



# **2025 Annual Campus Safety Report**

**East Georgia State College – Swainsboro Campus**

**Campus Security & Fire Safety Information**

**Published October 1, 2025**

East Georgia State College prepares this combined Annual Security Report (ASR) and Annual Fire Safety Report (AFSR) in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Act campus fire safety requirements.

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## **Reporting Crimes & Other Emergencies**

East Georgia State College (EGSC or College) encourages the prompt and accurate reporting of crimes to law enforcement when the victim elects to. Individuals should report to the EGSC Police Department (EGSC PD) or the local law enforcement agency for where the offense occurred. If a victim is unable to make a report, including due to incapacitation, EGSC encourages community members to seek emergency assistance including making a report to law enforcement.

EGSC PD can be contacted by calling 478-289-2090 or by dialing 911. You can also report in person at 203 College Circle on the Swainsboro campus or by speaking with any officer on patrol. Please visit <https://www.ega.edu/current-students/police/index.html> for additional information.

You can also report to the EGSC Title IX Coordinator at the Jean Anderson Morgan Student Activities Center Room B-104, or by calling 478-289-2152. A written complaint can be submitted to [titleix@ega.edu](mailto:titleix@ega.edu) or by completing an Incident Reporting Form at [https://cm.maxient.com/reportingform.php?EastGAState&layout\\_id=0](https://cm.maxient.com/reportingform.php?EastGAState&layout_id=0) . You can also address a letter to Title IX Coordinator, 131 College Circle Swainsboro, GA 30401.

Reports made to the Title IX Coordinator will not initiate a law enforcement investigation but they can provide assistance to victims of sexual misconduct including with reporting to law enforcement and in accessing the disciplinary proceedings detailed in the “Response to Sexual and Gender Violence” section of this report. Please visit <https://www.ega.edu/about/president/title-ix.html> for additional information.

EGSC does not have a policy for the voluntary, confidential reporting of crime for the purposes of inclusion in annual crime statistics nor a policy for encouraging counselors to refer those they are counseling to such a program. Under the Clery Act crimes reported to counselors are exempt from reporting.

### **Reporting to Other Campus Security Authorities**

While the college prefers that community members promptly report all crimes and other emergencies directly to the EGSC Police Department or 911, we also recognize that some may prefer to report to other individuals or college offices. The Clery Act recognizes certain college officials and offices as “Campus Security Authorities (CSA).” The Act defines these individuals as “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

While the College has identified many CSAs, we officially designate the following offices as places where campus community members should report crimes:

<b>Official</b>	<b>Campus Address</b>	<b>Phone Number</b>
Police Department (sworn & non-sworn officers)	203 College Circle	Swainsboro: 478-289-2090
Provost/ Vice President for Academic and Student Affairs	Gambrell Building	478-289-2034
Office of Human Resources	Jean Anderson Morgan Building	478-289-2035
Office of Student Conduct and Title IX	Jean Anderson Morgan Building	478-289-2152
Office of Legal Counsel	Gambrell Building	478-289-2165
Office of Housing (Director, Residence Life Coordinator, Student Life, RA's)	Bobcat Villas Shot Strange Clubhouse	478-289-2172
Athletics: Director of Athletics/Head Softball Coach	Physical Education Building	478-289-2036
Head Baseball Coach Head Women's Basketball Coach Head Men's Basketball Coach	Physical Education Building	478-289-2052 478-289-2162 478-289-2099
Vice President of Institutional Advancement and Community Relations	Gambrell Building	478-289-2037

### **Law Enforcement Authority**

The EGSC Police Department employs sworn police officers and non-sworn public safety officers. Georgia Code § 20-3-72 provides that our sworn officers “have the power to make arrests for offenses committed upon any property under the jurisdiction of the board of regents and for offenses committed upon any public or private property within 500 yards of any property under the jurisdiction of the board.”

The EGSC Police Department maintains a cooperative working relationship with the Swainsboro Police Department, the Emanuel County Sheriff's Office, the Georgia State Patrol, and the Georgia Bureau of Investigation, all of which have offices near the campus. While EGSC Police or Public Safety Officers are the first responders to calls concerning criminal activity, these agencies provide back-up assistance when called upon and also respond when additional investigative assistance is needed. EGSC has Mutual Aid Agreements with the Swainsboro Police Department and the Emanuel County Sheriff's Office. The EGSC Police Department participates in annual training with the above partners.

The EGSC Police Department is fully qualified to investigate crimes on campus and does not have a written agreement with any local agency for the purposes of investigating specific crimes.

In the event of a homicide investigation the Georgia Bureau of Investigation may conduct it. EGSC does not have any recognized student organizations off campus.

### **Security & Safety Programming**

To promote safety awareness and reduce crime, prevention and awareness programs are available at EGSC. Prevention programs are aimed at minimizing criminal opportunities and encouraging students to be responsible for their own security. Information on crime reporting, prevention and awareness is shared by EGSC Police with the Offices of Housing and Residence Life, Academic and Student Affairs, Human Resources, and Counseling and Disability Services. Students receive this information in new student orientation, and in housing orientation. Employees receive this information during the college's annual Compliance training event. Some of the training classes offered to students, faculty and staff are Response to Active Shooter, Alcohol and Drug Abuse Training and Sexual Assault Training.

### **Preparing Annual Crime Statistics**

The EGSC Clery Act Coordinator (Clery Coordinator) prepares the annual crime statistics found within this report. Statistics are reported for homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, illegal weapons, hate crimes, dating violence, domestic violence, and stalking. These statistics are collected for the EGSC campus, adjacent public property, and noncampus property.

Clery Act crime statistics are compiled from reports made to personnel who are considered a Campus Security Authority (CSA) and local law enforcement. Personnel who are a CSA include members of the EGSC Police Department, other campus security, individuals that we designate crimes be reported to, and any official with significant responsibility for student and campus activities. The Clery Coordinator classifies and counts these reports using federally prescribed standards.

### **Recordkeeping**

EGSC retains records related to compliance with federal campus safety requirements, including the Clery Act and Higher Education Act fire safety provisions, for a period of at least seven (7) years. These records include police reports, reports made by CSAs, educational programming, the public crime and fire log, timely warnings, emergency notifications, and responses to reports of sexual assault, dating violence, domestic violence, and stalking.

### **Timely Warning**

The College is committed to ensuring that the campus community has timely information to protect themselves. When a Clery Act crime is reported it is assessed by the Chief of Police or their designee to determine if it presents an ongoing threat to students and employees. These decisions are made on a case-by-case basis and when there is a threat, alerts are disseminated as soon as the pertinent information is available.

EGSC Police then issues a Timely Warning over the Blackboard ConnectED mass notification network. The Chief or their designee also have access to send a message via Blackboard ConnectED. Information that could personally identify the victim of a crime will not be included in a Timely Warning. Please visit <https://www.ega.edu/about/at-a-glance/policies-and-procedures-of-the-college/11-14-campus-notification-systems-policy.html> for additional information.

### **Emergency Notification**

EGSC is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. EGSC uses the emergency notification system ConnectEd, an emergency notification service available to faculty, staff and students that enroll. ConnectEd can be used to send emergency messages within minutes of the occurrence of an incident. Messages are simulcast to the college community via text, email, and telephone.

The following procedures outline the process the College uses when issuing emergency notifications.

#### **Procedures Used to Notify the Campus Community**

In the event of a situation that poses an immediate threat to members of the campus community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include the mass notification system ConnectEd, the college's e mail system, social media, fax, telephone tree, siren and verbal announcements, and public address system on Police Department patrol cars. The College will post updates during a critical incident on the homepage. If the situation warrants, the College will establish a telephone call-in center to communicate with the College community during an emergency.

#### **Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System**

The EGSC Police Department and /or other campus first responders may become aware of a critical incident or other emergency that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the Police Department or upon discovery during patrol or other assignments.

The EGSC Police Chief or designee will use an emergency notification decision matrix to evaluate scenarios and possible outcomes and determine if an emergency or dangerous situation exists. Once the EGSC Police Chief or designee confirms that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, EGSC Police Chief will issue an emergency notification or request the Information Technology Department to do so.

The EGSC Chief of Police or designee will notify the President. Information Technology will immediately initiate all or some portions of the College's emergency notification system. The College's Emergency Response Committee (ERC) in conjunction with the President, is responsible for coordinating the response and notification.

If time permits, the immediately available members of the ERC will be consulted prior to the College's sending an emergency notification. The College's Information Technology Department is responsible for issuing the ConnectEd notification and the Office of Institutional Advancement is responsible for posting notices on the website and social media, and informing the media.

If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the college may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the college will issue the emergency notification to the campus community.

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

The EGSC Police Chief or designee on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification (ERC, Information Technology) with determining what segment or segments of the college community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first.

The EGSC Police Chief or designee may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the College mass notification system, the College will also post applicable messages about the dangerous condition on the college webpage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, the Chief of Police or designee will request that IT provide notification to the entire campus community.

#### Determining the Contents of the Emergency Notification

The Vice President for Information Technology, or designee, responsible for issuing the emergency notification, in concert with the EGSC Police Chief or designee, determine the contents of the notification. The College has developed a range of template messages addressing common emergency situations.

The EGSC Police Chief and/or Vice President for IT, or designee, will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. In those cases where there are no pre-determined template messages in the system, the Chief of Police or designee, Vice President or designee and Director of Institutional Advancement (if needed) will develop the most succinct message to convey the appropriate

information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

#### Procedures for Disseminating Emergency Information to the Greater Community

Emergency information will be disseminated to segments of the campus community or the larger campus community, as appropriate, through a variety of methods. Methods of communication and individuals responsible for each include: ConnectEd phone, text and email messages (VP for Information Technology or designee), public address (Police Chief or designee), posters, signs on buildings, fax, and posting messages on the college webpage and social media (Director of Institutional Advancement and Community Relations).

#### Enrolling in the College's Emergency Notification System

Prior to the ConnectEd tests in Fall and Spring semester, Student Life conducts a ConnectEd awareness program to inform and remind students of the emergency notification system and to update emergency contact information. In preparation for an emergency, annually and prior to impending severe weather, EGSC's Information Technology Department sends a reminder e-mail to all campus requesting employees update his or her emergency contact information in ConnectEd. Members of the campus community are encouraged to enroll in the ConnectEd emergency notification system and regularly update their information by following directions provided at: <https://www.ega.edu/current-students/student-support/files/connected-instructions.pdf>

### **Daily Crime Log**

The EGSC Police Department maintains a public crime log of all crimes reported to the Department. The log is available for public inspection online at: <https://www.ega.edu/about/departments/police/clery-annual-security-reports.html> or at 203 College Circle on the Swainsboro campus during regular business hours.

Entries are recorded in the order received, and include the type of offense, date, time, general location, and disposition of the report. Reports are included on the log within two (2) business days of being reported, are maintained for a period of sixty (60) days, archived entries are kept for at least seven (7) years and are made available for public inspection online or within two (2) business days of a request.

### **Security of Facilities**

EGSC is committed to campus safety and security. At the College, locks, landscaping, and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled, lighted routes from parking areas to buildings and from building to building. We encourage community members to promptly



report any security concern, including concerns about locking mechanism, lighting, or landscaping to EGSC Police.

EGSC administrative buildings are open from 8:00 a.m. until 5:00 p.m., Monday through Friday, and academic buildings generally are open from 7:00 a.m. until 8:00 p.m. Academic buildings are scheduled to be open on weekends only as needed. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access.

Many cultural and athletic events held in the College facilities are open to the public. Other facilities such as the café, bookstore, library, and auditorium are likewise open to the public. Only those high-level employees whose job responsibilities require after-hours access are issued keys to a building: Police Department, Plant Operations, etc. All facilities are secured by EGSC Police within thirty minutes following the last class or event and reopening the following morning between 6:00 a.m. – 7:00 a.m. Routine patrols are conducted through the evening and on weekends.

### **Residence Hall Access**

The Bobcat Villas residence hall operates under a computerized access control and security monitoring system. Identification cards are coded so that only students who are residents are authorized electronic access entry to the housing facility; the system denies entry to all unauthorized persons. When exterior emergency exit doors are left ajar, an audible alarm is activated. Resident Assistants, Professional Housing Staff, Police Officers, Public Safety Officers and Corvias personnel are responsible for checking and securing doors, when needed.

When a door is malfunctioning, personnel are summoned for repair. Students are reminded to lock doors and windows. All residence hall interior hallways are protected by video surveillance. All residence hall exterior doors are equipped with locks and with crash bars to ensure a quick emergency exit. Video surveillance cameras in common areas also provide additional security monitoring.

The Residence Hall front desk is manned by resident assistants from 8:00 a.m. -5:00 p.m. and by contract security officers from 5:00 p.m. – 5:00 a.m. Only residents and their invited guests are permitted in the living areas of the residence halls. It is the resident's responsibility to ensure that his/her guests are aware of the college and residence hall policies.

Guests are not provided with room keys or door access cards. Guests must be always escorted by a resident of the building. All exterior doors are locked 24 hours a day. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents.

When EGSC Police or Public Safety Officers receive a report of an unescorted person in a residence hall, an officer is dispatched to identify that person. EGSC Police patrol the areas in and around the residence hall including the residence hall lobby, common areas, and residential student parking areas.

## **Emergency Response**

The President's Office is responsible for the East Georgia State College Emergency Action Plan (EAP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency
- Coordination with College departments to write, maintain, test, and exercise the EAP
- Cooperation, Integration, and Mutual Aid with local, state and federal planning, response, and public safety agencies and their EAPs.

A flipchart containing the College's emergency response procedures is located <https://www.ega.edu/about/at-a-glance/policies-and-procedures-of-the-college/files/13-emergency-response-procedures-swainsboro.pdf>

The College conducts at least one annual test of our emergency response and evacuation procedures which may be announced or unannounced. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. The College conducts after-action reviews of all emergency management exercises.

We retain for seven (7) years a description of each exercise, the date and time it was conducted, and whether it was announced or unannounced in advance. In conjunction with at least one test annually we publicize our emergency procedures so that the community will know what to expect in the event an actual emergency occurs.

## **Emergency Evacuation**

Evacuation procedures are included in the East Georgia State College Emergency Procedures Flipchart which is distributed annually to all employees, is located on the EGSC Police Department website, and available in all classrooms and labs. Department heads inform employees of evacuation routes and assembly points and faculty inform students at the beginning of each semester of the evacuation route and assembly point for the classroom or laboratory. Evacuation begins when the alarm sounds or when directed to evacuate by Police Officers or Plant Operations staff.

Building representatives assist in evacuating individuals from buildings to a designated assembly point and maintains a headcount for the group.

## **Missing Students**

When a student who resides in on-campus student housing is thought to be missing students, employees, and others should make a report to the EGSC Police Department at 478-289-2090.

Reports may also be made to staff in the Office of Housing and the Vice President for Academic and Student Affairs. Any report of a missing student not made to the EGSC Police Department must be referred to them immediately for the purposes of investigating.

All students who reside in on-campus student housing can identify a “confidential contact” to be notified by the EGSC Police Department within 24 hours in the event they are determined by a law enforcement investigation to be missing and have not returned to the campus. This person may or may not be the same as their emergency contact.

Residential students may register their confidential contact with the Office of Housing. This contact information will be registered confidentially and will only be accessible to authorized campus officials and may not be disclosed except to law enforcement for the purpose of a missing person investigation.

In addition to the confidential contact, if a student is under 18 years of age and not emancipated the EGSC Police Department will notify their custodial parent or guardian within 24 hours of the determination that they are missing. Institutional officials will also be notified.

The EGSC Police Department will notify the local law enforcement agency with primary jurisdiction for the surrounding community within 24 hours of when a residential student is determined to be missing unless that agency made the determination.

### **Alcoholic Beverages & Illegal Drugs**

The College, consistent with the Drug-Free Schools and Communities Act of 1989, prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.

The EGSC Police Department enforces state and local ordinances pertaining to the illegal possession, use, and sale of alcoholic beverages and underage drinking laws as well as illegal drug possession and use. It is illegal for persons under 21 years of age to possess, consume, or purchase alcoholic beverages. It is illegal for any person to furnish alcoholic beverages to persons less than 21 years of age. Enforcement actions include arrests and referrals for disciplinary action.

EGSC requires all new, transfer, and dual-enrolled students to complete an online AlcoholEdu program about alcohol and drug abuse awareness and risk reduction. EGSC employees have access to alcohol and drug concerns counseling and programming through Acentra Health’s Employee Assistance Program.

### **Sex Offender Registry**

Information about registered sex offenders carrying on a vocation and/or enrolled at East Georgia State College may be found at <https://gbi.georgia.gov/services/georgia-sex-offender-registry>

## Crime Statistics

Criminal Offenses	Year	Swainsboro Campus				
		On Campus			Noncampus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Murder and Nonnegligent Manslaughter	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Negligent Manslaughter	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Rape	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	2	0	2	1	0
Fondling	2022	0	0	0	0	0
	2023	1	0	1	0	0
	2024	3	0	3	0	0
Incest	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Robbery	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	1	1	0	0
Aggravated Assault	2022	2	0	2	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Burglary	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Arson	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0

Violence Against Women Act Offenses	Year	Swainsboro Campus				
		On Campus			Noncampus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Dating Violence	2022	6	0	6	0	0
	2023	1	1	2	0	0
	2024	1	0	1	0	0
Domestic Violence	2022	0	0	0	0	0
	2023	3	0	3	0	0
	2024	0	0	0	0	0
Stalking	2022	1	0	1	0	0
	2023	1	0	1	0	0
	2024	5	0	5	0	2

Arrests	Year	Swainsboro Campus				
		On Campus			Noncampus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Liquor Law Violations	2022	3	0	3	0	0
	2023	1	0	1	0	0
	2024	8	1	8	0	1
Drug Law Violations	2022	0	0	0	0	0
	2023	9	5	14	0	3
	2024	12	2	14	0	1
Illegal Weapons Possession	2022	2	0	2	0	0
	2023	1	0	1	0	0
	2024	0	0	0	0	0

Disciplinary Referrals	Year	Swainsboro Campus				
		On Campus			Noncampus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Liquor Law Violations	2022	0	0	0	0	0
	2023	4	0	4	0	0
	2024	8	0	8	0	0
Drug Law Violations	2022	15	1	16	0	0
	2023	12	2	14	0	0
	2024	5	1	6	0	0
Illegal Weapons Possession	2022	2	0	2	0	0
	2023	3	0	3	0	0
	2024	1	0	1	0	0

	2022	2023	2024
Total Unfounded Crimes	0	0	0

	2022	2023	2024
Total Hate Crimes	0	0	0

# East Georgia State College's Response to Sexual and Gender Violence

East Georgia State College is committed to a learning and working environment for all campus community members that is free from sex-based discrimination. The campus community includes students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

If you or someone close to you are the victim of sex-based discrimination, know that you are not alone. The information in this report will help you navigate some of what you may be experiencing. No matter what you have experienced or how you are feeling now, it is important to prioritize your safety.

You do not have to go through this alone, and this information is intended to help you navigate the process. The College will provide a student or employee who reports they have been the victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, with a written explanation of their rights and options as described in this report.

**Victims have the option to: Notify proper law enforcement authorities, including on-campus and local police; Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and Decline to notify such authorities.**

## Reporting

- EGSC Police Department 478-289-2090 Swainsboro or call 911
- EGSC Title IX Coordinator 478-289-2152; [titleix@ega.edu](mailto:titleix@ega.edu)
- EGSC Assistant Student Conduct Director: 478-289-2152;
- Local Law Enforcement 911
- EGSC Counselor 478-289-2039; or Rape Crisis Center\* (Confidential Report)
- Anonymous reporting through EGSC Hotline:  
<https://secure.ethicspoint.com/domain/media/en/gui/76595/index.html>
- Decline to file a complaint (EGSC may continue investigation to the extent that it can as required by Title IX)

If you are a victim of sexual assault, domestic violence, dating violence, or stalking, it can be helpful to preserve evidence that may be useful in documenting the criminal activity. To preserve evidence refrain from:

- bathing,
- douching,
- smoking,
- changing clothes, and
- cleaning the linens or area where an assault occurred.

If you have changed clothes or linens, do not wash them until you have met with a law enforcement agency and/or health care provider. Seeking medical care does not mean you must report to law enforcement, so be sure to prioritize your health and safety when making decisions. Local hospitals can complete a forensic examination for collecting evidence that helps preserve your options should you choose to notify law enforcement. Photos, text messages, social media posts, instant messages, and any other communications or documents may provide information useful for College hearings or investigations, so save those, too.

### **Assistance**

Upon request, East Georgia State College will make any reasonably available change to a victim's academic, living, transportation, and or working situation regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Students and employees may contact the Title IX Coordinator for assistance. The College will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

If a victim reports to law enforcement, they may assist them in obtaining a temporary protection order from a criminal court. East Georgia State College is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property.

Employees can also contact the Director of Human Resources at 478-289-2035. Accommodations or supportive measures provided to a victim will remain confidential to the extent that maintaining confidentiality would not impair the ability of the institution to provide the accommodation or protective measures. Immigration and Visa assistance can be obtained by contacting EGSC Admissions Office 478-289-2169.

East Georgia State College recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. The Clery Act prohibits the disclosure of a victim's personally identifying information in crime statistics, the crime log, and timely warnings. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused.

Reports made to East Georgia State College officials will be kept confidential, and identifying information about the victim shall not be made public. Information about reports will only be shared with institutional personnel as needed to investigate and effectively respond to the report. Reports made to medical professionals or licensed mental health counselors will not be shared with any third parties except in cases of imminent danger to the victim or a third party.

### **Resources**

Counseling: Immediate crisis counseling is available through UWILL Direct Crisis Connection and the EGSC Counseling and Disability Services Office. Counseling services are available for all EGSC students 24/7 by calling (833) 646-1526. Employee victims will be referred to an off-



campus provider. Student and employee client contacts with the EGSC Counseling Center are confidential.

Mental Health Resources and Rape Crisis Centers: Off campus counseling and support services can be obtained through the Ogeechee Behavioral Health in Swainsboro and the Refuge Sexual Assault Center- 912-538-9935 or <https://www.therefugeshelter.org/>. Such licensed off campus provider will also have a privilege with his or her clients and are subject to the above Georgia confidentiality provisions.

Victim Advocacy Programs: Victim advocate programs in Emanuel County District Attorney's Office in Swainsboro 478-237-7846, can provide on-going information and assistance.

Legal Assistance: Georgia Legal Services (800) 498-9469 can provide legal assistance.

### **Prevention Programming**

The Title IX Coordinator is primarily responsible for sexual assault and sexual misconduct education and awareness in collaboration with many offices at the college. Together, these offices offer a variety of programming focusing on sexual and gender violence. Below is a list of some of the programs available at the College. A comprehensive program on Sexual Assault, Dating Violence, Domestic Violence, Stalking and Prevention is provided via Vector Solutions to all first semester students both Fall and Spring Semesters. Students are provided definitions of sexual misconduct, sexual assault in the Vector Solutions Sexual Assault awareness online trainings and alcohol and drug awareness online training, sexual violence, consent, dating violence, domestic violence and stalking, and what to do if a victim of the above crimes, bystander intervention measures (to step in and distract, direct, delay, document, or delegate to someone to intervene), information on confidentiality and reporting options and ramifications, victim rights, the student conduct process and possible sanctions, and interim measures.

Information and materials are posted on the webpages of Title IX, Counseling and Disability Services, Police Department, Human Resources, Housing, Student Conduct, and Academic and Student Affairs. East Georgia State College Police Department may also participate in such programs. Domestic violence awareness brochures, emergency shelter information, and victim advocate contact information is provided to students.

During the college's annual "Compliance Month" training event, faculty and staff will receive annual training on prevention and awareness of sexual assault, domestic violence, dating violence and stalking, how to respond if a victim, what to do if you receive a report, college and off campus resources, the college disciplinary process and possible sanctions, and the role of the Title IX Coordinator. As part of their onboarding, new employees are provided training modules via Vector Solutions to educate them on these topics as well. All Resident Assistants and Housing Staff are provided with additional training on how to respond to Sexual Misconduct Reports.

In addition to disciplinary action by the College, individuals may face significant criminal sanctions for violations of state criminal laws prohibiting sexual misconduct.

## **State Definitions**

### **Georgia Code § 16-6-1. Rape**

(a) A person commits the offense of rape when he has carnal knowledge of:

(1) A female forcibly and against her will; or

(2) A female who is less than ten years of age.

Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape.

(b) A person convicted of the offense of rape shall be punished by death, by imprisonment for life without parole, by imprisonment for life, or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life. Any person convicted under this Code section shall, in addition, be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7.

(c) When evidence relating to an allegation of rape is collected in the course of a medical examination of the person who is the victim of the alleged crime, the Georgia Crime Victims Emergency Fund, as provided for in Chapter 15 of Title 17, shall be responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence.

(d)(1) As used in this subsection, the term “sexual felony” shall have the same meaning as set forth in paragraph (2) of subsection (j) of Code Section 16-5-21.

(2) Any person having been previously convicted of a sexual felony who is convicted of the offense of rape shall be punished by imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life. As a condition of probation, the court shall impose the requirement of electronic monitoring as set forth in paragraph (14) of subsection (a) of Code Section 42-8-35.

### **Georgia Code § 16-6-22.1. Sexual battery (Fondling)**

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

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

(c) Except as otherwise provided in this Code section, a person convicted of the offense of sexual battery shall be punished as for a misdemeanor of a high and aggravated nature.

(d) A person convicted of the offense of sexual battery against any child under the age of 16 years shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years.

(e) Upon a second or subsequent conviction under subsection (b) of this Code section, a person shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one nor more than five years and, in addition, shall be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

(f) When the alleged victim is under the age of 16 years and the conduct is for the purpose of sexual arousal on the part of the alleged offender or alleged victim, consent of the alleged victim shall not be a defense to a prosecution under this Code section; provided, however, that if at the time of the offense the alleged victim is at least 13 but less than 16 years of age and the accused is 18 years of age or younger and no more than 48 months older than the alleged victim, this subsection shall not be applicable.

### **Georgia Code § 16-6-3. Statutory rape**

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

(b) Except as provided in subsection (c) of this Code section, a person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years. Any person convicted under this subsection of the offense of statutory rape shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

(c) If the victim is at least 14 but less than 16 years of age and the person convicted of statutory rape is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

(d)(1) As used in this subsection, the term “sexual felony” shall have the same meaning as set forth in paragraph (2) of subsection (j) of Code Section 16-5-21.

(2) Any person having been previously convicted of a sexual felony who is convicted of the felony offense of statutory rape when the individual convicted was 21 years of age or older, shall be punished by imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life. As a condition of probation, the court shall impose the requirement of electronic monitoring as set forth in paragraph (14) of subsection (a) of Code Section 42-8-35.

### **Georgia Code § 16-6-22. Incest**

(a) A person commits the offense of incest when such person engages in sexual intercourse or sodomy, as such term is defined in Code Section 16-6-2, with a person whom he or she knows he or she is related to either by blood or by marriage as follows:

- (1) Father and child or stepchild;
- (2) Mother and child or stepchild;
- (3) Siblings of the whole blood or of the half blood;
- (4) Grandparent and grandchild of the whole blood or of the half blood;
- (5) Aunt and niece or nephew of the whole blood or of the half blood; or
- (6) Uncle and niece or nephew of the whole blood or of the half blood.

(b) A person convicted of the offense of incest shall be punished by imprisonment for not less than ten nor more than 30 years; provided, however, that any person convicted of the offense of incest under this subsection with a child under the age of 14 years shall be punished by imprisonment for not less than 25 nor more than 50 years. Any person convicted under this Code section of the offense of incest shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

(c)(1) As used in this subsection, the term “sexual felony” shall have the same meaning as set forth in paragraph (2) of subsection (j) of Code Section 16-5-21.

(2) Any person having been previously convicted of a sexual felony who is convicted of the offense of incest shall be punished by imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life. As a condition of probation, the court shall impose the requirement of electronic monitoring as set forth in paragraph (14) of subsection (a) of Code Section 42-8-35.

### **Georgia Code § 19-13A-1. (Dating Violence)**

As used in this chapter, the term:

(1) “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.

(2) “Dating violence” means the occurrence of one or more of the following acts between persons through whom a current pregnancy has developed or who are currently, or within the last 12 months were, in a dating relationship:

- (A) Any felony; or
- (B) Commission of the offenses of simple battery, battery, simple assault, or stalking.

### **Georgia Code § 19-13-1. “Family violence” defined (Domestic Violence)**

As used in this article, the term “family violence” means 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.

The term “family violence” shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.

### **Georgia Code § 16-5-90. Stalking**

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

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

(b) Except as provided in subsection (c) of this Code section, a person who commits the offense of stalking is guilty of a misdemeanor.

(c) Upon the second conviction, and all subsequent convictions, for stalking, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one year nor more than ten years.

(d) Before sentencing a defendant for any conviction of stalking under this Code section or aggravated stalking under Code Section 16-5-91, the sentencing judge may require psychological evaluation of the offender and shall consider the entire criminal record of the offender. At the time of sentencing, the judge is authorized to issue a permanent restraining order against the offender to protect the person stalked and the members of such person's immediate family, and the judge is authorized to require psychological treatment of the offender as a part of the sentence, or as a condition for suspension or stay of sentence, or for probation.

### **Georgia Code § 16-1-3. (Consent)**

“Without his consent” means that a person whose concurrence is required has not, with knowledge of the essential facts, voluntarily yielded to the proposal of the accused or of another.

## **Disciplinary Proceedings**

East Georgia State College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking (collectively known as the Violence Against Women Act or VAWA Offenses). Complaints are processed consistent with Title IX of the Education Amendments of 1972 (Title IX), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the University System of Georgia (USG) Sexual Misconduct Policy, and the East Georgia State College (EGSC) Sexual Misconduct Policy.

Disciplinary complaints may be made by any campus community member and should be directed to the EGSC Title IX Coordinator at the Shot Strange Clubhouse, or by calling 478-289-2360. A written complaint can be submitted to [titleix@ega.edu](mailto:titleix@ega.edu) or by completing an Incident Reporting Form at [https://cm.maxient.com/reportingform.php?EastGASState&layout\\_id=0](https://cm.maxient.com/reportingform.php?EastGASState&layout_id=0). You can also address a letter to Sherrie Helms, Associate AVP of Student Conduct & Title IX, 131 College Circle Swainsboro, GA 30401. Complaints made to the Title IX Coordinator will not initiate a law enforcement investigation.

Disciplinary proceedings for accused students will be handled by the Office of Student Conduct. Disciplinary proceedings for accused employees will be handled by the Human Resource Director pursuant to the Sexual Misconduct Policy. In all proceedings, both the Complainant and Respondent are entitled to the same opportunities to have others present including the right to be accompanied by an advisor of their choice.

In our proceedings any individual who is alleged to have experienced conduct that violates this Policy is considered a Complainant, and any individual who is alleged to have engaged in conduct that violates this Policy is considered a Respondent. A third-party individual who reports an allegation of conduct that may violate this Policy but who is not a party to the complaint is considered a Reporter.

## What to Expect

Upon notice of the alleged misconduct, the institution will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the institution will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether an investigation is appropriate in light of the circumstances, whether the parties prefer an informal resolution, and whether any safety concerns exist for the campus community. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

The USG uses different types of proceedings when a student is accused and when an employee is accused. Additionally, federal regulations implementing Title IX require us to use certain procedures in “Title IX Sexual Misconduct” cases that aren’t required in “Non-Title IX Sexual Misconduct” cases. Both types of sexual misconduct include the VAWA Offenses as well as other forms of sex discrimination and sexual harassment.

**“Title IX Sexual Misconduct”** matters are when the alleged misconduct occurs against a person in the United States on institution property, or at institution-sponsored or affiliated events where the institution exercises substantial control over both the Respondent and the context, or in buildings owned or controlled by a student organization that is officially recognized by the institution.

**“Non-Title IX Sexual Misconduct”** matters are when the alleged misconduct occurs off-campus and or when the Complainant is not participating in or attempting to participate in the education program or activity of the institution occurring within the United States at the time of the filing, and when prohibited by other Board or institution conduct policies.

In Title IX Sexual Misconduct matters a Formal Complaint is required. A Formal Complaint is a written document filed by the Complainant or signed by the Coordinator alleging sexual harassment, as defined by Title IX and its implementing regulations, against a Respondent and requesting that the institution open an investigation. In order to file a Formal Complaint, the Complainant must be participating in or attempting to participate in the education program or activity of the institution occurring within the United States at the time of the filing.

The Title IX Coordinator is responsible for determining which type of proceeding will be used or if a complaint is to be dismissed and will provide simultaneous written notice of their determination to the parties at their institutional e-mails. If the Title IX Coordinator dismisses a complaint the notice provided to the parties will include the reason and a right to appeal. If a complaint moves forward an investigator will be assigned and the notice will include their identity.

### **Prompt, Fair, and Impartial Proceedings**

In all cases proceedings will afford a prompt, fair, and impartial process from the initial investigation to the final result for all parties. Proceedings will be conducted in a manner consistent with the institution's policies, and be transparent to the Complainant and Respondent.

The institution is responsible for proving cases by the preponderance of the evidence standard in both student and employee cases. This means that it is more likely than not that the accused committed a violation of policy.

Officials responsible for the resolution process receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking; how to conduct an investigation; and how to conduct a hearing that protects the safety of victims and promotes accountability.

### **Timeframes and Notice**

Efforts will be made to complete the investigation and resolution within 120 business days (days on which the campus is open). Temporary delays and limited extensions may be granted for good cause throughout the investigation and resolution process. The parties will be simultaneously informed in writing of any extension or delay and the applicable reason. The institution shall keep the parties informed of the status of the investigation. The Title IX Coordinator will provide parties with timely notice of meetings, at which the complainant, respondent or both may be present.

The institution provides simultaneous notification, in writing, to both the Complainant and Respondent of: The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking; The institution's procedures for the Complainant and Respondent to appeal the result of the institutional disciplinary proceeding; Any change to the result; and When such results become final. Notice should be provided via institution email to the party's institution email.

### **Amnesty**

Information reported by a student during the Sexual Misconduct process concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

### **Advisor of Choice**

Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense.

In Title IX Sexual Misconduct cases the advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct



process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process except to conduct cross-examination at the hearing. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

In Non-Title IX Sexual Misconduct cases the advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process but may not actively participate in the process.

All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. The institution will copy the party's advisor prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

### **Interim Measures**

Interim measures may be implemented at any point after the institution becomes aware of an allegation of Sexual Misconduct and should be designed to protect any student or other individual in the USG community.

Interim measures may include, but are not limited to: Change of housing assignment; issuance of a "no contact" directive; Restrictions or bars to entering certain institution property; Changes to academic or employment arrangements, schedules, or supervision; Interim suspension; and Other measures designed to promote the safety and well-being of the parties and the institution's community.

### **Informal Resolution**

The Respondent and the Complainant, as parties to the matter, may have the option of selecting informal resolution as a possible resolution in certain cases where the parties agree, and it is deemed appropriate by the institution. Where a matter is not resolved through informal resolution a hearing shall be set. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff. Student allegations of Title IX Sexual Misconduct against an employee may not be resolved informally.

The Complainant, the Respondent, and the institution must agree to engage in the informal resolution process and to the terms of the informal resolution. The Complainant(s) and the Respondent(s) have the option to end informal resolution discussions and request a formal process at any time before the terms of an informal resolution are reached. However, matters resolved informally shall not be appealable.

Student allegations of Title IX Sexual Misconduct against an employee may not be resolved informally.

## **Unbiased Proceedings**

In all proceedings a conflict of interest or bias by the Title IX Coordinator, Conduct Officer, investigator(s), and or decision makers(s) is grounds for an appeal. In proceedings involving a student Respondent any party may challenge the participation of any institution official, panel member in the process on the grounds of personal bias by submitting a written statement to the institution's designee setting forth the basis for the challenge.

## **Investigation**

The parties shall be provided with a written notice containing the allegations, possible charges and sanctions as well as available support and interim measures. Upon receipt of the notice parties have at least 3 business days to respond in writing. The Respondent may admit or deny allegations and set forth a defense. The Complainant may respond and supplement their written notice. Throughout both parties may present witnesses and other inculpatory and exculpatory evidence.

An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview.

The initial investigation report shall be provided to the Complainant, the Respondent, and a party's advisor (if applicable). This report should fairly summarize the relevant evidence gathered during the investigation and clearly indicate any resulting charges or alternatively, a determination of no charges. For purposes of this Policy, a charge is not a finding of responsibility.

The Complainant and the Respondent shall have at least 10 open campus days to review and respond in writing to the initial investigation report and directly related information gathered during the investigation. The investigator will review the Complainant's and the Respondent's written responses, if any, to determine whether further investigation or changes to the investigation report are necessary.

The final investigation report should be provided to the Complainant, the Respondent, and a party's advisor, if applicable, at least 10 open campus days prior to the Hearing. The final investigation report should also be provided to all Hearing Panel members for consideration during the adjudication process.

## **Hearing – Student Respondent**

Where a matter is not resolved through informal resolution a hearing shall be set. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff. In no case shall a hearing to resolve a Sexual Misconduct allegation take place before the investigation report has been finalized. All directly related evidence shall be available at the hearing for the parties and their advisors to reference during the hearing. The institution will determine how the facts or evidence will be introduced.

Notice of the date, time, and location of the hearing as well as the selected hearing panel members shall be provided to the Complainant and the Respondent at least 10 open campus days prior to the hearing. Hearings shall be conducted in-person or via video conferencing technology. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.

Each institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

In Title IX Hearings the parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness. The Hearing Officer shall limit questions raised by the advisor when they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of permitting all the raised questions and must document the reason for not permitting any particular questions to be raised.

In Non-Title IX Hearings the parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the Hearing Officer for consideration. Advisors may actively assist in drafting questions. The Hearing Officer shall ask the questions as written and will limit questions only if they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.

Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcome and any resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the evidence relied upon and rationale for any sanction or other administrative action. The institution shall also notify the parties of their right to appeal, as outlined below.

### **Hearing – Employee Respondent**

Matters involving alleged Title IX Sexual Misconduct must be heard at a live-hearing. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff.. Formal civil rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence. The institution will determine how the facts or evidence will be introduced.

Notice of the date, time, and location of the hearing as well as the designated Hearing Officer shall be provided via email at least 10 open campus days prior to the hearing. Hearings shall be conducted in-person or via video conferencing technology. Each institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

The parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness. The Hearing Officer shall limit questions raised by the advisor when they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of permitting all the raised questions and must document the reason for not permitting any particular questions to be raised.

Following a hearing, the parties shall be simultaneously provided a written decision via email of the hearing outcome and any resulting disciplinary or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the rationale for any disciplinary or other administrative action.

### **Hearing – Faculty Respondent**

All Sexual Misconduct involving faculty Respondents where dismissal is a possible sanction shall, consistent with Board of Regents policy, be heard by a live-hearing panel of three to five faculty members appointed by the Faculty Senate. Notice of the panel members shall be provided to parties in writing at least 20 days prior to the hearing, and parties have at least two challenges for bias which must be made in writing at least five days in advance of the hearing. A faculty member may also waive a hearing in which case the panel shall evaluate the record.

Additional procedures for faculty Respondent matters:

An oath or affirmation shall be administered to all witnesses. The parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness.

The Title IX Coordinator shall notify the President and parties simultaneously in writing of the decision and recommendation, if any, of the panel. If dismissal is recommended the President shall either approve the recommendation or if not shall advise the panel in writing of the basis prior to rendering their final decision. The panel may also recommend a lesser sanction. The President may or may not follow the recommendations of the panel.

The President shall notify the parties simultaneously in writing of their decision. Such notice shall include information about applying to the Board of Regents for discretionary review. Upon dismissal, pending possible discretionary review, the faculty member shall be suspended without pay. The Board may reinstate the faculty member with compensation from the date of suspension.

### **Possible Sanctions – Student Respondent**

The broad range of sanctions includes: expulsion; suspension for an identified time frame or until satisfaction of certain conditions or both; temporary or permanent separation of the parties (e.g.,

change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating no-contact orders; required participation in sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas); additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

### **Possible Sanctions – Employee Respondent**

When an employee is found responsible by our proceedings they may face: verbal warning, coaching, documentation of warning, unpaid suspension, demotion, and/or termination.

### **Appeals**

Appeals may be made in any cases where sanctions are issued, even when such sanctions are held “in abeyance,” such as probationary or expulsion. Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided.

The Respondent or the Complainant shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal); (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing (or appeal), including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Title IX Coordinator or designee, Conduct Officer, investigator(s), decision makers(s); or (3) to allege that the finding was inconsistent with the weight of the information.

The appeal must be made in writing and must set forth one or more of the bases outlined above and must be submitted within five open campus days of the date of the final written decision. The appeal should be made to the EGSC President. If an appeal is submitted, the other Party shall receive notice of the appeal, including a copy of the submission. That Party may submit, in writing and within 5 business days from the date of notification, a response to the appeal submission.

The appeal shall be a review of the record only, and no new meeting with the Respondent or any Complainant is required. The President may affirm the original finding and sanction, affirm the original finding but issue a new sanction of greater or lesser severity, remand the case back to the decision-maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.

The President's decision shall be simultaneously issued in writing to the parties within a reasonable time period. The President's decision shall be the final decision of the institution. The Complainant or Respondent may request review of the President's decision as provided in the Board of Regents Policy Manual 6.26 Application for Discretionary Review.

### **Retaliation**

Anyone who has made a report or complaint, provided information, assisted, participated, or refused to participate in any manner in the Sexual Misconduct process, shall not be subjected to retaliation. Anyone who believes that they have been subjected to retaliation should immediately contact the Coordinator or their designee. Any person found to have engaged in retaliation shall be subject to disciplinary action.

### **Additional Information**

For additional information about disciplinary proceedings please contact the Title IX Coordinator. **Any party to a sexual misconduct proceeding and their Advisor of Choice should review all applicable USG and EGSC policies.** USG and EGSC policies are available at these links:

[East Georgia State College \(EGSC\) Non-Discrimination and Anti-Harassment Policy](#)

<https://www.ega.edu/about/at-a-glance/policies-and-procedures-of-the-college/08-non-discrimination-and-anti-harassment-policy.html>

[6.7 Sexual Misconduct Policy](#)

<https://www.usg.edu/policymanual/section6/C2655>

[4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings](#)

[https://www.usg.edu/policymanual/section4/C332/#p4.6.5\\_standards\\_for\\_institutional\\_student\\_conduct\\_investigation](https://www.usg.edu/policymanual/section4/C332/#p4.6.5_standards_for_institutional_student_conduct_investigation)

[Human Resources Administrative Practice Manual, Prohibit Discrimination & Harassment](#)

[https://www.usg.edu/hr/assets/hr/hrap\\_manual/HRAP\\_Prohibit\\_Discrimination\\_Harassment\\_Employee\\_Relations.pdf](https://www.usg.edu/hr/assets/hr/hrap_manual/HRAP_Prohibit_Discrimination_Harassment_Employee_Relations.pdf)

### **Federal VAWA Offense Definitions for Disciplinary Proceedings**

**Sexual Assault: 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.

**Sexual Assault: 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.

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

**Sexual Assault: Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

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

(i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

(iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic violence.** (i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking.** (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person’s safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

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

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

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

(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Definition of Consent**

Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation. Minors under the age of 16 cannot legally consent under Georgia law.

Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

Consent can be withdrawn at any time by a party by using clear words or actions.



# Annual Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this Act for East Georgia State College.

## Definitions

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act:

- On-Campus Student Housing – - A dormitory or other residential facility for students that is located on an institution's campus, as defined in § 668.46(a).
- Fire – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

## Fire Incident Reporting

Students, faculty, and staff are instructed to call 911 to report a fire emergency. Non-emergency notifications (e.g. evidence that something burned) are made to: Director of Housing 478 289-2173, EGSC Police Department 478-289-2090 or 478-455-0125.

## Residence Hall Fire Drills

There were 6 fire drills conducted in on-campus residence halls during the 2023 calendar year. East Georgia State College implemented a Fire Drill Policy in 2023 establishing a minimum fire drill frequency schedule. At a minimum, fire drills are conducted quarterly in all on-campus residence halls during the year to allow on-campus student housing occupants to become familiar with and practice their evacuation skills. The drills are conducted by the EGSC Police Department and the Swainsboro Fire Department. Drills are documented using a Fire Drill Information Report and are maintained on file by the East Georgia State College Police Department.

## Electrical Appliances, Smoking, and Open Flames

The EGSC Resident Student Handbook prohibits candles (burned or unburned), extension cords, kitchen appliances without auto shut off, toasters, toaster ovens, buffet burners, portable heaters or air conditioners, George Foreman Grills, hot plates, electrical skillet, electric deep fryers,

open heat element appliances of any kind, flame producing appliances, and tobacco products (including vapes, chewing tobacco, cigarettes, etc.) inside and on the grounds of Bobcat Villas.

### **Fire Safety Education and Training Programs**

EGSC continues to enhance its Fire Safety programs through education, engineering, and enforcement. Fire Safety programs include training on building evacuation procedures and drills, specific occupant response to fire emergencies and use of fire extinguishers.

The Office of Housing conducts mandatory orientation and training covering safety and security measures in housing facilities. Topics include emergency response procedures, fire, hazardous weather, and tornado safety response. The EGSC Resident Student Handbook reinforces these precautions via an Emergency Preparedness section. All College residence halls have emergency evacuation plans, and the East Georgia State College Police conduct regular fire drills to allow occupants to become familiar with and practice evacuation skills.

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

EGSC continues to monitor trends related to residence hall fire incidents and alarms and takes corrective action as needed to provide a fire safe living environment for all students. New programs and policies are developed as needed to ensure the safety of all students.

### **Fire Safety Devices**

Bobcat Villas South and Bobcat Villas West are each equipped with smoke sensors to provide early detection and warning of a possible fire emergency as required by state law. These devices warn occupants of smoke or fire. Each residential building is protected with a centralized fire alarm and automated sprinkler system to provide a fire safe living environment.

### **Fire Safety Statistics**

<b>On-Campus Residential Housing Locations</b>	<b>Year</b>	<b>Fires</b>	<b>Death</b>	<b>Injury</b>	<b>Fire Cause</b>	<b>Value of Property Damage \$</b>
Bobcat Villas South 4 Bobcat Lane Swainsboro, Georgia	2022	0	N/A	N/A	N/A	N/A
	2023	0	N/A	N/A	N/A	N/A
	2024	0	N/A	N/A	N/A	N/A
Bobcat Villas West 30 Bobcat Lane Swainsboro, Georgia	2022	0	N/A	N/A	N/A	N/A
	2023	0	N/A	N/A	N/A	N/A
	2024	0	N/A	N/A	N/A	N/A