



Provided in Compliance with the Clery Act and the Violence Against Women Act

North Georgia Technical College
P.O. Box 65 • 1500 Highway 197 N • Clarkesville, GA 30523 • 706-754-7700

Table of Contents

Message From the President	5
Message From NGTC Police	6
Accessibility of Information [668.41(e)]	6
Non-Discrimination Statement	6
Overview of the Clery Act.....	8
REPORTING CRIMES AND OTHER EMERGENCIES [required, 668.46(b)(4)(ii)]	8
It’s Up to Each of Us!	8
Voluntary, Confidential Reporting [required, 668.46(b)(2)(iii)]	9
Reporting to Campus Police [required, 668.46(b)(4)(ii)]	9
Crimes Involving Student Organizations at Off-Campus Locations [668.46(b)(7)].....	10
Reporting to Other Campus Security Authorities [required, 668.46(b)(2)(iii)].....	10
ABOUT THE NGTC POLICE DEPARTMENT [668.46(b)(4)(i)]	12
Officer’s Authority and Jurisdiction [668.46(b)(4)(i)] [668.46(b)(4)(ii)(A)]	12
Training.....	12
Open Lines of Communication [668.46(b)(4)(ii)] [668.46(b)(4)(ii)(B)].....	12
TIMELY WARNING REPORTS – CRIME ALERTS [required, 668.46(b)(2)(i) & 668.46(e)]	13
How will Timely Warnings Be Issued.....	14
EMERGENCY RESPONSE AND EVACUATION PROCEDURES [required, 668.46(e)(3) & 668.46(g)] .	
Emergency Management at North Georgia Technical College.....	14
Drills, Exercises and Training [required, 668.46(e)(3) & 668.46(g), 668.46(g)(6), 668.46(g)(6)(i), 668.46(g)(6)(ii), 668.46(g)(6)(iii)]	15
Emergency Notification [required, 668.46(g)(1), 668.46(g)(2), 668.46(g)(2)(i), 668.46(g)(2)(ii), 668.46(g)(2)(iii), 668.46(g)(2)(iv), 668.46(g)(3), 668.46(g)(4), 668.46(g)(5)]	16
Authorization of NGTC Emergency Notification System	16
Evacuation/Shelter in Place Procedures.....	17
Response to an act of violence on campus.....	19
Emergency Action Plan.....	21

SECURITY OF AND ACCESS TO COLLEGE FACILITIES [required, 668.46(b)(3)]	22
Special Considerations for Residence Hall Access [required, 668.46(b)(3)].....	22
Security Considerations for the Maintenance of Campus Facilities [required, 668.46(b)(3)]..	22
SECURITY AWARENESS AND CRIME PREVENTION EDUCATION ON CAMPUS [required, 668.46(b)(5), 668.46(b)(6)]	23
Crime Prevention Education.....	23
Personal Safety and Crime Prevention.....	24
Safety Escorts.....	25
Behavioral Intervention Team.....	26
Weapons on Campus.....	32
NGTC’s RESPONSE TO SEXUAL AND GENDER VIOLENCE [required, 668.46(b)(11), inclusive] ..	32
Definitions and GA Law.....	33
Education and Prevention Programs[668.46(b)(11)(i)] [668.46(j)] [668.46(j)(1)(ii)]	36
Procedures for Reporting Incidents of Dating Violence, Domestic Violence, Sexual Assault and Stalking [668.46(b)(11)(ii)(A)] [668.45(11)(ii)(B)] [668.46(b)(11)(v)].....	37
Adjudication of Violations/Hearings [668.46(k)(1)(iii)] [668.46(k)(2)(iv)] [668.46(k)(2)(v)] [668.46(k)(2)(v)(B)] [668.46(k)(1)(ii)].....	47
Procedures Victims Should Follow [668.46(b)(11)(ii)(C)] [668.46(b)(11)(ii)(C)(1)] [668.46(b)(11)(ii)(C)(2)] [668.46(b)(11)(ii)(C)(3)].....	55
Possible Sanctions [668.46(k)(1)(i)] [668.46(k)(1)(iii)]	55
Appeals [668.46(k)(2)(v)(B)].....	56
Assistance for Victims: Rights and Options[668.46(b)(ii)(D)].....	58
Victim Confidentiality [668.46(b)(11)(iii)]	58
Protective Measures [668.46(k)(1)(iv)].....	59
Temporary Protective Orders (TPO’s).....	59
Criminal Trespass Warning [668.46(b)(11)(iii)(A)] [668.46(b)(11)(iii)(B)].....	60
Resources for victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking	61
HEOA [493(a)(1)(A)]	61
Sexual Assault Prevention Education	61
How to be an Active Bystander [668.46(j)(1)(i)(D)].....	61
Risk Reduction [668.46(j)(1)(i)(E)].....	62
Safety in Social Settings.....	63

Sex Offender Registration [668.46(b)(12)]	64
Missing Student Notification Procedure [668.46(h)]	64
NGTC’s Policies Governing Alcohol and Other Drugs [668.46(b)(8)]	
[668.46(b)(9)][668.46(b)(10)]	65
NGTC’s Drug and Alcohol Policy.....	66
Drug and Alcohol Programs and Assistance Available.....	66
Medical Amnesty Law	67
NGTC’s Annual Disclosure of Crime Statistics [668.46(b)(2)(ii)] [668.46(c)] [668.46(c)(11)]	67
Crime Statistic Discloser [668.46(c)(2)] [668.46(c)(2)(ii)]	67
Crime Statistics Report by Calendar Year [668.46(c)(3)] [668.46(c)(3)(i)].....	68
Unfounded Crime Reports [668.46(c)(2)(A)]	68
Definitions of Clery Reportable Crimes [668.46(c)(1)(i)]	68
Hate Crimes [668.46(c)(1)(iii)].....	69
Categories of Prejudice/Bias	70
Other Clery Act Reportable Offenses [668.46(c)(1)(ii)]	71
Violence Against Women Act (VAWA/Campus SAVE Act Crimes[668.46(c)(1)(iv)]	71
Crime Statistics [668.46(c)] [668.46(c)(1)]	73
Blairsville Campus.....	73
Clarkesville Campus.....	74
Currahee Campus.....	75
NGTC’s ANNUAL FIRE SAFETY REPORT FOR CAMPUS HOUSING--[668.49, inclusive]	76
Fire Safety Systems in Residence Halls.....	76
Fire Drills.....	76
Fire Safety Education and Training Programs.....	77
Fire Incident Reporting	78
Plans for Future Improvements in Fire Safety	79
Fire Log.....	79

Message from the President

It is essential for North Georgia Technical College to maintain a safe and secure environment for our students, faculty and staff. In recent years, we have strengthened the safety of campus and the surrounding areas through an increase in highly trained personnel, deployment of better technology, equipment, and strengthened partnerships with area police and other law enforcement.

These steps, together with a thoughtful approach toward community policing will allow North Georgia Technical College to continue to provide a safe environment for students to learn. Along with the implementation of a Behavioral Intervention Team, campus police are stationed on all three campuses, and additional security cameras have been installed throughout the campus. Sincerely,



Mark A. Ivester, Ed.D.
President



Message from NGTC POLICE

Concern about personal safety in today's world makes sense. Too often, we hear or read about crimes perpetrated to life and property. Although campuses seem in some ways as secure as a small town, no campus is immune from crime.

The North Georgia Technical College Police Department is committed to the safety of students, faculty, staff and parents. That's why we have prepared this booklet to inform students, faculty, staff and parents about our efforts to keep the campus more secure and to encourage students and employees to also be responsible for their own security and the security of others.

Accessibility of Information

North Georgia Technical College distributes a notice of availability regarding the Annual Security and Fire Safety Report to all students, faculty, and staff by October 1 of each year. Anyone, to include prospective students, faculty, and staff, as well as the outside community, may obtain an electronic copy on the North Georgia Technical College Police Department website https://northgatech.edu/pages/campus_police/ as well as under the Clery/Crime Information drop-down under Annual Security and Fire Safety Report. A printed copy of this report may also be obtained by contacting the department at (706) 754-7731

Non-discrimination Statement

NGTC is committed to maintaining a fair and respectful environment for living, work and study. To that end, and in accordance with federal and state laws, Technical College System of Georgia policy, and College policy, the College prohibits harassment of or discrimination against any person because of race color, sex (including sexual harassment and pregnancy), sexual orientation, gender identity, gender expression, ethnicity or national origin, religion, age, genetic information, disability, or veteran status by any member of the NGTC Community on campus, in connection with a College program or activity, or in a manner that creates a hostile environment for members of the NGTC community. Incidents of harassment and discrimination will be met with appropriate disciplinary action, up to and including dismissal, expulsion, or termination from NGTC.

This nondiscrimination policy encompasses the operation of all technical college administrative programs, educational programs and activities, including admissions, scholarships and loans, student life, and athletics. It also encompasses the recruitment and employment of personnel and contracting for goods and services.

The Technical College System and Technical Colleges shall promote the realization of equal opportunity through a positive continuing program of specific practices designed to ensure the full realization of equal opportunity.

The following contacts have been designated to handle inquiries regarding the nondiscrimination policies:

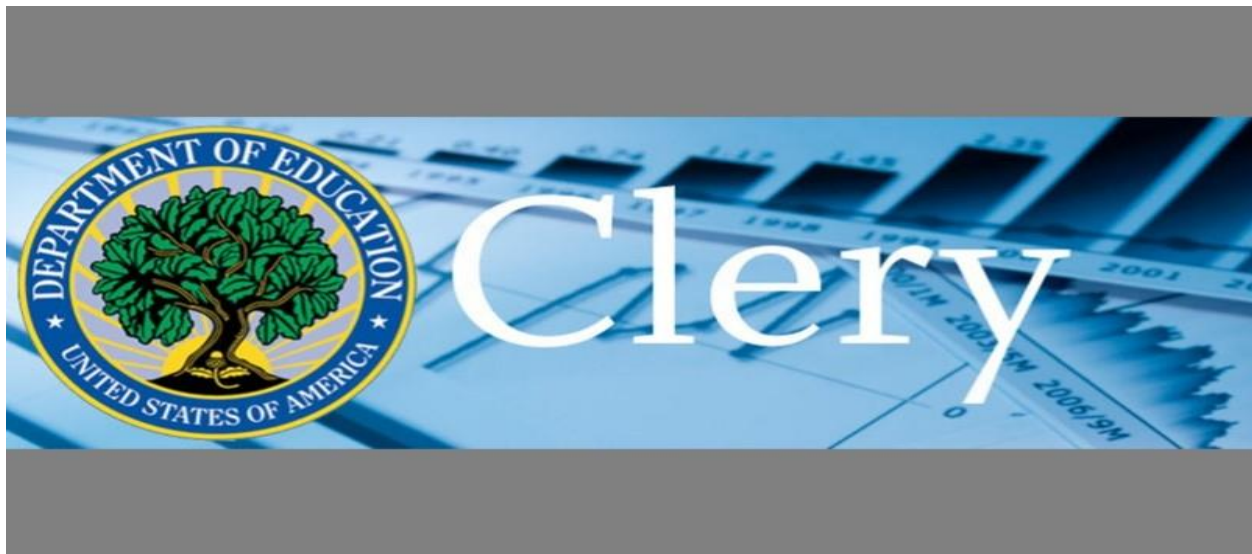
Dr. Michael King
VP of Student Affairs, Title VI, IX, II
North Georgia Technical College
1500 Highway 197 N.
P. O. Box 65
Clarkesville, GA 30523
Telephone: 706-754-7711

Ms. Kay Morgan
Special Populations and Retention Coordinator
Sec. 504/Title I/ADA
North Georgia Technical College
1500 Highway 197 N.
P. O. Box 65
Clarkesville, GA 30523
Telephone: 706-754-7828

This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at

http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S. W., Washington, D. C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.



Overview of the Clery Act

Choosing the right college is a major decision for students and their families. The issue of campus safety is a vital concern along with the academics, finances, and the geographical location.

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, known as the Clery Act, requires North Georgia Technical College to publish annual statistics on certain crimes, arrest and disciplinary referrals. These statistics include activities occurring on campus, non-campus facilities, and public property.

All public and private postsecondary institutions that participate in Title IV student financial assistance programs must comply with the Clery Act. Among the various requirements, these colleges and universities are required to prepare, publish, and distribute a report concerning campus crime statistics, safety and security policies on an annual basis through appropriate publications, mailings or via an online computer network. This report must be distributed to all current students and employees as well as all prospective students and employees upon request.

Compliance with the final regulations and provisions of Violence Against Women Act (VAWA) does not constitute a violation of § 444 of the General Education Provisions Act (20 USC 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

All Title IV institutions with on-campus student housing are required to prepare and distribute an Annual Fire Safety Report with specific statements of fire safety policies and procedures as well as the annual safety statistics for the past three calendar years. This report, the Annual Security Report (ASR), contains North Georgia Technical College's (NGTC) data covering the years 2015, 2016 and 2017. Clery Act crime, arrest, and disciplinary referral statistics, as well as information about safety and security policies and practices intended to promote awareness about security and safety at NGTC are included herein.

Reporting Crimes and Emergencies [668.46 (b)(2)]

It's Up to Each of Us!

All crimes and emergencies should be promptly reported to 911 and then to the North Georgia Technical College Police Department at (706)-499-5341 or (706)-754-7731. Reporting crimes or emergencies is voluntary. North Georgia Technical College has taken measures to ensure the safety and security of the campus community; however, the campus environment is not immune from criminal incidents that occur in the surrounding community. The College takes great pride in ensuring the campus community is one where students, faculty, staff, and visitors can work, study, live, and enjoy all that North Georgia Technical College has to offer. Ultimately, it is up to each of us to be aware of our surroundings and use reasonable judgment while on campus or attending a College function. It is also up to each of us to report any incident we may feel is against college policy or a threat to another individual.

Voluntary, Confidential Reporting

Reporting crimes or emergencies is voluntary. All crimes and emergencies should be accurately and promptly reported to 911 and then to the North Georgia Technical College Police Department at (706)-499-5341 or (706)-754-7731, or the local police agency, when attending a NGTC class or NGTC sponsored function at an off-campus location.

North Georgia Technical College does not have any non-campus organizations or housing, but student organizations may sponsor an event, such as a dance, at an off-campus facility. At those times, a College police officer may be assigned to the event for security purposes. If a College police officer is not present, the local law enforcement agency will be responsible for responding to a crime or incident, and will report any problems to the College Police. All crimes should be reported to the North Georgia Technical College Police Department for the purpose of investigating the crime, making a timely warning report and for annual disclosure in the crime statistics.

College Police do not have a process for voluntary confidential reporting due to state open-records laws. If you are the victim of a crime and do not want to pursue action within the North Georgia Technical College or within the criminal justice system, you may still want to consider making an anonymous report. You may contact the North Georgia Technical College Police Department at 706-499-5341 or 706-754-7731 to report a crime anonymously. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Professional and pastoral counselors are exempt from reporting requirements. North Georgia Technical College does not employ pastoral and professional counselors.

Reporting to Campus Police

Accurate and prompt reporting of all crimes to the Campus Police and other appropriate law enforcement agencies is encouraged, when the victim of a crime elects to or is able (physically/mentally) to make such a report. The North Georgia Technical College Police Department Office is open Monday – Thursday 7:30am – 6:00pm. Police officers are available 24/7 on campus after office hours. There are several ways to contact the department for assistance:

Telephone. If you are on campus, dial extension 7731, or (706)-499-5341. If you are off campus, dial (706)-499-5341 or (706)-754-7731.

Blairsville Campus.....706-439-6300

Currahee Campus.....706-779-8100

Email. For non-emergency questions, comments or concerns, email campuspolice@northgatech.edu

In Person (Clarkesville Campus). The North Georgia Technical College Police Department headquarters is located on the Clarkesville Campus, in the Clegg Building, Room 111, 1500 Highway 197 N Clarkesville, Ga. 30523. A Police Substation is located on the North Georgia Technical College Blairsville and Currahee Campuses.

Crimes Involving Student Organizations at Off-Campus Locations

Crimes involving anyone at off campus locations should be reported to the local law enforcement agency with jurisdiction of the location. NGTC does not have any officially recognized off-campus student organizations.

Reporting to Other Campus Security Authorities

Campus Security Authority is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus law enforcement unit;
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department such as an individual who is responsible for monitoring the entrance into institutional property (e.g. an access monitor);
- An individual or organization specified by the college campus security statement as the individual or organization to which students and employees should report criminal offenses;
- An official of a school who has significant responsibility for student and campus activities including, but not limited to, student housing, student discipline, and campus judicial proceedings.
- All Resident Assistants

Title II of Public Law 101-542 requires this college to keep statistics on campus crime beginning in September 1992. These statistics are available upon request. In compliance with this law, all students, staff, and faculty are requested to notify campus police immediately to report any of the following offences occurring on campus: murder, rape, robbery, aggravated assault, burglary, theft, liquor law violations, drug abuse violations, and weapons possessions. These files are maintained in the Police Department on the Clarkesville Campus.

CSA's for North Georgia Technical College		
Mark Ivester, Ed.D	President	706-754-7701
Michael King, Ph.D.	Vice President for Student Affairs	706-754-7711
Carol Carson	Vice President for Administrative Services	706-754-7703
Mindy Glander	Vice President for Academic Affairs	706-754-7790
Leslie McFarlin	Dean for Academic Affairs	706-754-7820
Christy Bivins	Dean for Academic Affairs	706-754-7772
Fran Chastain, Ed.D	Dean for Student Affairs	706-754-7855
Shelby Ward	Dean for Adult Education	706-754-7781
Renee Deibert, Ed.D	Campus Director (Blairsville)	706-439-6314
Cynthia Brown	Director of Institutional Advancement Campus Director (Currahee)	706-754-8113
Kay Morgan	Special Populations & Retention Coordinator	706-754-7828
Sherry Seal	Campus Life Director	706-754-7730
Michelle Likins	Dean of General Education/Personal Services	706-754-7819
Kristie Gibbs	Student Affairs Director (Blairsville)	706-439-6316
Erica Pickens	Student Affairs Director (Currahee)	706-779-8136
Ja'Quan Chamblee	Campus Life Worker	706-754-7729

CSA's are responsible for immediately reporting crimes and incidents that occur on the NGTC campus or all property affiliated with the NGTCPD. A CSA report form has been created to document this information and distribute to the campus Police Department.

Statistical crime information from NGTCPD, other CSA's and outside law enforcement agencies are integrated into a single page, included at the end of this document on the NGTCPD web page, and provided in a hard copy document upon request. The statistics are also reported to the U.S. Department of Education.

About the NGTC Police Department

Authority and Jurisdiction

The NGTCPD is recognized by the State of Georgia as a full authority law enforcement agency. Under Georgia O.C.G.A. § 20-8-1, O.C.G.A. § 35-8-2.10 and O.C.G.A. § 20-4-39, the NGTCPD has full police authority under these provisions and authorized to make arrests on and within 500 feet of any property owned or controlled by the Technical College System of Georgia within the State of Georgia.

NGTCPD is responsible for the safety and security of all campuses, facilities, students and employees of the College and its adjoining grounds. We are sworn to enforce the laws of the State of Georgia within our campuses, or we may refer students to the Office of Student Affairs for violations of the College's rules and Student Code of Conduct. Campus Police take possession of any "Lost and Found" property recovered within jurisdiction.

Training

All NGTC law-enforcement personnel receive a minimum of 20 hours of law enforcement training annually. Training includes the use of force, firearms qualifications, de-escalation, and community relations. Additional training such as legislative updates, first aid and CPR are also provided.

Open Lines of Communication

NGTCPD PROVIDES 24 HOUR LAW ENFORCEMENT SERVICES FOR THE CLARKESVILLE CAMPUS. POLICE SERVICE HOURS VARY AMONG THE BLAIRSVILLE AND CURRAHEE CAMPUSES AS WELL AS THE ADULT EDUCATION LEARNING CENTERS.

Officer on Duty Phones

Any member of the College community who is a victim of a crime on campus, or who witnesses a crime on campus should call 911 and then call the NGTCPD.

Clarkesville Campus.....	706-499-5341
Blairsville Campus.....	706-439-6300
Currahee Campus.....	706-779-8100

Working Relationships with Local, State, and Federal Law Enforcement Agencies

The North Georgia Technical College maintains a cooperative relationship with the Georgia State Patrol, Georgia Bureau of Investigation, Habersham County Sheriff's Office, Stephens County Sheriff's Office, Union County Sheriff's Office, and surrounding police agencies. This includes intraoperative radio capability, training programs, special events coordination, and investigation of serious incidents.

There are currently no written memorandums of understanding between North Georgia Technical College Police Department and any local jurisdictional agencies.

Timely Warning Reports – Crime Alerts

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

A timely warning notice is considered for distribution to the NGTC community for all Clery Act crimes that are (1) reported to Campus Police (2) reported to campus security authorities or local police and (3) determined by the institution to represent a serious or continuing threat to students and employees. Such reports shall be provided to students and employees in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and will provide protective advice that will aid in the prevention of similar occurrences

The decision to issue a timely warning shall be decided on a case-by-case basis. The decision is made by either the NGTC President, Vice President of Student Affairs, Vice President of Community Affairs and College Relations, the IT Director, the Emergency Management Specialist, or designee, after considering all available facts, including whether the crime is considered to be a serious or continuing threat to student or employees. The content of the message is determined by Savonda Turner ITD, Dr. Mike King VPSA, Pamela Segers EMS, Amy Hulsey VPCA or designee. Certain specific information may

be withheld from a warning if there is a possible risk of compromising law enforcement efforts. But if a crime occurs that would pose a serious or continuing threat to the NGTC community, a timely warning notice would be distributed the campus community.

How Will Timely Warnings Be Issued

The warning process will at a minimum entail a combination of the following:

- All-campus electronic mail notifications
- Electronic posting on the NGTCPD website at <https://www.northgatech.edu/>
- Physical postings of bulletins in designated campus buildings by campus police and assigned personnel, depending upon circumstances
- Everbridge Emergency Alert Software
- The campus wide Voice over Internet Protocol (VoIP) announcement system.

The Campus Police Chief or designee reviews all Campus Police reports to determine if there is an ongoing threat to the community and if the distribution of a timely warning notice is warranted.

Emergency Response and Evacuation Procedures

Emergency Management at North Georgia Technical College

The North Georgia Technical College Emergency Operation Plan is designed to provide a resource for North Georgia Technical College personnel, administrators, and students to assist with information and provide guidelines in planning and responding in a crisis. While the Plan does not cover every conceivable contingency, it does provide the basic administrative guidelines to cope with most emergencies.

All campus administrators, especially those whose responsibilities and authority include the operational areas specified in the Plan, must adhere to these guidelines. Only those College administrators responsible for directing and/or coordinating emergency operations may approve exceptions to these crisis management procedures as required to fulfill the emergency response.

The Chief of Police is responsible for annual review of these procedures with input from other key stakeholders on campus, including the Public Safety Review Team, as well as selected others with specific responsibilities outlined in the plan.

The College's Emergency Operation Plan, located at www.northgatech.edu contains "best practices" and information about Emergency Guidelines for the campus community; College emergency procedures; pre-emergency planning and performance expectations; "shelter-in-place," "secure-in-place" and evacuation guidelines; and local contingency and continuity

planning requirements. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

Drills, Exercises, and Training

The Chief of Police and the IT Department test the system for the content and accuracy of the system.

January 23, 2018- Fire Drill Bryant Hall

May 23, 2018- Fire Drill Bryant Hall

June 08, 2018- Fire Drill Bryant Hall

August 13, 2018- Fire Drill Bryant Hall

April 2, 2018- Tornado Drill (Currahee Campus) using VOIP

April 18, 2018- Workshop Recognizing Signs of Abuse (Cosmetology Students)

April 20, 2018- Take Back the Night- campus wide program- crime and victim awareness

April 2018- SAAM Sexual assault awareness month campaign- Sexual violence includes a wide variety of crimes and actions, that can be both physical and non-physical, that constitute unwanted or age-inappropriate sexual activity

August 09, 2018- First Aid & CPR, Title IX (Resident Life Assistants)

August 10, 2018- Self Defense & Drug Identification (Resident Life Assistants)

August 14, 2018- One Love (Escalation Training) (College Wide)

August 13, 2018- Rape Response (Resident Life Assistants)

August 13, 2018- Facilitator Escalation Workshop (Faculty, Staff and RA Facilitators)

August 30, 2018- Citizens Response to Active Shooter Event (CRASE) (Adult Education Division)

September 24, 2018- Citizens Response to Active Shooter Event (CRASE)(Currahee Campus)

September 25, 2018- Citizens Response to Active Shooter Event (CRASE)(Clarkesville Campus)

September 26, 2018- Citizens Response to Active Shooter Event (CRASE)(Blairsville Campus)

October 23, 2018- One Love (Escalation Training)(Nursing Students)

November 14, 2018- One Love (Escalation Training)(Psychology 1101 Students)

REACT- an anger management program which assists people to reduce the symptoms and stress, which causes aggression and inappropriate behavior. Participants learn new skills, coping

strategies and are educated in developing new pathways, which will help them overcome and eliminate anger. This program is required every semester in the student dorm and online in COLL1010 courses.

Campus Police have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Campus Police, local law enforcement agencies, local fire responders and emergency medical services. All departments typically respond and work together to manage the incident. Depending on the nature of the incident, other College departments and local or federal agencies could also be involved in responding to the incident. General information about the emergency response and evacuation procedures for North Georgia Technical College are publicized each year as part of the institution's Clery Act compliance efforts (NGTC's Annual Safety and Security Report). That information is available on the North Georgia Technical College website at www.northgatech.edu.

Emergency Notifications

NGTC will immediately broadcast emergency notification warnings to the campus community upon confirmation of a significant emergency or dangerous situation on campus. Such emergencies that involve an immediate threat to the health or safety of students or staff, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Examples of emergencies that may warrant such a notification include; but are not limited to: an active shooter on campus, hostage/barricade situation, a riot, credible bomb threat, a tornado, a fire/explosion, suspicious death, structural damage to a College-owned or controlled facility, significant flooding, a large gas leak, or a significant hazardous material release.

Authorization of NGTC Emergency Notification System

The Vice President of Student Affairs, the IT Director, the Vice President for Community Affairs and College Relations and, the Emergency Management Specialist are responsible for making the recommendation to the President of NGTC for activating the emergency notification system, which is the fill in name of system. In the event of an immediate need, determining the segment of the community to receive the notification (if the threat is limited to a particular building or segment of the population) and activating the system to all students and employees registered after confirming a significant emergency or dangerous situation has indeed occurred.

Emergencies on campus are typically confirmed by the North Georgia Technical College Police Department, in consultation with other offices such as the National Weather Service and/or responding law enforcement or fire departments. The North Georgia Technical College Police Department is also authorized to activate the systems in an emergency situation.

The Vice President of Student Affairs, the IT Director, the Vice President for Community Affairs and College Relations and, the Emergency Management Specialist will determine the content of the notification by selecting from the templates existing in the North Georgia Alert system based on the emergency type and may alter language based on the facts and circumstances. The Chief of Police or his designee will then notify the Office of the President and Vice President of Community Affairs and College Relations who, in turn, will notify local media outlets to provide information to the larger community. The Chief of Police or his designee will be responsible for disseminating the following notifications using some or all of the below listed systems when activation is required and to providing follow-up information regarding the emergency as needed:

North Georgia Technical College's Emergency Notification System is offered and provided to all students, faculty, staff, maintenance, and the administration of the college. When students are registered, their accounts are created for them. If they enroll and do not receive notification of being registered in the Emergency Notification System they can request it by emailing the Chief of Police. All students, faculty, staff, and the administration are provided a means of the emergency system login and can modify/update their account as needed. Once they leave or graduate the College, their account will be disabled.

To learn more about North Georgia Technical College Alert, go to <http://www.northgatech.edu>. The general public and parents may also sign up for the alerts and request they be added to the NGTC Alert notification system.

Evacuation / Shelter in Place Procedures

NGTC has established procedures to ensure to the greatest extent possible the safety and welfare of the College's students and employees.

BUILDING/CAMPUS EVACUATION – CLARKESVILLE

- 1) All occupants of a given building should exit the building according to the posted Fire evacuation route.
- 2) Once the occupants are outside the building they should proceed to the designated

Evacuation Safety Zone for that building. Safety zones can be located for your building on the accompanying map.

- 3) Faculty will be responsible for accounting for their students once they reach the Evacuation zone. They should carry a class roster with them during the evacuation procedures.

In the event that it is necessary to evacuate the entire campus by automobile the following procedure will be taken:

NOTE: The Clarkesville Campus does not have an intercom system in all buildings.

- 1) Campus police will designate NGTC personnel to assist in directing traffic.
- 2) Oncoming traffic will be suspended until the campus is cleared.
- 3) All traffic exiting on the south end of campus (Bryant Hall), and Clegg south parking will be directed towards CLARKESVILLE ONLY.
- 4) All traffic exiting on the north side of campus (Cy Grant Gym), including Mobley loop and Clegg north parking will be directed north on Hwy. 197.
- 5) All vehicles parked between Bryant Hall entrance and horticulture will exit south Hwy. 197.
- 6) All vehicles parked between north campus exit and horticulture will exit north Hwy. 197. 7) All traffic must flow CONTINUOUSLY as directed by authorized personnel.

BUILDING/CAMPUS EVACUATION –ADULT LEARNING CENTERS / BLAIRSVILLE / CURRAHEE

- 1) All occupants of a given building should exit the building according to the posted Fire evacuation route.
- 2) Once the occupants are outside the building they should proceed to the designated Evacuation Safety Zone for that building. Safety zones can be located for your building on the accompanying map.
- 3) Faculty will be responsible for accounting for their students once they reach the Evacuation zone. They should carry a class roster with them during the evacuation procedures.

In the event that it is necessary to evacuate the entire campus by automobile the following procedure will be taken:

- 1) Administrative management and appointed personnel will be responsible for contacting local authorities with duties of directing traffic.
- 2) Sheriff department or campus personnel will suspend oncoming traffic at the entrance until the campus is cleared.

- 3) Vehicles are to vacate parking lots beginning with vehicles nearest entrance and proceed in like manner until campus is vacated.

Shelter in-Place

Sheltering in provides protection from external hazards, minimizes the chance of injury and/or provides the time necessary to allow for a safe evacuation. This should be done by selecting a small, interior room if possible, with no or as few windows as possible. When authorities issue directives to shelter-in-place, do not walk outdoors; take refuge indoors immediately.

A shelter-in-place order may be issued for several reasons:

1. Severe weather
2. Hazardous materials
3. Or any situation where there is a direct environmental threat and it is best for you to stay where you are to avoid any outside threat.

When this occurs:

1. Remain CALM.
2. Faculty should recommend students and others not to leave or go outside.
3. If in a residence hall room that is safe, remain there.
4. Select a small interior room with no or few windows as possible.
5. Close all windows, exterior doors, and any other openings that lead to the outside.
6. Stay away from all windows and doors.
7. Plant Operations personnel or trained crisis coordinators should shut down all building ventilation fans and air conditioners, when and if appropriate.
8. Select interior room(s) on the ground floor, with the fewest window or air vents.
9. Room(s) should have adequate space for everyone to be able to sit down comfortably.
10. Avoid overcrowding by selecting several rooms when necessary.
11. Remain alert for instructions and updates as they become available from the emergency personnel and university administrators.

Response to an act of violence on campus:

North Georgia Technical College is committed to the protection of its students, staff, and faculty against acts of violence. Acts of violence could include, but are not limited to, active shooter situations, hostage situations, work-place violence, and terrorism. Such acts of violence have occurred on multiple campuses across the nation. These incidents have happened with little or no warning on campus or in close proximity to campus. Violent situations are oftentimes dynamic and evolve rapidly, demanding immediate notification of first responders and quick responses to protect the innocent.

In the event of an act of violence situation, individuals are encouraged to follow the “Avoid, Deny, Defend” (ADD) concept considering these procedures:

1. Remain as calm as possible
2. Determine your course of action. The best way to survive an active shooter incident is to not be where the shooter is and to not go where he or she can see you. You have two choices.
 - a. Evacuate (Avoid)
 - i. Exit the building immediately, if it is safe to do so
 - ii. Move quickly to a safe location away from the incident
 - iii. Leave belongings behind that will slow you down
 - iv. When you see police vehicles, move toward them when it is safe to do so with your hands on your head and presenting no threat to them
 - v. Follow the directions of any emergency responders you encounter
 - b. Secure-in-Place (Deny)
 - i. Go to the nearest room or office
 - ii. Close, lock, and barricade the door with any heavy furniture possible
 - iii. Cover windows, if possible
 - iv. Turn out the lights, if possible
 - v. Silence all noise-producing sources, including your cell phones
 - vi. If you can provide any valuable information to the responding units, such as the whereabouts of the shooter, call 911 or (706) 499-5341.
 - c. If you are faced with a shooter (Defend) you have a choice to make, and only you can make the choice. You can stay still and hope they don't shoot you, run for an exit as fast as you can, or even attack the shooter (Defend). This is very dangerous. A moving target is much harder to hit than a stationary one and the last thing the shooter will expect is to be attacked by an unarmed person. Any option you choose may still result in a

negative consequence. If you are in a room with others, spread out in the room, keep quiet, and determine a plan of attack if an armed person enters your room.

3. If someone near you has a life-threatening injury, and it is possible for you to safely provide first aid, do so up to but not exceeding your level of training.

How to evacuate:

At the sound of a fire alarm or if you are instructed to evacuate, leave your work or living area immediately and proceed with caution to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Campus Police Emergency at extension 7731 or dial (706)-499-5341.

1. Remain CALM.
2. Do NOT use elevators. Use the stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform University Police or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet away from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

Muster and Head Count

Individuals in leadership positions should attempt to account for students, faculty, staff and visitors who are under their supervision at the time of the evacuation. Those positions may include:

- Faculty or instructors in the classroom
- Crisis coordinators
- Office managers
- Supervisors

Once you have assembled at your designated meeting place, conduct a reasonable accounting of personnel. Inform Public Safety officials or Crisis Coordinators if someone is unaccounted for or if you suspect someone did not exit the building, and inform them of the missing person's last known whereabouts.

Emergency Action Plan

Each classroom and laboratory contains a posted emergency action plan for fire or hazardous weather conditions. The plan includes evacuation instructions in case of emergency. In the event of fire, personal injury, or criminal action, someone witnessing the incident should notify the nearest instructor or staff member immediately. That person should also notify the Campus Police (706-499-5341). If the situation is a dire emergency, an employee should call 911 before contacting a vice president or director. A student who experiences any personal injury must complete and submit an incident report to the Campus Police as soon as possible.

Security of and Access to College Facilities

While classes are in session, North Georgia Technical College, is open to students, parents, employees, contractors, guests and invitees. During normal business hours and into the evening hours for night classes and activities, access to NGTC facilities is through unlocked doors or key locks, along with a card access system deployed at NGTC, where applicable. After regular hours, which includes when classes and events are completed, NGTC police officers make rounds and secure doors by locking them. Persons wanting to enter a building after-hours must have approved access. In the case of periods involving extended closing times, the College will admit only those with prior supervisory approval or approval from Campus Police to enter the facilities.

Security cameras are placed at strategic locations around the campus, in some of the facilities for safety reasons, and most of the parking area. Specific building interior corridor facilities have interior cameras focused on areas of higher risk, such as facility entrances, elevators and telecommunication rooms. These cameras are not actively monitored, but all footage is saved on a digital feed. Cameras are checked routinely through visual confirmation to ensure the component is working via the central monitoring station. Employees of the College (faculty and staff) may be present in buildings after-hours provided that they have supervisory approval. Student assistants may be present in the building as well. The North Georgia Technical College Police Department is responsible for verifying the eligibility of student assistants to stay in closed buildings after-hours. Police officers regularly patrol all campus facilities to maintain security and inspect doors and locks to ensure they are properly maintained.

Special Considerations for Resident Hall Access

Resident Hall Access is limited to only the enrolled students registered to reside in the Resident Hall. The Maintenance Department also has access to the Resident Hall for any repairs necessary to the facility. The Resident Manager and Resident Assistants also have access. Campus Police maintains an office in the Resident Hall and will only gain access to a resident's room under the provisions of Georgia Law.

Security Considerations for the Maintenance of Campus Facilities

The Maintenance Department maintains college buildings and grounds with concern for safety and security. This department inspects campus facilities regularly and promptly makes repairs. Students and employees must call the Campus Police at (706) 499-5341 or (706) 754-7731 to report any hazard. The Maintenance Department routinely inspects college facilities to review lighting and environmental safety.

Security Awareness and Crime Prevention Education on Campus

Security awareness and crime prevention programs on personal safety are sponsored by various departments at NGTC throughout the year. Security awareness programs are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

Campus Police facilitate programs for students, faculty, staff, orientations, and organizations. Crime prevention and security awareness programs available include active shooter response and general campus safety and crime prevention.

Crime Prevention Education

The North Georgia Technical College Police Department facilitates community education presentations that promote personal safety for students, staff and faculty. Any student organization or campus department can request a training presentation from the Police Department. These presentations cover topics such as Social Media Safety, Internet Safety, Crime Prevention, Community and Law Enforcement Interaction Safety, Identity Theft Prevention, Active Shooter Response, Date Rape Prevention and General Campus Safety. To schedule a class or to learn more on what classes are available, email campuspolice@northgatech.edu.

February 2018- Escalation (One Love) workshop for COLL 1010 students

March 2018- REACT bystander training- COLL 1010 and Dorm residents-Clarksville

March 2018- Cosmetology panel program for recognizing signs of abuse in clients

April 2018- SAAM panel, Clarksville Campus, open to all students program for sexual assault awareness

April 2018- Take Back The Night, all NGTC campuses, internationally recognized event that is a visible stand against sexual violence, specifically violence against women.

April 2018 – Jeans for Justice, all NGTC campuses, internationally recognized event that raises funds to support programs for sexual violence victimization. Our event supports Rape Response, Inc; a non-profit NE Ga free service for survivors of sexual assault.

August 2018- Title IX training for Resident Life Assistants

August 2018- Self-defense training for Resident Life Assistants

August 2018- Rape Response training for Resident Life Assistants

August 2018- Citizen Response to Active Shooter Events (CRASE) training College wide

September 2018- Citizen Response to Active Shooter Events (CRASE) training for Blairsville and Currahee Campuses

August 2018- Bystander Video and Discussion Dorm students, COLL 1010 students

October 2018- Escalation (One Love) workshop for Nursing students

November 2018- Escalation (One Love) workshop for Psychology 1101 students

Personal Safety and Crime-Prevention

All members of the campus community share responsibility for ensuring their personal safety and securing their personal property. North Georgia Technical College places a priority on safety and security through its commitment to providing a safe and secure environment. The majority of crimes occurring on college campuses across the United States are preventable crimes of opportunity.

The following consist of suggestions providing guidance to prevent becoming the victim of crime:

- Report all suspicious incidents and persons to campus Police immediately.
- Avoid dark, secluded places when alone.
- If possible, avoid walking at night alone.
- Walk with others, making sure to stay in well-lit areas.
- Always limit alcohol consumption and leave any social functions that have too many people drinking in excess.
- Never leave valuables unattended in rooms or vehicles.

- Maintain serial numbers and incorporate property identification numbers on your valuables.
- Always carry your keys with you and never lend them to anyone.
- Always lock vehicles and never leave valuables in view.
- Tell someone where you are going and when you can be expected to return.
- Vary your route and schedule if you exercise outdoors on a regular basis
- Do not overload yourself with books or other items. Keep your hands free.
- Carry a purse close to your body, preferably in front. If it has a shoulder strap, be prepared to let it go if snatched.
- Never leave laptop computers, textbooks, cellular telephones, book bags, purses, or other valuables unattended in classrooms, the library, common study areas, or outdoor spaces.
- Head to an area with other people present if a stranger approaches you and you feel concerned or uncomfortable.
- Prevent theft by keeping cash, checks, credit cards, and books with you at all times. Never leave them unattended.
- Store computers, lab equipment and audiovisual equipment when not in use, in a locked office or classroom.
- Keep the campus safe by reporting all suspicious or criminal activity to police.
- Attend crime prevention / safety programs as they are offered.
- Take responsibility to protect yourself and your students.
- When confronted by thieves, give them what they want. Do not pursue the thieves. Get a detailed description and call 911 then Campus Police at (706) 499-5341.

Safety Escorts

NGTCPD provides safety escorts for any student, faculty, staff member, or visitor that requests an officer to escort them to or from their vehicle. This service can be requested by contacting:

Clarkesville Campus (706) 499-5341

Blairsville Campus (706) 439-6300

Currahee Campus (706) 779-8100

Behavioral Intervention Team

Behavior Intervention Team – PackCARE Team Procedures

The Behavior Intervention Team at North Georgia Technical College is known as the PackCARE Team. This team is dedicated to a proactive, coordinated and planned approach to the identification, prevention, assessment, management, and reduction of interpersonal and behavioral threats to the safety and wellbeing of North Georgia Technical College students, faculty, staff and visitors.

It is the responsibility of faculty, staff, and students to report immediately any situation that could result in harm to anyone in the college community.

Team Membership Description

PackCARE consists of college personnel with expertise in human resources/employee assistance, law enforcement/threat assessment/tactical applications, college operations, medical and mental health knowledge, and student affairs. Membership is based upon the position and not the individual. The members selected here have regular contact with campus community members in some manner, which will aid in the assessment of persons of concern, and/or the authority to receive a PackCARE recommendation and take the appropriate action. A collaborative process to assess threats and concerns will be used. The Team may also consult other individuals, as needed, such as a faculty member who has a concern about a student, a professional counselor to share expertise, and/or a manager who has information concerning an employee. The PackCARE Chair will keep Senior Management Team and other key staff members advised of situations and specifically will communicate with the Vice President of Student Affairs as needed.

1. Vice President for Student Affairs
2. Dean for Student Affairs
3. Chief of Campus Police
4. Director of Human Resources
5. Dean for Academic Affairs
6. Vice President for Academic Affairs
7. Blairsville Campus Faculty/Staff Member
8. Currahee Campus Faculty/Staff Member
9. Clarkesville Campus Faculty/Staff Member
10. Director of Campus Life

Outputs:

Behavior Intervention Team responsibilities:

1. Developing an implementation of educational and training programs for all members of the College community regarding behavioral assessment. This includes publications and promotional materials designed to create awareness, understanding, and participation with PackCARE.
2. Maintaining a current website, which is easily accessible from the college home page and other relevant departmental pages. This site should include the full PackCARE documents, links to informational and educational sites, and instructions for filing a referral to the PackCARE Team.
3. Receiving, coordinating, and assessing referrals from faculty, staff, students, and local authorities to provide a safe campus.
4. Provide an annual report to the Vice President for Student Affairs.
5. Attend preliminary response meetings, regular team meetings, and critical incident response meetings.

Policies and Procedures:

General operations procedures for PackCARE include the referral process, meetings, investigations, and actions and recommendations. All non-emergency situations or concerns may be reported in the following manner: online, telephone calls, and/or email. Any student, staff, or faculty member may complete the PackCARE Report Form. All other crises defined as an urgent risk of violence to self or others should call 911 and then be reported immediately to the NGTC Campus Police.

Additionally, open lines of communication will be maintained between the NGTC College Community, local law enforcement and the communities of Fannin County, Union County, Towns County, Rabun County, White County, Stephens County, Franklin County and Habersham County.

Reporting Process/Mechanism

NGTC employees, students and visitors can access the PackCARE Report Form on the NGTC web page, in the Academic Affairs Office, the Office of Human Resources, the Business Office, and Student Affairs Offices and other various locations across the campuses. Concerning behaviors should be reported in the following instances:

- a. If conduct is detrimental to college safety.
- b. When there is concern for well-being of an individual.

PackCARE Referrals

Individuals can submit referrals in the following ways:

1. Submit an online report – PackCARE Report Form
2. Contact a PackCARE Team Member
3. Contact Campus Police
4. Referrals can be submitted by phone, email, or by submission of a PackCARE Report Form PackCARE Report Form (Online) – Click the link and follow the prompts to submit your concern.

NGTC employees, students and visitors can access the

PackCARE Report Form on the NGTC web page, in the Academic Affairs Office, the Office of Human Resources, the Business Office, and Student Affairs Offices and other various locations across the campuses. Concerning behaviors should be reported in the following instances

*Appendix A consists of a list of behaviors of concern that can serve as the basis for referral.

Team Meetings and Frequency

PackCARE conducts business by three means: (1) preliminary response meeting, (2) regular team meeting, and (3) critical incident response meeting.

1) Preliminary Response Meeting

Once a report is received, the PackCARE Chair will conduct a review and other PackCARE members may be consulted and included during this initial evaluation. Team members will investigate for the submitted report and, if appropriate, convene the PackCARE team to review the material gathered during the preliminary investigation.

Investigation may include:

1. Review of PackCARE data in drop box
2. Review of student's disciplinary record or review employee's records under the custody of the chief human resources officer
3. Interviews to determine the existence of corroborating evidence;
4. Other relevant information as deemed appropriate to ensure the safety of the college community

2) Regular Team Meetings

These meetings occur monthly and are designed to review on-going cases, make appropriate recommendations with new cases, and provide regular opportunities for training. Training may be scheduled or provided at regular meetings in the form of webinars and workshops.

3) Critical Incident Response Meetings (CIR)

In the event a student attempts or commits suicide, or an event has occurred which may require the immediate attention of PackCARE, a CIR meeting may be called by the Chair.

Internal Team Communications and Releases of Information:

Internal team communications may take place in three ways; 1) Maxient; 2) In-person conversation; and official NGTC email account. For all written communication, care should be taken regarding personal identifiable information of an individual and an understanding that all records are protected by FERPA.

System for Record Keeping of Team Cases:

Confidential, Access Team Members Only

Maxient software is the preferred method for documentation for use by the PackCARE Team to record PackCARE referral and intervention. Email and written documentation information can be stored in the aXs info system utilized by NGTC faculty and staff. All official communication, notes, recommendations, outcomes, follow-up information and other vital information will be recorded and stored in Maxient or aXs info.

Actions and Recommendations:

PackCARE will receive reports of concerning behavior in and out of the classroom. For example, circumstances of violence, threatening behavior, unwanted pursuit, or harassing behaviors should be reported. To protect the college community, PackCARE will, by way of the appropriate college office or official, investigate and respond to reported behavior indicating a student, faculty, staff, or other college community member may pose a risk to self or others. PackCARE may recommend some or all the following:

1. Make recommendations to appropriate college personnel that may include, but are not limited to, the actions or sanctions consistent with the Student Handbook, Faculty Handbook, Residence Hall Handbook and Staff Handbook. In addition, PackCARE may refer students, faculty, or staff members to professional counseling, make recommendation(s) of filing criminal charges, or other actions deemed appropriate including, but not limited to the Employee Assistance Program (EAP).
2. Assign appropriate college personnel to follow-up and observe person(s) of concern.

3. Recommend that the proper authority or family member be notified, within FERPA guidelines.
4. Make recommendation(s) to appropriate college personnel regarding conditions of consideration for an individual to return as an active member of the campus community.

PackCARE Web Page

PackCARE has a webpage that is accessible from the college's main page. The webpage was established to provide information about PackCARE to the campus community address frequently asked questions and for reporting persons of concern. The web page includes:

Description of the PackCare team and the main purpose

Additional descriptive information about PackCARE is provided through the Frequently Asked Questions (FAQ) page. Some of the information found through this page addresses the types of Concerning Behavior to be aware of and a list of the Concerning Behaviors to be reported; information about what happens after a concern is reported and confidentiality of the information being reported.

Instructions of how to submit a report with link to reporting form is available from the webpage.

Education of Employees and Students

Marketing the PackCARE program is essential for the promotion of campus safety. The NGTC community can access information about PackCARE via the NGTC website. A PackCARE video, brochure, rack card, magnet and other items with the website information have been distributed and made available throughout all college locations. Additional information will be developed and shared with the students, staff and faculty to keep information current. These resources will explain to employees and students the existence of the team and its functions including the reporting and referral processes.

Future Training Plans for Team Members or Team as a Whole

PackCARE will participate in appropriate training available to the individual team members and the team. The PackCARE team will focus on opportunities to address best practices, areas of improvement, and requirements for future assessments.

College Support

The North Georgia Technical College administration fully supports the purpose and existence of PackCARE. The PackCARE Team is comprised of individuals representing various divisions across the college who attend scheduled meetings.

NOTE: Action on any recommendation(s) is the responsibility of the appropriate college personnel. It is expected that this individual report back to PackCARE as to the disposition of

the incident. If the Team's recommendation(s) is not followed, an explanation should be provided.

NOTE: The PackCARE chair will be responsible for making notations to the files concerning recommendations, actions taken, and disposition of each report filed.

NOTE: Nothing in this document is intended to abridge any employee's rights under established contract, state, and/or federal law

***Appendix A**

Suggested Examples of Behavior that can be referred to the PackCARE Team

- Anxious, depressed or overwhelmed
- Prolonged and significant difficulty with the demands of college or job
- Speaking or writing that seems bizarre
- Use of drugs and / or alcohol
- Extreme rudeness or insubordination to college officials, staff, faculty, or administrators
- Repeated or excessive classroom disruption
- Drunkenness or being under the influence of illicit drugs on campus property
- Threatening words or actions (directly threatening other students or staff)
- Writings that convey clear intentions to harm self or others (in academic assignments or on social media)
- Observed self-injurious behavior, such as cutting, burning, eating disorders, etc.
- Online postings in social media such as Facebook, Instagram, SnapChat, blogs, websites, e-portfolios, class journals, etc. that involved direct and explicit threats
- Suicidal behavior, including threats ("I am going to kill myself"), gestures (pointing a finger to the head to indicate shooting) expression of suicidal ideation ("I've always thought about killing myself by taking pills"), or documented suicide attempts
- Acts of overt expressions motivated by hatred or discrimination
- Stalking a student or employee
- Intimate partner violence
- Hazing
- "Accidental" overdose, including all involuntary hospitalizations for non-responsive intoxication
- Anger problems, Acts of violence and cruelty
- Fascination with weapons and accoutrements
- Homicidal ideation
- Interest in previous shooting situations
- Strange and aberrant behavior
- Unusual interest in police, military, terrorist activities and materials

Weapons on Campus

NGTC and the Technical College System of Georgia is committed to providing all employees, students, volunteers, visitors, vendors and contractors a safe and secure workplace and/or academic setting. The possession, carrying, or transportation of a firearm, weapon, or explosive compound/material in or on college building or property shall be governed by Georgia state law. All individuals are expected to comply with the related laws. Failure to follow laws pertaining to weapons is considered a violation of the Student Code of Conduct. Relevant Georgia laws to be aware of and compliant with include but may not be limited to:

O.C.G.A. § 16-8-12(a)(6)(A)(iii)

O.C.G.A. § 16-7-80 O.C.G.A. § 16-7-81

O.C.G.A. § 16-7-85

O.C.G.A. § 16-11-121 O.C.G.A. § 16-11-125.1

O.C.G.A. § 16-11-126

O.C.G.A. § 16-11-127 O.C.G.A. § 16-11-127.1

O.C.G.A. § 16-11-129

O.C.G.A. § 16-11-130 O.C.G.A. § 16-11-133 O.C.G.A. § 16-11-135

O.C.G.A. § 16-11-137

O.C.G.A. § 43-38-10

NGTC's Response To Sexual and Gender Violence

North Georgia Technical College does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. NGTC will not tolerate sexual misconduct, which is prohibited, and which includes, but is not limited to, domestic violence, dating violence, sexual assault, sexual exploitation, sexual harassment, and stalking. NGTC strongly encourages members of the community to report instances of sexual misconduct promptly. These policies and procedures are intended to ensure that all parties involved receive appropriate support and fair treatment, and that allegations of sexual misconduct are handled in a prompt, thorough and equitable manner.

For a complete copy of North Georgia Technical College's policy governing sexual misconduct, visit www.northgatech.edu student handbook section 6.1.2p

Definitions and GA Law

Consent: Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Central to the concept of consent is the understanding that every person has a right to control his/her body and to not be acted upon by someone else in a sexual manner unless he/she gives clear permission to do so. The person initiating the sexual activity is responsible for obtaining permission from the person or persons he/she wants to engage in sexual activity with. Consent is always freely given, and every person involved in a sexual situation must feel that they are able to say “yes” or “no” at any point during sexual activity. Absence of clear permission means you *can’t* touch someone, not that you *can*. In most cases, consent should be a clear verbal agreement. However, if a person is seeking consent from someone who cannot communicate verbally, he/she should obtain consent using another agreed upon method of communication. Non-verbal communication includes sign language, writing or typing messages, gestures, nodding or shaking one’s head, and blinking, to name just a few.

In Georgia, the term consent is not defined however O.C.G.A. 16-1-3(19) defines “without consent” as a person whose concurrence is required, has not, with knowledge of the essential facts, voluntarily yielded to the proposal of the accused or of another.

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

In Georgia, O.C.G.A. 16-6-5.1, sexual assault is defined as “sexual contact” that is perpetrated by “a person who has a supervisory or disciplinary authority over another individual.” More specifically, sex offenses are defined individually in the Georgia State Code.

Rape: Defined in the FBI’s Uniform Crime Reporting system 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.

Georgia State code 16-6-1 states:

(a) A person commits the offense of rape when he has carnal knowledge of: (1) A female forcibly and against her will; or (2) A female who is less than ten years of age. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape. Rape is punishable by death, life imprisonment with or without parole, or a minimum of 25 years imprisonment, followed by probation for life.

Fondling: Defined in the FBI's Uniform Crime Reporting system as touching of the private parts of another person for the purposes of sexual gratification, without 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.

Georgia State code 16-6-22.1 defines fondling (Sexual Battery) as follows:

(a) For the purposes of this Code section, the term "intimate parts" means the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.

(b) A person commits the offense of sexual battery when he or she intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person.

Incest: Defined in the FBI's Uniform Crime Reporting system as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Georgia State code 16-6-22 defines incest as follows:

A person commits the offense of incest when such person engages in sexual intercourse or sodomy, as such term is defined in Code Section 16-6-2, with a person whom he or she knows he or she is related to either by blood or by marriage as follows: (1) Father and child or stepchild; (2) Mother and child or stepchild; (3) Siblings of the whole blood or of the half-blood; (4) Grandparent and grandchild; (5) Aunt and niece or nephew; or (6) Uncle and niece or nephew.

Statutory Rape: Defined in the FBI's Uniform Crime Reporting system as a non-forcible sexual intercourse with a person who is under the statutory age of consent.

Georgia State code 16-6-3 defines statutory rape as follows:

A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim.

Domestic Violence: Violence committed by a current or former spouse or intimate partner of the alleged victim, by a person with whom the alleged victim shares a child in common, by a person who

is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the alleged victim.

The State of Georgia does not have any specific law regarding Domestic Violence. If a crime of battery occurs and the elements listed in the above definition exist regarding the relationship

between the perpetrator and the victim, then it is indicated on the arrest warrant under O.C.G.A. 19-13-1 referred to Family Violence.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim.

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.

The State of Georgia does not have any specific law regarding Dating Violence. If a crime of battery occurs and the elements listed in the above definition exist regarding the relationship between the perpetrator and the victim, then it is indicated on the arrest warrant.

Stalking: The term “stalking” means:

1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(i) fear for his or her safety or the safety of others or

(ii) Suffer substantial emotional distress.

2) For the purposes of this definition:

(i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.

(ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Georgia State code 16-5-90 defines stalking as follows:

(a)(1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms “computer” and “computer network” shall have the same meanings as set out in Code Section 16-9-92; the term “contact” shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place

or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term “place or places” shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term “harassing and intimidating” means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person’s safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made.

(2) A person commits the offense of stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, standing order issued under Code Section 19-1-1, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole in effect prohibiting the harassment or intimidation of another person, broadcasts or publishes, including electronic publication, the picture, name, address, or phone number of a person for whose benefit the bond, order, or condition was made and without such person’s consent in such a manner that causes other persons to harass or intimidate such person and the person making the broadcast or publication knew or had reason to believe that such broadcast or publication would cause such person to be harassed or intimidated by others.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Dr. Michael King, by emailing him at mking@northgatech.edu or by phone at 706-754-7803 and to Campus Police at put your number and email, or in person, put your address (if the victim so desires). The College will provide resources on campus, off campus, or both, including written information, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

Education and Prevention Programs

Due to added emphasis on the Clery Act: Violence Against Women Act, the College offers two courses through a service called EverFi. The courses are Haven: Understanding Sexual Assault and Alcohol Edu for College.

NGTC is a participating partner with the Office of Women’s Health/Department of Health and Human Services grant. The purpose of the grant is to provide bystander training and awareness

in order to prevent, and report dating violence, domestic violence, sexual assault, or stalking. The College has implemented a Healthy Campus Task Force (HCTF) that consist of faculty, staff, and students to promote crime prevention and awareness. This training includes the proper procedures to be followed if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred.

North Georgia Technical College provides education and prevention programs to educate the campus community on sexual assault and violence, intervention, and reporting. These programs are intended to end sexual violence through the encouragement of positive behaviors. Listed below are the educational programs available:



Haven – an online program for students that addresses the critical issues of sexual assault, relationship violence, stalking, and sexual harassment.

AlcoholEdu for College – an interactive online program designed to reduce the negative consequences of alcohol use/abuse amongst students. It inspires students to reflect on their drinking and encourages safe decision making- making campuses safer for all.

Haven and AlcoholEDU are required for all students through the COLL1010 course offered on campus and online each semester. Grades are given for completion of the assignments. Visit <https://everfi.com> for log in instructions. Instructions are also provided in the Blackboard COLL1010 course for all NGTC students.

One Love- One Love educates young people about the difference between healthy and unhealthy relationships. We empower the next generation to love better and put a stop to relationship abuse.

CRASE- The Civilian Response to Active Shooter Events (**CRASE**) course is designed and built on the Avoid, Deny, Defend strategy developed by Advanced Law Enforcement Rapid Response **Training** (ALERRT) in 2004.

Procedure for Reported Incidents of Dating Violence, Domestic Violence, Sexual Assault and Stalking

The procedures of North Georgia Technical College are established for all employees and students to be able to enjoy a work and educational environment that is free from all forms of discrimination, including sexual harassment. North Georgia Technical College's follows TCSG procedure regarding student conduct codes, sexual harassment and misconduct. Anyone believing they have been harassed sexually should report it immediately to Dr. Mike King, Title IX Coordinator, at 706 754-7711 or mking@northgatech.edu. The procedure is as follows:

I. PURPOSE: It is the purpose of this procedure to ensure that all students within the Technical College System of Georgia (TCSG) and its colleges are provided access to a safe educational environment free from any discrimination on the basis of sex. To that end, this procedure prohibits sex discrimination of

any kind, including sexual harassment and sexual misconduct (“prohibited conduct”). Sexual misconduct includes, but is not limited to, domestic violence, sexual violence, dating violence, sexual assault, sexual exploitation, and stalking.

All students and employees are expressly prohibited from engaging in any form of prohibited conduct in all interactions with each other, whether or not the interaction occurs during class or on or off campus. Visitors to campuses also shall not engage in prohibited conduct, and may be barred from campus.

Any student or employee who has engaged in prohibited conduct will be subject to disciplinary action up to and including expulsion or dismissal. Nothing in this procedure shall be interpreted to interfere with any person’s right to free speech as provided by the First Amendment to the Constitution of the United States of America.

TCSG strongly encourages all students and requires employees to report any instances of sexual harassment or sexual misconduct promptly and accurately. TCSG will not tolerate retaliation for having filed a good faith complaint or for having provided any information in an investigation. Any individual who retaliates against a complainant or witness in an investigation will be subject to disciplinary action, up to and including expulsion or dismissal.

Employee complaints of unlawful harassment or discrimination shall be conducted pursuant to the process outlined in the procedure governing Unlawful Harassment, Discrimination, and Retaliation in Employment.

II. RELATED AUTHORITY:

20 U.S.C. §§ 1681 et seq.

O.C.G.A. § 19-7-5

Violence Against Women Reauthorization Act of 2013 Campus Sexual Violence Elimination Act (Campus SaVE) Titles VI and VII of the Civil Rights Act of 1964

Title IX of the Educational Amendments of 1972

III. APPLICABILITY:

All work units and technical colleges associated with the Technical College System of Georgia.

IV. DEFINITIONS:

Advisor: the person who will attend the Hearing with a Party and conduct the oral cross-examination of the other Party and Witnesses. This person may also offer advice and support from the time the Notice of Formal Complaint is issued and may attend any meetings involved in the investigatory process, but may not speak on behalf of the party during such meetings. The Advisor may be chosen by the Party and is permitted to be, but need not be, an attorney. If either Party is unable to select an Advisor, TCSG will furnish an Advisor to the Party. The Advisors are intended to maintain Privacy and confidentiality to the extent permitted by law.

Affirmative Consent: affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that the person has the Affirmative Consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence or incapacitation mean Affirmative Consent. Affirmative Consent also cannot be procured by duress or intimidation, or by the use of anesthetizing or

intoxicating substances. Affirmative Consent must be ongoing throughout a sexual activity and can be revoked at any time. Affirmative Consent may be based on a condition(s), e.g., the use of a condom, and that condition(s) must continue to be met throughout an activity, unless there is mutual agreement to forego or change the condition. When there is no Affirmative Consent present during sexual activity, the activity at issue necessarily occurred “against the person’s will.”

Appeal Officer: the Commissioner of TCSG or his designee, who will review the Parties’ appeals and issue the Notice of Outcome of Appeal.

Clinical Site: any off-campus location to which students or faculty are assigned for completion of program requirements including labs, internships, or practicums.

Complainant: the Party to the process who has allegedly experienced the alleged Title IX Prohibited Conduct at issue.

Confidential Resource: a person who, by law, is exempted from the obligation to report an allegation of conduct that could constitute Title IX Prohibited Conduct to any entity, including the College’s Title IX Coordinator or law enforcement in circumstances in which the reported conduct could be a crime (except, as to law enforcement, if the Complainant is a minor or if there is a belief that there is an imminent threat of harm to self or others).

Confidentiality: exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses.

Court Order: any formal order issued by a state or federal court or authorized police officer that restricts a person’s access to another TCSG community member, such as an emergency, temporary or permanent restraining order.

Dating Violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant, including sexual or physical abuse or the threat of such abuse, but excluding acts covered under the definition of Domestic Violence.

Decision-Maker: a professional appointed by the TCSG Commissioner experienced and trained in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this Title IX Procedure who will preside over the Hearing and will issue the Written Determination Regarding Responsibility

Domestic Violence: a felony or misdemeanor crime of violence committed: (i) by a current or former spouse or intimate partner of the Complainant; (ii) by a person with whom the Complainant shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Georgia; (v) by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of Georgia. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

Duress: a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity to do or submit to something that they would not otherwise do or submit to. When deciding whether the act was accomplished by duress, all the circumstances, including the age of the Complainant and their relationship to the Respondent, are relevant factors.

Employee: any individual employed in a full or part time capacity in any TCSG work unit or technical college.

Expert Witness: a Witness identified by a Party or the Title IX Office that has special expertise in a technical matter, such as forensic evidence.

Force: an act is accomplished by force if a person overcomes the other person's will by use of physical force or induces reasonable fear of immediate bodily injury.

Formal Complaint: a document filed and signed by a Complainant or filed and signed by the Title IX Coordinator alleging Title IX Prohibited Conduct against a Respondent and requesting that TCSG investigate the allegations.

Hearing: a live hearing conducted with all Parties physically present in the same geographic location or with participants appearing virtually with technology enabling participants simultaneously to see and hear each other. During the Hearing, the Decision-Maker permits each Party's Advisor to ask the other Party and Witnesses all relevant questions and follow-up questions, including those challenging credibility. A recording or transcript of the hearing will be made.

Hearing Coordinator: the person who manages Hearings under this Title IX Procedure.

Hearing File: the information collected during the Investigation that is deemed relevant to be considered by the Decision-Maker.

Hearing Schedule: a time-table specific to each matter that schedules key dates for the matter after it has been charged.

Human Resources Director: the highest ranking employee responsible for the human resources function at a technical college or TCSG work unit.

Incapacitation: a state where a person lacks the ability to voluntarily agree (that is, to give Affirmative Consent) to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or is unable to appreciate the nature and quality of the act. Incapacitation is not necessarily the same as legal intoxication.

Informal Resolution: a voluntary process that the Parties may consent to participate in, as described in Section IV.F.

Initial Report: a report of conduct that may constitute Title IX Prohibited Conduct, which may be made by any individual, even if not the person alleged to have experienced the conduct. An Initial Report is made prior to a Formal Complaint, and triggers the Title IX Coordinator's obligation to contact the Complainant and inform the Complainant of Supportive Measures, as described in Section IV.A.1.

Intimidation: includes any threatening statement or conduct made with the intent to prevent or dissuade any Party or Witness from reporting or participating in the Title IX Procedure. Intimidation also includes the use of implied threats to overcome a person's freedom of will to choose whether or not to participate in sexual activity or provide affirmative consent.

Investigation: the phase of the Title IX Procedure when the Parties are invited to provide evidence and identify Witnesses to the Investigator related to the allegations in the Notice of Formal Complaint.

Investigative Report: a formal written document that fairly summarizes the relevant evidence gathered during the Investigation, including the parties' responses to the preliminary report.

Investigator: the person assigned by TCSG to investigate Formal Complaints under this Title IX Procedure. The Investigator shall have been trained on all elements of an Investigation as required by federal and state law.

Menace: a threat, statement, or act showing intent to injure someone.

New Evidence: evidence that was not available at the time of the charge decision, could not have been available based on reasonable and diligent inquiry, and is relevant to the matter.

Nonforcible Sexual Violations: Any of the following acts:

1. **Incest:** nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Georgia law.
2. **Statutory Intercourse Violation:** nonforcible sexual intercourse with a person who is under the statutory age of consent of Georgia.

Notice of Charge: the formal notification issued by the Title IX Coordinator following an Investigation that the matter will be charged and will proceed to a Hearing.

Notice of Dismissal: the formal notification issued by the Title IX Coordinator following a determination that the matter does not meet the definitional or jurisdictional standards of Title IX and stating the reasons for dismissal.

Notice of Formal Complaint: the formal notification issued by the Title IX Coordinator that a Formal Complaint has been filed and including the details set forth in Section IV.C.1.

Notice of Outcome of Appeal: a written determination describing the Appeal Officer's final decision of a matter brought forward on appeal.

Party/Parties: the generic or collective term used to refer to Complainant(s) and Respondent(s).

Preponderance of the Evidence: the standard of proof used by the Investigator and the Decision-Maker. A finding by the Preponderance of the Evidence means that the credible evidence on one side outweighs the credible evidence on the other side, such that, as a whole, it is more likely than not that the alleged fact or conduct occurred. It does not mean that a greater number of Witnesses or documents is offered on one side or the other, but that the quality or significance of the evidence offered in support of one side is more convincing than the evidence in opposition.

President: the chief executive officer responsible for the management and operation of the technical college where the complainant and/or accused violator are enrolled or employed.

Privacy: means that information related to a complaint will be shared with only a limited number of TCSG employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are responsible for TCSG’s response to Title IX Prohibited Conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”), and the privacy of employee records will be protected in accordance with Georgia law and TCSG policy.

Rebuttal Evidence: evidence presented to contradict other evidence in the Hearing File, which could not have been reasonably anticipated by a Party to be relevant information at the time of the Investigation.

Remedies: individualized measures implemented after a Hearing or as part of an Informal Resolution that are designed to restore or preserve equal access to College Programs or Activities, and may include Supportive Measures, but need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

Respondent: the person alleged to have engaged in Title IX Prohibited Conduct.

Retaliation: includes, but is not limited to, adverse action related to employment, academic opportunities, participation in TCSG and/or College programs or activities, or similar punitive action taken against an individual because that person has made an Initial Report or Formal Complaint, responded to a Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an Investigation, proceeding, or Hearing.

Sanctions: individualized measures implemented after a Hearing that may be disciplinary in nature.

Sexual Assault: any of the following acts:

1. **Rape:** 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 Complainant.

2. **Sodomy:** oral or anal sexual intercourse with another person:

- forcibly and/or against that person’s will; OR
- not forcibly or against the person’s will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

3. **Sexual Assault with an Object:** to use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person:

- forcibly and/or against that person’s will; OR
- not forcibly or against the person’s will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

4. **Fondling:** the touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification:

- forcibly and/or against that person's will (non-consensually); OR
- not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Supportive Measures: non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to TCSG Programs or Activities without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the TCSG educational environment, or deter sexual harassment. Supportive measures may include extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Title IX Prohibited Conduct: the collective term used in this Title IX Procedure to refer to the conduct described in the definitions for Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking.

Title IX Sexual Harassment: conduct, on the basis of sex that satisfies one or more of the following:

1. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal educational access.
2. an employee of the college conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.

TCSG Compliance Officer: the individual designated by the Deputy Commissioner to coordinate TCSG compliance with Title IX of the Educational Amendments of 1972 and other state and federal laws governing unlawful discrimination and harassment and educational access by disabled individuals.

TCSG Program or Activity: locations, events, or circumstances over which TCSG and/or the College exercised substantial control over both the alleged Respondent and the context in which the Title IX Prohibited Conduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by TCSG and/or the College.

Technical College System of Georgia: all work units and technical colleges under the governance of the State Board of the Technical College System of Georgia.

Title IX Coordinator: an individual designated by the president of the college to ensure compliance with Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and related federal regulations. The Title IX Coordinator may also be assigned the responsibility for compliance with other state and federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the U.S. Department of Education.




Violence: the use of physical force to cause harm or injury.

Visitor: any third party (e.g. volunteer, vendor, contractor, member of the general public etc.) who conducts business or regularly interacts with a work unit or technical college.

Witness: a person asked to give information or a statement under this Title IX Procedure.

Written Determination Regarding Responsibility: the formal written notification issued by the Decision-Maker after a Hearing that includes: (i) identification of the allegations potentially constituting Title IX Prohibited Conduct; (ii) a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other evidence, and Hearing held; (iii) findings of fact; (iv) conclusions about whether the alleged Title IX Prohibited Conduct occurred, applying the definitions set forth in this Title IX Procedure to the facts; (v) the rationale for the result as to each allegation; (vi) any disciplinary Sanctions imposed on the Respondent; (vii) whether Remedies or Supportive Measures will be provided to the Complainant; and (viii) information about how to file an appeal.

V. ATTACHMENTS:

Attachment 7.1.1p.a1.  Web Page: Sources of Counseling, Advocacy and Support  Word Document: Sources of Counseling, Advocacy and Support Attachment 7.1.1p.a2.  TCSG Usage for Statement of Equal Opportunity

VI. PROCEDURE:

A. Administration and Implementation

1. Each college president shall designate one or more officials to serve as the Title IX Coordinator and post contact information for the coordinator and the TCSG's Statement of Equal Opportunity in electronic or written college publications and academic materials as described in the TCSG Usage for Statement of Equal Opportunity (e.g. bulletin boards, the college website, catalogs, student and employee handbooks, orientation materials, and flyers). The college president will ensure the designated officials have received appropriate training.
2. Instructors/administrators must take ongoing proactive steps to ensure educational opportunities (to include classrooms, clinics, labs, programs, etc.) and student activities (clubs, sports, etc.) are accessible and free from any type of sex discrimination or harassment.
3. The Compliance Officer will coordinate training programs and monitor the colleges to ensure the correct administration and implementation of this procedure, and will ensure that proactive or

corrective measures have been taken to prevent sex discrimination and sexual misconduct. The training materials will be posted on the college's website or made available for members of the public to inspect.

4. Colleges are required to provide sexual harassment and sexual violence prevention training to students and employees and to provide programs for ongoing awareness training as required by VAWA and the Clery Act. As of the effective date of this procedure, colleges have been provided the Haven training modules for this purpose and are required to incorporate the training in new student and employee orientation activities.

5. Each technical college shall publish a list of local sources for counseling, support and advocacy in conjunction with the publishing of this procedure. (See attachment for sample format) Individuals who report sexual violence, sexual assault, stalking or dating/domestic violence will be provided with and/or referred to the list of resources.

B. Reporting and Management Action

1. All students are encouraged to report incidents of sex discrimination and sexual misconduct against themselves or others to the Title IX Coordinator at the technical college. The Title IX regulations define "sexual harassment" to include three types of misconduct on the basis of sex which jeopardize the equal access to education that Title IX is designed to protect. These types of misconduct include: any instance of quid pro quo harassment by a TCSG and/or College employee; any conduct on the basis of sex that in the view of a reasonable person is so severe and pervasive and objectively offensive that it effectively denies a person equal access to a TCSG and/or College education program or activity; and any instance of sexual assault, dating violence, domestic violence, or stalking (collectively "Title IX Prohibited Conduct," as defined in this Procedure). Students may find contact information for the Title IX Coordinator on the technical college website, and in the student handbook and college catalog. Complaints may also be emailed to unlawfulharassment@tcsgeu.edu.

2. To utilize this procedure, a Complainant must file a Formal Complaint which is defined herein as a document filed and signed by a Complainant or filed and signed by the Title IX Coordinator alleging Title IX Prohibited Conduct against a Respondent and requesting that TCSG investigate the allegations.

3. Any allegation of sex discrimination, sexual misconduct or retaliation against employees must be reported to the Human Resources Director and the Title IX Coordinator.

4. All allegations of sex discrimination and sexual misconduct on one of TCSG's college campuses or clinical locations must be reported to the Title IX Coordinator regardless of whether the allegations involve students or employees. All students, faculty, staff, and others participating in TCSG and/or College programs and activities in the United States are subject to this Title IX Procedure. If the allegations do not fall within the jurisdiction under this procedure, they may be referred and processed under the student code of conduct procedure.

5. Students have the right to file (or not to file) a criminal complaint for sexual violence with the local law enforcement authorities before, during, or after filing a complaint with the college. The investigation under this procedure shall not be unreasonably delayed to await the outcome of any criminal investigation. Sexual violence reports made to the Title IX Coordinator will be investigated and adjudicated separately from any criminal complaints. A student may request that the Title IX Coordinator and/or the Investigator assist the student with notifying local law enforcement authorities.

If a technical college's campus law enforcement receives a complaint alleging sexual harassment and/or sexual misconduct as defined in this procedure, the Title IX Coordinator for the college shall be immediately notified so that appropriate action may be taken by the Title IX Coordinator regarding the complaint.

6. If a student filing a complaint alleging sexual misconduct requests confidentiality, anonymity or asks that the complaint not be pursued, the college must inform the complainant that its ability to respond may be limited, that retaliation for filing a complaint is prohibited, and that steps to prevent harassment and retaliation will be taken. Consistent with the request, all reasonable steps to investigate and respond to the complaint should be made and other steps to limit the effects or recurrence of the alleged misconduct will be taken.

a. Regardless of a student's request for confidentiality, anonymity of a complaint, or a request that a complaint not be pursued, if the complaint includes allegations of sexual assault, sexual violence, domestic violence, dating violence, or stalking, the Title IX Coordinator must report the incident to campus law enforcement for inclusion in the college's Annual Security Report ("ASR"). The complainant should be informed that their name will not be disclosed to campus law enforcement if they have requested confidentiality during the processing of the complaint.

7. Colleges may weigh a request for confidentiality, anonymity or a request they not pursue a complaint considering the following factors: the seriousness of the alleged conduct, the complainant's age, and the respondent's right to receive information about the allegations if the information is maintained as an "education record" under FERPA. The college must inform the complainant if the request cannot be granted and the reasons for the denial.

8. Reports concerning all prohibited conduct referenced in this procedure will be processed confidentially to the extent permitted by law; communications regarding complaints will be disseminated to others on a need-to-know basis to ensure that necessary steps are taken to protect the community as a whole and that appropriate corrective actions are considered and taken.

9. If an allegation of sex discrimination or sexual misconduct is made to an employee not designated to receive such reports, the employee receiving the complaint must report the allegation to the Title IX Coordinator. The College must take corrective actions to stop harassment to which it has notice, prevent recurrence of the harassment, and remedy the effects on the complainant promptly and effectively. The College will be deemed to have notice if a responsible employee knew, or in the exercise of reasonable care should have known, about the harassment. A responsible employee includes any employee who has the authority to take action to redress the harassment, who has a duty to report the harassment to the Title IX Coordinator, or who a student could reasonably believe has this authority or responsibility, including instructors and staff at the college.

10. Allegations of any sexual conduct involving individuals under the age of 18 must also be reported as an allegation of child abuse as outlined in O.C.G.A. § 19-7-5.

11. Supportive measures must be offered to the complainant by the college president or the Title IX Coordinator or his/her designee before the final outcome of an investigation and until final resolution of the allegations if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the complainant, the respondent, or other members of the college, or to ensure

equal access to the college's programs and activities. Supportive measures may include: adjustments to academic workload (including extending deadlines); adjustment to class or work schedules; no contact orders; and suspensions, transfers or reassignments in order to prevent further harassment, discrimination, sexual violence or retaliation, to facilitate the investigation, or to implement preventive or corrective actions under this procedure; informal resolutions or discretionary dismissals

12. Discretionary Dismissal.

a. TCSG and/or the College may dismiss the Formal Complaint if:

- i. the Respondent is no longer enrolled or employed by TCSG and/or the College;
- ii. specific circumstances prevent TCSG and/or the College from gathering sufficient evidence to reach a determination; or
- iii. the Complainant informs the Title IX Coordinator in writing that the Complainant desires to withdraw the Formal Complaint or allegations therein.

b. A Complainant may notify the Title IX Coordinator at any time that the Complainant does not wish to proceed with the Investigation and/or Hearing process. If such a request is received, the Title IX Coordinator will inform the Complainant that the TCSG and/or the College's ability to respond to the allegation may be limited if the allegations are withdrawn.

c. The Title IX Coordinator will consider the relevant factors in reaching a determination as to whether to terminate the Investigation and/or Hearing process. In the event that the Title IX Coordinator determines that the Investigation will continue, the Title IX Coordinator will notify the Complainant of that determination. The Title IX Coordinator will include in that notification a statement that the Complainant is not required to participate in the Investigation and/or Hearing process but that the process will continue. In the event that the Title IX Coordinator determines that the Investigation will be terminated, both Parties will be notified.

C. Investigations

1. All complaints of prohibited conduct under this procedure will be reported immediately to the Investigator who will be responsible for conducting the investigation in a fair, prompt, and impartial manner.
2. The Investigator shall disclose to the TCSG Compliance Officer any relationship with the parties that could call into question his/her ability to be objective prior to taking any action with respect to the investigation. The TCSG Compliance Officer will reassign alternate individuals if necessary.
3. The Investigator shall send written notice to both parties of the allegations upon receipt of a formal complaint.
4. Either the complaining party or the respondent may challenge the Investigator or designee to recommend corrective action on the grounds of personal bias by submitting a written statement to the TCSG Compliance Officer setting forth the basis for the challenge no later than 3 business days after the

party reasonably should have known of the alleged bias. The TCSG Compliance Officer will determine whether to sustain or deny the challenge.

5. The investigation should be completed within 45 business days of the receipt of the complaint by the Investigator. The investigator will notify the parties and the Title IX Coordinator, in writing (typically by email), if extraordinary circumstances exist requiring additional time.

6. The parties will be notified within 5 business days of receipt of the complaint by the Investigator if the complaint does not specify facts sufficient to allege sex discrimination, harassment, sexual violence or retaliation, or if the allegations of sexual misconduct did not occur in the college's education program or activity against the complaining party while he or she was located in the United States, and that a formal investigation will not be conducted pursuant to this procedure, although a referral and investigation may be made by the Title IX Coordinator as to some or all of the matter for consideration under other applicable TCSG policy or procedure, if any. The complaining party may appeal the decision in writing to the president within 5 business days of receiving the notice. The president's decision will be final.

7. Individuals designated to investigate or recommend corrective actions in response to allegations of sexual misconduct will be trained annually to conduct investigations in a manner that protects the safety of complainants, promotes fairness of the process and accountability.

8. Investigations will be conducted by gathering relevant information and interviewing appropriate witnesses.

a. It is important that all parties preserve any documents or other evidence which may pertain to the investigation.

b. Any medically related evidence is best preserved by trained medical personnel.

c. Students are encouraged to seek medical services both for treatment and preservation of any medical evidence.

9. Both the complaining party and the respondent (the parties) will be given equal opportunity to identify witnesses and offer evidence in person or in writing. Best efforts will be made to interview all witnesses identified by the parties. If a witness identified by either party is not interviewed during the investigation, an explanation for the decision not to interview the witness should be documented in the investigatory report. Both parties will be given

timely notice of meetings at which one or the other or both parties may be present. Both the complaining party and the respondent may be accompanied by an advisor of his or her choice during any meetings involved in the investigatory process in which the advisee is also eligible to be present. However, the advisor may not speak on behalf of the party.

10. Any evidence collected during the investigation should be maintained in accordance with the record retention requirements below. Personally-identifiable information, including, but not limited to home address, telephone number, student ID or social security number should not be maintained in investigative records.

11. A report of investigation will be provided to the college's Title IX Coordinator within five (5) business days of completion of the investigation. The Title IX Coordinator will provide both parties simultaneously

with a copy of the report and any supporting evidence. The parties shall be given ten (10) calendar days from receipt of the report to respond to the report and the supporting evidence, which must be considered by the Investigator before finalizing the report. Any information prohibited from disclosure by law or policy will be redacted from any documents prior to distribution. With regard to complaints of sexual misconduct, disclosures made to comply with the Violence Against Women Reauthorization Act ("VAWA") do not constitute a violation of FERPA.

12. If the Investigator determines that all or some of the allegations made in the complaint are substantiated and that the conduct at issue constitutes a violation of this or other applicable procedure, the Title IX Coordinator shall forward the report to the appropriate officials at the college for further action in accordance with the provisions below and the college's Student Code of Conduct and Disciplinary Procedure or the Positive Discipline Procedure for employees.

D. Hearings

1. Format of Hearing:

a. Hearings may be conducted with all Parties physically present in the same geographic location or, at the discretion of the Decision-Maker, any or all Parties, Witnesses, and other participants may appear at the live Hearing virtually, with technology enabling participants simultaneously to see and hear each other.

b. At the request of either Party, TCSG will provide for the Hearing to occur with the Parties located in separate rooms with technology enabling the decision-maker(s) and Parties to simultaneously see and hear the Party or the Witness answering questions.

2. Recording of Hearing:

a. Hearings will be transcribed or recorded through audio or audiovisual means, and TCSG and/or the College will make the transcript or recording available to the Parties for inspection and review upon request.

3. Role of Advisor:

a. If a Party does not have an Advisor present at the Hearing, TCSG and/or the College will provide, without fee or charge to that Party, an Advisor of TCSG and/or the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that Party.

4. Role of the Decision-Maker:

a. The Decision-Maker will:

- i. be a professional appointed by the TCSG Commissioner who is experienced and trained in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this Title IX Procedure;
- ii. preside over the Hearing and will issue the Written Determination Regarding Responsibility;
- iii. be identified to the Parties before the Hearing at least three calendar days prior to the Hearing.

b. Conflict of Interest:

- i. No person who has a conflict of interest may serve as the Decision-Maker.
- ii. A conflict of interest exists if the Decision-Maker has prior involvement in or knowledge of the allegations at issue in the case, has a personal relationship with one of the Parties or Witnesses, or has some other source of bias.
- iii. Either Party may assert, in writing, that a Decision-Maker has a conflict of interest.
- iv. A request to recuse a Decision-Maker based on a conflict must be submitted to the Hearing Coordinator within 1 business day's receipt of the name of the Decision-Maker.
- v. A determination will be made by the Commissioner or his designee whether a Decision-Maker has a conflict of interest, and if so that Decision-Maker will be replaced by an alternate.

c. At the Hearing, the Decision-Maker will:

- i. Permit Cross-examination. At the Hearing, the Decision-Maker will permit each Party's Advisor to ask the other Party and any Witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the Hearing must be conducted directly, orally, and in real time by the Party's Advisor of choice and never by a Party personally. The Parties may, however, jointly agree in advance to waive oral cross-examination and instead submit written cross-examination to the Decision-Maker to conduct the examination. Even if the Parties so agree, the Parties are still required to have a Advisor present at the Hearing. The Decision-Maker has discretion to otherwise restrict the extent to which Advisor may participate in the proceedings.
- ii. Determine Relevance of Questions. Only relevant cross-examination and other questions may be asked of a Party or Witness. Before a Complainant, Respondent, or Witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- iii. Provide Rape Shield Protections for Complainants. The Decision-Maker will prohibit any questions and evidence about the Complainant's sexual predisposition or prior sexual behavior as not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- iv. Exclude Statements, as Relevant, in Reaching a Determination Regarding Responsibility. If a Party or Witness does not submit to cross-examination at the live Hearing, the Decision-Maker must not rely on any statement of that Party or Witness in reaching a determination regarding responsibility. The Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or Witness's absence from the live Hearing or refusal to answer cross-examination or other questions.

5. Hearing Process:

- a. The Investigator will be available to answer any questions from the Decision-Maker about the Investigation.
- b. The Decision-Maker may meet with the Parties and Witnesses for the purpose of making findings of fact.
- c. The Parties and Witnesses may not speak to matters beyond the scope of the Hearing File (for example, by raising potential misconduct allegations that go beyond the scope of the charged conduct).
- d. Parties and Witnesses must not disclose or reference information to the Decision-Maker that was excluded from the Hearing File.
- e. The Decision-Maker may ask questions of the Parties and/or Witnesses.
- f. Parties are permitted to listen to Witnesses as they are speaking to the Decision-Maker. The Decision-Maker is not obligated to speak to all Witnesses.
- g. Written Determination Regarding Responsibility:
 - i. The Decision-Maker shall issue a Written Determination Regarding Responsibility within 10 business days of the hearing, applying the Preponderance of the Evidence standard (as required by Georgia law), which shall include:

- identification of the allegations potentially constituting Title IX

Prohibited Conduct;

- a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other evidence, and Hearings held;
- findings of fact;
- conclusions about whether the alleged Title IX Prohibited Conduct occurred, applying the definitions set forth in this Title IX Procedure to the facts;
- the rationale for the result as to each allegation;
- any disciplinary Sanctions imposed on the Respondent;
- whether Remedies or Supportive Measures will be provided to the Complainant; and
- information about how to file an appeal.

ii. Sanctions:

- The Decision-Maker may ask the Parties to submit Sanctions statements at the conclusion of the Hearing.
- The Decision-Maker may also consult with TCSG and/or College personnel, including the Human Resources Director or Vice President of Student Affairs, regarding any Sanctions and Remedies appropriate to the specific Respondent and Complainant under the circumstances of the case.

- The Sanction determination will be provided to the Title IX Coordinator who will be responsible for implementing the Supportive Measures and/or Remedies, including the continuation of any Supportive Measures and/or any additional or on-going accommodations for both Parties.

iii. The Title IX Coordinator will cause the Written Determination Regarding Responsibility to be sent to the Parties.

iv. The Title IX Coordinator will provide copies of the Written Determination Regarding Responsibility and Sanctions and/or Remedies (if any) for the purpose of maintaining records as follows:

- For students, to the Office of Student Affairs
- For staff, to Human Resources
- For faculty, to the Office of Academic Affairs

v. The Decision-Maker must explain decisions on responsibility and Sanctions (if applicable) and Remedies with enough specificity for the Parties to be able to file meaningful appeals.

vi. The consideration of whether Remedies and Sanctions go into immediate effect or are temporarily delayed pending appeal or some combination thereof, will be determined on a case-by-case basis by the Title IX Coordinator.

vii. The Written Determination Regarding Responsibility becomes final:

- if an appeal is not filed, the date on which an appeal would no longer be considered timely; or
- if an appeal is filed, on the date that TCSG and/or the College provides the Parties with the written determination of the result of the appeal.

E. Corrective Actions

1. Colleges will take all reasonable steps to prevent unlawful retaliation against complainants and any other individuals participating in investigations under this procedure.

2. If prohibited conduct is determined to have occurred following the investigation, steps shall be taken to prevent a recurrence and to correct the discriminatory effects on the complaining party and others as appropriate.

a. Steps may include, but are not limited to mandating training or evaluation, disciplinary sanctions, policy implementation, issuing no-contact orders, or reassignment of students or employees.

b. Disciplinary sanctions for students are defined in TCSG Procedure governing Student Discipline and may include: reprimand,

restriction, disciplinary probation, disciplinary suspension, and disciplinary expulsion.

c. Disciplinary sanctions for employees are defined in TCSG's Positive Discipline Procedure and may include: formal reminders, decision making leave, or dismissal.

3. The severity of sanctions or corrective actions may depend on the severity, frequency and/or nature of the offense, history of past discriminatory, harassing, or retaliatory conduct, the respondent's willingness to accept responsibility, previous college response to similar conduct, and the college's interests in performing its education mission.

a. Should recommended disciplinary sanctions involve academic suspension or expulsion, the matter must be referred to the Vice President for Student Affairs, as provided by the college's Student Code of Conduct and Disciplinary Procedure.

4. Even in the absence of sufficient evidence to substantiate a finding that sex discrimination, sexual misconduct or retaliation has occurred, colleges are expected to address any inappropriate conduct and take all reasonable steps to prevent any future sex discrimination, harassment, sexual violence or retaliation.

5. Individuals who are responsible for conducting investigations, under this procedure, may not also serve as reviewing officials or Decision-Makers in the appeal of sanctions arising from an investigation.

F. Appeals

1. Appeal of a Written Determination Regarding Responsibility

a. Submission of Appeal

i. Both Parties have the right to an appeal from a Written Determination Regarding Responsibility on the bases set forth below.

ii. Appeals may be submitted by a Complainant or Respondent in writing to the Hearing Coordinator, who will forward the appeal to a designated Appeal Officer to decide the appeal.

iii. The Appeal Officer will be the Commissioner of TCSG or his designee.

iv. Each Party may submit a written appeal of up to 6,000 words in length, which will be shared with the other Party.

v. The Parties must submit the appeal to the Commissioner within ten (10) calendar days from the receipt of the Written Determination Regarding Responsibility (if any).

b. Grounds for appeal are limited to the following:

i. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the appealing Party?

ii. Was there any substantive new evidence that was not available at the time of the decision or Hearing and that could not have been available based on reasonable and diligent inquiry that would substantially affect the outcome of the decision?

iii. Did the Title IX Coordinator, Investigator(s), or Decision-Maker have a conflict of interest or bias for or against Complainants or Respondents that affected the outcome of the matter?

iv. For matters that proceeded to Sanctioning and imposition of Remedies, are the Sanction and/or Remedies ones that could have been issued by reasonable persons given the findings of the case?

c. NOTE: In composing appeals, Parties should format their arguments following these four grounds as the organizational structure.

d. Receipt of Appeal

- i. Upon receipt of a Party's appeal, the Hearing Coordinator will share it with the other Party.
- ii. Each Party may submit a response to the other Party's appeal (no more than 3,000 words).
- iii. Each Party must submit this response to the Commissioner within 10 calendar days after the other Party's appeal has been shared.
- iv. The appealing Party will have access to the other Party's response to the appeal, but no further responses will be permitted.

e. Response to Appeal

- i. The Title IX Coordinator is permitted, but not required, to file a response to a Party's appeal to respond to concerns relating to procedural irregularities or bias in the Investigation and Hearing process.
- ii. The Title IX Coordinator may submit one response for each Party that files an appeal (that raises a procedural irregularity).
- iii. Each response by the Title IX Coordinator should be no more than 1,500 words.
- iv. The Parties will have access to the Title IX Coordinator's response(s) to the appeal, but no further responses will be permitted.

f. Appeal Decision

- i. The Appeal Officer will provide the Notice of Outcome of Appeal no later than ten (10) business days after receipt of all appeal documents.
- ii. As needed, the Appeal Officer will consult with the Title IX Coordinator regarding the management of ongoing Remedies.
- iii. The Appeal Officer may reject the appeal in whole or in part, issue a new decision regarding responsibility, issue new or revised Sanctions and Remedies, or refer the matter to a new Decision-maker.

VII. RECORD RETENTION:

Documents relating to formal complaints including investigations, the investigatory report, witness statements, evidence, dispositions and the complaint itself shall be held for 7 years after the graduation of the student or the date of the student's last attendance. Any of the documents containing confidential information shall be held in a secure location under the custody and control of the Investigator, Vice President of Student Affairs or the President's designee. Documents pertaining to employees that are maintained by the Office of Human Resources shall be maintained in a secure location and in accordance with the Georgia Archives records retention schedule, but in no case fewer than 7 years.

Procedures Victims Should Follow

If you are a victim of sexual violence, call the NGTC Police, at 706-499-5341 or 911. Victims do not have to press charges. By having a rape kit completed to collect evidence at the time of the assault, victims can press charges at a later date.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police. Although the college strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The College will assist any victim with notifying local police if they so desire.

Once an individual makes a complaint or receives notice that a complaint has been made against him or her, that individual will be given to an individual regarding support services, such as counseling, advocacy, academic support, disability services, health and mental services, and legal assistance, as is available at the institution.

Possible Sanctions (Students)

In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense; history of past conduct; an offender's willingness to accept responsibility; previous institutional response to similar conduct; strength of the evidence; and the institution's interests. The hearing panel that found that a policy violation occurred will determine sanctions and issue notice of the same, as outlined above.

The broad range of sanctions includes: expulsion; suspension for an identified time frame or until satisfaction of certain conditions, or both; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating no-contact orders; required participation in sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding

transcripts, delaying registration, graduation, diplomas). A complete list of potential disciplinary sanctions for students are defined in NGTC's Student Disciplinary Procedure which can be viewed at <https://northgatech.edu/about-the-college/student-grievance-policy>.

Possible Sanctions (Employees)

If a violation of the Policy is found, the level of discipline and type or scope of sanctions will depend on the severity and nature of the discrimination or harassment, the weight of the evidence, and the need to maintain a safe and respectful environment. Disciplinary sanctions for employees are defined in TCSG's Positive Discipline Procedure, https://tcsge.edu/tcsgpolicy/tcsg_policy_manual.pdf, and may include: formal reminders, decision making leave, or dismissal.

Appeals (Students)

1. A student who wishes to appeal a disciplinary decision by the Vice President for Student Affairs or the technical college president's designee regarding an assigned sanction of restitution, reprimand, restriction, disciplinary probation, or failing or lowered grade must file a written notice of appeal through the technical college president's office for review by the Hearing Body within five business days of notification of the decision. The person filing the initial complaint against the student must be notified of the hearing date.
2. If the Vice President for Student Affairs or the technical college president's designee recommended a sanction of disciplinary suspension, disciplinary expulsion, interim disciplinary suspension, or system-wide expulsion, the matter will be referred to the Hearing Body by the Vice President for Student Affairs. The student need not file a written notice of his or her desire to appear before the Hearing Body. The person filing the initial complaint shall also be given notification of the hearing.
3. The student will then have the right to appear in a hearing before a Hearing Body assigned by the technical college president or his/her designee within 10 business days to present evidence and/or testimony. If the student has been placed on an interim disciplinary suspension, the hearing must be held as soon as possible, preferably within five days. The student has the right to be assisted by any single advisor he/she chooses, at his/her own expense. The student is responsible for presenting his/her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a Hearing Body. The Hearing Body may consist of a single person or a group of people drawn from the technical college community. There shall be a single official record, such as a tape recording, of all hearings before the Hearing Body. The official record shall be the property of the technical college. The standard of proof in all hearings shall be a preponderance of the evidence. The chairperson of the Hearing Body shall notify the technical college president and the Vice President for Student Affairs in writing of the Hearing Body's decision. The technical college president or his/her designee will notify the student in writing of the Hearing Body's decision.

4. If the student appeared before the Hearing Body to appeal the Vice President for Student Affairs or the technical college president's designee's sanction of restitution, reprimand, restriction, disciplinary probation, or failing or lowered grade, the Hearing Body's decision regarding the appeal is final. A copy of the Hearing Body's written decision will be provided to both the student and the person who filed the original complaint.
5. If the student appeared before the Hearing Body after the Vice President for Student Affairs or the technical college president's designee recommended disciplinary suspension, disciplinary expulsion, interim disciplinary suspension, or system-wide expulsion, the student shall have the opportunity to appeal directly to the technical college president.
6. If entitled to an appeal to the technical college president, the student shall have 5 business days after receiving written notification of the Hearing Body's decision to request in writing an appeal. The student shall ensure that all relevant information is included with this request. The person who filed the original complaint shall be notified of the student's appeal.
7. The president of the technical college or his/her designee's review shall be in writing and shall only consider evidence currently in the record, new facts not brought up in earlier stages of the appeal shall not be considered. The technical college president or his/her designee shall deliver the decision to the student and the person who filed the original complaint within 10 business days. The decision of the technical college president or his/her designee shall be final and binding.

Appeals (Employees)

Should a technical college employee wish to appeal the recommendation, he/she must submit a written appeal to the president within seven (7) calendar days of receipt of the recommendation. A System Office employee may submit a written appeal to the Commissioner within seven (7) days of receipt of the recommendation. The college president, or Commissioner, as applicable, will evaluate the appeal and determine if the initial decision is appropriate or may direct other action(s) be taken to address the complaint.

The college president, or if applicable, the Commissioner will notify the employee of the decision within ten (10) calendar days of receiving the appeal. Absent extraordinary circumstances, the president's decision will be final. Should a technical college employee wish to appeal the president's decision, he/she must submit a written appeal to the Commissioner within seven (7) calendar days of receipt of the president's decision. The Commissioner may decline to consider the appeal or may affirm, reverse or modify the decision. The employee will be informed of the decision within fifteen (15) calendar days of receipt of the appeal. The Commissioner's decision will be final and will conclude the processing of the employee's complaint.

Assistance for Victims: Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. The university will also assist the victim in notifying law enforcement, if requested, by providing contact information to the victim, or by contacting law enforcement and reporting the incident.

According to the Georgia Crime Victims' Bill of Rights statute 17-17-1, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. The right to reasonable, accurate, and timely notice of any scheduled court proceedings or any changes to such proceedings;
2. The right to reasonable, accurate, and timely notice of the arrest, release, or escape of the accused;
3. The right not to be excluded from any scheduled court proceedings, except as provided in this chapter or as otherwise required by law;
4. The right to be heard at any scheduled court proceedings involving the release, plea, or sentencing of the accused;
5. The right to file a written objection in any parole proceedings involving the accused;
6. The right to confer with the prosecuting attorney in any criminal prosecution related to the victim;
7. The right to restitution as provided by law;
8. The right to proceedings free from unreasonable delay; and
9. The right to be treated fairly and with dignity by all criminal involved in the case.

Victim Confidentiality

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Dr. Michael King, by emailing him at mking@northgatech.edu or by phone at 706-754-7803 and to Campus Police. Pursuant to state and federal law NGTC will follow all mandated guidelines to ensure the confidentiality and all members of the College community are expected to maintain the knowledge of an individual's status as a survivor of sexual assault/abuse in a confidential manner. Personal identification information is not published to the public. Regardless of

criminal prosecution, college officials are able to offer varying levels of privacy protection of victims, and reports made to law enforcement may be made public and shared with the accused. Reports made to NGTC officials will be kept confidential to the extent possible pursuant to US Section 4002(a) (20) of the Violence Against Women Act of 1994.

The college will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

Protective Measures

Temporary Protective Orders (TPO's)

Further, North Georgia Technical College complies with Georgia law in recognizing temporary protective orders (TPO). Any person who obtains a temporary protective order from Georgia or any reciprocal state should provide a copy to North Georgia Technical College Police Department and the Office of the Title IX Coordinator. A complainant may then meet with North Georgia Technical College to develop a Safety Action Plan, which is a plan for Campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home. The College cannot apply for a temporary protective order for a victim. The victim is required to apply directly for these services. The following is information regarding how to obtain a temporary protective order from the Habersham, Stephens and Union County Courts.

Who is Eligible to Apply for a TPO?

Before an application for a TPO can be made, an act of family violence or stalking must have occurred. The following parties are eligible to apply:

Spouses (present or past)

Parents of the same children

Parents and children

Step-parents and step-children

Foster parents and foster children

Persons living or formerly living in the same household

How is a TPO Obtained?

The first step in obtaining a TPO is the application process. A representative (Advocate) will assist you with the required paperwork. The Advocate is located at the county courthouses in Habersham, Union and Stephens counties in the Office of the District Attorney.

The advocate will provide the required paperwork for parties seeking temporary protective orders. Additional duties of the advocate include entering information into the state computer system and screening cases before bringing said matters before the presiding judge.

If there is a finding by the judge that there is probable cause to believe that an act of family violence has occurred in the past and may occur in the future, the Court may order such relief as is deemed appropriate.

After the responding party has been served with a copy of the order by the Sheriff's Office, a hearing will be held within 30 days. Both parties will have the opportunity to be present at the hearing. An assisting Superior Court Judge will determine by a preponderance of the evidence if it is warranted to continue the protective order for a period of up to 12 months.

Specific information about the process and contact information for obtaining a protective order in Habersham County can be found at https://www.habershamga.com/clerk_restraining.cfm and in Stephens County at http://www.stephenscountyga.com/restraining_orders.cfm and in Union County at <http://www.unioncountyga.gov/courts/magistrate-court/>.

Criminal Trespass Warning

The College may issue a criminal trespass warning, if deemed. To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20)). Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims nor house identifiable information regarding victims in the College Police Department's Daily Crime Log or online. The College does not maintain any public directory information on students, but does have public directory information on faculty and staff. Victims may request that directory information on file be removed from public sources by contacting who? Need title and phone/email.

Resources for Crime Victims [668.46(b)(11)(iv)] [668.46(b)(11)(v)]

Crime victims have a number of offices at NGTC available to them that are here to offer support and provide information about programs and services available. Services include resources to

students and employees for counseling, mental health, or other services for victims of sex offenses. Some of the offices a student or employee may contact for information and assistance include:

Local Police, Fire, EMS.....	911
Vice President for Student Affairs.....	706-754-7803
Human Resources.....	706-754-7700
Office of Equal Employment Opportunity (EEO).....	706-754-7700
Coordinator for Disability Services.....	706-754-7828
Domestic & Family Violence Hotline.....	800-334-2836
Georgia Network to End Sexual Assault.....	404-815-5261
Georgia Legal Services.....	404-894-7707
Mental Health Crisis Line.....	800-493-1932

The College does not provide counseling services. Faculty and staff have access to professional counseling through the Employee Assistance Program provided through Espyr. Access to services is available 24/7 by calling (800) 869-0276 or by request through the website at www.espyr.com. Students seeking professional services are provided information for service providers specific to their particular needs and situation. Additional assistance with the referral is made on an individual basis. The college does publish a list of Sources of Counseling, Advocacy and Support through the website, www.northgatech.edu.

HEOA [493(a)(1)(A)]

North Georgia Technical College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sexual Assault Prevention Education

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. North Georgia Technical College and Police want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be

when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
- Confront and report people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

The following tips may reduce your risk for many different types of crimes, including sexual violence (taken from Rape, Abuse & Incest National Network, <https://www.rainn.org/>).

1. Know your resources. Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
2. Stay alert. When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
3. Be careful about posting your location. Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
4. Make others earn your trust. A college environment can foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.
5. Think about Plan B. Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or

college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?

6. Be secure. Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.

Safety in Social Settings

You can take steps to increase your safety in situations where drinking may be involved. These tips can help you feel safer and may reduce the risk of something happening, but, like any safety tips, they are not foolproof. It's important to remember that sexual assault is never the victim's fault, regardless of whether they were sober or under the influence of drugs or alcohol when it occurred.

1. Make a plan. If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.

2. Protect your drink. Don't leave your drink unattended, and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It's not always possible to know if something has been added to someone's drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.

3. Know your limits. Keep track of how many drinks you've had, and be aware of your friends' behavior. If one of you feels extremely tired or more drunk than you should, you may have been drugged. Leave the party or situation and find help immediately.

4. It's okay to lie. If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

5. Be a good friend. Trust your instincts. If you notice something that doesn't feel right, it probably isn't.

6. Know what you're drinking. Don't recognize an ingredient? Use your phone to look it up. Consider avoiding large-batch drinks like punches or "jungle juice" that may have a deceptively high alcohol content. There is no way to know exactly what was used to create these drinks.
7. Trust your instincts. If you feel unsafe, uncomfortable, or worried for any reason, don't ignore these feelings. Go with your gut. Get somewhere safe and find someone you trust or call law enforcement.
8. Don't accept drinks from people you don't know or trust. This can be challenging in some settings, like a party or a date. If you choose to accept a drink from someone you've just met, try to go with the person to the bar to order it, watch it being poured, and carry it yourself.

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on Oct. 28, 2000, and also referred to as Megan's Law, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student.

In Georgia, convicted sex offenders must register with the Georgia Department of Corrections. You may obtain state information on individuals registered as sex offenders by visiting the Georgia Bureau of Investigation Sex Offender Registry website at <https://gbi.georgia.gov/georgia-sex-offender-registry>.

Missing Student Notification Procedure [668.46(h)]

Any residential student suspected of being missing should immediately be reported to the NGTCPD. In addition to the NGTCPD, suspected missing residential student should be reported to the NGTC officials who are deemed Campus Security Authorities (CSA) by federal law. This includes the Dean of Student Affairs, Residential Assistants, Campus Life Director, and the Vice President for Student Affairs. The CSA will promptly notify the NGTCPD of the suspected missing student. The Police Department will be responsible for verifying the reported information is critical and the circumstances involved warrant the person declared as missing. The Campus Life Director and the Office of Student Affairs will immediately be notified by Campus Police to verify the appropriate missing person contact information. The missing person contact will be notified within 24 hours of determination that the student is missing. This notification will be conducted under the supervision of the Office of Student Affairs.

Campus Police will provide the Office of Student Affairs continuous notification of the status of the investigation until the case is closed. Campus Police will be responsible for notifying other local law enforcement agencies in the appropriate time frame after the determination the student is missing.

Each student residing in campus housing will have an option to identify a person as a designated missing person contact to be notified through the Office of Student Affairs within 24 hours of determining the student is missing by the appropriate officials authorized to make the determination. This person may be designated by the student in addition to the declared emergency contact. Should the student not formally declare a separate missing person contact, the emergency contact on record will be notified. Campus Life and Student Affairs inform students that their contact information will be registered confidentially, and this information will be accessible only to authorized campus officials and law enforcement and may not be disclosed outside a missing person investigation.

Any person(s) under the age of 18 years of age, and not emancipated will still be allowed a separate person to be designated for missing person notification; however, then a legal parent or guardian will also be notified within 24 hours of the determination of the student is missing.

Notification of this policy will be made directly to all students residing in campus housing annually and be available in conjunction with the “Annual Security and Fire Safety Report” that provides information in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Crime Statistics Act. All students attempting to register for campus housing will also be notified of this policy at the time of completing housing-related documents. During the online registration process, specific campus housing emergency-related contact information will be verified, and the student will have the opportunity to provide a separate missing person contact online. All information submitted online during the housing registration process will remain on file and be considered accurate until the student voluntarily provides different information.

NGTC’s POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

North Georgia Technical College is committed to operating in accordance with the laws of the state of Georgia with regard to the use, sale, possession and consumption of alcoholic beverages. It is the responsibility of all members of the College community to abide by those laws. NGTC is in compliance with section 1213 of the Higher Education Act of 1965 regarding the possession, use and sale of alcoholic beverages and illegal drugs. Any violation of the act or of federal and state laws pertaining to the possession, use and sale of alcoholic beverages and illegal drugs can be dealt with through the criminal justice system and/or through the college judiciary system.

College campus police regularly patrol the campus and respond to calls for service. Officers routinely enforce Georgia state laws regarding underage drinking and the use, possession and sale of alcoholic beverages at NGTC by either referring the student to the appropriate

conduct officer, by issuance of a citation, or by arrest. Officers also respond to complaints of drug activity and enforce state and federal drug laws.

More information on campus judicial procedures and processes can be found at <https://northgatech.edu/uploads/about-the-college/flyers/NGTC-Policies--Procedures.pdf>
NGTC Procedure: 6.5.1p1 (V. H.) Student Conduct Code

NGTC's Drug and Alcohol Policy.

North Georgia Technical College is committed to promoting the health and safety of the campus community through alcohol and drug education programs and the enforcement of policies and state law. Federal law requires NGTC to notify faculty, staff and students of its alcohol and drug policy, which can be accessed on the College's webpage at <https://northgatech.edu/about-the-college/student-grievance-policy>.

In accordance with the Drug Free Schools and Communities Act Amendments of 1989 (US sections 120a-d), NGTC has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. College standards of conduct clearly prohibit the unlawful possession, use, or distribution of alcohol, marijuana, a controlled substance, or other illegal or dangerous drugs on campus or as part of any student-sponsored activities. College policies prohibit the possession or consumption of alcoholic beverages and illicit drugs on the campuses, in college facilities, or at college-related functions. College policies also prohibit students under the influence of alcohol or nonprescription drugs from appearing on the campuses, at clinical facilities, or at student-related functions and activities. As noted in the Student Code of Conduct, the College will impose sanctions up to and including dismissal and referral for prosecution for the violation of these standards.

Drug and Alcohol Education Programs and Assistance Available.

The Office of Student Affairs assists students with drug- or alcohol-related problems by referral to community programs and through our partnership with EverFi - every COLL1010 class each semester.

AlcoholEdu for College – an interactive online program through EverFi designed to reduce the negative consequences of alcohol use/abuse amongst students. It inspires students to reflect on their drinking and encourages safe decision making- making campuses safer for all.

Habersham Mental Health Center/Avita Community Partners – Outpatient substance abuse treatment services offered.

Alcoholics Anonymous- Area 16, covering Blairsville, Clarkesville, Toccoa campuses. Log onto <https://www.aageorgia.org/16a-driving.html> for directions to meetings.

Medical Amnesty Law

This law is aimed to reduce the number of drug overdose victims by providing protection from arrest for drug violations, parole or probation violations, and alcohol related violations. The law, in effect since April 24, 2014, says that anyone seeking medical assistance for themselves or someone else for a drug overdose can't be charged if the evidence of a drug violation results solely from seeking such medical assistance. Protections offered by the law include: (a) possession for a controlled substance if the aggregate weight including any mixture is less than 4 grams of a solid substance, less than one milliliter of liquid substance, or if the substance is placed onto a secondary medium with a combined weight of less than four grams; (b) possession of marijuana less than 1 ounce; (c) possession of drug related objects; (d) violation of a temporary protective order; (e) violation of parole or probation (for possessing such drug or in the company of persons who possess controlled substances); (f) or violation of a pretrial release (for possessing such drug or in the company of persons who possess controlled substances).

NGTC'S Annual Disclosure of Crime Statistics

Crime Statistic Discloser

NGTCPD prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report is available and can be located on our web site at:

www.northgatech.edu. This report is prepared in cooperation with local law enforcement agencies surrounding our main, satellite campuses, and learning centers.

Campus crime, arrest and referral statistics include those reported to the NGTC Police, designated campus officials (including but not limited to directors, deans, department heads, student affairs, and advisors to students/student organizations), and local law enforcement agencies.

Each year, an e-mail notification will be sent to all enrolled students that will provide the website address to access this report. Faculty and Staff will receive a similar notification. Copies of the report may also be obtained from the Office of the Chief of Police located in the Clegg Center Building.

This report contains crime statistics that have been compiled from the 2017 calendar year and a reprint of the crime statistics from the two previous calendar years. Crime statistics for "public property" on each table have been collected from the same listed sources below. The statistics reported have been compiled from data collected from 5 reporting sources:

Campus Security Authorities (CSAs)
NGTC Police Department
Union County Sheriff's Office

Crime Statistics Report by Calendar Year

The Clery Act, requires North Georgia Technical College to publish annual statistics on certain crimes, arrest and disciplinary referrals. These statistics include activities occurring on campus, non-campus facilities, and public property. This report, the Annual Security Report (ASR), contains North Georgia Technical College's (NGTC) data covering the years 2015, 2016 and 2017; Clery Act crime, arrest, and disciplinary referral statistics.

Unfounded Crime Reports

All reports of crime are investigated by Campus Police and/or any appropriate law enforcement agency. Campus Police are required under Georgia Law to maintain a record of reports and final dispositions including any Unfounded Crimes.

Definitions of Clery Reportable Crimes

Under the Clery Act, each institution must report, by geographic location and by category of prejudice, any of the hate-violence statistics for specified Clery Act crimes of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. In addition, the following represent reportable offenses: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism or property that was reported to the local police agencies or to the CSA that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived:

Murder/manslaughter

The willful, non-negligent, killing of one human being by another.

Manslaughter by Negligence

The killing of another person through gross negligence.

Sexual Assault

Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape

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

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/ her age or because of his/her temporary or permanent mental incapacity.

Incest

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent.

Robbery

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

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

Burglary

The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, or personal property of another person, etc.

Hate Crimes

Offenses that are reported to the local police agencies or to the CSA that manifests evidence that the victim was intentionally selected because of the offender's actual or perceived bias or prejudice.

Categories of Prejudice/Bias

- **Race Bias**: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- **Gender Bias** A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- **Religion Bias** is a preformed negative opinion or attitude toward a person or group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being,
- **Sexual Orientation Bias** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.
- **Ethnicity Bias** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin Bias** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability Bias** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Gender Identity Bias A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals. The crimes listed below are only required to be reported if they are motivated by bias:

Larceny/Theft

The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

Simple Assault

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

To unlawfully place 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.

Destruction/Damage/Vandalism of Property

To 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.

Other Clery Act Reportable Offenses

Liquor Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, transporting furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition).

Drug Law Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; illegal aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

Violence Against Women Act (VAWA/Campus SaVE Act Crimes

The Clery Act requires annual reporting of statistics for various criminal offenses, including forcible and non-forcible sex offenses and aggravated assault. VAWA's SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery. These offenses are defined by Clery as:

Sexual Assault

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Dating Violence

Violence committed by a person

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim

(B) the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:

- i. The length of the relationship;
- ii. The type of the relationship; and
- iii. The frequency of interaction between the persons involved in the relationship.

Domestic Violence

A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

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.

Crime Statistics and Clery Geography

The following pages contain the campus crime statistics reportable under Clery for NGTC Blairsville campus, Clarkesville campus, and Currahee campus.

Blairsville

121 Meeks Ave.
Blairsville, Ga., 30521

Clery Campus Crime Statistics	All On-Campus Property			Non-Campus Property			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	4	0
Aggravated Assault	0	0	0	0	0	0	0	7	0
Motor Vehicle Theft	0	0	0	0	0	0	0	17	0
Arson	0	0	0	0	0	0	0	2	0
Burglary	0	0	0	0	0	0	0	69	0
Rape	0	0	0	0	0	0	0	3	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	22	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	105	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrest	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0
Violence Against Women Act of 2013									
Domestic Violence	0	1	0	0	0	0	0	15	0

Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	3	0

Clarkesville

1500 Hwy 197 N
Clarkesville, Ga 30523

	All On-Campus Property			Non-Campus Property			Public Property		
Clery Campus Crime Statistics	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	1	0
Aggravated Assault	0	0	0	0	0	0	0	21	0
Motor Vehicle Theft	0	0	1	0	0	0	0	5	0
Arson	0	0	0	0	0	0	0	1	0
Burglary	0	0	0	0	0	0	0	23	0
Rape	0	0	0	0	0	0	0	1	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	171	0
Liquor Law Violations Referred for Disciplinary Action	1	5		0	0		0	0	0
Drug Law Arrests	1	0	0	0	0	0	0	248	0
Drug Law Violations Referred for Disciplinary Action	5	6		0	0	0	0	0	0
Illegal Weapons Possession Arrest	0	0	0	0	0	0	0	3	0
Illegal Weapons Possession Referred for Disciplinary Action	0	1		0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0
Violence Against Women Act of 2013									
Domestic Violence	0	1		0	0	0	0	0	0
Dating Violence	0	1		0	0	0	0	0	0

Stalking	1	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	6	0

Currahee

8989 Georgia Hwy 17 S

Toccoa, GA 30577

	All On-Campus Property			Non-Campus Property			Public Property		
Clery Campus Crime Statistics	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrest	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0
Violence Against Women Act of 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0

Stalking	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	1	0	0	0	0	0	0

NGTC Annual Fire Safety Report

Fire Safety Systems in Residence Halls

The following report contains information pertaining to the fire safety of the Bryant Hall residential facilities located on the Clarkesville campus of North Georgia Technical College. The Blairsville and Currahee campuses do not provide residential housing. This report is in ordinance of the Higher Education Opportunity Act of 2008. Campus housing facilities listed below all have a full sprinkler system, smoke detectors, and audible alarms. Units intended for students with disabilities also include strobes. Bryant Hall is a single building containing 91 rooms.

Bryant Hall has active fire monitoring. The fire monitoring company provides notification for every fire alarm to the following in this order: Habersham County dispatch, NGTC Police.

All common-use kitchens, located in Bryant Hall, include a wet chemical extinguisher units for range tops. All systems are fully checked and maintained at least annually.

Fire Drills

Mandatory supervised fire drills are conducted each semester in the fall and spring between the hours of 6:00 a.m. and 10:00 p.m. when the majority of the students are present. These drills are coordinated through Campus Public Safety, Campus Life, and local fire and 911 center. Resident Assistants assist with the orderly and timely evacuation of the residential housing facility by directing students to the designated evacuation site. Post drills are reviewed by the coordinating authorities.

Bryant Hall	Fire Drill	01/23/2018	Fire Drill
Bryant Hall	Fire Drill	05/23/2018	Fire Drill
Bryant Hall	Fire Drill	06/08/2018	Fire Drill
Bryant Hall	Fire Drill	08/13/2018	Fire Drill

Fire Safety

Tampering with, vandalizing or misusing fire safety equipment is prohibited and constitutes reasons for eviction from the apartments and possible suspension or expulsion from the

College. Fire safety equipment includes, but is not limited to, alarms, extinguishers, smoke detectors, door closures, alarmed doors, and sprinklers. Failure to evacuate during a safety drill will result in disciplinary action. Items that are flammable such as fuel, etc., may not be stored in a resident's room or apartment. Items that require an open flame to operate or which produce heat (e.g., Bunsen burners, lit candles, alcohol burners, grills) are not allowed in residents' rooms. Residents must further agree to abide by the safety regulations as stipulated in the Housing Safety Regulations.

Flammable Items: Items such as fuel, etc., may not be stored in residents' rooms or apartments.

Fire Lanes: Emergency lanes are strictly reserved for use by emergency vehicles only. Unauthorized vehicles parked in these areas will be towed at the owner's risk and expense.

Fire Equipment: Equipment is provided to monitor fire safety conditions. Misuse of these items or other emergency equipment constitutes a danger to the safety of the community. Tampering with, vandalizing, or misusing fire safety equipment is prohibited and constitutes reason for eviction and up to expulsion from NGTC. Familiarize yourself with the location and operation of fire equipment and evacuation routes. Fire equipment is also located throughout the corridors and includes, but is not limited to, alarms, extinguishers, smoke detectors, door closures, alarmed doors, and sprinklers. Safety drills will be conducted in accordance with state law. Failure to evacuate when alarms sound is grounds for disciplinary action and fines.

Irons: Ironing is permitted, but irons must always be used with ironing boards that have a fire resistant cover. Irons should never be plugged in when not in use, or left unattended. Irons with automatic cutoff mechanisms are encouraged.

Open Flames: Items which require an open flame to operate or which produce heat (e.g., Bunsen burners, lighted candles, alcohol burners) are not allowed in the facilities. Unlit candles may be used for decorative purposes only.

Fire Safety Education and Training Programs

Students in residential housing are advised when they hear a fire alarm, the following steps should be taken:

- Follow the evacuation route as designed for your room location and stay to the right while descending the stairway if you live in an upstairs area.
- Once outside stay at least 100 feet from the building.
- Do not re-enter the building until a staff person gives the all clear.

If you are trapped in a fire, the following steps should be taken:

- Close all doors between you and the fire. Never go blindly out of the door until you feel the handle to see if it is hot. If it is hot, stuff a towel under the door and remain in the room.
- Crack the window (both top and bottom, if possible) 6” – 8”, and stay near it for air. If needed, break the window with a chair or shoe in order to have fresh air.
- Smoke and fumes rise. Therefore, stay close to the floor; use a wall to keep from moving in circles.
- Use a towel, wet if possible, to cover hair and nose.
- Evacuated individuals must stay 100 feet away from the building until an “all clear” is given by a staff person.

Fire Incident Reporting

All fire alarms are reported to the Campus Police and records are maintained in the Office of the Chief of Police and available through the appropriate Open Records Act request.

All fire safety concerns should immediately be reported to the NGTC Police at 911, 706-754-7731 or 706-499-5341. If a member of the NGTC community finds evidence of a fire that has been extinguished, and the person is not sure whether NGTC Police have already responded, the community member should immediately notify NGTC Police to investigate and document the incident. Information related to fire safety reporting for campus housing should be submitted to Campus Life.

Location	Incident	Date/Time	Disposition
Campus Bookstore	Fire Alarm	01/09/2018 at 1800	False Alarm
Bryant Hall	Fire Alarm	06/08/2018 at 1146	False Alarm
Clegg Building	Fire Alarm	06/22/2018 at 0955	False Alarm
Bryant Hall	Fire Alarm	09/05/2018 at 1130	False Alarm
Bryant Hall	Fire Alarm	09/12/2018 at 1135	False Alarm
Campus Bookstore	Fire Alarm	10/21/2018 at 2335	False Alarm
A/C Building	Fire Alarm	12/03/2018 at 1039	False Alarm
A/C Building	Fire Alarm	12/17/2018 at 1030	False Alarm
A/C Building	Fire Alarm	12/27/2018 at 0856	False Alarm
ITC	Fire Alarm	12/27/2018 at 1143	False Alarm

Plans for Future Improvements in Fire Safety

1. Campus Housing Rules Pertaining to Fire Safety are strictly enforced. These are:
 - Cooking and heating appliances are not permitted in the residence hall rooms; however, students are allowed to have a compact refrigerator and/or a single cup coffee maker (i.e. Keurig) with no heating element in their residence hall rooms.
 - Resident Assistants will inspect appliances during installation and determine safety and conformance to the building policies.
 - Any student having such appliances will be responsible to the college for any abuse of the privilege or damage to college property.
 - Incense burners of all types, candles, fireworks, aerosol spray paint cans and solvents, and other similar objects are strictly prohibited in the residence hall. Any such items found in rooms will be confiscated. Violation of this regulation may result in severe penalties not only from the institution, but also from the state Fire Marshall’s Office.
 - Due to recent fire concerns surrounding Hover boards and similar devices, North Georgia Technical College (NGTC) prohibits the use, possession, or storage of a Hover board, Segway, or similar devices in all NGTC buildings or on any NGTC Property.
 - Setting off a false fire alarm in the residence hall may result in immediate eviction from the residence hall. In addition, legal action may be taken.

2. Sprinkler Systems have been updated and added to Clarkesville Campus buildings.

3. Training of new Police officers, RA’s and 911 response procedures for alarms on campus and documentation policies.

FIRE STATISTICS AND FIRE LOG

The NGTC Police Department, located in the Clegg Building, maintains the campus housing fire log The Fire Log is available online and is updated every business day. The Fire Log is available for request during normal business hours, which are 8:00 a.m. – 4 p.m. Monday-Thursday.

Bryant Hall – NGTC Clarkesville Campus

Year	Total # Fires	Fire #	Cause of Fire	# Injuries	# Deaths	Value of Property Damage
2016	0	0	n/a	0	0	0
2017	0	0	n/a	0	0	0
2018	0	0	n/a	0	0	0