

# PENTECOSTAL THEOLOGICAL SEMINARY



## *2024 Annual Security & Fire Safety Report*

In accordance with the Jeanne Clery Act and the Violence Against Women Act (VAWA)



## **Mission and Purpose**

Pentecostal Theological Seminary takes campus security very seriously and is committed to the security of all faculty, staff, students and visitors. Maintaining a safe and secure campus requires a close working relationship between all members of the PTS community as well as the Cleveland Police Department and all local emergency services. PTS continues to review and improve our Campus Safety Program.

PTS thrives for excellence; and with the participation of all employees and campus students being proactive in the timely reporting of all violations to resolve any crime committed on or off campus, will achieve this goal. All misconducts will be managed according to procedures outlined in this document and will follow the federally established Violence Against Women Act (VAWA) and Campus Save Act (SAVE) that prohibits discrimination and sexual misconduct.

## **Annual Security Report**

The annual security report must be distributed by October 1 of each year and made available to all current students, employees and prospective students of the institution. This report is published in order to inform the Seminary community of the proper procedures that every individual must take in crime prevention and crime reporting. This report contains information on safety, security policies, procedures, safety programs and available resources. Statistical crime data as well as fire safety information for all Seminary owned housing are also provided. This report conforms to the Jeanne Clery Act of 1998 including the recently adopted Violence Against Women Reauthorization Act of 2013.

## **Clery Act**

Under the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), postsecondary schools are required to disclose certain information that serves as Students', Employees', and Prospective Students' Right-to-Know information related to safety and security considerations. As part of this information, crime statistics are compiled for on campus, off campus and on public property within and immediately adjacent to school-owned buildings and property. Along with this information, the Clery Act also mandates additional information to be provided that not only informs students of crimes committed, but also the procedures to address crimes on campus, education on preventing becoming a victim, reporting procedures, emergency response procedures and fire safety information. This report also includes specific information found in the Violence Against Women Act (VAWA)

The VAWA amended the Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, and stalking. These rights include things such as having availability to precise procedures from the institution for victims should things such as a sexual assault, domestic violence, dating violence, or stalking ever occur. The act also mandates systems that include specific levels of confidentiality for the victim, disciplinary action towards an offender, and a program by the institution that helps with these such as awareness, bystander intervention, and other ongoing prevention and awareness campaigns.

Therefore, the Pentecostal Theological Seminary annually requests crime and fire safety statistics from local law-enforcement that include the Cleveland Police Department and Bradley County Sheriff's Office. The crime statistics PTS requests include the following that may have occurred on PTS campus, or on public property within or immediately adjacent to PTS property as defined by Tennessee Code Annotated:

- Murder/Non-negligent Manslaughter
- Manslaughter by Negligence
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Burglary
- Aggravated Assault
- Motor Vehicle Theft
- Arson

PTS then requests statistics related to Hate Crimes that includes incidents related to Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were classified as Hate Crimes and asks the category of bias for each Hate Crime according to the eight categories for which we are required to report: Race, Religion, Sexual Orientation, Gender, Gender Identity, Disability, Ethnicity, and National Origin.

PTS requests statistics related to the following:

- Liquor Law Violations
- Drug Abuse Violations
- Weapons: Carrying, Possessing, Etc.

Lastly, PTS requests from local law-enforcement statistics for all incidents of Domestic Violence, Dating Violence, and Stalking in accordance with the Violence Against Women Act of 1994.

### **Campus Security Personnel**

PTS does not maintain a designated Campus Police or Security Department; instead, the school relies solely on the Cleveland Police Department and Bradley County Sheriff's Office to make arrests or investigate any criminal activity. PTS will report to and cooperate with local, state and federal law enforcement in the event their intervention becomes necessary in matters related to the safety of the PTS community. The Director of Facilities and Support Services oversees matters related to the Seminary Safety and Security. The only exception to this is the Lee University Squires Library. PTS and Lee University have a joint agreement for this library. If a PTS student needs to report an incident at this location, they may contact Lee Campus Security at 423-303-4444. However, in the event of a life threatening or serious incident individuals should always dial 911 instead.

## Reporting a Crime

If you are a victim or witness any on-campus criminal activity, dial the Cleveland Police Department Dispatch at 423-559-3311. In the event of any life-threatening situation, immediately dial 911.

In addition, students are encouraged to report any incident or any suspicious activity or concerns to the Seminary Director of Facilities and Support Services by calling at 423-478-7993. Employees are required to report any serious incident that could interfere with the safety of those on campus or the community. Immediate reporting of serious incidents by all students, faculty, and other employees helps ensure the safety of all individuals on campus and its community. Individuals may request that their reporting of an incident remains confidential; individuals may also report anonymously but should understand that such action could hinder law-enforcement and the school's ability to take proper measures to effectively address the issue(s)/ concern(s) reported.

Crimes and information regarding criminal activities can also be reported to Seminary officials designated by the Clery Act as Campus Security Authorities (CSAs). CSAs, also known as Clery Reporters, fall into four categories:

- A department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

CSAs are critical in assisting the Seminary in creating a safer campus community through reporting a crime that is disclosed to them/their staff and providing effective support and referrals to aid in the healing and retention of student victims of crime.

CSAs are mandated under the Clery Act to report the following crimes to the Director of Facilities and safety and the Title IX Coordinator (if applicable): Criminal homicide, manslaughter, sexual assault (forcible and non- forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse, weapons violations, and hate crimes.

A CSA does not need to determine whether or not a crime actually occurred on the campus to report it, all crimes should be immediately reported, regardless of where they took place. If an individual reporting an incident needs assistance, a CSA should explain how to get help. The CSA should always advise a victim that help is available even if he or she does not want an

investigation conducted. In case of an emergency such as a physical assault, however, the CSA should contact the Cleveland City Police, the Director of Facilities and Safety, and/or call 911, as appropriate. If a victim doesn't want the report to go any further than the CSA, the CSA should explain that he or she is still required to report the incident for statistical purposes, but it can be reported without identifying the victim.

### **Pastoral Privilege**

Many victims of a crime may not desire to pursue criminal and legal action through the Criminal Justice System. For this reason, Pastoral and Professional Counselors offer an avenue to receive assistance after the fact and assist in the emotional and spiritual needs of an individual after an incident. Often, they can also act as liaison for other support services that an individual may wish to utilize after a crime has been committed. With the permission of the counselee, Pastoral and Professional Counselors may file a report with the school and/or local law-enforcement and still keep the individual's identity information confidential. This helps ensure accurate reporting of incident(s) that occur at PTS, as well as, ensures that information is disseminated to the proper personnel that can help prevent further criminal actions from occurring against not only the individual but the rest of the PTS community, students, and employees in the future. The Clery Act defines a pastoral counselor as follows:

*An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.*

By its nature as a Seminary, PTS employs primarily Pastors and other Ecclesiastical members that would seem to be covered under such a privilege as well as Professional Counselors that teach in many of the programs offered by PTS. It is important to recognize that Professional and Pastoral counselors under such confidentiality agreement can only be those members who are acting in that specific role to the student or other individual at the time. Just because an individual is ecclesiastically recognized, or a Professional Counselor does not entitle them to use such privilege when not acting in such an official manner for and understood by the student.

However, in either case, Professional and Pastoral Counselors are still both encouraged to report information they learn in a way that can be used for Statistical Data in Clery Reporting while still not interfering with their duties in keeping with confidentiality requirements; this information can be reported to the Director of Facilities and Support Services, Caleb Hawkins, 423-478-7993. PTS strongly encourages pastoral counselors to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

### **Emergency Response**

As PTS does not maintain a Campus Police Force or Security Department, the institution works in conjunction with the local law enforcement agencies who are designated as the first responders to the all emergencies on campus. Once officers arrive on-scene they will make a determination if an

incident poses an immediate threat or danger to the PTS community. The authority to declare a campus emergency resides with the Seminary President or his designee and/or local law enforcement.

### **Timely Warning**

In the event that a situation arises, either on or off campus, that, in the judgement of the Director of Facilities and Support Services, in conjunction with the appropriate administrative personnel and law enforcement personnel, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued.

The warning will be issued through the Seminary email system to students, faculty, and staff. When reasonably necessary and appropriate, communications will be sent via the PTS phone system. Each office and class room on PTS campus has a phone installed. The Seminary will also disseminate this information by text message to everyone who has registered for this feature in Populi. The system will deliver a pre-designed message to all registered devices via emails, phone calls and text messages. (All activation procedures are confidential due to their sensitive nature.) These messages are pre-approved by Seminary officials in references to immediate activation for tornados, shootings, and bomb threats. Updates to these situations will be distributed as information becomes available for the security of the community.

### **Crime Logs**

The Seminary maintains a Public Crime Log and a Fire Log in the Facilities and Support Services Office located at 900 Walker Street NE, Cleveland, TN 37311. These logs are continuously updated and are available for inspection during normal Seminary business hours.

### **Missing Student Notification and Procedures**

#### Overview

The purpose of this policy is to establish policies and procedures, in compliance with *Higher Education Act of 2008*, for the Pentecostal Theological Seminary community regarding the reporting, investigation, and required emergency notification of any residential student of the Seminary who, based on the facts and circumstances known to the Seminary, has been determined to be missing for 24 hours or more.

This policy only applies to residential students. For the purpose of this policy, a residential student is a currently enrolled student who resides in Seminary-owned, on- campus student housing under a housing contract. All reports on students suspected to be missing for 24 hours or more should be directed to the Director of Facilities and Support Service at 423-478-7993 or to the Director of Student Service at 423-478-7250.

It is the responsibility of all members of the academic community, including students, faculty, and staff, to report to the Department of Facilities and Support Services when they believe that a student is missing. Notification of this policy will be made directly to all students residing in on-campus housing

annually and be available in conjunction with the “Annual Security and Fire Safety Report” that provides information in compliance with the Clery Act.

### Identification of Emergency Contacts

All Seminary students applying for on-campus housing will have the option, in addition to providing an emergency contact, of identifying one or more individuals to be contacted by the Seminary within 24 hours of a determination that the student is missing in accordance with this policy. The missing person contact information will be registered confidentially, and will not be disclosed externally except to authorized campus officials, including Seminary police, and law enforcement agencies in furtherance of a missing person investigation.

If a residential student is under 18 years of age and not an emancipated minor, the Seminary is required to notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any other contact person designated by the student.

All missing person contact information will be maintained by the Facilities and Support Services Department. Students can submit revised missing person contact information at any time by notifying the Facilities and Support Services Office at [chawkins@ptseminary.edu](mailto:chawkins@ptseminary.edu) or 423-478-7993.

### Procedures for Reporting Missing Students

Students, employees, staff, or any other members of the Seminary community who have reason to believe that a residential student is missing should immediately notify the Director of Facilities and Support Services who will generate a missing person report and initiate an investigation. Individuals may report a residential student missing at any time; there is no requirement for the individual to wait until he or she believes the residential student has been missing for 24 hours.

### Investigating a Missing Student Report

Upon receipt of a report of a possible missing residential student, PTS will immediately initiate a missing person investigation. A residential student is determined to be missing when the Seminary personnel have verified that the reported information is credible and the circumstances warrant declaring the student missing.

Should the Seminary officials determine that a residential student has been missing for 24 hours or more, the Director of Facilities and Support Services will notify the Director of Student Services and also verify the student’s appropriate missing person contact information. The Seminary will then notify the following individuals no later than 24 hours after the student is determined to be missing:

- If the student is 18 years or older, the Seminary will notify the student’s missing person contact, if one has been provided, and the Cleveland Police Department or other appropriate law enforcement agencies.

- If the student is under 18 years old and emancipated, the Seminary will notify the student's missing person contact, if one has been provided, and the Cleveland Police Department or other appropriate law enforcement agencies.
- If the student is under 18 years of age and not emancipated, the Seminary will notify the student's custodial parent or guardian and any other designated contact person, as well as the Cleveland Police Department or other appropriate law enforcement agencies.

If the student is not a residential student, the Director for Facilities and Support Services will make a determination if additional action is needed.

Nothing in this policy restricts the Seminary from making notifications earlier than noted above if deemed appropriate under the circumstances. Nothing in this policy restricts the Seminary from contacting other individuals if deemed necessary to prevent harm to a student or others, necessary to the investigation, or otherwise appropriate under the circumstances.

Regardless of whether the student who has identified a missing person contact is above the age of 18, or is an emancipated minor, the Department of Facilities and Support Services will inform the Cleveland Police Department or other appropriate law enforcement agencies within 24 hours of the determination that the student is missing. The law enforcement agency, however, will not be notified if the law enforcement agency was the entity that made the determination that the student was missing.

The determination of whether a student is emancipated will be based on the information available at the time the contact is required.

### **Security of and Access to Seminary Facilities**

PTS campus is open during normal business hours to students, parents, employees, contractors, guests, and invitees. The Seminary has an electronic key card system that limits access to the main campus. During normal business hours, the campus will be secured with access available to be granted by staff monitoring the call box by the respective doors or those with approved access devices. During non-business hours, access to all Seminary facilities is by key card, if issued, or by admittance via the Facilities and Support Services Department. For more information related to key card access, please contact the receptionist in the Gause Administrative Building or contact the Director of Student Services.

In the case of periods of extended closing, PTS will admit only those with prior written approval to any facility. Over extended breaks, the doors of all buildings will be secured around the clock. Emergencies may necessitate changes or alterations to any posted schedules.

Access to residential apartments is limited to the residents of the buildings, their guests, and authorized PTS personnel who are performing the assigned duties of their position. Keys to residential apartments and homes are issued only to the above parties, and campus residents are



urged to lock their doors even when they are home. Residence keys are produced and issued only by the Facilities Department. Under no circumstances are residents or Seminary staff members permitted to have keys duplicated or produced by a hardware store, locksmith, or other outside vendor. All Seminary personnel are expected to announce themselves prior to entering any residence area. When non-Seminary personnel, outside contractors for example, are scheduled to work in a campus residence, the resident will be given prior notification to expect the non-Seminary worker.

### **Policy for Illegal Drug Use**

The use, possession, or distribution of any type of illegal drug, alcohol, or tobacco product by faculty, staff, and students are strictly prohibited on and off site of the Pentecostal Theological Seminary. In accordance with the Word of God and the tenets of our church, we acknowledge that we represent Christ in and out of the Seminary.

Any student, staff, or faculty member found in serious violation of the above policy will be held to the required local, state, and federal laws. Individuals who commit lesser violations that are not classified as illegal but are not in accordance to the Word of God will also be required to appear before a disciplinary committee to determine what action will be taken by the Pentecostal Theological Seminary. Sanctions imposed by the Seminary may include a warning and/or expulsion/termination or referral for help with substance abuse. Any action taken by the Seminary will be inclusive of those required by local, state, and federal law.

It is unlawful for any person to operate or be in physical control of a motor vehicle on streets, alleys, public roads or highways in the state of Tennessee while under the influence of alcohol, illicit or medically approved drug that impair judgement or produces a stimulating effect on the nervous system. It is required that our employees report, in writing, within five calendar days of any criminal drug statute convictions while employed at the Pentecostal Theological Seminary to the Office of the President in accordance with the *Drug Free Schools and Communities Act of 1989*. The President, or an individual designated by the President, will report to the Department of Education and other appropriate local, state and federal authorities deemed by law. Any student who is in violation of the above policy will appear before a disciplinary committee regardless of the type of criminal conduct or violation of school policy. This committee will decide the appropriate action to be taken, which may include, but is not limited to, termination of the student's status as a student at PTS. For some violations such as certain drug offenses a referral to an appropriate substance abuse program.

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance during a period of enrollment for which the student was receiving financial aid shall not be eligible to receive any federal or institutional grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving:

<b>Possession of a Controlled Substance</b>	<b>Ineligibility Period</b>
1 <sup>st</sup> Offense	1 Years
2 <sup>nd</sup> Offense	2 Years
3 <sup>rd</sup> Offense	Indefinite
<b>Sale of a Controlled Substance</b>	<b>Ineligibility Period</b>
1 <sup>st</sup> Offense	2 Years
2 <sup>nd</sup> Offense	Indefinite

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

- The student satisfactorily completes a drug rehabilitation program that complies with the criteria prescribed in the federal regulations.
- The student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with the criteria prescribed in the federal regulations
- The conviction is reversed, set aside, or otherwise rendered nugatory.

Not only are there legal consequences and penalties related to financial aid for the use of illegal drugs, alcohol, and tobacco products, but there are also many health risks involved. Along with legal and health consequences, the Word of God tells us that we are temples of the Holy Spirit and therefore need to honor God with our body. Since the use and misuse of the above substances are a hazard to one's physical wellbeing and cause harm to God's temple, the Pentecostal Theological Seminary strongly discourages and prohibits the use of these substances.

This policy is given to students, faculty, and staff annually to review and sign that they will abide by the policy. A copy of this agreement is kept on record at the Seminary for the academic year. A committee designated by the President reviews the policy at least every two years.

The Cleveland and Chattanooga areas have several resources to help if you find yourself or someone else in need of help with addictive behaviors and or substance abuse. Attached is a list of some resources that are available. You may also feel free to contact the Pentecostal Theological Seminary counseling department for assistance.

#### **Resources:**

***Pine Ridge Treatment Center***  
423.339.4166

***Valley Hospital***  
423.499.2300 or 1.800.542.9600

***The Center for Substance Abuse***  
*Treatment and Referral Hotline*  
1.800. 662.HELP

***Substance Abuse Treatment Locator***

<http://www.findtreatment.samhsa.gov>

Phone: 1.800. 662.HELP (1.800.662.4357)

***Al-Anon/Alateen***

<http://www.alanon.alateen.org>

Phone: 1.888. 4AL.ANON (1.888.425.2666)

***Alcoholics Anonymous (AA)***

<http://www.aa.org>

***American Council on Alcoholism***

<http://www.acausa.org>

Phone: 1.800.527.5344

***Cocaine Anonymous***

<http://www.ca-online.org/>

Phone: 1.800.347.8998

***Nar-Anon***

<http://nar-anon.org>

Phone: 1.800.477.6291

***National Council on Alcoholism and Drug Dependence Hope line***

<http://www.ncadd.org>

Phone: 1.800.NCA.CALL (1.800.622.2255)

**Criminal Convictions**

Being convicted of a crime outside the workplace may render a staff member unsuitable for continued employment at PTS. PTS reserves the right to terminate employment if an individual is convicted of a crime, even if the crime did not occur on PTS premises.

Criminal convictions prior to employment at PTS will not necessarily bar employment. Falsification of application materials, however, including failure to disclose convictions of guilty pleas for any violation of the law, whether or not the employee served time, is grounds for termination of employment at any time after the falsification is discovered.

**Weapons**

PTS does not have additional restrictions on the possession of weapons on campus beyond the current Federal and State of Tennessee restrictions.

**Clery Acts Definitions**

Clery Act definitions are classified, counted, and reported by the definitions specified by the Clery Act.

Such definitions for Clery Act purposes originate from the definitions found under the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program. For categories such as Domestic Violence, Dating Violence, and Stalking, the definitions used come from the Violence Against Women Act of 1994 and are used for collection of statistical data in this report as well as education of the campus community of what is considered illicit/illegal action. If a reported offense later is determined to be unfounded, such information is articulated in the report.

### Criminal Offenses

Criminal Offenses for Clery Act reporting are listed and defined below:

Murder/Non-negligent Manslaughter	Defined as the willful (non-negligent) killing of one human being by another.
Manslaughter by Negligence	Defined as the killing of another person through gross negligence.
Sex Offense	Defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
Rape	Defined as the penetration, no matter how slight of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. This offense includes the rape of both males and females.
Fondling	Defined as the touching of the private body parts of another person for sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
Statutory Rape	Defined as sexual intercourse with a person who is under the statutory age of consent.
Robbery	Defined as the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault	Defined as an unlawful attack by one person upon another for inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
Burglary	Defined as the unlawful entry of a structure to commit a felony or a theft.
Motor Vehicle Theft	Defined as the theft or attempted theft of a motor vehicle.
Arson	Defined as any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### Hate Crimes

Hate Crimes are criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Such crimes are required to be reported by institution through the Clery Act.

Hate Crimes for Clery Act reporting are listed and defined below:

Larceny	Defined as a theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. (Larceny and theft have the same meaning in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession.
Simple Assault	Defined as an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
Intimidation	Defined as when one unlawfully places another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
Damage Property	Defined also as destruction or vandalism is when one willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## Sex Offenses

For all Clery Act reporting, and in accordance with the *Violence Against Women Act*, these specific crimes are defined in the following manner:

- Domestic Violence     Domestic violence includes asserted violent offenses committed by an individual'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        Defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include acts covered under the definition of domestic violence.
- Sexual Exploitation    Sexual exploitation refers to taking advantage of the sexuality and attractiveness of an individual in order to obtain personal gain or profit. It is the maltreatment of a position of vulnerability, differential power, or trust for sexual reasons.
- Stalking                 Defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

For the purposes of this definition:

- Course of conduct is defined being two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, including methods of surveillance, follows, monitors, observes, threatens, or communicates to or about a person, or interfering with a person's property.
- Reasonable person is defined as a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress is defined as significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

## Sexual Consent

PTS will view consent as a verbal “yes” to engage in any and all sexual interactions. Silence in this case does not constitute permission to engage. Furthermore, implied verbalism, body language or exchange of pleasantries will not be considered consent and will be treated according to procedures outlined in the policy. Consent is defined as an informed agreement to participate in a sexual act via verbal discourse of reason. Therefore, consent cannot be attained through manipulation, intimidation, or coercion. Consent must be clear and coherent and gained by reason of individual’s age; they must not be under the influence of any drug, alcohol or medication. Individuals under the legal statutory age limit cannot give consent in any sexual interaction. There will be no waiver in any instance to individuals violating this policy because it is enforceable and applicable with state laws.

## **VAWA Policy for Victims**

As defined in Section 40002(a)(2) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a) (20), Pentecostal Theological Seminary completes and maintain full recordkeeping for purposes of the Clery Act while also securing the personal identifying information pertaining to victim(s). PTS will not share any information related to or classed as sensitive with the public. All confidentiality and privacy will be maintained and extended to accommodate and protect victim(s). Extending and maintaining such confidentiality does not impair PTS but the seminary deems it as a necessary measure that secures and assures the victim(s) that the institution has performed its due diligences and met its required commitments to both students and employees.

PTS will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the school and in the community periodically and to individual victims requesting such assistance.

PTS will provide written notification to victims about options available and assistance in requesting things such as changes to academic, living, transportation, and working situations and in special cases protective measures from another student. PTS will seek to provide reasonable accommodations to victims or provide other reasonable protective measures if the victim requests such assistance. Such assistance will be given regardless of whether the crime was reported to PTS or to local law-enforcement. Victims however should be aware that PTS does not have an agreement with local law-enforcement that sometimes help facilitate information sharing on specific victims of crime. Therefore, it is important for victims who have reported incidences to law-enforcement also follow up with PTS to ensure the victim can receive the best assistance possible. This is even more important while law-enforcement investigates any criminal actions and/or while the school implements its own disciplinary procedures and investigates violations against a perpetrating student or employee. Such safeguards can help reduce the inconveniences caused to the victim(s) if an incident takes place while also eliminating erroneous accusations that would affect an alleged perpetrator who may actually be innocent.

PTS has a ZERO tolerance policy with regard to Sexual Violence and Misconduct. Such behavior violates the dignity of all individuals and is always subject to disciplinary actions by the Seminary.

If any student(s) or employee(s) is found guilty of violating this policy, PTS reserves the right to dismiss said student(s) from participating in all campus activities and the employment of any employee(s) of the Seminary. This generally falls under the same guidelines of Disciplinary Action that is found in the employee and student handbook. Such behavior may also be covered under the *Title IX Education Amendment of 1972*; PTS complies with all federal regulations related to Sexual and Gender Based Harassment which includes Sexual Violence of any kind.

### **PTS Resource List**

Any concern of sexual violence or misconduct to include sexual harassment may be reported confidentially to any of the following at the Pentecostal Theological Seminary:

**Karen Holly**

**Lead Title IX Coordinator**

**900 Walker St NE**

**Cleveland, TN 37311**

**(423-478-1131, ext. 7973)**

**[kholley@ptseminary.edu](mailto:kholley@ptseminary.edu)**

**Caleb Hawkins**

**Director of Facilities and Support Services**

**900 Walker St NE**

**Cleveland, TN 37311**

**(423-478-7993)**

**[chawkins@ptseminary.edu](mailto:chawkins@ptseminary.edu)**

**Welton Wriston**

**Director of Student Life**

**900 Walker St NE**

**Cleveland, TN 37311**

**(423- 478-7250)**

**[wwriston@ptseminary.edu](mailto:wwriston@ptseminary.edu)**



## **Procedures in case of Rape/Domestic Abuse/ Sexual Assault**

Victims of Rape should seek medical attention immediately. Victims may report to Tennova Healthcare – Cleveland located at 2305 Chambliss Ave NW, Cleveland, TN 37311 where they may receive medical attention upon arrival; remember some injuries may not be easily apparent.

If you are a victim of Rape, victims are requested to contact the Bradley County Sheriff's Department or Cleveland Police Department to file a criminal report involving the incident. After an attack, it is possible for medical personnel to recover evidence up to 5 days after the attack occurred. In Bradley County, Forensic Medical Examinations are coordinated in conjunction with Law-Enforcement alongside specially trained Medical Personnel. When a victim arrives at the hospital and advises they have become a victim of Rape and wish to have a forensic medical examination conducted, the hospital will contact the appropriate law-enforcement agency to deliver a collection kit where medical personnel can perform examination and collection of evidence for the victim. The purpose of such an examination is to gather evidence of a sexually oriented crime in a manner that can be used in a court of law. In Bradley County, Forensic Medical Examinations are generally conducted when the victim desires the incident to be reported; if the victim is unsure whether they desire to file a report it is up to the discretion of the law-enforcement agency or department as to whether they will collect the evidence or not. If the department chooses not to collect evidence because the victim chooses not to file a police report, but the victim still desires to receive a Forensic Medical Examination because they believe they may change their mind in the future, they should call the following:

### ***Chattanooga Rape Crisis Center***

*(423) 755-2700*

*300 E 8<sup>th</sup> St, Chattanooga, TN 37403*

The Chattanooga Rape Crisis Center regularly conducts Forensic Medical Examinations without having to first coordinate with law-enforcement. This center is able to regularly accommodate victims across the southeast Tennessee region including Bradley County who may have difficulty receiving the test without first filing a police report.

## **Preservation of Evidence**

In any incident that involves a crime of dating violence, domestic violence, sexual assault, or stalking it is important for victims to preserve as best they can any evidence that may assist in proving the criminal offense occurred. Such information not only will assist law-enforcement in their investigation, but also assist the victim in obtaining a Protection Order, if necessary.

## **Protection Order**

In Tennessee, victims of physical abuse, sexual assault, or harassment may seek protection by the State of Tennessee through an Order of Protection or Restraining Order. An Order of Protection is generally granted to victims of a previous romantic relationship with the abuser, or previously lived with, related to the abuser, or was the victim of a sexual assault or incident of stalking. After an Order of Protection is filed the Court will issue a temporary emergency protection order valid

for a period of 15 days, giving time to arrange an official hearing between the parties. If the Court finds enough evidence against the accused, they will be required to cease contact with the individual for a period of one year including phone calls, text messages, email, and social media. Failure of the abuser may result in imprisonment.

In other cases, victims may seek out a restraining order. Such order by the Court gives the same protection to the victim as the order of protection does. The restraining order is designed to protect individuals from imminent danger on a more long-term basis; the order lasts for a period of 10 years.

It is recommended that victims of dating violence, domestic violence, sexual assault or stalking first apply for an Order of Protection so they may receive immediate protection, and if need be, eventually apply for Restraining Order.

An Order of Protection may be obtained on the 2nd floor of the Bradley County Courthouse located at:

155 N. Ocoee St.

Cleveland, TN 37311

Phone: (423) 728-7226

### **Interim Restrictions and Disciplinary Actions**

PTS reserves the right to impose interim restrictions and disciplinary action pending investigative responses on misconduct allegations. These interim restriction and disciplinary actions may range from but are not limited to suspension, any contact orders, change of schedule, relocation and temporary or permanent exclusion from campus activities. Investigations on these issues will be conducted by coordinators or committee members to determine an amicable resolve that would be in the best interest of the victim(s). Recommendations could include retraining, probation or both. In cases where probationary sanctions are permissible for a period that is determined by the selected committee members. In some cases an appeal can be made to overturn a decision if new information that exonerates the alleged and justifies a false accusation was made by the complainant. However, PTS will support any decision that was made regarding resolve made under this policy and will document such sessions for future reference in the event of recurrences, harassing, treats or unwelcomed interaction violates other policies outlined in this document.

### **VAWA- Education and Prevention**

The Pentecostal Theological Seminary is committed to provide its students with the information that can continue to help prevent sexual assault and violence not only on campus, but to its students and employees wherever they may be located. By reviewing Bystander Intervention and Safe-Practice and Protective Measures techniques, students may better be able to protect themselves and those around them from sexual violence.

The Center for Changing Our Campus Culture serves as an online resource to address sexual assault, domestic violence, dating violence and stalking. This resource is supported by the Department of Justice's Office on Violence Against Women; this free database provides important

resources for individual college students, employees and institution on sexual assault, domestic violence, dating violence, and stalking and can be accessed through the link provided here: <http://www.changingourcampus.org/>

Other resources that directly support the Department of Justice Office on Violence Against Women, <https://www.notalone.gov>

### **Additional Resources**

<https://www.tncoalition.org/> -Tennessee Coalition Against Rape and Domestic Violence

<https://www.womenshealth.gov/>- OWH/Survivors of Sexual/ Domestic Assault

### **No Retaliation**

Pentecostal Theological Seminary not only prohibits discrimination and harassment but it also prohibits retaliation against any person for making a complaint about discrimination or harassment; assisting, testifying or otherwise participating in any discrimination or harassment investigation. This policy aims to protect the bystander's willingness to intervene on the victim(s) or the alleged perpetrators behave. Retaliation in this context would mean any adverse action that might discourage or intimidate the bystander from supplying supporting information that would assist bringing resolve to an investigation. Intimidation would include any forms of terror, threats, coercion, extortion, termination, unjustified negative grades or evaluations, reductions, denials of promotions, physical assault, and any other misconduct that will be considered harassment are protected by this policy.

### **Sex Offender Registration**

Federal Law mandates through section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S. C. 16921) that certain convicted sex offenders register their whereabouts between every 3 months to 1 year for their lifetime. Such requirements help citizens as well as potential or currently existing students to have more information as they make the decision on school choices and living accommodations.

In the State of Tennessee, convicted sex offenders are required to register with the Tennessee Bureau of Investigation (TBI). You may access public information regarding those who are registered through accessing the webpage <https://www.tn.gov/tbi> . Specific sex offender searches or mapping inquiries may be also be found through the following web pages at:

<https://tnmap.tn.gov/sor/> and <http://sor.tbi.tn.gov/SOMainpg.aspx>

For further information or special requests, the public may contact Sex Offender Registry Hotline For more information by dialing 888-837-4170 or emailing at [TBISORMGR@tn.gov](mailto:TBISORMGR@tn.gov).

Other resources include The Dru Sjodin National Sex Offender Public Website (NSOPW). This government resource allows for the access to sex offender data nationwide. As such, NSOPW is a partnership between the U.S. Department of Justice and state, territorial, and tribal governments,

working together for the safety of adults and children. This resource may be accessed by visiting <https://www.nsopw.gov/en/>

## Crime Statistics

The following charts provide PTS’ statistics related to crimes as reported to the Tennessee Bureau of Investigation’s Crime On-Campus Report published pursuant to the enactment of the “College and University Security Information Act of 1989” (Public Chapter No. 317) and to the Department of Education.

### Criminal Offense Statistics

	Year	On-Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
<b>Murder/Non-Negligent Manslaughter</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Negligent Manslaughter</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Rape</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Fondling</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Incest</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Statutory Rape</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Robbery</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Aggravated Assault</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Burglary</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0

	Year	On-Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property
<b>Weapon Law Violations (Arrests)</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Weapon Law Violations (Disciplinary Action Taken)</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Drug Related Violations (Arrests)</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Drug Related Violations (Disciplinary Action Taken)</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Liquor Law Violations (Arrest)</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Liquor Law Violations (Disciplinary Action Taken)</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Domestic Violence</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Dating Violence</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Stalking</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Vandalism</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Motor-Vehicle Theft</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>Arson</b>	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0

**Hate Crimes**

There were no reported Hate Crimes for the years 2021, 2022 or 2023.

**Unfounded Crimes**

There were no reported unfounded crimes for the years 2021, 2022 or 2023.

# **FIRE SAFETY REPORT**

Pentecostal Theological Seminary takes fire safety very seriously and continues to enhance its programs to the Seminary community through education and enforcement. Educational programs are presented throughout the year to faculty, staff, and students so they are aware of the rules and safe practices. These programs include identification and prevention of fire hazards and actual building evacuation procedures and drills, specific occupant response to fire emergencies and hands-on use of fire extinguishers. All campus operated housing units are provided with smoke detectors to provide early detection and warning of a possible fire emergency. The Seminary maintains a fire extinguisher in each unit/home.

Fire Security is an essential tool in protecting a campus community from injuries, deaths, business interruption, and property damage resulting from fires and related perils. Fire Security includes education, training, and policies designed to ensure all students, staff and faculty of these institutions are aware of and understand the elements that help to ensure the Security of all. In an effort to standardize the information that an institution publishes in regards to their own fire Security, the Department of Education developed a new law called Higher Education Opportunity Act (HEOA). HEOA is intended to ensure a reasonable and consistent notification of fire related incidents to the Seminary community.

The Higher Education Opportunity Act of 2008 requires all United States academic institutions to produce an annual fire Security report identifying Security practices, standards and all fire-related on-campus housing statistics. The following is a public disclosure report detailing the information required by law as it relates to PTS as outlined in the initial regulation.

Students who live in the Seminary housing are trained on the location of fire alarms and fire extinguishers as well as the evacuation plan when moving into Seminary housing. Fire extinguisher inspections are conducted during the monthly inspections as noted below. Scheduled annual fire Security inspections and spot checks throughout the year are conducted by the City of Cleveland Fire Marshall. Fire alarm inspections are conducted annually.

## **Fire Drills**

Mandatory fire drills are conducted at least once a year. These drills are supervised by Director of Facilities and Support Services in conjunction with the Director of Student Services. Should a resident refuse to evacuate the building when a drill is being carried out a \$125 fine will be assessed.

## **Fire Alarms**

Students may not disregard a fire alarm or refuse to evacuate a building in which an alarm is sounding, regardless of its nature (drill, false alarm or actual alert). Residents who fail to evacuate a building in a voluntary and timely manner will be subject to disciplinary action. Individuals shall not obstruct or tamper with fire safety equipment including fire alarms, fire extinguishers, etc.)

## **Smoking**

Smoking is prohibited in any of the rooms, public areas of the housing facilities or any other Seminary property. Students or employee who observes a guest or visitor violating that policy should report the incident to the Director of Facilities and Support Services. Students or employees found violating this policy shall be subject to disciplinary actions.

## **Combustibles and Flammables**

Although there are no legal restrictions against the possession of fireworks, firecrackers and similar explosives in the state of Tennessee, PTS will not permit such materials within dormitory or any dwelling space of the campus seeing that these materials potential fire hazards. Flammables like gasoline, kerosene and similar material cannot be stored within in dorms room or assigned living quarters owned and maintain by PTS. Any student or faculty found violating this policy could be issued an eviction notice pending review by Director of Student Services and by the Director of Facilities and Support Service. Bystanders are expected to report these types of violations seeing that it places occupants sharing these residents' lives at risk.

The possession, storage or use of candles in Seminary housing is prohibited. Burning candles, potpourri, incense, barbecues, Sterno or any other open flames are prohibited in or around campus housing by order of the Fire Marshal.

## **Electrical Appliances**

Electrical appliances such as space heaters, air conditioners, electric blankets, and immersion heater coils, which are extreme fire hazards or appliances that are not suitable for Seminary housing are prohibited. All appliances that are used must be UL protected appliances. Any modified plug for an appliance must be approved by the Director of Facilities. Additionally, halogen lamps are also prohibited.

## **Fire Emergency**

A fire emergency exists when:

- A building fire evacuation alarm is sounding.
- An uncontrolled fire or imminent fire hazard occurs in any building or area of campus.
- There is the presence of smoke or the odor of burning of any material.
- There is an uncontrolled release of combustible or toxic gas or other hazardous material, or a flammable liquid spill.

## **Monthly Inspections**

The Facilities and Support Services Department in conjunction with the Office of Student Support Services perform monthly Health and Safety Inspections within Seminary housing. Inspections will be unannounced. The inspections are designed to find and eliminate safety violations. Students are required to read and comply with Policy and Procedures Agreement Form which include rules and regulations for residential usage. The inspections include but are not limited to, a visual



examination of electrical cords, testing of smoke detectors, fire extinguishers and other life safety systems. In addition, each room will be inspected for the presence of prohibited items (e.g. sources for open flames, such as candles, non-surge protected extension cords, halogen lamps, portable cooking appliances in non-kitchen areas) or prohibited activity (e.g. smoking in the room, tampering with life safety equipment, procession of pets etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled with a locking device or confiscated and donated/discarded if found without reimbursement. Failure to comply with housing requirements and standards will eventually result in requiring student to vacate residence due to safety considerations.

Facility	Fire Alarm System Available	Fire Sprinkler System Available	Fire Extinguisher Available	Fire Alarm System Monitored
790 Montgomery Ave NE	Yes	No	Yes	Yes

### **Evacuation Procedures**

In the event a fire occurs within student housing, PTS expects that all community members will evacuate by the nearest exit, closing doors as they leave. Once you are safely out of the building, it is appropriate to dial 911 and the Director of Facilities at 423-478-7993. Students and staff are informed where to relocate at the time of the alarm. The policy of Pentecostal Theological Seminary is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppressions activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke and to activate the alarm as they exit if available. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

### **Plans for Future Improvements in Fire Safety**

PTS continues to monitor trends related to residence hall fire incidents and alarms to provide a fire-safe living environment for all students. New programs and policies are developed to help ensure the safety of all students, faculty, and staff.

### **Fire Incident Summary**

There were no reported fires in any Seminary housing facilities during 2021, 2022 or 2023. These facilities consist of the following locations:

790 Montgomery Ave NE, Cleveland, TN