

## Student Affairs

### Orientation

The web-based orientation is required for all new students prior to receiving a registration code from their advisor. It may be viewed at any time for reference or review from the college's website.

Orientation includes information about school regulations and requirements, information about student recreation and activities, and an overview of the facilities of the college.

### Visitors

Visitors are welcome at North Georgia Technical College. Individuals or groups (high school classes, clubs and organizations) wishing to visit a NGTC campus location may contact the receptionist at the campus location of interest to schedule a visit.

All visitors are required to report to the receptionist when they arrive on campus. A visitor's presence in a classroom or lab area is allowed in a very limited timeframe, generally in conjunction with a scheduled tour.

Students are not permitted to have friends, children or relatives as their guest in a classroom, lab or practicum/internship setting.

### GOAL (Georgia Occupational Award of Leadership)

The Georgia Occupational Award of Leadership (GOAL) program began in 1971 to recognize excellence in technical education and the Student of the Year for Georgia's technical colleges. Outstanding students attending North Georgia Technical College are nominated by their instructors based on academic excellence and personal leadership. As these promising students move through the process, they compete through interviews and presentations. The college's GOAL winner is selected to represent his/her fellow students, along with winners from all of the technical colleges across the state, at the State GOAL competition. At the state level, judges select one student, the State GOAL winner, to serve as an ambassador for technical education in Georgia.

### Student Success Coach Program

The Student Success Coaching Program at North Georgia Technical College provides support and services for students through relationships established with a designated Coach during their first year of enrollment. Many students will be introduced to the program during NGTC's College and Career Success Skills (College 1010) course. Students enrolled in a workforce-related program as a new full-time or part-time student (this includes students who have not attended NGTC in the past five years) may be eligible to participate. Transient students are not eligible. Coaches are located at each campus. The primary goal of the program and each Student Success Coach is to help students develop the skills and strategies necessary to be successful in their program of study, to graduate and ultimately to be better equipped to find employment in their chosen field.

### Health Awareness Programs

The purpose of student health awareness programs is to provide information to the students to enable them to maintain a healthy lifestyle. Health and wellness information is provided throughout the year by the Campus Life staff on topics such as smoking cessation, proper nutrition, fitness weight loss, alcohol and drug awareness, and others.

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### Counseling Services

Counseling services are available to all actively enrolled North Georgia Technical College students 18 years of age and older in a certificate, diploma, or degree program.

The NGTC Office of Counseling Services is available for appointments Monday – Thursday, from 9:00 a.m. until 4 p.m.

**For emergency services, please call 9-1-1, the Georgia Crisis and Access Line, at 1-800-715-4225, or immediately obtain safe transportation to the nearest hospital emergency room.**

NGTC also partners with ESPYR to provide students with a comprehensive Student Assistance Program (SAP) to help with a variety of personal matters. The SAP is a free and confidential resources, available 24/7 and can be utilized for non-emergent issues that may arise outside of counseling office hours. Professional counseling services offered by ESPYR are not provided by a NGTC counselor.

### Mission

The mission of the Office of Counseling Services is to provide students with services, support and the skills needed to address mental health concerns. The goals of service are to assess student needs, provide solution-driven interventions and provide students with access to appropriate campus and/or community resources so that they may be successful. We also act as a resource for faculty and staff to assist in the support of students as they pursue academic and career goals. NGTC's Office of Counseling Services also provides outreach services, such as seminars and workshops, as well as consultation and crisis intervention to students, faculty and staff (on behalf of students).

### Confidentiality

Counseling is a confidential process. However, if there is a danger of imminent harm, it is necessary to disclose information for the protection of those involved. While we try to honor the student's wishes whenever we can, we will disclose information regardless of the student's preference if we believe that doing so is necessary to prevent harm. Limits to confidentiality include:

- The student threatens harm to themselves or someone else
- There is knowledge of sexual or physical abuse to a child
- There is a court order mandating the release of records

### Diversity, Equity, and Inclusion Statement

The NGTC Office of Counseling Services is committed to creating a safe and welcoming environment for everyone in our campus community. We view diversity as encompassing all identities, including ethnic/racial identity, nationality, sex, gender, sexual orientation, religion/spirituality, socio-economic status, age, ability, and viewpoint. We strive to make our offices a safe place where individuals can strengthen their self-acceptance, enhance self-esteem, and build confidence with their individual identities.

### After Hours Help and Support

In the event of an emergency in which you are unable to reach the Office of Counseling Services, you can call the Georgia Crisis and Access Line at 1-800-715-4225, or 9-1-1, or immediately obtain safe transportation to the nearest hospital emergency room.

**For more information, contact the Counseling Office at 706-754-7893**

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### ESPYR Student Assistance Program Offerings

- Free confidential services available 24/7/365 in-person, telephonic, and virtual professional counseling
- Up to four SAP sessions for assessment, short-term counseling, and referral
- Free consultation and referrals for financial, legal, childcare and other personal matters
- On-line self-help resources and programs, including legal support, stress management, financial resources, academic challenges, emotional issues, pet care options, relocation services, family concerns and substance abuse

### How to Access the Student Assistance Program:

- Call: 866-734-5890 or 711 for GA Relay Service for the deaf
- Text: 94097
- Online: <https://care.espyr.com>
- NGTC password: wolves

### Helpful Resources

- CDC ([cdc.gov](https://www.cdc.gov))
- Mental health COVID-19 information and resources ([mhanational.org/covid19](https://mhanational.org/covid19))
- Coronavirus anxiety; Helpful tips/resources ([adaa.org/understanding-anxiety/coronavirus-anxiety-helpful-resources](https://adaa.org/understanding-anxiety/coronavirus-anxiety-helpful-resources))

## North Georgia Technical College Behavioral Intervention Team – PackCARE

PackCARE = Protecting the Pack with **C**are – **A**wareness – **R**espect – **E**ncouragement

PackCARE 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 well-being of the North Georgia Technical College community.

NGTC seeks to provide a safe and supportive learning environment for our students and staff. To ensure the ongoing safety of our campuses, NGTC has designated a team of staff to respond to concerns about mental health or dangerous behaviors. This team, called PackCARE, coordinates a variety of resources for students and staff in need of assistance, including those with mental health issues, dangerous or distressing behaviors, relationship problems, substance use and addiction, and other concerns.

**The team does not replace disciplinary processes, classroom management, other programs and services, and/or public safety response to incidents.** PackCARE works within all current college policies and coordinates resources to help students achieve success.

**PackCARE is not an emergency response team.** If you are experiencing an emergency or critical incident, contact 9-1-1

### PackCARE Goals:

1. Provide a safe environment for the college community;
2. Focus on assessing and taking action on behaviors at the lower end of escalation to prevent threats or violence;
3. Support students, employees, and visitors before a crisis occurs.

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### What to Report

In general, any behavior that causes concern for a student, faculty, or staff member's safety or well-being should be reported.

### How to Report

Follow the link below to share your concerns:

[https://cm.maxient.com/reportingform.php?NorthGeorgiaTC&layout\\_id=3](https://cm.maxient.com/reportingform.php?NorthGeorgiaTC&layout_id=3)

### What Happens to a Behavioral Report Form?

Once a report is submitted:

- The report immediately enters a secure database;
- An automated notification is sent to select PackCARE team members;
- The report is reviewed by the PackCARE team;
- The person submitting the report may be contacted for further information, if needed;
- The PackCARE team assesses and determines further action.

For additional information, contact Sherry Seal at [sseal@northgatech.edu](mailto:sseal@northgatech.edu).

### Career Planning Services

A professional staff works together to provide career planning services that meet the needs, desires, and abilities of students. These services include:

- Pre-enrollment advisement to discuss programs of study, including associate degree, diploma, and technical certificate programs.
- Assistance in helping students develop career plans and personal goals.
- Career Counseling, including review of placement test scores.
- Identifying appropriate community agencies and services for student needs such as personal and/or mental health counseling.

### Services for Students with Disabilities

Support services are offered to students with disabilities including, but not limited to, classroom and testing accommodations, adaptive equipment, assistance with the admission process, career guidance and planning, and referral to community service agencies. To request accommodations and/or modifications contact the Special Populations and Retention Coordinator, who provides services to all campuses, at 706-754-7828. Appropriate documentation of disability is required.

### Assessment Services

Assessment services provide career guidance and planning by means of individual and group testing at various locations using computerized testing instruments. Services that are available include Pearson VUE, pest control, career exploration, interest inventories, aptitude testing, and basic skills testing. The fee varies for each test. All testing is by appointment. For more information or to schedule a test, call 706-754-7700 for the Clarkesville and Currahee Campuses, and 706-439-6300 for the Blairsville Campus.

Assessment services are also available to high school students. There is no charge for assessment services provided to high school students. High school counselors, teachers, or administrators should contact a North Georgia Technical College High School Coordinator at 706-754-7797 or 706-754-7867 for additional information and/or to schedule high school testing.

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### Career Placement Services

Career placement services are available to assist students as they complete training. The primary purpose of these services is to assist in the placement of graduates in jobs for which they have been trained. Continuous communication is maintained with employers and with the Georgia Department of Labor to provide a wide range of employment opportunities for students. Employers may send representatives to the college for personal interviews with graduating students. Local job postings may be viewed at <https://northgatech.edu/students/career-services/jobs> . Lifelong job placement services are available to all North Georgia Technical College graduates.

### Career Center

For students nearing the completion of their program, these resources are available in the Career Center:

- Job search resources
- Workshops
- Resume building software
- The Georgia Department of Labor website
- Links to newspapers and career sites

Schedules for workshops and services may vary. Please check the website for current schedules and hours of operation <https://northgatech.edu/students/career-services>.

Appointments may be made. For more information about the Career Center, contact the Career Advisor at 706-754-7837.

### Non-Traditional Programs

Students enrolled in a program in which their gender represents less than 25% of those employed in the workforce are considered to be enrolled in non-traditional programs. North Georgia Technical College encourages and promotes open enrollment in all programs. Students are encouraged to participate in their program of choice regardless of traditional patterns of enrollment. Students graduating from a non-traditional program will receive the EDGE (Educationally Distinct Graduate of Excellence) Award and will be presented with a medallion to be worn at commencement.

Support services are available to special population students. Special populations are persons who meet at least one of the following criteria:

- Student is preparing for nontraditional fields in which they are a minority gender
- Student is a single parent, or a single pregnant woman
- Student is an out-of-workforce individual
- Student has a disability
- Student is economically disadvantaged
- Student is homeless
- Student is a youth who is in, or has aged out of, the foster care system
- Student is a youth with a parent who is a member of the armed forces and is on active duty
- Student is an English Learner

For additional information, call 706-754-7828.

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### Workforce Innovation and Opportunity Act (WIOA)

The workforce Innovation and Opportunity Act serves dislocated workers and/or economically disadvantaged individuals who are in need of updated skills for a return to work. WIOA customers may qualify for funding to assist them in the cost of their training and education. The focus of the WIOA program is to assist unemployed individuals and underemployed workers to obtain the skills necessary to be sustainably employable in today's labor market. WIOA funds can cover tuition, fees, books, supplies, uniforms, tools, certification exams and daycare expenses while in training. Job search assistance is provided when training is completed.

### Student Email

All North Georgia Technical College students receive an email account upon acceptance to the college. It is very important that all students check this email account on a regular basis, minimally once per day, to receive school announcements and student requirements for meetings, registration, financial aid, activities and more. Student email is the primary form of notifications between the college and the student.

Instructions on how to log in to student email, BannerWeb, and Blackboard (online course platform) can be found on the website: <https://northgatech.edu/current-students/student-account-login-instructions>.

### Residence Life – Clarkesville Campus

North Georgia Technical College offers residential living on the Clarkesville Campus to (1) provide an environment in which the learning experience may be enhanced and developed in accordance with traditional values and objectives of the college, and (2) meet the demand for physical living accommodations.

Each resident student is subject to the terms of any and all stated regulations in this course catalog/ student handbook and regulations issued by the Vice President of student affairs. Any new regulation that affects the student body and/or the residents of the residence halls becomes effective 24 hours after it is posted. Legal action may be taken against persons violating local, state, and federal laws, including destroying, stealing, or defacing college property.

Students at the Blairsville and Currahee campuses may contact the Student Affairs Department for information on boarding opportunities.

### Residence Hall Application Requirements and Guidelines

The following documents should be completed and submitted to the Office of Student Affairs once the student has been accepted as a credit student by North Georgia Technical College:

- Bryant Residence Hall Application
- Residence Hall Contract
- Residence Hall Meningococcal Statement

The \$150 residence hall deposit must be submitted to the North Georgia Technical College Cashier's Office via mail, phone or online.

Once all required documentation and the deposit are received, a room will be reserved based on availability. North Georgia Technical College cannot make a housing assignment until the student has been officially accepted by Admissions. A letter will be emailed to the student (using North Georgia

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Technical College student email) confirming the reservation and notifying the student of check-in dates for the appropriate term. Upon arrival, a student must provide a receipt showing all fees paid prior to being issued keys for his/her assigned dorm room.

In order to qualify for and maintain residence in Bryant Hall, the student must:

- Be currently enrolled at any North Georgia Technical College campus with an occupational major in a diploma, degree, or certificate program. High school students enrolled in Dual or Joint programs are not eligible to reside in Bryant Hall.
- Have an acceptable attendance record as determined by the North Georgia Technical College attendance procedure.
- Be in acceptable standing with North Georgia Technical College in the area of discipline. Probationary status may cause residence privileges to be revoked. Eviction from Bryant Hall is mandatory upon disciplinary suspension from the college.
- Continue to make satisfactory progress toward completion of a diploma, degree, or certificate program.
- Be in good standing with the North Georgia Technical College Cashier's Office with regard to payment of all required fees.

Failure to maintain any of the above guidelines during the semester may result in the loss of residence privileges.

Any variation from these guidelines must be requested in writing to the Office of the Vice President of student affairs for consideration on a semester-by-semester basis.

### Residence Hall Operations

North Georgia Technical College maintains campus housing for men and women on the Clarkesville Campus. The residence hall, Bryant Hall, is a co-ed facility. Students are selected through a hiring process to serve as Resident Assistants (RAs) to assist students. The primary responsibilities of the Resident Assistants are to assist residents and act as liaison to the residents and the Campus Life Director. Resident Assistants also ensure that the rules and regulations of North Georgia Technical College are followed by the residents and report any violations to the Dean of student affairs. They check residents in and out of the residence hall and report any residence hall maintenance needs to the Office of Student Affairs.

Washers and dryers, a kitchen, cable TV, and vending machines are located in the common areas of the residence hall. Cable television service is provided to each resident's room, and telephones are permitted in rooms through a contract agreement between the student and the telephone company. North Georgia Technical College does not accept responsibility for a student's private telephone contracts. Please refer to the residence hall contract for additional information concerning the residence hall.

Residents' belongings are their personal responsibility. North Georgia Technical College is not responsible for any damage or theft of personal belongings.

All residents should bring single sheets (twin long), pillowcases, blankets, spreads, pillows, towels, alarm clock, toiletries, dishes, and cleaning supplies. A television and a small refrigerator are optional. Wireless Internet access is available at the residence hall.

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The North Georgia Technical College dining hall on the Clarkesville Campus provides well-balanced meals Monday through Thursday. The dining hall may prepare special diets (as prescribed by a physician) for resident students. The resident must obtain a written description of the diet from the physician and provide it to the Dining Hall Manager.

### Residence Hall Rules and Regulations

Please refer to the “Residence Life Handbook” located on the NGTC Website for the Residence Hall Rules and Regulations.

### Mail Services

Resident students are to pick up mail at the receptionist’s desk located in the Clegg Building on the Clarkesville Campus.

### Student Organizations and Events

Participation in student organizations plays an important role in the North Georgia Technical College experience at all campuses. Student organizations and clubs offer individuals another opportunity within the educational process to broaden their environment. All students may participate in on-campus activities unless specified directly in a disciplinary action. Off-campus activities are limited to those students who are in good disciplinary standing with the College and who are not currently on any type of legal system probation or parole.

North Georgia Technical College recognizes the following student organizations:

#### **HEROES**

HEROES (Having Equity, Resources, and Opportunities Equal Success) is an organization for special population students. The purpose of the HEROES Club is to develop leadership, foster teamwork, provide peer support, and to assist students in reaching their educational goals.

#### **National Technical Honor Society (NTHS)**

NTHS is a non-profit, honor organization established to recognize excellence in workforce education programs and majors. Candidates are students who have demonstrated scholastic achievement, skill development, good character, leadership, honesty, and responsibility. Members must be faculty-nominated, must be approved by the local college administration and must meet local and national standards.

#### **Phi Beta Lambda (PBL)**

PBL is a non-profit national educational association of student members preparing for careers in business. The association has three divisions: FBLA (grades 7-12), PBL (postsecondary), and a professional division for individuals who continue to support the goals after graduation. PBL was originally chartered at North Georgia Technical College in 1983 and was re-chartered in 1993. North Georgia Technical College’s PBL Club has an active, highly competitive membership with state and national winners.

#### **National Collegiate Landscape Competition (NCLC)**

The National Collegiate Landscape Competition is an annual three-day competition and networking event for students enrolled in horticulture programs from colleges and universities across the country. The event is sponsored by the National Association of Landscape Professionals. North Georgia Technical College has sent student competitors to this event since 2010.

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### SkillsUSA

SkillsUSA is a national organization for students in trade, industrial, technical, and health occupations programs. SkillsUSA clubs are found in public high schools, technical colleges, junior colleges, and universities. SkillsUSA was chartered at North Georgia Technical College in the 1991-92 academic year. Since its first year of existence, the club has won numerous awards at sub-region, region, state, and national competitions.

### Student Photographic Society

Students interested in photography meet together to enhance the relationship and understanding of photography practices, careers and opportunities.

### Student Government Association (SGA)

The North Georgia Technical College Student Government Association represents the student body. Any NGTC student enrolled in a certificate, diploma, or associate degree program at any campus is eligible for membership.

Two members, to serve as active members, and one alternate are recommended by their instructors and nominated by the department chair to represent their respective departments on each NGTC campus during fall semester of each academic year.

SGA meetings are held at each campus at least one time each semester. All college-wide agenda items will be voted on at a convened meeting. This meeting may meet via Distance Learning.

Each year the Student Government Association members elect to sponsor various events. Any student interested in holding office should contact his/her program advisor or department head.

The recognition of an organization/group grants to that organization/group the right to use facilities and to identify themselves with the college. The organization/group agrees to accept regulations and administrative procedures that may be necessary to protect the essential functions of teaching and learning, to allow equitable sharing of time and space, to ensure the reasonable health and safety of the community, and to uphold the statutes and regulations of North Georgia Technical College and the governing board of the College. Recognition shall be denied if there is a substantial likelihood that the proposed organization will interfere with the educational process.

Recognition of an organization results from the following procedure:

- Once interest among students has been established for a student organization that enhances the educational experience, a faculty/staff advisor must be secured.
- With assistance from the advisor, complete the Application for New Student Organization and submit the application and supporting documentation to the office of the Vice President of student affairs. The Application will be provided to the advisor from the Office of Student Affairs.
- The Vice President of student affairs will review the application and the proposed by-laws and will make recommendations for changes/adjustments, if necessary.
- Complete application packets that show purpose and proposed activities that are clearly related to the educational goals and mission of the College will be submitted to the SGA for review and recommendation.
- The voting members of the SGA will make a recommendation to the President as to whether the application should be approved and the student organization recognized by North Georgia Technical College.

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- The President shall review the application documents and tender a decision to accept or deny the recommendation from the SGA. The decision of the President shall be final.

The purposes and proposed activities of all groups or student organizations shall be clearly related to the educational goals and mission of the College. Fund-raising projects are under the ultimate control of the President and must follow NGTC, State Board of the Technical College System of Georgia, and State of Georgia guidelines and procedures. All student organization applications for fund raising are submitted to the Vice President of student affairs for approval as the President's designee.

### Campus Life/Student Activities

#### Social Activities

The Campus Life Office sponsors student activities throughout the academic year on the Clarkesville, Currahee, and Blairsville campuses. These activities may include a wellness fair, fall festival, health seminars, Lunch & Learn, Snacks & Facts, campus cup competitions, and intramural sports. Field trips may include rafting, professional sports events, Six Flags, etc. A game room, weight room, swimming pool, and tennis courts are also available for students at the Clarkesville Campus. Activity rooms are available on the Currahee and Blairsville campuses.

#### Intramural Activities

Athletic facilities on the Clarkesville Campus include a gymnasium with indoor courts for basketball and other games. Outdoor facilities include a swimming pool, softball field, basketball goals, tennis courts, sand volleyball court, multi-purpose field, and a walking/running/biking trail (Ben Purcell Trail). A program of intramural sports is provided for all students wishing to participate. Students may join a team for flag football, softball, basketball, soccer, volleyball and disc golf making competition keen as each team seeks to capture the institution championship.

#### Rec-Check

All NGTC students have access to "Rec-Check" located on the Clarkesville Campus. Rec-Check has activity equipment for checkout. Included are items such as tennis rackets and balls, tents, sleeping bags, bicycles, gaming systems, and much more.

#### Student Centers

The Carlton Center on the Clarkesville Campus offers a meeting room for students, a television room, movies, and vending machines for food and drinks. Many activities are available such as video games, pool tables, ping-pong, darts, foosball, air hockey, and a weight room. The Student Center at the Blairsville and Currahee campuses offer a leisurely setting for the enjoyment of students and staff.

#### Mountain Recreation Opportunities

Because the North Georgia Technical College campuses are located in the mountains, students have ample opportunity to enjoy the benefits of the area recreation facilities, including rivers, lakes, the Chattahoochee National Forest, the Appalachian Trail, and more.

#### Student Rights and Responsibilities

##### Student Right to Know

Every postsecondary education institution is required by law to disclose its graduation rate annually. The 2019 graduation rate, based on the TCSG data center, is 67.1%.

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### Privacy of Student Records – Family Educational Rights and Privacy Act (FERPA) and Applicant Records

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student’s education records within 45 days after the day the college receives a request for access. A student should submit to the FERPA Coordinator a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.
3. The right to provide written consent before the college discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

The school discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the college in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees or board of directors; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the college who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibilities for the college.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

For more information, contact:

Ms. Kelsey McIntire, FERPA Coordinator  
North Georgia Technical College  
P.O. Box 65  
Clarkesville, GA 30523  
Phone: (706) 754-7768  
E-mail: [kmcintire@northgatech.edu](mailto:kmcintire@northgatech.edu)

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North Georgia Technical College has placed overall responsibility for administration of all student records with the Vice President of student affairs or his/her designee, who is designated the FERPA Coordinator. Separate records/files may be maintained by the following categories: admissions, academic, medical, psychiatric and counseling, financial aid, disciplinary, and financial. Only faculty and staff with a legitimate educational interest in the student's records will be permitted access. Certain third-party governmental agencies have access to a student's records without prior consent. These records are located in the Clegg Building on the Clarkesville Campus and in the Student Affairs Office on the Blairsville and Currahee campuses.

### Directory Information

North Georgia Technical College defines:

1. "public directory information" as follows:
  - a. Full name of student
  - b. City of residence
  - c. County of residence
  - d. Major and field(s) of study
  - e. Enrollment Status (full time, part-time, etc.)
  - f. Degrees and awards and date received
  - g. Dates of attendance
  - h. Participation in official sports and activities
  - i. Height and weight of athletic team members
2. "non-public directory information" as follows:
  - a. Address
  - b. Email address
  - c. Telephone Number

Non-public directory information is not available to the public, but is available to any college official. If the student has indicated to restrict their data, then college officials can only access the information when it is needed for educational purposes.

Additionally, certain state and federal laws require the release of certain student information without prior notification to the student.

### Practice of Nondisclosure

All North Georgia Technical College officials will follow strict federal and state policies that information contained in a student's record is confidential and may not be disclosed to a third party without the student's prior written consent except as otherwise provided in the Technical College System of Georgia's policy manual found online at the college's website.

### Fees for Copies

Transcripts will be issued at a fee of \$7.50 each. (See the "Tuition and Fees" section for further information.) The fee for copying any other records is the actual copying cost of 25 cents per page. The institution reserves the right to deny transcripts or copies of records not required by the FERPA in any of the following situations:

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- The student has unpaid financial obligations to the institution.
- There is an unresolved disciplinary action against the student.
- There is an unresolved litigation between the student and the institution.

### Unlawful Harassment and Discrimination of Students

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. Anyone believing they have been harassed or subjected to discrimination should report it immediately to Dr. Vinson Burdette, Title IX Coordinator, at 706-754-7711 or [vinson.burdette@northgatech.edu](mailto:vinson.burdette@northgatech.edu). The procedure is as follows:

#### Procedure: 6.1.1p.

#### Unlawful Harassment and Discrimination of Students

##### I. PURPOSE:

It is the purpose of this procedure to ensure that all students within the Technical College System of Georgia (TCSG) shall be provided an environment free of unlawful harassment, discrimination, and retaliation.

All students and employees are expressly prohibited from engaging in any form of unlawful harassing, discriminating, intimidating or retaliatory behavior or conduct (“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 for such prohibited conduct. Allegations of discrimination, harassment or retaliation, occurring at clinical sites to which students are assigned shall be investigated in accordance with this procedure.

Student complaints regarding sexual harassment, sexual assault, sexual violence, dating violence, domestic violence, sexual exploitation or stalking will be processed in accordance with the Sexual Harassment and Misconduct Procedure.

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.

All students are encouraged to report any prohibited conduct. Reports will be treated in an expeditious and confidential manner. TCSG will not tolerate retaliation for having filed a good faith harassment and/or discrimination 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:

State Board Policy 2.1.1. Statement of Equal Opportunity  
Titles VI and VII of the Civil Rights Act of 1964

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Age Discrimination Act of 1975

Rehabilitation Act of 1973, as amended

Americans with Disabilities Act of 1990

Americans with Disabilities Amendments Act (ADAAA) of 2008

Genetic Information Nondiscrimination Act (GINA) of 2008

Procedure: 6.5.3p Student Grievances

### III. APPLICABILITY:

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

### IV. DEFINITIONS:

**Unlawful Harassment (Other Than Sexual Harassment):** unlawful verbal or physical conduct that disparages or shows hostility or aversion toward an individual because of that person's race, color, religion, national origin, age, genetic information or disability and which:

1. Has the purpose or effect of creating an objectively and unreasonably intimidating, hostile or offensive educational environment, or
2. Has the purpose or effect of objectively and unreasonably interfering with an individual's educational performance.

Unlawful harassing conduct or behavior can include, but is not limited to, epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, national origin, genetic information, age or disability. Unlawful harassing conduct can include jokes or pranks that are hostile or demeaning with regard to race, color, religion, national origin, age or disability. Unlawful harassing conduct may also include written or graphic material that disparages or shows hostility or aversion toward an individual or group because of race, color, religion, national origin, age, or disability, and that is displayed on walls, bulletin boards, computers, or other locations, or otherwise circulated in college community in any format.

Conduct which threatens, coerces, harasses or intimidates another person or identifiable group of persons, in a manner that is considered unlawful under state and federal laws pertaining to stalking while on college premises or at college sponsored activities may also be considered unlawful harassment under this procedure.

**Unlawful Discrimination:** the denial of benefits or admission to the college or to any of its programs or activities, either academic or nonacademic, curricular or extracurricular, because of race, color, religion, age, gender, national origin, genetic information or disability.

**Unlawful Retaliation:** unfavorable action taken, unfavorable condition created, or other action taken by a student or employee for the purpose of intimidation that is directed toward a student because the student initiated an allegation of unlawful harassment/retaliation or participated in an investigation of an allegation.

**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.

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

## STUDENT AFFAIRS

**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.

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

**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.

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

**Local Investigator:** the individual(s) at the technical college who is responsible for the investigation of an unlawful harassment, discrimination and/or, retaliation complaint. Local investigators may be assigned based upon the subject matter of the complaint or their function within the organization.

**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.

**Section 504 Coordinator:** an individual designated by the president of the college to ensure compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 as Amended, and any other state and federal regulations governing disabilities; the responsibilities of the 504 Coordinator will include, but may not be limited to evaluating students requesting accommodations for a disability and ensuring equal access to facilities, services and programs.

### V. ATTACHMENTS:

#### Attachment 6.2.1p.a1.

- TCSG Usage for Statement of Equal Opportunity:  
North Georgia Technical College does not discriminate on the basis of race, color, national origin, sex, age, or disability.

### VI. PROCEDURE:

#### A. Administration and Implementation

1. Each college president shall designate one or more officials to serve as the Title IX Coordinator and the Section 504 Coordinator and ensure the designated officials have received appropriate training.
2. Contact information for the Title IX and Section 504 Coordinators and the Statement of Equal Opportunity should be permanently displayed on official bulletin boards and included in electronic or written college publications and academic materials as described in the TCSG Usage for Statement of Equal Opportunity.
3. 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 unlawful discrimination or harassment.
4. The Compliance Officer will conduct 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 unlawful discrimination, harassment, or retaliation.

## STUDENT AFFAIRS

### B. Reporting and Management Action

1. All students are encouraged to report events of unlawful harassment, discrimination and/or retaliation (“prohibited conduct”) against themselves or others.
2. If a student filing a complaint requests anonymity or asks that the complaint not be pursued, the college must inform the student that its ability to respond may be limited, that retaliation for filing a complaint is prohibited and steps to prevent harassment and retaliation will be taken. The college should take all reasonable steps to investigate and respond to the complaint consistent with the request and pursue other steps to limit the effects of the alleged harassment and prevent recurrence.
3. Colleges may weigh a request for anonymity or a request they not pursue a complaint considering the following factors: the seriousness of the alleged conduct, the complainant’s age, whether there have been other harassment complaints about the same individual, and the alleged harasser’s rights to receive information about the allegations if the information is maintained as an “education record” under FERPA. The college must inform the student if the request cannot be granted.
4. 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 disciplinary measures or corrective actions are considered and taken.
5. Allegations or suspicions of unlawful discrimination, harassment, or unlawful retaliation may be reported to the technical college’s Vice President of student affairs, Section 504 Coordinator, the president, or the Human Resources Director (should the complaint involve employees). Complaints may also be emailed to [unlawfulharassment@tcsg.edu](mailto:unlawfulharassment@tcsg.edu).
6. Complaints under this procedure can be expressed in writing, by telephone, or in person; individuals are, however, encouraged to express complaints in writing to ensure all concerns are addressed.
7. If an allegation of unlawful harassment, discrimination or retaliation is made to an employee not designated to receive such reports, the employee receiving the complaint must report the allegation as provided in section 6 above.
8. Students or employees may be suspended, transferred or reassigned employees or students in order to prevent possible further harassment, discrimination or retaliation; to facilitate the investigation or to implement preventive or corrective actions under this procedure.
9. Any allegation of unlawful harassment, discrimination or retaliation against employees must be reported to the Human Resources Director who may elect to conduct the investigation in conjunction with other local investigators.

### C. Investigations

1. All complaints of prohibited conduct under this procedure shall be investigated by local investigators thoroughly and expeditiously.

## STUDENT AFFAIRS

2. A complaining party will be notified if the complaint does not specify facts sufficient to allege unlawful discrimination, harassment or retaliation and that a formal investigation will not be conducted pursuant to this procedure.
    - a. 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.
  3. Individuals designated to investigate or recommend corrective actions in response to allegations will be trained to conduct investigations in a manner that protects the safety of victims and promotes accountability. Individuals assigned as the investigator for a particular incident shall disclose to the president any relationship with the parties that could call into question their ability to be objective prior to taking any action with respect to the investigation. The president will reassign alternate individuals if necessary.
  4. Investigations will be conducted by gathering relevant information and interviewing appropriate witnesses. 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. Both the complaining party and the respondent may be accompanied by an advisor of his or her choice. However, the advisor may not speak on behalf of the party.
  5. The college will evaluate the information collected during the investigation and determine whether a preponderance of the evidence substantiates that unlawful discrimination, unlawful harassment and/or unlawful retaliation has occurred.
  6. Investigations and summary findings will be documented appropriately.
- D. 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, the college, through the appropriate officials, shall implement steps to prevent a recurrence and to correct the discriminatory effects on the complaining party and others as appropriate. Steps may include, but are not limited to, mandating training or evaluation, disciplinary sanctions, policy implementation or reassignment of students or employees.
  3. Should recommended disciplinary sanctions involve academic suspension or expulsion, the matter must be referred to the Vice President of student affairs, as provided by the college's Student Code of Conduct and Disciplinary Procedure.
  4. Individuals who are responsible for conducting investigations or proposing sanctions under this procedure should not also serve as reviewing officials or hearing officers in the appeal of sanctions arising from an investigation.
  5. Even in the absence of sufficient evidence to substantiate a finding that unlawful discrimination, unlawful harassment or retaliation has occurred, colleges are expected to address any inappropriate conduct and take all reasonable steps to prevent any future unlawful discrimination, harassment or retaliation.

## STUDENT AFFAIRS

### E. Reviews and Dispositions

1. Any of the parties to a complaint under this procedure may request a review of the investigative findings within 5 business days of receiving notice of the investigative results by submitting a written request to the president.
2. The president shall review all investigations conducted under this procedure and ensure that the appropriate corrective actions have been implemented.
3. Within 10 business days of receiving a request for a review of the investigative findings, the president of the college will notify the parties in writing of his/her final determination, including any change in the result of the findings. The notice will inform the parties they have a right to appeal the determination to the Technical College System of Georgia's Office of Legal Services by submitting a written request within 3 business days by regular mail or email to one of the following:

Technical College System of Georgia  
Office of Legal Services  
1800 Century Place, N.E.  
Suite 400  
Atlanta, Georgia 30345

OR

[unlawfulharassment@tcsge.edu](mailto:unlawfulharassment@tcsge.edu)

4. The Office of Legal Services will convene a panel of at least 3 individuals not employed by the requestor's college to review the investigative findings. The panel's decision is final and will conclude the processing of the complaint. Both parties will be notified in writing simultaneously of the results of the review and any changes in the results of the investigative findings under appeal.

### VII. RECORD RETENTION:

Documents relating to formal complaints including investigations, dispositions and the complaint itself shall be held for 5 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 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 State Archives records retention schedule, but in no case fewer than 5 years.

## Sexual Harassment and Misconduct

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. Vinson Burdette, Title IX Coordinator, at 706-754-7711 or [vinson.burdette@northgatech.edu](mailto:vinson.burdette@northgatech.edu). The procedure is as follows:

## STUDENT AFFAIRS

### Procedure: 6.1.2p.

#### Sexual Harassment and Misconduct

##### 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.

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**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

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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.

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**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).

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**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.

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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

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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 6.1.2p.a1.

- Sources of Counseling, Advocacy and Support:  
*Webpage:* <https://northgatech.edu/about-us/disclosures-and-notices/sexual-harassment-and-title-ix/sources-of-counseling-advocacy-and-support/>  
*Document:* <https://northgatech.edu/wp-content/uploads/2022/06/Sources-of-Counseling-Advocacy-and-Support.pdf>
- Rape Crisis Center: <http://gnesa.org/page/rape-crisis-centers-georgia>
- National Sexual Assault Hotline: 1-800-656-HOPE
- Domestic Violence: <http://gcadv.org/general-resources/domestic-violence-centers>

#### Attachment 6.1.2p.a2.

- TCSG Usage for Statement of Equal Opportunity:

## STUDENT AFFAIRS

North Georgia Technical College does not discriminate on the basis of race, color, national origin, sex, age, or disability.

### 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@tcsge.edu](mailto:unlawfulharassment@tcsge.edu).

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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

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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

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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.

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- 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

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- 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

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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

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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.

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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 of 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

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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?

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

- c. 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.
- d. 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.

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- e. 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.

### Personal Belongings

When a student graduates or terminates training at North Georgia Technical College, all personal belongings must be removed from campus at time of checkout. If a student cannot remove his/her belongings at that time, he/she will be given two weeks or the last date of the semester (whichever comes first) to remove all of his/her belongings from campus. College personnel will not be responsible for any personal items left in the classroom, the residence hall, or any other campus location. Any unclaimed items, including motor vehicles or major appliances, will be removed from the campus after two weeks; and the student will be charged for the removal.

### Disciplinary Procedure

The administration reserves the right to maintain a safe and orderly educational environment for students and staff. Therefore, when, in the judgment of college officials, a student's conduct disrupts or threatens to disrupt the college community, appropriate disciplinary action will be taken to restore and protect the atmosphere of collegiality and mutual respect on campus. This procedure is intended to provide an orderly protocol for handling student disciplinary cases in accordance with the principles of due process and justice.

Students admitted to North Georgia Technical College are expected to be mature, to be law-abiding, and to have acceptable personal standards of conduct and ethics. Also, students are expected to have a responsible attitude toward regulations and standards of the college and the laws of the community, state, and nation, and to respect their fellow students. These regulations state clearly some things which students must do and some specific things which they must not do if they wish to remain associated with the institution. North Georgia Technical College, however, does not attempt to define by formal rules every action that is forbidden.

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### Procedure for Filing a Student Code of Conduct Complaint

Any person may file a complaint with the Vice President of student affairs or the President's designee against any student for an alleged violation of the Student Code of Conduct. The individual(s) initiating the action should provide a written description of the incident to the Vice President of student affairs or the President's designee.

Academic Misconduct is handled through the Office of the Vice President of student affairs and the Office of the Vice President of Academic Affairs. An incident of Academic Misconduct may result in academic and disciplinary consequences.

#### A. Investigation and Decision

1. Within five business days after the Student Code of Conduct Complaint Form (the "Complaint") is filed, the Vice President of student affairs or the President's designee shall complete a preliminary investigation of the incident, and schedule a meeting with the student against whom the complaint was filed in order to discuss the incident and the allegations. In the event that additional time is necessary, the student will be notified. After discussing the complaint with the student, the Vice President of student affairs or the President's designee shall determine whether the student committed the alleged conduct, and whether the alleged conduct constitutes a violation of the Student Code of Conduct.
2. The student shall have five (5) business days from the date contacted by the Vice President of student affairs or the technical college president's designee to schedule the meeting. This initial meeting may only be rescheduled one time. If the student fails to respond to the Vice President of student affairs or the President's designee within five (5) business days to schedule the meeting, reschedules the meeting more than once, or fails to appear at the meeting, the Vice President of student affairs or the President's designee will consider the available evidence without student input and make a determination.
3. In the event that a complaint alleges violations of the Student Code of Conduct by more than one student, each student's disciplinary proceeding, as well as any appeals relating to that proceeding, shall be conducted individually.
4. If the Vice President of student affairs or the President's designee determines that the student has violated the Student Code of Conduct, he/she shall impose one or more disciplinary sanctions consistent with those described below. If the Vice President of student affairs or the President's designee determines that the alleged conduct did not occur, or that the conduct was not a violation of the Student Code of Conduct, he/she shall not impose any disciplinary sanctions on the student and the investigation shall be closed.

#### B. Disciplinary Sanctions

Based on the severity of the incident, the Vice President of student affairs may take one of two actions:

1. After a determination that a student has violated the Student Code of Conduct, the Vice President of student affairs or the President's designee may impose, without referral to the Hearing Body, one or more of the following sanctions. Notification shall be sent to the student and the person(s) who initially filed the complaint.

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- a) Restitution – A student who has committed an offense against property may be required to reimburse the technical college or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to the actual cost of repair or replacement.
  - b) Reprimand – A written reprimand may be given to any student. Such a reprimand does not restrict the student in any way, but it signifies to the student that he/she is in effect being given another chance to conduct himself/herself as a proper member of the technical college, and that any further violation may result in more serious sanctions.
  - c) Restriction – A restriction upon a student’s privileges for a period of time may be imposed. This restriction may include but is not limited to denial of the right to represent the technical college in any way, denial of use of facilities, alteration or revocation of parking privileges, or restrictions from participating in extracurricular activities.
  - d) Disciplinary Probation – Continued enrollment of a student on probation may be conditioned upon adherence to specified terms. Any student placed on probation will be notified of the terms and length of probation in writing. Any conduct determined after due process to be in violation of these terms while on probation may result in the imposition of more serious disciplinary sanctions, as specified by the terms of probation.
  - e) Failing or Lowered Grade – In cases of Academic Misconduct, the Vice President of student affairs or the Technical College President’s designee will make a recommendation to the Vice President for Academic Affairs or his/her designee who may authorize the instructor to award a failing or lowered grade in the course, or a loss of credit on the assignment or examination.
  - f) Monetary Fine – A fine may be imposed on a student to emphasize the seriousness of the violation. The student will have a minimum of 10 days to pay the fine and a Hold will be placed on their account until such a time as the fine is paid.
2. After a determination that a student has violated the Student Code of conduct, the Vice President of student affairs or the President’s designee may recommend the imposition of one of the following sanctions if appropriate. The Vice President of student affairs’ recommendation will be forwarded to the Hearing Body, which may impose one or more of the following sanctions, as well as those described above, following a hearing. A copy of the written recommendation shall be provided to the student and the person filing the complaint.
- a) Disciplinary Suspension – If a student is suspended, he/she is separated from the technical college for a stated period of time. Conditions of reinstatement, if any, must be stated in the notice of suspension.
  - b) Disciplinary Expulsion – Removal and exclusion from the technical college, North Georgia Technical College controlled facilities, programs, events, and activities. A record of the reason for the student’s dismissal is maintained by Vice President of student affairs or the President’s designee. Students who have been dismissed from the technical college for any reason may apply in writing to the Vice President of student affairs for reinstatement twelve (12) months following the expulsion. If approval for reinstatement

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is granted, the student will be placed on disciplinary probation for a specified term. The probationary status may be removed at the end of the specified term at the discretion of the Vice President of student affairs or the technical college President's designee.

- c) Interim Disciplinary Suspension – As a general rule, the status of a student accused of violations of the Student Code of Conduct should not be altered until a final determination is made regarding the allegations against him/her. However, interim suspension may be imposed upon a finding by the Vice President of student affairs or the President's designee that the continued presence of the accused student on campus constitutes a potential or immediate threat to the safety and well-being of the accused student or any other member of the technical college or its guests, or that the continued presence of the student on campus creates a risk of substantial disruption of classroom or other technical college-related activities. If an interim disciplinary suspension is imposed, the matter must be referred as soon as possible to the Hearing Body. The student need not request an appeal.
- d) System-Wide Expulsion – Where a student has been expelled or suspended three times from the same or different colleges in the Technical College System of Georgia in the past seven years, the student will not be permitted to register at any college in the Technical College System of Georgia for a period of ten years after the most recent expulsion/suspension.

### C. Violation of Federal, State, or Local Law

1. If a student is convicted or pleads nolo contendere to an off-campus violation of federal, state, or local law, but not with any other violation of the Student Code of Conduct, disciplinary action may be taken and sanctions imposed for misconduct that is detrimental to the technical college's vital interests and stated mission and purpose.
2. Disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of the Student Code of Conduct if both violations result from the same factual situation, without regard to criminal arrest and/or prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings.
3. When a student is charged by federal, state, or local authorities with a violation of law, the technical college will not request or agree to special consideration for that individual because of his/her status as a student. The technical college will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

### D. Conditions of Disciplinary Suspension and Expulsion

1. A student who has been suspended or expelled from the technical college shall be denied all privileges afforded a student and shall be required to vacate technical college premises at a time determined by the Vice President of student affairs or the President's designee.

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2. In addition, after vacating the technical college premises, a suspended or expelled student may not enter upon the technical college premises at any time, for any purpose, in the absence of written permission from the Vice President of student affairs or the President's designee. A suspended or expelled student must contact the Vice President of student affairs or the President's designee for permission to enter the technical college premises for a limited, specified purpose.
3. If the student seeks to submit a signed Disciplinary Sanction Appeal Form, the Vice President of student affairs or the President's designee must accept the form by mail or fax if he/she refuses the student's request to enter the North Georgia Technical College premises for that specified purpose.
4. A scheduled appeal hearing before the Hearing Body shall be understood as expressed permission from the Vice President of student affairs or the President's designee for a student to enter the technical college premises for the duration of that hearing.

### E. Mediation

At the discretion of the technical college President, the technical college may adopt a mediation procedure to be utilized prior to the appeals set forth herein. Mediation may never be used in cases of alleged sexual misconduct.

### F. Hearing/Appeals Procedure

1. A student who wishes to appeal a disciplinary decision by the Vice President of student affairs or the President's designee regarding an assigned sanction of restitution, reprimand, restriction, disciplinary probation, monetary fine, or failing or lowered grade must file a written notice of appeal through the President's office for review by the Hearing Body within five (5) 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 of student affairs or the 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 of 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 ten (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 (5) 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 information 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. 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

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chairperson of the Hearing Body shall notify the President and the Vice President of student affairs in writing of the Hearing Body's decision. The President or the President's 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 of student affairs or the President's designee's sanction of restitution, reprimand, restriction, disciplinary probation, monetary fine, or failing or lowered grade, the Hearing Body's decision regarding the appeal is final. The President or the President's designee will notify the student and the person who filed the original complaint in writing of the Hearing Body's decision.
5. If the student appeared before the Hearing Body after the Vice President of student affairs or the 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 President.
6. If entitled to an appeal to the President, the student shall have five (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 President or his/her designee shall deliver the decision to the student and the person who filed the original complaint within ten (10) business days. The decision of the President or his/her designee shall be final and binding.

### G. Document Retention

The Vice President of student affairs or the President's designee shall retain a copy of all documents concerning complaints, investigations, administrative actions, and communications in relation to any incident that resulted in a disciplinary investigation of any kind against a student. The Vice President of student affairs or the President's designee will also retain records of any disciplinary appeals filed by the affected student, as well as the resulting record of appeal and decision submitted by the Hearing Body and the technical college President or his/her designee. A record of the final decision must also be retained. All records specified in this section shall be retained for a period of five years.

## Reinstatement

Any student who is dismissed from the college for either academic or disciplinary reasons, who voluntarily withdraws while not in good standing, or who is on any type of probationary status and desires reinstatement must make a request for reinstatement in writing to the Vice President of student affairs. All decisions regarding reinstatement are made by the NGTC Admissions Committee.\*

*\*The North Georgia Technical College Admissions Committee consists of the North Georgia Technical College Vice President of student affairs, Financial Aid Director, Director of Career Services, Dean of student affairs, Admissions Director, and anyone appointed by the Vice President of student affairs.*

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### Definitions

**Business Days:** Weekdays that North Georgia Technical College’s administrative offices are open.

**Hearing Body:** Any person or persons authorized by the President of North Georgia Technical College to provide a hearing as provided in this procedure.

**Member of North Georgia Technical College:** Any person who is a Faculty Member, Staff Member or any other person(s) employed by North Georgia Technical College.

**Policy:** The written regulations of North Georgia Technical College as found in, but not limited to, the Student Code of Conduct, North Georgia Technical College Course Catalog/Student Handbook, Students Handbook(s), Technical College Catalog(s), North Georgia Technical College Policy and Procedure Manual, and the Policy Manual approved by the State Board for the Technical College System of Georgia.

**Student:** All persons taking courses at North Georgia Technical College, both full-time and part-time dual enrollment, joint enrollment, non-credit and credit. Persons who are not officially enrolled for a particular term but who have a continuing relationship with North Georgia Technical College are considered “students.”

**Student Organization:** Any number of persons who have complied with the formal requirements for North Georgia Technical College recognition.

**Technical College:** North Georgia Technical College, a college within the Technical College System of Georgia.

**Technical College Official:** Any person employed by North Georgia Technical College, performing assigned administrative responsibilities on a part-time, full-time, or adjunct basis.

**Technical College Premises:** All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by North Georgia Technical College (including adjacent streets and sidewalks).

**Academic Misconduct:** Includes, but is not limited to, the definition found in the North Georgia Technical College Course Catalog/Student Handbook.

### Student Grievance Procedure and Resolution Process

It is the practice of North Georgia Technical College to maintain a grievance process available to all students that provides an open and meaningful forum for their grievances and the resolution of these grievances. The college seeks to resolve student grievances, complaints and concerns in a time responsive and fair manner.

This procedure does not address grievances related to unlawful harassment, discrimination and/or retaliation for reporting harassment/ discrimination against students. Those complaints are handled in accordance to TCSG’s Unlawful Harassment and Discrimination of Students Policy and Procedure.

Special Note: The Student Grievance Procedure and Form is NOT to be used for Grade Appeals, Academic Misconduct, and Harassment or Discrimination complaints. Please refer to the college’s Course Catalog and Student Handbook for details on these respective procedures.

Students with a concern or grievance should begin the process at the institution (college) level.

- To submit a student concern/grievance at the local college level, please follow North Georgia Technical College’s Student Grievance Procedure and use the Student Grievance Form.

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If a resolution is not reached at the institution level, or if you believe that the nature of the complaint or its impact on the system, as a whole, warrants an immediate review by the Technical College System of Georgia (TCSG) administration, contact the TCSG Student Affairs Coordinator at [studentaffairs@tcsge.edu](mailto:studentaffairs@tcsge.edu) or call (404) 679-1692.

- To submit a student grievance at the state level, follow the TCSG Student Concern/ Complaint Instructions and use the Program Integrity Complaint Form.
- If the issue is not resolved at the institution or state level, students may take their grievance to the Southern Association of Colleges and Schools Commission on Colleges.\*

*\*North Georgia Technical College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate degrees, diplomas, and technical certificates of credit. Questions about the accreditation of North Georgia Technical College maybe directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500 or by using information available on SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).*

### Student Grievance Procedure

The Student Grievance Procedure is established to resolve difficulties or problems encountered in college-related activities. A grievance is taken seriously and therefore must be of a compelling, substantive, and verifiable nature. A grievance about a decision made by a member of the faculty or staff may only be filed by students who have been directly, adversely, and/or substantially affected by the decision. Repeated filings of the same grievance, filings of a frivolous nature, or a capricious grievance made against school personnel and policies will be considered an abuse of the student grievance process and will be dismissed.

The Student Grievance Procedure applies to matters that may include classroom learning environment, course content, access to classes, student advisement, and quality of services to students. The policy also applies to matters concerning services provided by all departments within the college. The Student Grievance Form is found here. The Student Grievance form should be sent to [studentgrievance@northgatech.edu](mailto:studentgrievance@northgatech.edu).

### Definitions

**Grievable issues:** Issues arising from the application of a policy/procedure to the student's specific case are always grievable. Specifically grievable are issues related to student advisement, improper disclosure of grades, unfair testing procedures and poor treatment of students; this is a representative list and is not meant to be exhaustive.

**Non-grievable issues:** Issues, which have a separate process for resolution (i.e. disciplinary sanctions, FERPA, financial aid, academic grades, discrimination, harassment etc.), are not grievable and a student must take advantage of the process in place for these areas.

**Business days:** weekdays that the college administrative offices are open.

**Vice President of Student Affairs (VPSA):** the staff member in charge of the student services division at the college.

**Retaliation:** unfavorable action taken, condition created, or other action taken by a student/employee for the purpose of intimidation directed toward a student because the student initiated a grievance or participated in an investigation of a grievance.

**Grievant:** the student who is making the complaint

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### Procedure for Filing a Grievance

The following section details the process for resolving students' grievances. Grievances that do not follow the process described below will not be considered by the college.

For all timelines established herein, if a student will need additional time, an extension may be granted at the Vice President of student affairs' discretion.

- A. **Informal Grievance Procedure:** Students with grievable issues should resolve those issues, if possible, on an informal basis without the filing of a formal grievance.
  - 1) A student has ten (10) business days from the date of the incident being grieved to resolve the matter informally by approaching his/her instructor, department chair or any other staff or faculty member directly involved in the grieved incident.
  - 2) If this process does not result in a resolution of the grievable issue, the student may proceed to the formal grievance procedure below.
- B. **Formal Grievance Procedure:** If a student cannot resolve their grievance informally, he or she may use this formal grievance procedure.
  - 1) Within fifteen (15) business days of the incident being grieved, the student must file a formal grievance in the office of the Vice President of student affairs (VPSA) or the President's designee with the following information:
    - a. Name
    - b. Date
    - c. Brief description of incident being grieved
    - d. Remedy requested
    - e. Signature
    - f. Informal remedy attempted by student and outcome
  - 2) If the grievance is against the VPSA, the student shall file the grievance with the President's Office.
  - 3) The VPSA, or the President's designee, will investigate the matter and supply a written response to the student within fifteen (15) business days.
  - 4) If the grieved incident involves possible unlawful harassment, discrimination, or retaliation for reporting unlawful harassment/discrimination, the investigation will be handled pursuant to the Procedure: Unlawful Harassment and Discrimination of Students.
  - 5) If the grieved incident is closely related to an incident being processed through the harassment/discrimination or disciplinary procedures, the proceedings under the Unlawful Harassment and Discrimination of Student's procedure will take precedence, then the disciplinary procedure, and then the student's grievance will be addressed. The grievance will not be processed until after the other procedures have run their course.
  - 6) The VPSA, or the President's designee, shall be granted an additional fifteen (15) business days to investigate the grievance upon notice to the grieving student.

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- C. **Appeal:** The student may appeal the decision rendered by the VPSA or the President's designee to the President. Only the student has the right to appeal.
- 1) A student shall file a written appeal to the President within five (5) business days of receiving the response of the investigation of the formal grievance.
  - 2) The appeal will be decided based entirely on documents provided by the student and the administration; therefore, the student must ensure that he or she has provided all relevant documents with his or her appeal.
  - 3) At the sole discretion of the President, grievance appeals at the institution may be held in one of the following two ways:
  - 4) The President may review the information provided by the student and administration and make the final decision; or
  - 5) The President may appoint a cross-functional committee to make the final decision.
  - 6) The decision of either the President or the cross-functional committee shall be made within ten (10) business days of receipt of the appeal.
  - 7) Whichever process is chosen by the President the decision of the grievance appeal is final.
- D. **Retaliation:** Retaliation against a student for filing a grievance is strictly prohibited.
- E. **Student Complaints:** All student complaints are recorded in the student complaint log, which is maintained by the Office of the Vice President of student affairs. The complaint log is reviewed annually by the Vice President of student affairs in order to identify trends and address recurring problems.
- F. **Document Retention:** Documents relating to formal grievances including investigations, dispositions and the grievance itself shall be held for five (5) years after the graduation of the student or the date of the student's last attendance.

## Student Code of Conduct

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of this academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for knowledge.

Freedom to teach and freedom to learn are inseparable facets of academic conditions in the classroom, on the campus, other college sites, and in the community. Students are expected to exercise their freedom with responsibility. As members of the academic community, students are subject to the obligations which accrue to them by virtue of this membership. As members of the larger community of which the college is a part, students are entitled to all rights and protection accorded them by the laws of the community. Nothing in this Code of Conduct 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.

By the same token, students are also subject to all laws, the enforcement of which is the responsibility of duly constituted authorities. When students violate laws, they may incur penalties prescribed by

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legal authorities. In such instances, college discipline will be initiated if the presence of the student on campus is considered a possible threat to persons or property, or if that person's presence may disrupt the educational process of the college. However, when a student's violation of the law also adversely affects the college's recognized educational objectives, or violates the college's Student Code of Conduct, the college will enforce its own regulations. When students violate college regulations, they are subject to disciplinary action by the college whether or not their conduct violates the law.

It is the policy of the Technical College System of Georgia (TCSG) to provide technical and adult education programs for the people of Georgia. TCSG's technical colleges must provide opportunities for intellectual, emotional, social, and physical growth. Technical college students assume an obligation to act in a manner compatible with the fulfillment of the mission. The technical college community recognizes its responsibility to provide an atmosphere conducive to growth. With these principles in mind, the Technical College System of Georgia establishes this Student Code of Conduct.

Generally, technical college jurisdiction and discipline shall be limited to conduct which occurs on technical college premises, off-campus classes, activities or functions sponsored by North Georgia Technical College, an examination or any other written or oral work submitted for evaluation and/or a grade, or which otherwise adversely affects members of North Georgia Technical College community and/or the pursuit of North Georgia Technical College's objectives.

### Definitions

**Business Days:** Weekdays that North Georgia Technical College's administrative offices are open.

**Faculty Member:** Any person hired by North Georgia Technical College to conduct teaching, service, or research activities.

**Hearing Body:** Any person or persons authorized by the President of a technical college to provide a hearing as defined in the Student Disciplinary Procedure.

**Member of North Georgia Technical College:** Any person who is a student, faculty member, contractor, technical college official or any other person/s involved with North Georgia Technical College, involved in the community or employed by North Georgia Technical College.

**Policy:** The Policy Manual approved by the State Board for the Technical College System of Georgia.

**Student:** All persons taking courses at North Georgia Technical College, including full-time, part-time, dual enrollment, joint enrollment, non-credit and credit. Persons who are not officially enrolled for a particular term but who have a continuing relationship with North Georgia Technical College are considered "students."

**Student Organization:** Any number of persons who have complied with the formal requirements for North Georgia Technical College recognition.

**System:** The Technical College System of Georgia or TCSG.

**Technical College:** North Georgia Technical College, a college within the Technical College System of Georgia.

**Technical College Official:** Any person employed by North Georgia Technical College, performing assigned responsibilities on a part-time, full-time, or adjunct basis.

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**Technical College Premises:** All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by North Georgia Technical College (including adjacent streets and sidewalks).

### Proscribed Conduct

Any student found to have committed any of the following types of misconduct is subject to the disciplinary sanctions outlined in the Student Disciplinary Policy and Procedure.

#### A. ACADEMIC

Academic Misconduct Definitions

Academic Misconduct includes, but is not limited to, the following:

##### 1. Aiding and Abetting Academic Misconduct

Knowingly helping, procuring, encouraging or otherwise assisting another person to engage in academic misconduct.

##### 2. Cheating

- a) Use and/or possession of unauthorized material or technology during an examination, or any other written or oral work submitted for evaluation and/or a grade, such as tape cassettes, notes, tests, calculators, computer programs, cell phones and/or smart phones, or other electronic devices.
- b) Obtaining assistance with or answers to an examination or any other written or oral work submitted for evaluation and/or a grade from another person with or without that person's knowledge.
- c) Furnishing assistance with or answers to an examination or any other written or oral work submitted for evaluation and/or a grade to another person.
- d) Possessing, using, distributing or selling unauthorized copies of an examination, computer program, or any other written or oral work submitted for evaluation and/or a grade.
- e) Representing as one's own an examination or any other written or oral work submitted for evaluation and/or a grade created by another person.
- f) Taking an examination or any other written or oral work submitted for evaluation and/or a grade in place of another person.
- g) Obtaining unauthorized access to the computer files of another person or agency and/or altering or destroying those files.
- h) Obtaining teacher edition textbooks, test banks, or other instructional materials that are only intended to be accessed by technical college officials, college administrator or faculty member.

##### 3. Fabrication

The falsification of any information or citation in an examination or any other written or oral work submitted for evaluation and/or a grade.

##### 4. Plagiarism

- a) Submitting another's published or unpublished work in whole, in part or in paraphrase, as one's own without fully and properly crediting the author with footnotes, quotation marks, citations, or bibliographical reference.

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- b) Submitting as one's own original work, material obtained from an individual or agency without reference to the person or agency as the source of the material.
- c) Submitting as one's own original work material that has been produced through unacknowledged collaboration with others without release in writing from collaborators.

### B. NON-ACADEMIC MISCONDUCT

Non-Academic Misconduct includes, but is not limited to, the following:

#### 1. Behavior

- a) Indecent Conduct: lewd or indecent conduct; or distribution of obscene or libelous written or electronic material.
- b) Violence: physical abuse of any person (including dating violence, domestic violence or sexual violence) on technical college premises or at technical college-sponsored or technical college-supervised functions, including physical actions which threaten or endanger the health or safety of any such persons. This includes fighting and/or other disruptive behavior, which includes any action or threat of violence which endangers the peace, safety, or orderly function of North Georgia Technical College, its facilities, or persons engaged in the business of North Georgia Technical College. Note: certain physical abuse may also be considered unlawful harassment.
- c) Harassment: North Georgia Technical College prohibits unlawful conduct based on race, color, creed, national or ethnic origin, gender, religion, disability, age, genetic information, political affiliation or belief, disabled veteran, veteran of the Vietnam Era or citizenship status addressed directly to any individual or group that has the purpose or effect of unreasonably and objectively interfering with that individual or group's: (1) performance, (2) work or educational environment or (3) ability to participate in an educational program or activity. North Georgia Technical College also prohibits stalking, or other behavior which objectively and unreasonably interferes with another's legal rights or creates an objectively intimidating, hostile, or offensive environment. (This also includes the display of or navigation to pornography and other inappropriate websites and materials and inappropriate behavior on social media and/or networking applications.) Impermissible harassment may include verbal, non-verbal and/or physical conduct.
- d) Disruption: prohibits activities not otherwise protected by law including the First Amendment to the Constitution of the United States of America, which intentionally obstructs or interrupts teaching, research, administration, disciplinary proceedings or other technical college activities, including public service functions and other duly authorized activities on technical college premises or at technical college-sponsored activity sites.
- e) Failure to Comply: Failure to comply with lawful directions of technical college officials and/or failure to identify oneself to these persons when requested to do so.

#### 2. Professionalism

- a) Personal Appearance: Refer to North Georgia Technical College Dress Code.

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### 3. Use of Technical College Property

- a) Theft and Damage: prohibits theft of, misuse of, or harm to technical college property, or theft of or damage to property of a member of North Georgia Technical College community or a campus visitor on technical college premises or at a technical college function.
- b) Occupation or Seizure: illegal occupation or seizure in any manner of technical college property, a technical college premises, or any portion thereof for a use inconsistent with prescribed, customary, or authorized use.
- c) Presence on technical college premises: prohibits unauthorized entry upon technical college premises; unauthorized entry into technical college premises or a portion thereof which has been restricted in use; unauthorized presence in technical college premises after closing hours; or furnishing false information to gain entry upon technical college premises.
- d) Assembly: prohibits participation in or conducting an unauthorized gathering that objectively threatens or causes injury to person or property or that interferes with free access to technical college facilities or that is unprotected by the First Amendment to the Constitution of the United States of America and objectively harmful, obstructive, or disruptive to the educational process or functions of North Georgia Technical College.
- e) Fire Alarms: prohibits setting off a fire alarm or using or tampering with any fire safety equipment on technical college premises or at technical college-sponsored activity sites, except with reasonable belief in the need for such alarm or equipment. In the event of a fire alarm sounding, students must evacuate the building unless otherwise directed by a technical college official.
- f) Obstruction: prohibits obstruction of the free flow of pedestrian or vehicular traffic on technical college premises or at technical college sponsored or supervised functions. Refer to North Georgia Technical College Parking Rules and Regulations.

### 4. Drugs, Alcohol and Other Substances

Substances referred to under this policy include all illegal drugs, alcoholic beverages, and misused legal drugs (both prescription and over-the-counter).

- a) Alcohol: Students must comply with all state and federal laws regulating alcohol as well as TCSG Policy II.C.6, Alcohol on Campus. Alcoholic beverages may not be served or sold at any student-sponsored function. Students being in a state of intoxication on technical college premises or at technical college-sponsored or supervised functions (including off-campus functions), internships, externships, practicum, clinical sites, co-operative or academic sponsored programs or activities or in a technical college-owned vehicle is prohibited.
- b) Controlled substances, illegal drugs and drug paraphernalia: North Georgia Technical College prohibits possession, use, sale, or distribution of any controlled substance, illegal drugs, or drug paraphernalia except as expressly permitted by law. Any influence which may be attributed to the use of drugs or of alcoholic beverages shall not in any way limit the responsibility of the individual for the conduct or consequences of his/her actions.
- c) Food: North Georgia Technical College prohibits eating and/or drinking in classrooms, shops, and labs or other unauthorized areas on technical college premises, unless otherwise permitted by technical college officials.
- d) Smoking/Tobacco: North Georgia Technical College prohibits smoking, or using other

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forms of electronic (e.g. VAPE) alternative smoking devices or other forms of tobacco products in classrooms, shops, and labs or other unauthorized areas on technical college premises regardless of tobacco content. Refer to the Technical College System of Georgia Tobacco Procedure.

### 5. Use of Technology

- a) **Damage and Destruction:** Destruction of or harm to equipment, software, or data belonging to North Georgia Technical College or to others is considered unacceptable usage. This may include altering, downloading, or installing software on technical college computers, tampering with computer hardware or software configuration, improper access to North Georgia Technical College’s network, and disconnection of technical college computers or devices.
- b) **Electronic Devices:** Unless otherwise permitted by technical college officials, North Georgia Technical College prohibits use of electronic devices in classrooms, labs, and other instructional, event, or affiliated facilities on technical college premises. Such devices include, but are not limited to cell phones, beepers, walkie-talkies, cameras, gaming devices, and other electronic devices, which may cause unnecessary disruption to the teaching/learning process on campus. North Georgia Technical College also prohibits attaching personal electronic devices to college computers under any circumstances.
- c) **Harassment:** North Georgia Technical College prohibits the use of computer technology to objectively interfere with another’s legal right to be free from harassment based on that individual’s race, color, creed, genetic information, national or ethnic origin, gender, religion, disability, age, political affirmation or belief, disabled veteran, veteran of the Vietnam Era or citizenship status.
- d) **Unacceptable Use:** Use of computing facilities to interfere with the work of another student, faculty member or technical college official. This includes the unauthorized use of another individual’s identification and password. North Georgia Technical College prohibits any additional violation to the Technical College System of Georgia’s Acceptable Computer and Internet Use procedure.

### 6. Weapons

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.§ 16-11-127.1
O.C.G.A.§ 16-7-80	O.C.G.A.§ 16-11-129
O.C.G.A.§ 16-7-81	O.C.G.A.§ 16-11-130
O.C.G.A.§ 16-7-85	O.C.G.A.§ 16-11-133
O.C.G.A.§ 16-11-121	O.C.G.A.§ 16-11-135
O.C.G.A.§ 16-11-125.1	O.C.G.A.§ 16-11-137

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O.C.G.A. § 16-11-126

O.C.G.A. § 43-38-10

O.C.G.A. § 16-11-127

**7. Gambling**

The Technical College System of Georgia prohibits the violation of federal, state or local gambling laws on technical college premises or at technical college sponsored or supervised activities.

**8. Parking**

North Georgia Technical College prohibits violation of the College's regulations regarding the operation and parking of motor vehicles on or around North Georgia Technical College premises.

**9. Financial Irresponsibility**

North Georgia Technical College prohibits the theft or misappropriation of any technical college, student organization or other assets.

**10. Violation of Technical College Policy**

Violation of System or Technical College Policies, rules or regulations including, but not limited to, rules imposed upon students who enroll in a particular class or program, internships, externships, practicum, clinical sites, co-operative, or any academic sponsored programs or activities, student organizations or students who reside in on-campus housing.

**11. Aiding and Abetting**

Aiding, abetting, or procuring another person to do an activity which otherwise violates this Code of Conduct is prohibited.

**12. Falsification of Documentation**

Disciplinary proceedings may be instituted against a student who falsifies any documentation related to North Georgia Technical College either to the technical college or to others in the community, including, but not limited to falsification of: technical college transcripts; transcripts or other documentation from other institutions to obtain credit from or admission to the technical college; technical college report cards or other grade reports; documentation related to a student's citizenship status; tests, homework, attendance records; signature of any technical college employee in his or her official capacity; signatures of any employee of a clinical or internship site where the student is participating in an educational program associated with the technical college or records related to any clinical, internship or other academic activity associated with the technical college.

**13. Violation of Law**

- a) If a Student is convicted or pleads Nolo Contendere to an on-campus or off-campus violation of federal, state, or local law, but not has not been charged with any other violation of the Student Code of Conduct, disciplinary action may nevertheless be taken and sanctions imposed if the violation of federal, state or local law is detrimental to North Georgia Technical College's vital interests and stated mission and purpose.
- b) Disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of the Student Code of Conduct if both violations result

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from the same factual situation, without regard to criminal arrest and/or prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings.

- c) When a student is charged by federal, state, or local authorities with a violation of law, North Georgia Technical College will not request or agree to special consideration for that individual because of his/her status as a student. North Georgia Technical College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

### 14. Abuse of the Student Judicial Process, including but not limited to

- a) Failure to obey the notification of the Vice President of student affairs or North Georgia Technical College President's designee, Hearing Body, Appellate Board or Technical College Official.
- b) Falsification, distortion, or misrepresentation of information in a judicial proceeding.
- c) Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d) Initiating a disciplinary proceeding knowingly without cause.
- e) Attempting to discourage an individual's proper participation in, or use of, the disciplinary process.
- f) Attempting to influence the impartiality of a member of a Hearing Body, or Appellate Board prior to, and/or during the course of, the disciplinary proceeding.
- g) Harassment (verbal or physical) and/or intimidation of a member of a Hearing Body, or Appellate Board prior to, during, and/or after a disciplinary proceeding.
- h) Failure to comply with the sanction(s) imposed under the Student Code.

### Expressly Prohibited Are:

- Behavior that jeopardizes the safety or well-being of other members of the college community or persons coming onto college property.
- Harassment of, or interference with, security officers, law officers, fire fighters or other persons engaged in the performance of their official duties.
- Small children present on the training site or in the residence hall at any time for visiting or babysitting purposes (safety and insurance considerations make this procedure mandatory).

## Campus Dress Code

One of the major objectives of North Georgia Technical College is to provide realistic occupational training for all students. Working conditions common to those found in business and industry are simulated as closely as possible. Students are required to meet standards of dress determined by faculty, the campus safety officer, and the Vice President of student affairs.

The following regulations shall be observed for dress and grooming by all students:

- Cleanliness of person and clothing is required.
- Shirts and shoes are to be worn at all times.

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- Use of offensive, obscene, or abusive words or symbols on clothing is not permitted.
- Longer, knee-length type of shorts such as dress shorts and bermudas are acceptable. Short shorts and running/gym shorts are not permitted unless participating in a college-sanctioned sports activity.
- Tank tops, halter tops, tube tops, or other garments defined as skimpy, scooped out at the neck and shoulder, or showing excessive amounts of skin area are considered inappropriate dress.
- Excessively long hair and beards may be deemed safety hazards in certain occupational programs.
- Clothing referred to as pajama pants, lounge wear, and sleep wear are not acceptable dress.

In addition to these general standards, dress requirements may vary in the classroom, laboratory, and shop areas to comply with safety and occupationally required dress. (Refer to Department Lab Management and Chemical Hygiene Plan.) Failure to comply with those standards by students enrolled in the particular department may result in termination from class.

### Disorderly Conduct

Disorderly or obscene conduct or breach of the peace on college property or at any function sponsored or supervised by the college or any recognized institutional organization is prohibited.

No student shall push, strike, or physically assault any member of the college staff or student body or any visitor to the campus. Conduct on college property that materially interferes with the normal operation of the college or the requirement of appropriate discipline is prohibited.

No student shall interfere with, give false name to, or fail to cooperate with, any properly identified members of the faculty, administration, or other staff personnel while these persons are performing their duties.

Any behavior on campus which is obscene, or which is clearly beyond the acceptable standards of the community is prohibited. Intoxicating liquors, all forms of illegal drugs, profane language, gambling, and hazing are prohibited.

### Disorderly Assembly

No student or group of students shall assemble on campus for the purpose of creating a riot or disturbance or disorderly diversion that interferes with the normal operation of the college. Students do have the right to peaceful, non-disruptive assembly.

No student or group of students shall obstruct the free movement of other persons about the campus, interfere with the use of the college facilities, or materially interfere with the normal operation of the college with authorized events being held on campus.

### Drug-Free Workplace

North Georgia Technical College is a responsible segment of the society; and, as an educational institution, neither permits nor condones illegal drugs and narcotics. The college stands behind the laws of federal, state, and local governments concerning drugs and narcotics. The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances represents a danger to the welfare of the individual as well as to the welfare of the North Georgia Technical College community.

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Any student found manufacturing, distributing, dispensing, possessing, or using controlled substances will be subject to immediate expulsion from North Georgia Technical College and may be turned over to local authorities for legal action. Any student who is convicted of a violation of controlled substances must, as required by the Drug-Free Workplace Act of 1988, report such a conviction to the Vice President of student affairs no later than five (5) days after such a conviction. Compliance with the Drug-Free Workplace Act further requires the college to notify the United States Department of Education of such conviction within ten (10) days after receiving notice of the conviction.

Any student who voluntarily seeks counseling for abuse of controlled substances, or who may be deemed by college officials to need treatment, may secure information regarding approved drug assistance or rehabilitation programs from the Dean of student affairs or the Director of Student Affairs, Blairsville Campus or the Director of Student Affairs, Currahee Campus.

If a student is dismissed for violation of an institutional regulation of controlled substances, he or she must have a professional evaluation before re-admission will be considered. If the evaluation indicates that a treatment or counseling program is necessary, the student must complete such a program before there can be any consideration for re-admission. After completion of a treatment or counseling program, the student may appeal for re-admission upon the recommendation of his or her counselor. Such an appeal must be directed to the Vice President of student affairs.

### Drug and Alcohol Procedure

The use, possession, distribution, or transportation of alcoholic beverages by North Georgia Technical College students is strictly forbidden on campus and at any off-campus activity that is sponsored by or in the name of any institutional organization, department, or group.

Beverages identified as non-alcoholic beer are prohibited. Any student who returns to any North Georgia Technical College campus under the influence of alcohol and/or drugs shall be subject to disciplinary action. All students are subject to a breathalyzer test. Failure to cooperate will result in full disciplinary action. NOTE: All city, state, and federal laws will be enforced.

Federal law permits North Georgia Technical College to disclose to parents/guardians' violations of not only local, state, and federal laws but also college policies and rules governing the use of and/or possession of alcohol or controlled substances. (Section 952, Alcohol or Drug Possession Disclosure, of the Higher Education Act 10/99).

### Fire Safety

No student shall tamper with fire safety equipment. The unauthorized possession, sale, distribution, or use of any incendiary device is prohibited. No student shall set or cause to be set any unauthorized fire in or on college property. The possession or use of fireworks on college property is prohibited. No student shall make, or cause to be made, a false fire alarm. Doing so will be considered a serious incident.

Fines may be assessed and/or other disciplinary actions may be taken with anyone known to make a false fire alarm. Similar actions may be taken with all resident students if it is not known who caused the false alarm.

North Georgia Technical College is subject to fire and tornado drills without prior notice. Students are expected to comply with official practices and procedures regarding established fire drills and severe weather alerts. Students who do not comply will be subject to disciplinary action.

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### Hazing

Hazing in any form is prohibited.

### Campus Loitering

Loitering is not permitted at North Georgia Technical College.

### Theft

No student shall take, attempt to take, or keep in his or her possession North Georgia Technical College property or items belonging to students, faculty, staff, or student groups. A person found guilty of theft is subject to automatic dismissal.

### Misuse of College Name

Use of the college name for soliciting funds or other activity without approval of proper college authorities or any misuse of the college's name is prohibited.

### Falsification of Records

No student shall alter, counterfeit, forge or cause to be altered, counterfeited, or forged any record, name, form, or document used by the college.

### Unauthorized Entry of College Facilities

No student shall make unauthorized entry into a college building, office, or facility; nor shall any person remain without authorization in any building after normal closing hours. No student shall make unauthorized use of any institutional facility. Unauthorized possession or use of college keys is prohibited.

Faculty is directed to ensure that students or unauthorized persons do not remain in their departments during breaks, lunchtime, or after college hours. If the faculty is present and wishes to allow students to remain, this is permissible; however, all classrooms and departments will be locked when faculty is not present. An exception may be made for work-study students assigned to the department and with the faculty's knowledge and approval. No student may enter the instructional department after hours.

Also, administrative areas, warehouse, and barn areas are off limits to all students except during regular class hours.

### Academic Misconduct

No student shall receive or give assistance in the preparation of any class assignment unless authorized by the faculty. No student shall take or attempt to take, in an unauthorized manner, any class material. Students found cheating will face disciplinary action and will receive a zero for the assignment, project, or exam. Any action of cheating which reaches beyond the individual may face expulsion.

The term "cheating" includes but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the faculty in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the Technical College faculty or staff.

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The penalty for “cheating” is left to the instructor’s discretion but may include receiving a zero on the assignment or failure of the course.

Plagiarism is prohibited. Plagiarism is the taking, using, quoting, and/or re-writing of another’s words, statements, or ideas without giving credit to the original author; in other words, it is literary theft. Plagiarism is also defined as the purchase of an entire work, such as an essay, from an outside source and submitting it as original work. Students who are found to have committed blatant plagiarism will receive a grade of “F” for the course; the penalty for accidental plagiarism may include a grade of zero on the assignment.

Students need to familiarize themselves with what constitutes plagiarism. Some (but not all) examples follow:

1. Quoting one or more passages from a source and failing to cite (give credit to) the original author(s)
2. Paraphrasing one or more passages from an outside source and failing to cite (give credit) the original author(s)
3. Purchasing an assignment and submitting it as the student’s own work
4. Having another person write the assignment for the student and then submitting it as the student’s original work
5. Copying and pasting outside material into a document without giving proper credit to the original author(s)
6. Keyboarding information from an outside source and submitting it as original work OR failing to give credit to the original author(s)

Plagiarism can be further categorized into blatant plagiarism and accidental plagiarism.

Some (but not all) examples of blatant plagiarism include:

1. Willfully and blatantly copying sections of another’s work and submitting it as the student’s own
2. Purchasing the work from another and submitting it as original work
3. Using a work that has been previously submitted for a grade in another class without asking consent from the current instructor

Students committing blatant plagiarism will face disciplinary action up to and including failure of the course.

Some (but not all) examples of accidental plagiarism include:

1. Failing to include the parenthetical documentation at the end of the quote or paraphrase
2. Failing to include a source on the Works Cited page

The penalty for committing accidental plagiarism is at the instructor’s discretion but may include receiving a zero on the assignment.

Any student who has been found to have committed plagiarism has the right to appeal. The student’s written appeal of the decision must be filed with supporting documentation to the Dean for Academic Affairs no later than seven (7) calendar days from the date the instructor provided a written decision/grade for the assignment in question. The appeal will then be submitted to the Academic Appeals Committee. This committee will be composed of two instructors, two students, and the Dean for

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Academic Affairs. This committee will meet with the student within four business days from receipt of the appeal. The Dean will provide a written response to the student's appeal within two business days of the committee's decision.

If the issue is still not resolved, the student may file a written academic appeal, using the same form with all supporting documentation attached, to the Vice President for Academic Affairs for review. The Vice President for Academic Affairs will respond in writing to the student with a decision. The decision of the Vice President for Academic Affairs shall be final.

### Acceptable Computer and Internet Use

North Georgia Technical College owns and operates a variety of instructional computer systems which are provided for the use of North Georgia Technical College students, faculty, and staff in support of the educational programs of the college and which are to be used for such related activities only. All students, faculty, and staff are responsible for seeing that these computer facilities are used in an effective, efficient, ethical, and lawful manner. The complete policy is on the NGTC website, and is available in all computer labs. It defines acceptable use of these instructional computer systems. Unacceptable use is prohibited and is grounds for loss of computer privileges, as well as prosecution under federal, state, and local law.

System administrators may develop additional, more detailed guidelines as needed for any of the college's instructional computer systems. These guidelines will cover such issues as allowable connect time and disk space, handling of irretrievable mail, responsibility for account approval, copyright issues, actions for inappropriate use, and other items related to administering the system.

### Intellectual Property

North Georgia Technical College encourages the development, writing, invention, or production of intellectual property designed to improve the productivity of the college or to enhance teaching and learning. An employee or student creating work for the College or its use represents and warrants that such work:

- does not violate any law;
- does not violate or infringe any intellectual property right of any person or organization; and
- does not libel, defame, or invade the privacy of any person or organization.

Unless addressed in a separate agreement approved by the President, the College owns the intellectual property rights in any and all works produced by or for the college by faculty, staff, or students.

### Inspection, Search, and Seizure

Although students are guaranteed the rights of any citizen and therefore will not be subject to unreasonable search and seizure, the courts have recognized the rights of institutions to conduct reasonable inspections, search, and seizure in order to enforce college regulations. North Georgia Technical College reserves the right to conduct such inspections, searches, and seizures within the limits of the law.

The college reserves the right to conduct searches of individual rooms and lockers in a residence hall or other facility on campus if there is reason to believe an institutional regulation has been violated. Law enforcement officials may search facilities with or without authorization from the college by means of

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a search warrant. Except in cases involving drugs, evidence seized during a search will normally not be used in a court of law unless a search warrant has been issued authorizing the search. However, such evidence can be used in disciplinary procedures concerning the violation of institutional regulations. Property confiscated during a search will be returned to the owner unless it is an illegal item such as drugs or drug paraphernalia or illegal weapon.

### **Campus Security Act**

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 offenses 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 Office of Campus Safety on the Clarkesville Campus. Local law enforcement offers information concerning registered sex offenders in the area. For more information, contact the Habersham County Sheriff's Department at 706-754-6666. Additional information can be obtained from the Georgia Bureau of Investigation by accessing the following website: [www.ganet.org/gbi/sorsch.cgi](http://www.ganet.org/gbi/sorsch.cgi).