were reported to Fountainhead College management or law enforcement: (1) Criminal homicide (murder and non-negligent manslaughter); (2) negligent manslaughter; (3 - 4) Sex offences, forcible and non-forcible; (5) robbery; (6) aggravated assault; (7) burglary; (8) arson; (9) motor vehicle theft; (10 - 12) arrest for liquor law, drug-related violations, or weapons possession.

NONE of the following behaviors were referred to management for disciplinary action: (1) liquor law or (2) drug-related violations or (3) weapons possession.

NO hate crimes were reported. Hate crime is described by the existence of a victim of a crime *or of intimidation* who was singled out because of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

Should any of the crimes or disciplinary referrals listed in the Clery Act occur in the future: (a) the existence and nature of the crime will be reported to all personnel in a timely fashion; and (b) when the report section of this document is updated for the following year, it will list the specific type of crime(s) that occurred with the number of times each occurred.

Students and employees can review the school's crime reporting data: online at <http://ecampus.fountainheadcollege.edu> click on Annual Campus Security Report or by appointment with the person who maintains the file - Campus Director, Casey Rackley: 865-688-9422.

IX. Crime Report for 2013-2015

Fountainhead College was located at 10208 Technology Drive until October 2015.

NONE of the following crimes were reported to management: (1) Criminal homicide (murder and non-negligent manslaughter); (2) negligent manslaughter; (3 - 4) Sex offences, forcible and non-forcible; (5) robbery; (6) aggravated assault; (7) burglary; (8) arson; (9) motor vehicle theft; (10 - 12) arrest for liquor law, drug-related violations, or weapons possession.

NONE of the following behaviors were referred to management for disciplinary action: (1) liquor law or (2) drug-related violations or (3) weapons possession.

NO hate crimes were reported. Hate crime is described by the existence of a victim of a crime *or of intimidation* who was singled out because of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

X. Distribution of Additional Crime and Emergency Reporting Policies and Data

Fountainhead College of Technology conducts ongoing review and development of safety, regulatory and crime information, policies and procedures. Supplemental report information will be developed and distributed on an ongoing basis.

The institution will provide written notification to employees and students about existing counseling, health, mental health, victim advocacy; legal assistance, visa and immigration assistance, student financial aid and other institutional and community services.

XI. Emergency Responses (Crime, Fire, Weather, etc.)

Crime Emergency, immediately

1. Call 911
2. Notify Senior Management (or designated Incident Emergency Manager or Shift Emergency Manager on site. Employees may use the universal page on the house phone.

Evacuation Emergency (Fire, Bomb Threat, Inhalant, Earthquake, Etc.)

1. Call 911
2. Evacuate according to the planned procedure and maps
3. Notify Senior Management (Incident Emergency Manager or Shift Emergency Manager) on site.
4. Notify neighbors in building during evacuation. Employees may use the universal page on the house phone.
5. Gather at designated Assembly Point in the picnic area behind the two parking lots.
6. Report any injuries to designated Incident Emergency Manager (IEM).
7. Account for all personnel. Fill in report form.
8. All personnel remain at Assembly Point until given permission to leave by the IEM.

Assembly Point
(v)



Indoor Sheltering Emergency (Weather, Crime, Etc.)

1. Walk into the auditorium or the closest hallway without windows
2. In case of self-initiated sheltering, communicate emergency to management and neighbors. Employees may also use the universal page on the house phone.
3. When inside sheltering room:
 - a. Shut and possibly barricade the door. Stay back from window.
 - b. If storm strikes, get low (on floor) and protect your head.
 - c. If crime event, consider turning out the light and sheltering behind furniture.
4. Account for personnel.
5. Remain in shelter room until given the all-clear by the designated Incident Emergency Manager.

