



2021 ANNUAL SECURITY REPORT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, formerly the Campus Security Act of 1990, requires Athens Technical College to disclose to the public specific crime-related information on an annual basis. In compliance with this legislation, the college must report campus crime statistics, campus offenses, and security measures to all students and employees by October 1 of each year.

For information contained in
this report, please contact the
Athens Technical College
Chief of Police
706-355-5039

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2021 Annual Security Report

Statement of Non Discrimination

Athens Technical College does not discriminate on the basis of race, color, creed, national or ethnic origin, gender, religion, disability, age, political affiliation or belief, genetic information, disabled veteran, veteran of the Vietnam Era, spouse of military member, or citizenship status (except in those special circumstances permitted or mandated by law). This nondiscrimination policy encompasses the operation of all technical college-administered programs, programs financed by the federal government including any Workforce Investment Act of 1998 (WIA) Title I financed programs, educational programs and activities, including admissions, scholarships and loans, student life, and athletics. It also encompasses the recruitment and employment of personnel and contracting for goods and services.

The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Sheri Heath, Human Resources: Title VI, Title VII, Title IX Coordinator (Employees), Office K-514, sheath@athenstech.edu, 706-583-2818;

Lenzy Reid, Vice President of Student Affairs, Title IX (Students) Office H-774, 706-355-5029, lreid@athenstech.edu.

Inquiries may also be made to the Assistant Secretary for Civil Rights at the United States Department of Education.

Athens Technical College adheres fully to the requirements of Title IV in both policies and procedures. It is the policy of Athens Technical College that all students shall be provided an environment free of unlawful harassment (including sexual harassment and sexual violence), discrimination, and retaliation. All students and employees are expressly prohibited from engaging in any form of harassing, discriminating, intimidating or retaliatory behavior or conduct in all interactions with each other, whether or not the interaction occurs during class or on or off campus. Visitors to campuses shall not engage in prohibited conduct and may be barred for such conduct if other corrective measures are ineffective. Allegations of unlawful harassment occurring at clinical sites to which students are assigned shall be investigated in accordance with this procedure.

Any individual who has engaged in prohibited behavior or conduct will be subject to disciplinary action up to and including expulsion or dismissal. All students are encouraged to report any act of unlawful harassment, discrimination, retaliation and/or intimidation. Reports will be treated in an expeditious and confidential manner.

Overview of the Clery Act

Selecting the right college to attend is a very large decision for students and their families. Additionally, deciding where to work and build a career is also a big decision and one that needs to be made based on an assessment of a number of factors. Campus safety and security is an important factor that goes into both of these decisions and should not be taken lightly.

Responding to concerns regarding campus safety and security at colleges and universities, Congress enacted the “Crime Awareness and Campus Security Act of 1990,” which amended the “Higher Education Act of 1965.” The 1998 amendments to this Act renamed it the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” in memory of Jeanne Clery, a freshman student at Lehigh University who was raped and murdered in her dorm room in 1986. This federal law has largely become known across the United States as the “Clery Act.”

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

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

All Title IV institutions with no on-campus student housing are required to prepare and distribute an Annual Safety Report with specific statements of safety policies and procedures as well as the annual safety statistics for the past three calendar years. This report, the Annual Security Report (“ASR”), contains the ATC ASR covering the years 2018, 2019, and 2020. Clery Act crime, arrest and disciplinary referral statistics as well as information about safety and security policies and practices intended to promote awareness about security and safety at ATC are included herein.

Athens Technical College publishes one Annual Security Report and does not publish separate reports for each campus. All policies apply equally to all campuses of Athens Technical College. The crime statistics for each campus are listed in separate tables at the end of this report.

Reporting the Annual Disclosure of Crime Statistics

Athens Technical College Police Department prepares the text for the policies and practices section with input and additional information from other College Departments. ATCPD works in conjunction with the following ATC departments to achieve compliance with the Clery Act:

- Student Services / Title IX Equity Coordinator
- Outside Law Enforcement Agencies Within Our Service Area

ATCPD also collects statistical information from Campus Security Authorities (CSA's) and local municipal police departments; including the Athens-Clarke County Police Department, Elberton Police Department, Monroe Police Department, Greene County Sheriff's Office, and any law enforcement agency whose jurisdiction covers the various Athens Technical College Adult Learning Centers.

ATC makes a good faith effort to obtain the statistics by requesting them, in writing, from non-police campus security authorities (CSA's) and law enforcement agencies. ATC relies on the information obtained but is not responsible if the information is inaccurate or not provided.

Campus Security Authority (CSA)

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

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

Campus Security Authority Cite 34 CFR 668.46(a)

Athens Technical College CSA's

The Campus Security Authorities at Athens Technical College may include, but not limited the college vice presidents, executive directors, directors, deans, campus administrators, night time coordinator, club advisors, and employees of the Athens Technical College Police Department.

CSA's are responsible for immediately reporting crimes and incidents that occur on the ATC Campus or affiliated property to the ATC Police Department. A Campus Security Authority report

form has been created to capture this information and distribute it to The ATCPD, for the purpose of making timely warning reports and annual statistical disclosure.

Statistical crime information from ATCPD, other CSA's and outside law enforcement agencies are integrated into a single page, included at the end of this document, on the ATC web page, and provided in a hard copy document upon request. We also submit these statistics to the US Department of Education. An annual notification is sent to the campus community from the President reminding constituents that safety is a priority and refers them to the ATC website to review the complete report.

ATC Police Department Authority and Jurisdiction

The Athens Technical College Police Department (ATCPD) was recognized by the State of Georgia in November, 2014 as a full authority law enforcement agency. Under O.C.G.A. 20-4-39, O.C.G.A. 20-8-1, O.C.G.A. 20-8-2, and O.C.G.A. 20-8-3, ATCPD has full police authority under these provisions and authorized to make arrests on all ATC property.

ATCPD is responsible for the safety and security of all campuses, facilities, students and employees of the College and its adjoining grounds. Also to enforce the laws of the State of Georgia within our campuses, we may refer students to the office of Student Affairs for violations of the College's rules and student code of conduct.

ATCPD Officers also meet or exceed all annually required training as set by the Georgia Peace Officer Standards and Training Council. All training can be provided upon request.

ATCPD also provides unarmed Community Service Officers (CSOs) to assist with security in buildings and around all campuses. The CSOs are serving as the eyes and ears of the ATCPD, but do not have power of arrest.

ATCPD provides security services on all campuses based on student scheduling.

We are closed during scheduled college holidays.

ATC Police Department and Local Law Enforcement

Athens Technical College is the property of the State of Georgia, and Constitutional protections apply; local law enforcement officers may enter the campus to conduct business as needed. Additionally, these officers are invited to patrol the campus to assist Athens Technical College Police Department in deterring crime. All law enforcement agencies are expected to check in with Athens Technical College Police Department when on campus.

Student Organizations at Off-Campus Locations

Athens Technical College does not have any officially recognized student organizations off campus.

Reporting Criminal Offenses, Emergencies & Other Incidents

Crimes in progress should be reported by dialing 911 and crimes that have just occurred should be reported to ATCPD as soon as possible by dialing 706-355-5039 from any cellular or campus phone. Athens Technical College Police encourage accurate and prompt reporting of all crimes to the campus police and all appropriate police agencies, when the victim of a crime elects to or is unable to make such a report.

What to report?

- You see someone committing a crime
- You need to report an old crime
- You see anyone or anything suspicious
- Someone is injured or ill
- You see fire or smell smoke
- You have knowledge of a chemical spill

Students and employees, guests and other community members are encouraged to report all crimes and public safety-related incidents to the ATCPD in a timely manner.

Reports may be made in person on Athens Technical College campuses at the following campuses:

- Athens-Clarke Campus, room J-320, or by calling 706-355-5039 and having an officer dispatched to your location.
- Elbert County Campus, room 115, or call 706-213-2102.
- Greene County Campus, room 101, or call 706-552-0924.
- Walton County Campus, room 721, or call 706-552-0900.

It is up to each of us to watch out for one another. Reporting timely information assists in developing Timely Warnings or Emergency Notifications and Crime Alerts regarding potential danger on campus.

Crimes or incidents occurring outside the ATCPD jurisdiction should be reported to the agency having jurisdiction where the incident occurred.

Voluntary, Confidential Reporting

The Athens Technical College Police Department encourages anyone who is a victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the Athens Technical College Police Department cannot hold reports of a crime in confidence. Confidential reports for the purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Athens Technical College Campus Security Authorities.

Professional and pastoral counselors are exempt from reporting requirements. Athens Technical College encourages counselors and clergy, if and when they deem it appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary, confidential basis to any Campus Security Authority (CSA) for inclusion in the annual security report.

Reporting crimes or emergencies is voluntary. All crimes and emergencies should be accurately and promptly reported to the Athens Technical College Police Department at 706-355-5039, the officer on duty phone number for each campus, or the local police agency, when attending class on an ATC campus. Athens Technical College does not have any non-campus organizations, housing, or sports events. All crimes should be reported to the ATCPD for the purpose of investigating the crime, making a timely warning report and for annual disclosure in the crime statistics. While we at Athens Technical College Police Department are happy to take reports for any crime committed on campus, victims may also decline to have a report made. ATC Police do not have a process for voluntary confidential reporting due to state open-records laws. Confidential reports can be made to campus pastoral and professional counselors. According to the 1998 amendments to the 20 U.S.C. Section 1092 (f), campus “pastoral counselors” and “professional counselors,” when acting as such, are NOT considered to be a campus security authority and are NOT required to report crimes for inclusion into the annual disclosure of crime statistics. But, while in the course of their professional duties as a mental health counselor (e.g., in a counseling session, assessment, crisis intervention session or a consultation situation), any Counseling and Psychological Services professional staff member (e.g., licensed professional counselor, psychologist, social worker, administrative assistant or student intern) who learns from an ATC student that he/she has been a victim of a crime will provide the information to the Athens Technical College Police Department.

Protecting Victim Confidentiality

Athens Technical College officials will make every effort to ensure the confidentiality of survivors, and all members of the college community are urged to treat knowledge of an individual’s status as a survivor of sexual assault/abuse in a confidential manner.

Athens Technical College officials will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and all members of the college community are urged to treat knowledge of an individual’s status confidential. Personal identification information is not published to the public.

Reporting to Athens Technical College Police

The Athens Technical College Police Department has primary jurisdiction and responsibility for investigating crimes and providing police services to the College community. Police services are available during the hours the campus is open to the public. The Athens Technical College Police Department headquarters is located at 800 U.S. Hwy 29 North, Athens, GA 30601. It is encouraged at Athens Technical College that all crimes reported to any campus official be relayed to the Athens Technical College Police Department; however Professional and Pastoral counselors are exempted when acting in their official capacity.

Reporting Crimes

Any member of the College community who is the victim of a crime on campus, or who witnesses a crime on campus, should call 911 and then call the Athens Technical College Police Department at 706-355-5039.

Professional Counselors & Pastoral Counselors

While attending college can be an exciting time in the life of a student, it can also come with a number of challenges when family, school, and work responsibilities begin to compete for a student's time. In the event that these responsibilities prove too much, students are urged to seek guidance from the counseling staff within the Office of Counseling Services. Although not able to provide ongoing counseling, the counseling coordinator can assist students who are in crisis or struggling with day to day challenges. If additional or ongoing counseling services are needed, Athens Technical College works in partnership with The University of Georgia's Center for counseling to serve students on an ongoing basis for continued care. The University of Georgia's Center for Counseling is able to provide ongoing counseling onsite at Athens Technical College as needed.

Students may also obtain assistance from Counseling Services staff in developing career goals, learning to manage academic programs, and dealing with work-related, personal, or financial problems. Students may contact the Counseling Coordinator at (706) 227-7174 to obtain assistance through the Office of Counseling Services.

Athens Technical College does not provide Pastoral Counselors

Athens Technical College provides written notification to students and employees in the student handbook online for counseling, health, mental health, victim advocacy, and legal assistance, as well as visa and immigration assistance. ATC also will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.

Anonymous Reporting

Anyone who wishes to report a crime anonymously may do so by calling ATCPD at 706-355-5039.

Reporting Hate Crimes & Incidents*

Reporting hate violence is a crucial component in the development of a more tolerant society and a hate free campus environment. If you have been the target of a hate crime or hate bias motivated incident, you are encouraged to report the occurrence to the Athens Technical College Police Department. Under the Clery Act, each institution must report, by geographic location and by category of prejudice, certain hate crime statistics. A list of hate crime categories can be found on page 26 of this report.

****There have been no hate crimes reported for 2018, 2019 or 2020 reporting periods.***

Other Reporting Requirements

Responsible Employees

A responsible employee includes any employee: who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate designee; or whom a student could reasonably believe has this authority or duty.

Subject to the exemption for counseling employees, a responsible employee must report to the school's Title IX coordinator, or other appropriate designee, all relevant details about the alleged sexual violence that the student or another person has shared and that the College will need to determine what occurred and to resolve the situation. This includes the names of the alleged perpetrator (if known), the student who experienced the alleged sexual violence, other students involved in the alleged sexual violence, as well as relevant facts, including the date, time, and location.

Legal Options

1) Reporting a sexual assault, attempted sexual assault, domestic violence, dating violence or stalking to the Athens Technical College Police Department does not mean that the survivor must press charges. However, it does begin the legal process should the decision to prosecute be made at a later date. The sooner an assault is reported; the more likely valuable evidence can be collected. However, victims may decline to report the incident if they so choose.

2) Survivors can consult an attorney about initiating a suit in civil court for damages against the assailant. The purpose of a civil suit is to compensate the survivor for the wrong done to them. A civil action may be brought against the assailant regardless of whether criminal charges are pursued. ATC police can assist with orders of protection.

Athens Technical College Counseling and Educational Resources

To find a rape crisis center near you please call 1-800-656-HOPE to locate the closest center.

Statistical Reporting

- 1) The Athens Technical College Police Department will collect and provide statistics on reported sexual assaults as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. All personally identifying information will be removed from statistical reports.
- 2) Professional counselors associated with Athens Technical College by Athens Technical College with whom conversations are privileged will inform survivors of the ability to report crimes on a confidential basis for statistical purposes. Any such reporting is voluntary. All other college personnel are required to notify the Campus Police Department upon receipt of a report of sexual assault for Clery Act reporting purposes.
- 3) Survivor Confidentiality - Athens Technical College officials will make every effort to ensure the confidentiality of survivors, and all members of the college community are urged to treat knowledge of an individual's status as a survivor of sexual assault/abuse in a confidential manner. Personal identification information is not published to the public.
- 4) Athens Technical College will maintain as confidential any accommodations or protective measures provided to the victim, such as alternate classroom settings for students or alternate work environments for employees. This confidentiality will be maintained to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
- 5) Athens Technical College will provide written notification to students and employees about resources for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims both at Athens Technical College and within the community.
- 6) Athens Technical College will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations, or protective measures. These accommodations and/or protective measures will be made if the victims makes such a request and if they are reasonably available, regardless of whether or not the victim chooses to report the crime to campus police or other local law enforcement.

Emergency Response and Evacuation Procedures

ATC has established procedures to ensure to the greatest extent possible for the safety and welfare of the College's students and employees. This procedure is to provide guidelines in case of a response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees occurring on or near the campus.

Exercises and drills are key parts of the College's emergency response management program. ATCPD is responsible for scheduling and oversight of emergency exercises. Exercises are developed based on an assessment of which areas of emergency response capability need testing

and will include appropriate internal and external groups needed to effectively test the College's response. Exercises are conducted annually, or when there is a need for more training and can be unannounced or announced.

Athens Technical College has Fire and Emergency Evacuation drills scheduled for the month of October 2020, on all four campuses.

Athens Technical College also has an Active Shooter Drill scheduled for completion at the Walton campus in November 2021, in conjunction with Monroe Police Department. The drill will provide training for Athens Technical College Police Department and Monroe Police Department. Additionally, the Monroe Police Department utilizes classroom space on the Walton Campus of Athens Technical College for departmental training throughout the year. The training conducted is varied and includes instruction and practical exercises on responding to active shooters.

Timely Warnings and Emergency Notification

Reports of emergency or dangerous situations can originate from various sources including;

- Reports from first responders
- Reports from established warning points
- Reports from other campus departments
- Reports from citizens through 9-1-1

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification:

With the exception of emergencies that are contained to one campus facility/area, the College has decided not to provide segmented emergency notifications. This decision was made based on the analysis of identified risks to the campus and to prevent accidental exclusion of a segment of campus population that the emergency notification was intended for.

In the situations when a single facility/area is involved, facility alarms, public address systems, phone-trees, and other technologies of the facility may be utilized to provide warning. Campus personnel may also provide warning if needed and feasible. Should a segmented emergency notification be issued, on-going assessments of the situation will occur and a campus-wide notification will be sent as necessary.

Determining the Contents of the Emergency Notification

The content of an emergency notification will depend on the situation and the notification method. However, the following information will be included in all initial emergency notifications regardless of the situation or method:

- A description of the situation (flash flood warning, dangerous situation, etc.)
- Relevant safety instructions (move to higher ground, shelter in place, etc.)

A third element of where to get more information (i.e., College website) will be included in the initial notification if feasible. Because of text character limits, or the immediate availability of information, the third element of where to get information may not always be included in the initial emergency notification

Procedures for Disseminating Emergency Information to the Greater Community

Athens Technical College Police Department in conjunction with the Office of the President is responsible for initiating emergency notifications of criminal or emergency occurrences to the greater community. Community members can receive emergency notifications by tuning in to WGAU Radio, 1340 AM, Athens, Georgia.

Enrolling in Athens Technical College's Emergency Notification System

When a student is registered, their account is created for them. Within the first week of the semester, they should receive an email in their student email account with their login information. Once they receive that information, they need to take a moment to login and review/update their contact information. Once they graduate or leave the College, their account will be disabled.

When and How Timely Warnings are Issued

The circumstances of any particular situation coupled with the ATCPD's evaluation of the situation/threat potential and authorization from ATC President or designee, will dictate the need and manner for the issuance of an Alert bulletin. Athens Technical College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system.

However, in general, whenever there has been a report of a violent crime or a major property crime on campus and the ATCPD is of the opinion that the safety of the campus community is at a continual risk, a Timely Warning will be issued immediately. The warning will be issued unless issuing a warning will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Athens Technical College will withhold names and other identifying information of victims as defined in the Violence Against Women Act of 1994.

The Warning process may include one or more of the following.

- Athens Technical College Rave system
- Physical postings of bulletins in designated campus buildings by campus police and security personnel may be an option depending upon circumstances.
- College phone system
- College e-mail system

Daily Crime Log

Daily logs of all criminal offenses reported are maintained by the Athens Technical College Police Department at the Athens Campus. Logs of crimes reported within the past 60 days are open to the public and available for inspection during normal business hours. Any portion of the log older than 60 days will be made available within two business days of a request for public inspection.

The Athens Technical College Police Department may withhold information from the daily crime log if the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to evade detection or flee, and/or result in the destruction of evidence.

Athens Technical College Police Department's crime log covers the most recent 60-day period and is open for public inspection during normal business hours. Crime log information dating back more than 60 days will be made available for inspection within two business days of a written request.

ATCPD documents fire drills for each center and campus in the Annual Security Report.

Campus Emergency Evacuation Procedures

Emergency drills are conducted regularly by the ATCPD. These unannounced drills prepare building occupants for an organized evacuation in case of fire or other emergencies. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits, the evacuation route, designated assembly locations and the sound of the fire alarm. Drills are scheduled for Athens Technical College during the month of October 2021.

The Emergency Procedure Quick Reference Guide was developed to provide an organized response to most emergencies that can be expected in the workplace. The guide is posted next to the door of every room throughout the entire ATC system and provides actions to be taken by the students and employees in the event of an emergency as well as proper building evacuation and emergency response procedures.

EVACUATE when:

- A fire and/or life safety emergency occurs;
- The fire alarm activates (audible and/or visual);
- Notified to do so by emergency response personnel;
- Be aware of all exits from your area and building. Know the routes from your work area.
- When the fire alarm activates or you are told to leave, WALK quickly to the nearest marked exit and ask others to do the same. DO NOT RUN;
- DO NOT USE ELEVATORS unless directed to do so;
- ASSIST persons with disabilities, access or functional needs if you are willing and able;
- Notify emergency personnel if you suspect someone may be trapped in the building;

- Once outside, move to your designated assembly area. Keep streets and walkways clear for emergency vehicles and personnel;
- DO NOT return to an evacuated building until an all-clear message is given and you are directed

Security & Access to Campus Buildings & Grounds

Special Considerations for Residence Hall Access:

Athens Technical College does not have any student dorms.

Violence or Crime in Progress

DO NOT TAKE UNNECESSARY CHANCES

Effective risk reduction requires awareness of surroundings and avoiding situations that place you in a potentially dangerous environment, e.g. walking home alone, late at night, in a known high crime area.

Do not interfere with:

- Persons committing the crime/creating the disturbance
- Law enforcement authorities on the scene

If you are the victim of, are involved in, or witness any on-campus violation of the law such as an assault, robbery, theft, stalking, etc. that is in progress, Call 911 Immediately.

Shelter-In-Place – Police Activity

A Shelter-In-Place notification may be issued when the ATCPD determines that there is a potential threat to the campus. When notified to Shelter-In-Place, initiate action immediately. Take Rave Alerts seriously. You will be safest by placing a locked door or other barricade between you and the associated violence or danger. Do not leave until an ALL CLEAR message is received.

Security Considerations for the Maintenance of Campus Facilities

All academic buildings on campus are open to students, parents, employees, contractors, guests and invitees. Athens Technical College's academic buildings are generally open from 8:00 a.m. to 9:00 p.m., Monday through Friday. Security Cameras are placed at strategic locations around each campus/centers for safety reasons. These cameras are not actively monitored, but motion-triggered footage is saved on a digital feed. Cameras are checked routinely through visual confirmation to ensure the component is working.

Emergency after-hours access may be gained by calling Athens Technical College Police. Master keys are maintained by the agency. ATC campuses are well lighted, and structures are visible without unique obstruction. Security is considered in facilities design.

Annual Fire Safety Report

Athens Technical College does not have dorms of any type on any of its campuses or centers, therefore this section would not apply. However, we do document fire and tornado exercises annually.

Weapons on Campus

Athens Technical College is committed to providing all employees, students, volunteers, visitors, vendors and contractors a safe and secure workplace and/or academic setting. ATC and ATCPD work diligently to make sure all employees, students and visitors to Athens Technical College are in compliance with Georgia weapons law.

§ 16-11-127.1. Carrying weapons within school safety zones, at school functions, or on a bus or other transportation furnished by a school

(a) As used in this Code section, the term:

(1) "Bus or other transportation furnished by a school" means a bus or other transportation furnished by a public or private elementary or secondary school.

(2) "School function" means a school function or related activity that occurs outside of a school safety zone and is for a public or private elementary or secondary school.

(3) "School safety zone" means in or on any real property or building owned by or leased to:

(A) Any public or private elementary school, secondary school, or local board of education and used for elementary or secondary education; and

(B) Any public or private technical school, vocational school, college, university, or other institution of postsecondary education.

(4) "Weapon" means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the

teacher.

(b) (1) Except as otherwise provided in subsection (c) of this Code section, it shall be unlawful for any person to carry to or to possess or have under such person's control while within a school safety zone, at a school function, or on a bus or other transportation furnished by a school any weapon or explosive compound, other than fireworks or consumer fireworks the possession of which is regulated by Chapter 10 of Title 25.

(2) Except as provided for in paragraph (20) of subsection (c) of this Code section, any license holder who violates this subsection shall be guilty of a misdemeanor. Any person who is not a license holder who violates this subsection shall be guilty of a felony and, upon conviction thereof, be punished by a fine of not more than \$10,000.00, by imprisonment for not less than two nor more than ten years, or both.

(3) Any person convicted of a violation of this subsection involving a dangerous weapon or machine gun, as such terms are defined in Code Section 16-11-121, shall be punished by a fine of not more than \$10,000.00 or by imprisonment for a period of not less than five nor more than ten years, or both.

(4) A child who violates this subsection may be subject to the provisions of Code Section 15-11-601.

(c) The provisions of this Code section shall not apply to:

(1) Baseball bats, hockey sticks, or other sports equipment possessed by competitors for legitimate athletic purposes;

(2) Participants in organized sport shooting events or firearm training courses;

(3) Persons participating in military training programs conducted by or on behalf of the armed forces of the United States or the Georgia Department of Defense;

(4) Persons participating in law enforcement training conducted by a police academy certified by the Georgia Peace Officer Standards and Training Council or by a law enforcement agency of the state or the United States or any political subdivision thereof;

(5) The following persons, when acting in the performance of their official duties or when en route to or from their official duties:

(A) A peace officer as defined by Code Section 35-8-2;

(B) A law enforcement officer of the United States government;

(C) A prosecuting attorney of this state or of the United States;

(D) An employee of the Department of Corrections or a correctional facility operated by a political subdivision of this state or the United States who is authorized by the head of such department or correctional agency or facility to carry a firearm;

(E) An employee of the Department of Community Supervision who is authorized by the commissioner of community supervision to carry a firearm;

(F) A person employed as a campus police officer or school security officer who is authorized to carry a weapon in accordance with Chapter 8 of Title 20; and

(G) Medical examiners, coroners, and their investigators who are employed by the state or any political subdivision thereof; provided, however, that this Code section shall not apply to any extent to persons who are provided for under Code Section 16-11-130;

(6) A person who has been authorized in writing by a duly authorized official of a public or private elementary or secondary school or a public or private technical school, vocational school, college, university, or other institution of postsecondary education or a local board of education as provided in Code Section 16-11-130.1 to have in such person's possession or use within a school safety zone, at a school function, or on a bus or other transportation furnished by a school a weapon which would otherwise be prohibited by this Code section. Such authorization shall specify the weapon or weapons which have been authorized and the time period during which the authorization is valid;

(7) A person who is licensed in accordance with Code Section 16-11-129 or issued a permit pursuant to Code Section 43-38-10, when such person carries or picks up a student within a school safety zone, at a school function, or on a bus or other transportation furnished by a school or a person who is licensed in accordance with Code Section 16-11-129 or issued a permit pursuant to Code Section 43-38-10 when he or she has any weapon legally kept within a vehicle when such vehicle is parked within a school safety zone or is in transit through a designated school safety zone;

(8) A weapon possessed by a license holder which is under the possessor's control in a motor vehicle or which is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle which is being used by an adult over 21 years of age to bring to or pick up a student within a school safety zone, at a school

function, or on a bus or other transportation furnished by a school, or when such vehicle is used to transport someone to an activity being conducted within a school safety zone which has been authorized by a duly authorized official or local board of education as provided by paragraph (6) of this subsection; provided, however, that this exception shall not apply to a student attending a public or private elementary or secondary school;

(9) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract;

(10) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;

(11) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;

(12) Community supervision officers employed by and under the authority of the Department of Community Supervision when specifically designated and authorized in writing by the commissioner of community supervision;

(13) Public safety directors of municipal corporations;

(14) State and federal trial and appellate judges;

(15) United States attorneys and assistant United States attorneys;

(16) Clerks of the superior courts;

(17) Teachers and other personnel who are otherwise authorized to possess or carry weapons, provided that any such weapon is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle;

(18) Constables of any county of this state;

(19) Any person who is 18 years of age or older or currently enrolled in classes on the campus in question and carrying, possessing, or having under such person's control an electroshock weapon while in or on any building or real property owned by or leased to such public technical school, vocational school, college or university or other public institution of postsecondary education; provided, however, that, if such person makes use of such electroshock weapon, such

use shall be in defense of self or others. The exemption under this paragraph shall apply only to such person in regard to such electroshock weapon. As used in this paragraph, the term "electroshock weapon" means any commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge, including, but not limited to, a stun gun or taser as defined in subsection (a) of Code Section 16-11-106; or

(20) (A) Any weapons carry license holder when he or she is in any building or on real property owned by or leased to any public technical school, vocational school, college, or university, or other public institution of postsecondary education; provided, however, that such exception shall:

(i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;

(ii) Not apply to any preschool or childcare space located within such buildings or real property;

(iii) Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Code Section 20-4-37;

(iv) Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the "Dual Enrollment Act" as provided for under Code Section 20-2-161.3;

(v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted;

(vi) Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (e) of Code Section 16-11-126 and pursuant to Code Section 16-11-129; and

(vii) Only apply to the carrying of handguns which are concealed.

(B) Any weapons carry license holder who carries a handgun in a manner or in a building, property, room, or space in violation of this paragraph shall be guilty of a misdemeanor; provided, however, that for a conviction of a first offense, such weapons carry license holder shall be punished by a fine of \$25.00 and not be sentenced to serve any term of confinement.

(C) As used in this paragraph, the term:

(i) "Concealed" means carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. Such term shall include, but not be limited to, carrying on one's person while such handgun is substantially, but not necessarily completely, covered by an article of clothing which is worn by such person, carrying within a bag of a nondescript nature which is being carried about by such person, or carrying in any other fashion as to not be clearly discernible by the passive observation of others.

(ii) "Preschool or childcare space" means any room or continuous collection of rooms or any enclosed outdoor facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or regulated under Article 1 of Chapter 1A of Title 20.

(d) (1) This Code section shall not prohibit any person who resides or works in a business or is in the ordinary course transacting lawful business or any person who is a visitor of such resident located within a school safety zone from carrying, possessing, or having under such person's control a weapon within a school safety zone; provided, however, that it shall be unlawful for any such person to carry, possess, or have under such person's control while at a school building or school function or on school property or a bus or other transportation furnished by a school any weapon or explosive compound, other than fireworks the possession of which is regulated by Chapter 10 of Title 25.

(2) Any person who violates this subsection shall be subject to the penalties specified in subsection (b) of this Code section.

(e) It shall be no defense to a prosecution for a violation of this Code section that:

(1) School was or was not in session at the time of the offense;

(2) The real property was being used for other purposes besides school purposes at the time of the offense; or

(3) The offense took place on a bus or other transportation furnished by a school.

(f) In a prosecution under this Code section, a map produced or reproduced by any municipal or county agency or department for the purpose of depicting the location and boundaries of the area of the real property of a school board or a private or public elementary or secondary school that is used for school purposes or the area of any public or private technical school, vocational school, college, university, or other institution of postsecondary education, or a true copy of the

map, shall, if certified as a true copy by the custodian of the record, be admissible and shall constitute prima-facie evidence of the location and boundaries of the area, if the governing body of the municipality or county has approved the map as an official record of the location and boundaries of the area. A map approved under this Code section may be revised from time to time by the governing body of the municipality or county. The original of every map approved or revised under this subsection or a true copy of such original map shall be filed with the municipality or county and shall be maintained as an official record of the municipality or county. This subsection shall not preclude the prosecution from introducing or relying upon any other evidence or testimony to establish any element of this offense. This subsection shall not preclude the use or admissibility of a map or diagram other than the one which has been approved by the municipality or county.

(g) A county school board may adopt regulations requiring the posting of signs designating the areas of school boards and private or public elementary and secondary schools as "Weapon-free and Violence-free School Safety Zones."

(h) Nothing in this Code section shall in any way operate or be construed to affect, repeal, or limit the exemptions provided for under Code Section 16-11-130.

Crime Prevention, Safety Awareness, Sexual Assault Programs

The Athens Technical College Police Department is committed to the principles of community policing, and to making students and employees aware of campus security procedures and practices. We also encourage students and employees to be responsible for their own security and the security of others. Crime prevention/awareness programs begin with new student or employee orientation presentations. Through the Athens Technical College website, student handbook, email, electronic message boards, and the crime log, the College community is informed of crime trends, safety tips, and special programs.

Upon request from any department or student organization, the Athens Technical College Police Department will provide informational seminars, including speakers, on a variety of topics including the prevention of rape, sexual assault, theft, robbery prevention, drug and alcohol awareness, safety issues, and advice about personal defense. Members of the Athens Technical College Police Department also routinely participate in Safety Awareness Committee meetings on these and other crime prevention subjects.

Athens Technical College holds Student Success Seminars each semester and a list of the seminars is distributed by email to both students and staff. The seminars cover a wide variety of topics. Some of the seminars include speakers covering topics of alcohol and drug awareness, safety, community resources, and self-care.

Behavioral Intervention Team

Athens Technical College's Behavioral Intervention Team (BIT) is dedicated to a comprehensive and systematic approach to identify, assess, manage, and reduce interpersonal and behavioral threats impacting the wellbeing and safety of the campus community.

The purpose of the Behavior Intervention Team is to provide preventative measures to reduce the risk of behavioral disturbance and support student success through the provision of comprehensive and systematic response to assist in protecting the health, safety, and welfare of the campus community.

Key functions of the BIT Team include the following:

- Develop, maintain, and review institutional policies associated with responding to behavioral disturbances.
- Increase the identification of students exhibiting behavioral disturbances by cultivating a campus culture of reporting on campus.
- Investigate and assess reports of behavioral disturbances.
- Recommend and implement mitigating interventions as needed to assist in campus safety.
- Evaluate ongoing behaviors of concern and response to assigned interventions.
- Maintain confidential records to include name, basic demographic information, description of concern, intervention delivered, and outcome.
- Refer students and employees of concern to on- and off-campus resources.

Safety Escort Service

The Athens Technical College Police Department provides officers as a "Safety Escort Service" for any student and employees or visitor that wishes an officer to escort them to or from their vehicle. This service operates during the hours the campus is open and can be requested by calling 706-355-5039.

Reporting of Annual Crime Statistics

In compliance with the Clery Act, the Athens Technical College Police Department has the responsibility to report certain crime statistics to the Department of Education. Additionally, the Athens Technical College Police Department must also comply with other state and federal crime statistics reporting mandates. There is a vast difference in reporting requirements between the Clery Report and other state and federal crime statistics reporting mandates. Clery reporting requires the reporting of student disciplinary referrals that are not required by either state or federal law enforcement. The Clery Report also mandates the collection of crime data from non-law enforcement personnel identified as "Campus Security Authorities"

This report contains crime statistics that have been compiled from the 2020 calendar year and a reprint of the two previous calendar years' crime statistics. The statistics reported have been compiled from data collected from the following reporting sources:

Athens Technical College Police Department

Athens-Clarke County Police Department

Danielsville Police Department

Madison County Sheriff's Office

Elberton Police Department

Elbert County Sheriff's Office

Greensboro Police Department

Greene County Sheriff's Office

Monroe Police Department

Walton County Sheriff's Office

Definitions of Reportable Crimes

- **Murder/Manslaughter:** the willful killing of one human being by another.
 - A person commits the offense of murder when he unlawfully and with malice aforethought, either express or implied, causes the death of another human being.
- **Negligent Manslaughter: Manslaughter by Negligence:** the killing of another person through gross negligence.
 - A person commits the offense of voluntary manslaughter when he causes the death of another human being under circumstances which would otherwise be murder and if he acts solely as the result of a sudden, violent, and irresistible passion resulting from serious provocation sufficient to excite such passion in a reasonable person; however, if there should have been an interval between the provocation and the killing sufficient for the voice of reason and humanity to be heard, of which the jury in all cases shall be the judge, the killing shall be attributed to deliberate revenge and be punished as murder.
- **Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Marriage is prohibited between the following persons:
 1. Father and daughter or stepdaughter;

2. Mother and son or stepson;
 3. Brother and sister of the whole blood or of the half-blood;
 4. Grandparent and grandchild;
 5. Aunt and nephew; or
 6. Uncle and niece.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse
 - **Robbery:** Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
 - A person commits the offense of robbery when, with intent to commit theft, he takes property of another from the person or the immediate presence of another:
 - **Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
 - A person commits the offense of aggravated assault when he or she assaults:
 - (1) With intent to murder, to rape, or to rob;
 - (2) With a deadly weapon or with any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury
 - **Burglary:** the unlawful entry of a structure to commit a felony or a theft.
 - A person commits the offense of burglary in the first degree when, without authority and with the intent to commit a felony or theft therein, he or she enters or remains within an occupied, unoccupied, or vacant dwelling house of another or any building, vehicle, railroad car, watercraft, aircraft, or other such structure designed for use as the dwelling of another.
 - **Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle.
 - **Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes

Hate crimes include all of the crimes listed as reportable Clery crimes which manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes:

- Larceny/Theft—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
 - A person commits the offense of theft by taking when he unlawfully takes or, being in lawful possession thereof, unlawfully appropriates any property of another with the intention of depriving him of the property, regardless of the manner in which the property is taken or appropriated.
- Simple Assault—an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
 - A person commits the offense of simple assault when he or she either:
 - (1) Attempts to commit a violent injury to the person of another; or
 - (2) Commits an act which places another in reasonable apprehension of immediately receiving a violent injury.
- Intimidation—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism or Property (except Arson)—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
 - A person commits the offense of criminal damage to property in the first degree when he:
 - (1) Knowingly and without authority interferes with any property in a manner so as to endanger human life;
 - or
 - (2) Knowingly and without authority and by force or violence interferes with the operation of any system of public communication, public transportation, sewerage, drainage, water supply, gas, power, or other public utility service or with any constituent property thereof.

Hate crimes are defined as criminal offenses that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

Categories of Prejudice:

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

Dating Violence, Domestic Violence, and Stalking (VAWA)

- Dating Violence- Violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship. It is not limited to sexual or physical abuse or the threat of such abuse.
- Domestic/Family Violence-a felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

- By a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
 - By any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Stalking- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.
 - Sexual Assault/Battery – OCGA 16-6-22.1; is defined as a person who intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person.

Acquaintance Rape on College Campuses

Although you may never have been personally involved in a sexually violent situation, the chances are that someone you know has been. The following material will address the subject of rape, a problem that is increasing on college campuses. It will define acquaintance rape, offer suggestions on how to avoid it, and give information on how to help a victim. Rape is not just a problem for women. Men and women must work together to bring about the changes needed to end sexual violence.

Types of Rape

People who are forced to have sexual contact against their will are victims of sexual assault. If the assault involves sexual intercourse by force or without consent, it is rape.

Two types of rape are:

- Acquaintance Rape—rape by someone the victim knows (this type of rape occurs most often)
- Stranger Rape—rape by someone unknown to the victim.

Rapists aren't always strangers. When someone you know—a date, steady boyfriend or casual friend—forces you to have sex, it's still rape.

Preventing Acquaintance Rape

There are no definite rules to avoid becoming a victim of acquaintance rape. However, if expectations and feelings about sex are clearly communicated, then rape is less likely to happen.

Active Bystander

Be an active bystander. Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

Procedures for Reporting Sexual Assault

In Georgia, Rape is defined under O.C.G.A. § 16-6-1 as a “male having carnal knowledge of a female forcibly and against her will. Carnal knowledge in rape occurs when there is any penetration of the female sex organs by the male sex organs.” The Code recognizes that rape can occur even between spouses so the defendant cannot use the fact that he is married to the person accusing him of rape as a defense. Rape is punishable by death, life imprisonment with or without parole, or a minimum of 25 years imprisonment, followed by probation for life.

In Georgia, Sexual Assault is defined under O.C.G.A. § 16-6-5.1 as “sexual contact” that is perpetrated by “a person who has supervisory or disciplinary authority of another individual.”

In Georgia the term Domestic Violence is not defined, but Family Violence is defined under O.C.G.A. § 19-13-1 as “The occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.”

In Georgia, the term Dating Violence as of July 1, 2021 is now defined in under “Dating Violence Protective Orders” under O.C.G.A. § 19-13A-1 as a “Dating Relationship means a committed romantic relationship characterized by a level of intimacy that is not associated with

mere friendship or between persons in an ordinary business, social, or educational context; provided, however, that such term shall not require sexual involvement.“

In Georgia, Stalking is defined under O.C.G.A. § 16-5-90 as “**(a) (1)** A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms "computer" and "computer network" shall have the same meanings as set out in Code Section 16-9-92; the term "contact" shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term "place or places" shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term "harassing and intimidating" means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made.

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

In Georgia, Consent is not defined in reference to sexual activity. However, Athens Technical College defines Consent as: to give assent or approval: to enthusiastically agree.

Persons who believe they have been sexually assaulted or who have been the victim of any type of sex offense on campus should immediately dial 911 and report the incident to the local law enforcement agency. Athens Technical College Police Department should also be notified at: 706-355-5039.

Athens Technical College will provide resources on campus, off campus, or both, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

If you or someone you know has become a victim of a sex offense, then the following steps are strongly suggested:

- Get to a safe place.
- Call the police immediately.
- If you are not sure about prosecution, but you might want to prosecute later, you are encouraged to obtain a medical evidentiary examination. You are encouraged to file a police report, however, you are not always required to make a report or pursue a criminal complaint.
- If you are not sure what to do, you can call the National Rape Crisis Hotline at: 1-800-656-HOPE. You may also be assisted by campus authorities in reporting any incident to local law enforcement.
- Do not bathe, shower, douche, change your clothes, or disturb anything at the crime scene. Extremely valuable physical evidence can be obtained from you, your clothing, and objects at the scene of the crime.

Victims may decline to notify or make a report to the authorities. If you do not wish to make a report to the police, you are still encouraged to seek professional medical advice. It is important not to forget the possibility of sexually transmitted diseases and/or pregnancy.

Athens Technical College will provide the victim with a written explanation of the victim's rights and options.

Temporary Protective Order

Before an application for a TPO can be made, an act of family violence or stalking must have occurred, or an act of dating violence or sexual assault.

The following parties are eligible to apply:

- Spouses (present or past)
- Parents of the same children
- Parents and children
- Step-parents and step-children
- Foster parents and foster children
- Persons living or formerly living in the same household

Temporary Protective Orders (TPO) are obtained through the Superior Court of the county in which the respondent lives. The respondent is the person against whom you are filing the TPO. The Clerk of Superior Court in each county can tell you how to contact the victim's advocate, for assistance in obtaining a TPO. Victim's advocates work with the District Attorney's Office in each county to provide help for the victims of certain crimes.

Athens Technical College will maintain confidentiality regarding any accommodations or protective measures provided to the victim to the extent possible; need to know only by those providing the services.

Clerks of Superior Court

Athens-Clarke County (706) 613-3190
Greene County (706) 453-3340
Morgan County (706) 342-3605
Oconee County (706) 769-3940

Elbert County (706) 283-2005
Madison County (706) 795-6310
Oglethorpe County (706) 743-5731
Walton County (770) 267-1307

Disciplinary Procedures in Sexual Assault Incidents

Athens Technical College Disciplinary Procedures - Title IX Process

Athens Technical College takes all Title IX allegations of sexual harassment, sexual assault and any other form of sex-based discrimination very seriously. As such, Athens Technical College (ATC) and The Technical College System of Georgia (TCSG) will conduct thorough, neutral, fact-finding investigations into complaints and do its part to prevent opportunities for continued behavior.

There are several roles in a Title IX investigation. These roles are;

The Complainant: The student or employee has experienced the alleged Title IX prohibited conduct, and has brought the complaint forward to the college.

The Respondent: The student or employee alleged to have engaged in the Title IX prohibited conduct.

The Title IX Coordinator: An individual designated by the president of the college to ensure compliance with Title IX and the person who will receive Title IX complaints at the college. ATC has designated the following;

Title IX Coordinator for Students:

Lenzy Reid

Vice President for Student Affairs

800 US Highway 29 North

Athens, Georgia 30601

706-355-5029

lreid@athenstech.edu

Title IX Coordinator for Employee:
Sherri Heath
Director of Human Resources
800 US Highway 29 North
Athens, Georgia 30601
706-583-2818
sheath@athenstech.edu

The Advisor: A 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 of notice of formal complaint is issued. The advisor may be chosen by the party and is permitted to be, but need not be, an attorney. If either the complainant or respondent is unable to select and provide their own advisor, the college will furnish an advisor to the party.

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 the Title IX procedure who will preside over the hearing and will issue the written determination regarding responsibility and outcome.

Athens Technical College Title IX Investigative Process

- 1) Prohibited conduct under Title IX occurs.
- 2) A complaint is filed by the party impacted, or by someone on the party's behalf.
- 3) An official notice of investigation is issued to the **Complainant** and **Respondent**.
- 4) Both parties should obtain **Advisors** to help guide them through the process. Should either party be unable to identify an **Advisor** for themselves, the college will furnish that party with an advisor.
- 5) An investigation is conducted by the **TCSG Title IX Investigator**. This will include interviews with all parties involved and witnesses.
- 6) The **Investigator** will prepare a report based on interviews and evidence. This report will be provided to the **Complainant** and the **Respondent**.
- 7) If the **Investigator** determines the complaint should be dismissed, the **Complainant** may appeal. If the **Investigator** determines the complaint should continue through the process, both parties have the right to respond, in writing, during a review and response period.
- 8) Following this period, a date and time will be set for a live hearing.
- 9) During the live hearing, both parties are allowed to cross-examine the other party and all witnesses through their **Advisors**. The parties are not allowed to personally cross-examine each other. If requested, the parties can be separated into different rooms during the live hearing.
- 10) The **Decision-Maker** listens to the cross-examinations and may also conduct his/her own fact finding during the live hearing.

- 11) Following the live hearing, the **Decision-Maker** issues a written determination which makes findings of fact, rational for decisions, sanctions to be imposed, and explanation of the appeal process.
- 12) Either party may appeal the written determination to the **TCSG Commissioner**.
- 13) If appealed, the **Commissioner** will review the written appeal documents from the parties, and make a final decision.

Title IX is specific to behavior and discrimination based on the protected characteristic of sex (gender). Complaints of discrimination based on other protected characteristics (race, color, religion, national origin, genetic information, age or disability) are equity complaints, and will be investigated by the Equity Coordinator at the college. The Title IX investigations are not criminal investigations, but in cases of potential criminal behavior (ex. sexual assault), they may be parallel to a criminal investigation.

Whether or not criminal prosecution occurs as a result of a Title IX complaint, Athens Technical College retains the right to proceed with any of the sanctions listed below against students found responsible for sexual assault, sexual misconduct domestic violence and dating violence or stalking or complicity of these offenses. The type and number of sanctions applied will depend on the severity of the offense. After a determination that a student has violated the Student Code of Conduct related to Title IX or any other conduct violation, The College may impose one or more of the following sanctions:

- *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.
- *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 community, and that any further violation may result in more serious sanctions.
- *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.
- *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.
- *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.

- *Disciplinary expulsion* –Removal and exclusion from the technical college, technical college controlled facilities, programs, events, and activities. A record of the reason for the student’s dismissal is maintained by the Vice President for Student Affairs or the technical college president’s designee. Students who have been dismissed from the technical college for any reason may apply in writing for reinstatement twelve (12) months following the expulsion. If approval for reinstatement 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 for Student Affairs or the technical college president’s designee.
- *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.

Student organizations found to condone, promote, or be involved in activities that lead to sexual assault, sexual misconduct, domestic violence, and dating violence or stalking may have their college recognition withdrawn. Other possible sanctions include but are not limited to:

- Informing the organization’s national or regional office about the activity.
- Disbanding of the local chapter by the national organization.
- Prohibiting participation in campus activities, events, and programs.
- Requiring some or all members to conduct relevant community service and/or participate in sexual assault awareness programs.
- Loss of all college privileges (use of equipment, meeting rooms, advertising space, on-campus fundraising). The President will make a recommendation concerning sanctions to the Vice President for Student Affairs. The Vice President for Student Affairs will then inform the student organization, in writing, of the sanction(s) imposed. The Vice President for Student Affairs may suspend any student organization’s charter, pending a full review.

For ATC employees, sanctions up to and including dismissal from employment may be imposed on employees found responsible for sexual assault, sexual misconduct domestic violence and dating violence or stalking or complicity of these offenses.

Legal Options:

- Reporting a sexual assault, attempted sexual assault, domestic violence, dating violence or stalking to the Athens Technical College Police Department does not mean that the survivor must press charges. However, it does begin the legal process should the decision to prosecute be made at a later date. The sooner an assault is reported, the more likely valuable evidence can be collected.
- Survivors can consult an attorney about initiating a suit in civil court for damages against the assailant. The purpose of a civil suit is to compensate the survivor for the wrong done to them. A civil action may be brought against the assailant regardless of whether criminal charges are pursued.

Alcohol and Drug Policy

In accordance with the Drug Free Schools and Communities Act Amendments of 1989, Athens Technical College implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. College standards of conduct clearly prohibit the unlawful possession, use, or distribution of alcohol, marijuana, controlled substances, or other illegal or dangerous drugs on campus or as part of any student sponsored activities.

College policies prohibit the possession or consumption alcoholic beverages and illicit drugs on the campuses, in college facilities, or at college related functions. College policies also prohibit students under the influence of alcohol or nonprescription drugs from appearing on the campuses, at clinical facilities, or at student related functions and activities.

As noted in the Student Code of Conduct, the college will impose sanctions up to and including dismissal and referral for prosecution for the violation of these standards. The Office of Student Affairs at Athens Technical College assists students with drug or alcohol related problems by referring them to appropriate community resources designed to address these problems. College officials encourage students who suspect that they or a friend might have a problem with alcohol or drug use to contact one of the following for assistance:

- Director of student support services, (706) 355-5081, Room H-749 on the Athens Campus.
- Advantage Behavior Health Systems — Alcohol and Drug Abuse Services, 196 Miles Street, Athens, GA (706) 369-5745
- Alcoholics Anonymous, Athens, GA (706) 543-0436

The Student Activities Office in conjunction with Student Support Services, schedules alcohol and substance abuse seminars throughout the academic year. The director of student activities posts notices announcing these seminars on bulletin boards around campus, electronic message boards, and the college website. The seminars provide information on warning signs and dangers of drug and alcohol abuse, resources available, and how to seek help.

Athens Technical College employees have access to assistance for alcohol and drug abuse issues through the State of Georgia employee assistance program.

Athens Technical College has a behavioral intervention team whose members are college staff, identified as likely to encounter students, other staff members, etc. who are in crisis. The team members attend training on an ongoing, regular basis.

Criminal Sanctions

Georgia law states that public educational institutions shall, as of the date of conviction, suspend students convicted of any felony offense involving the manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug except for cases in which the institution previously took disciplinary action against the students for the same offense. Such suspension shall be effective as of the date of conviction even though the educational institution may not complete all administrative actions necessary to implement such suspension until a later date, except for cases in which the institution previously imposed sanctions for the term, quarter, semester, or other similar period for which students were enrolled as of the date of conviction, students shall forfeit any right to any academic credit otherwise earned or earnable for that term, quarter, semester, or other similar period. The educational institution shall subsequently revoke any such academic credit granted prior to the completion of administrative actions necessary to implement such suspensions.

Georgia law specifies that college-sanctioned student organizations which through its officers, agents, or responsible members, knowingly permit or authorize the sale, distribution, serving, possession, consumption, or use of marijuana, a controlled substance, or dangerous drug in violation of state laws at any function shall have its recognition withdrawn. Furthermore, state laws also specify that the college must expel that organization from campus for a minimum of one calendar year from the year of determination of guilt.

OCGA 3-3-23 prohibits the possession of alcohol by a person under the age of 21 or providing alcohol to such a person. State laws also specify fines for violators in the amount of up to \$1,000 and up to 12 months in jail. Athens Technical College Police enforce all drug and alcohol laws as provided by the State of Georgia.

Unfounded Crime Reports

A reported Clery crime to the ATCPD may not be withheld or subsequently removed from the Clery crime statistics data based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. However, a reported crime may be withheld or subsequently removed from the crime statistics in the rare situation where sworn law enforcement personnel have fully investigated the reported crime and, based on the results of a full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.”

Only sworn or commissioned law enforcement personnel may “unfound” a crime report. It is important to note that the recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, or the failure to make an arrest do not “unfound” a crime report.

Sex Offender Registration – Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act is a federal law enacted October 28, 2000, that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

The act amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act that requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. Furthermore, it requires that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. These changes took effect October 28, 2002.

It also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that act, advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. These changes took effect October 28, 2002, and this notice took place beginning with the annual security report due October 1, 2003.

Lastly, the act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. It also requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

To find the sex offender registry for Georgia, visit <http://gbi.georgia.gov/georgia-sex-offender-registry>. This website provides access to information on registrants employed or enrolled at Georgia institutions of higher education.

Megan's Law

In accordance with O.C.G.A. § 42-1-12, the Georgia Bureau of Investigation (GBI) is the central repository for Georgia's Violent Sexual Offender Registry. The Georgia Bureau of Investigation makes every effort to ensure that the information contained in the Georgia Sex Offender Registry is accurate. As the information is provided by other agencies and entities and is continuously changing, the GBI makes no promise or any express or implied guarantee concerning the accuracy of this information.

Missing Student Notification Policy

Athens Technical College does not have any Student Housing or dorms, this section does not apply.

Disciplinary Action: Students

Regardless of criminal prosecution decisions, all criminal cases involving students are referred by the Athens Technical College Police Department to the Vice President of Student Affairs. When there is evidence that a student has committed a crime on campus, disciplinary action at the Athens Technical College may proceed whether or not criminal charges involving the same incident have been adjudicated or dropped.

Violation of Law

- 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.
- 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 the Student Code of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings.
- 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.

Student 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 technical college officials, a student's conduct disrupts or threatens to disrupt the Athens Technical 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.

Filing a Complaint

- Any member of the technical college community may file a complaint with the Vice President for Student Affairs or the technical college president's designee against any student for an alleged violation of the Student Code of Conduct. The individual(s)

initiating the action must submit the accusation in writing to the Vice President for Student Affairs or the technical college president's designee as soon as possible after the event takes place, and preferably within 10 business days.

- Academic misconduct may be handled using this procedure or a separate Academic Misconduct Procedure at the discretion of the president.

Investigation and Decision

- Within five business days after the Student Code of Conduct Complaint Form (the "Complaint") is filed, the Vice President for Student Affairs or the technical college 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 for Student Affairs or the technical college 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.
- The student shall have five business days from the date contacted by the Vice President for 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 for Student Affairs or the technical college president's designee within five business days to schedule the meeting, reschedules the meeting more than once, or fails to appear at the meeting, the Vice President for Student Affairs or the technical college president's designee will consider the available evidence without student input and make a determination.
- 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.
- If the Vice President for Student Affairs or the technical college president's designee determines that the student is guilty of a violation of the Student Code of Conduct, he/she shall impose one or more disciplinary sanctions consistent with those described below. If the Vice President for Student Affairs or the technical college 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

Disciplinary Sanctions

After a determination that a student has violated the Student Code of Conduct, the Vice President for Student Affairs or the technical college president's designee may impose one or more of the following disciplinary sanctions:

- *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.

- *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 community, and that any further violation may result in more serious sanctions.
- *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.
- *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.
- *Failing or lowered grade* – In cases of academic misconduct, the Vice President for 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.

After a determination that a student has violated the Student Code of Conduct, the Vice President for Student Affairs or technical college president’s designee may recommend the imposition of one of the following sanctions if appropriate. The Vice President for 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:

- *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.
- *Disciplinary expulsion* –Removal and exclusion from the technical college, technical college controlled facilities, programs, events, and activities. A record of the reason for the student’s dismissal is maintained by the Vice President for Student Affairs or the technical college president’s designee. Students who have been dismissed from the technical college for any reason may apply in writing for reinstatement twelve (12) months following the expulsion. If approval for reinstatement 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 for Student Affairs or the technical college president’s designee.
- *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.

Violation of Federal, State, or Local Law

- 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.
- 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.
- 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 considerations 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.

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 for Student Affairs or the technical college 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 community 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.

Conditions of Disciplinary Suspension and Expulsion

- 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.
- 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 Vice President for Student Affairs or the technical college president's designee. A suspended or expelled student must contact Vice

President for Student Affairs or the technical college president's designee for permission to enter the technical college premises for a limited, specified purpose.

- If the student seeks to appeal the sanction, the student should contact the Vice President for Student Affairs or the technical college president's designee must accept the form by mail or fax if he/she refuses the student's request to enter the technical college premises for that specified purpose.
- A scheduled appeal hearing before the hearing body shall be understood as expressed permission from the Vice President for Student Affairs or the technical college president's designee for a student to enter the technical college premises for the duration of that hearing.

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.

Hearing/Appeals Procedure

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

Affairs in writing of the hearing body's decision. The technical college president or his/her designee will notify the student in writing of the hearing body's decision. d. If the student appeared before the hearing body to appeal the Vice President for Student Affairs or technical college president's designee's sanction of restitution, reprimand, restriction, disciplinary probation, or failing or lowered grade, the hearing body's decision regarding the appeal is final. A copy of the hearing body's written decision will be provided to both the student and the person who filed the original complaint.

- If the student appeared before the hearing body after the Vice President for Student Affairs or technical college president's designee recommended disciplinary suspension, disciplinary expulsion, interim disciplinary suspension, or system-wide expulsion, the student shall have the opportunity to appeal directly to the technical college president.
- If entitled to an appeal to the technical college president, the student shall have five 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. The president of the technical college or his/her designee's review shall be in writing and shall only consider evidence currently in the record, new facts not brought up in earlier stages of the appeal shall not be considered. The technical college president or his/her designee shall deliver the decision to the student and the person who filed the original complaint within 10 business days. The decision of the technical college president or his/her designee shall be final and binding.

Document Retention

The Vice President for Student Affairs or technical college 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 for Student Affairs or technical college 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 Vice President for Student Affairs or technical college president's 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.

Disciplinary Action: Employees

The Technical College System of Georgia shall be dedicated to a non-punitive approach to employee discipline and a process designed to correct performance problems as they arise; to build genuine employee commitment to the organization; and to encourage effective working relationships between supervisors and their subordinate staff. Effective and timely decision making, communication, and individual responsibility and accountability are critical to excellence in the delivery of service to our students and communities. As such, the Commissioner shall

develop a procedure incorporating these principles to be applicable to all technical colleges and the System Office.

Attachment: 4.4.1p.a1- Performance Management Matrix- Technical College

ACTION / ISSUE	Initiator	Consultation Prior to Action	Prior Approval	Location	Management Review Required?	Documentation Required	Employee Signature Required	Documentation Distribution	Right to Review	Maximum Number Allowed	Length of Time Active	Responsibility for Deactivation	Eligible for Performance-Based Increase
INFORMAL DISCUSSIONS													
POSITIVE CONTACT	Immediate/Evaluating Supervisor	No	None	Anywhere	No	Productivity File Note Recommended	No	Productivity File	NA	No Limit	NA	NA	Yes
INFORMAL COACHING / CASUAL CONVERSATIONS	Immediate/Evaluating Supervisor	No	None	Anywhere	No	Productivity File Note Recommended	No	Productivity File	NA	No Limit	NA	NA	Yes
PERFORMANCE IMPROVEMENT DISCUSSION	Immediate/Evaluating Supervisor	No	None	Private Space	No	Discussion Worksheet	No	Productivity File	No	No Limit	NA	NA	Yes
FORMAL LEVELS OF DISCIPLINARY ACTION													
REINDER 1	Immediate/Evaluating Supervisor	HR Coordinator/Director	Initiator's Immediate Supervisor	Private Space	Yes	Discussion Worksheet	Yes	Employee Productivity File	No	1 in each area – performance, conduct or attendance	6 Months	Employee	Yes
REINDER 2	Immediate/Evaluating Supervisor	HR Coordinator/Director	Initiator's Immediate Supervisor	Private Space	Yes	Discussion Worksheet & Memorandum	Yes	Employee Personnel File Initiator's Supervisor	Yes	1 in each area – performance, conduct or attendance	9 Months	Employee	Yes
DECISION MAKING LEAVE	Immediate/Evaluating Supervisor	HR Coordinator/Director	Vice President	Private Space	Yes	Discussion Worksheet & Memorandum	Yes	Employee Personnel File Initiator's Supv./VP, President.	Yes	1	12 Months	Employee	No
TERMINATION													
TERMINATION	President	HR Coordinator/Director & Office of Legal Services or TCSG HR Director	President and, as applicable, Commissioner	Private Space	Yes	Discussion Worksheet & Memorandum	Yes	Employee Personnel File, Initiator's Supv./VP, President	Yes	NA	NA	NA	NA

Crime Statistics
for
2018, 2019
and
2020

2020 Athens Technical College Crime Statistics, Main Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	1	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Violence Against Women Act (VAWA) of 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	1	2	0	0	0	0	0	0	0

For offences of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(9) of the Violence Against Woman Act of 1994 (42 U.S.C. 13925(a)). Such statistics shall not identify victims of crimes or persons accused of crimes. No crimes have been determined unfounded and removed during this reporting period.

2020 Athens Technical College Crime Statistics, Elbert Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Violence Against Women Act (VAWA) of 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

2020 Athens Technical College Crime Statistics, Greene Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Violence Against Women Act (VAWA) of 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

2020 Athens Technical College Crime Statistics, Walton Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Violence Against Women Act (VAWA) of 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	1	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0