

# 2024 Annual Security Report



## Ogeechee Technical College Office of Campus Safety Police Department

One Joe Kennedy Blvd.  
Statesboro, Georgia 30458  
(912) 681-5667

TECHNICAL COLLEGE  
**TCSG**  
SYSTEM OF GEORGIA

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Dear Ogeechee Technical College Community:

The Office of Campus Safety is responsible for ensuring the safety and security of the Ogeechee Technical College (OTC) community from all hazards, including crime. The Ogeechee Technical College Police Department (OTC PD) is the primary law enforcement department for providing security and law enforcement services to Ogeechee Technical College.

On behalf of the members of the Ogeechee Technical College Police Department, I want to thank you for your interest in our Annual Security Report (ASR). We publish this report because it contains valuable information for our campus community. We also publish the report to comply with the important provisions of the Clery Act. Campus safety and compliance with the Clery Act should be a part of everyone's responsibility at Ogeechee Technical College. We encourage you to review the information we have made available to you in this report. You will find information about our organization including descriptions of certain services that we provide. You will also become familiar with our strong commitment to victims of crimes and the specific extensive services we make available to crime victims. Lastly, you will find important information about security procedures on our campus, crime data, and crime prevention information. We are proud to be an integral part of Ogeechee Technical College's tradition of excellence.

Campus safety is a collaborative effort at Ogeechee Technical College. We partner with many Departments at the College that have a critical role in fostering campus safety, including the Vice President for Student Affairs' Office, and other college offices. It has always been our goal to provide the highest quality of public safety services to the College community and we are honored to collaborate with the entire Ogeechee Technical College community. The officers of the Ogeechee Technical College Police Department are committed to making Ogeechee Technical College's campuses a safe place in which to work and study.

I encourage you to read this information and consider how it can help you protect yourself and the OTC community against crime. If you have any questions or comments regarding the information contained in the ASR please contact me, Monday – Thursday, 8:00 am to 5:00 pm at 912-681-5667.

A copy of the 2024 ASR can be viewed online at <https://www.ogeecheetech.edu/student-services/campus-police> or a copy can be obtained at the Ogeechee Technical College Office of Campus Safety, One Joseph E. Kennedy Blvd., Statesboro, Georgia 30458.

Portions of the ASR are provided in compliance with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act (Clery Act) (<https://www.clerycenter.org/the-clery-act>) and the Higher Education Opportunity Act 2008 (HEOA) (<http://www2.ed.gov/policy/highered/leg/hea08/index.html>).

Director for Campus Safety / Chief of Police  
Office of Campus Safety  
Ogeechee Technical College

## **MISSION STATEMENT**

The primary purpose (mission) of the Ogeechee Technical College Police Department is to maintain social order within prescribed ethical and constitutional limits, while providing professional law enforcement services. To attain this, Ogeechee Technical College Police Department enforces the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons. The Ogeechee Technical College Police Department recognizes that no law enforcement agency can operate at its maximum potential without supportive input from the citizens it serves. The Ogeechee Technical College Police Department actively solicits and encourages the cooperation of all citizens to reduce and limit the opportunities for crime and to facilitate the maximum use of resources.

As members of the Ogeechee Technical College Police Department, we are all charged with the responsibility of serving and protecting the students, employees, and visitors within the campus community.

The Ogeechee Technical College Police vigorously responds to calls for law enforcement services, enforces all State and local laws and ordinances, protects life and property, investigates matters of a criminal nature, preserves the peace, and strives to prevent crime and disorder. We are guided by the policies enacted by the Technical College System of Georgia, the laws of the State of Georgia, and the Constitution of the United States of America.

## **NOTIFICATION OF NON-DISCRIMINATION IN EDUCATIONAL PROGRAMS AND ACTIVITIES**

Ogeechee Technical College (OTC) is committed to maintaining a fair and respectful environment for living, work and study. To that end, this is being accomplished in accordance with federal and state laws, as well as all Technical College System of Georgia policies.

The Technical College System of Georgia and its constituent Technical Colleges do not discriminate on the basis of race, color, creed or religion, national or ethnic origin, sex (including pregnancy, sexual orientation, and gender identity), disability, age, political affiliation or belief, genetic information, veteran or military status, marital status, 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 Innovation and Opportunity Act (WIOA) 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 Technical College System and Technical Colleges shall promote the realization of equal opportunity through a positive continuing program of specific practices designed to ensure the full realization of equal opportunity.

Every member of the Ogeechee Technical College community is expected to uphold this policy as a matter of mutual respect and fundamental fairness in human relations. All members of the faculty, staff, and student body are expected to ensure that nondiscriminatory practices are followed at the College. Any student, faculty, staff, visitor and third party with a complaint or concern that is related to these standards should contact the following person(s) that have been designated to handle inquiries regarding the non-discrimination policies:

Desiré Alexander, Director for Human Resources (Title IX Coordinator for employees)  
Ogeechee Technical College  
One Joe Kennedy Blvd., Statesboro, Georgia 30458  
912-871-1801  
dalexander@ogeecheetech.edu

Or

Christy Rikard, Vice President for Student Affairs (Title IX Coordinator for students)  
Ogeechee Technical College  
One Joe Kennedy Blvd., Statesboro, Georgia 30458  
912-486-7607  
crikard@ogeecheetech.edu

## **CAMPUS SECURITY AUTHORITY (CSA)**

A CSA is any of the following four groups of individuals and organizations associated with a college: campus police department or a campus security department of an college; any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into college property); any individual or organization specified in a college's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; an official of a college 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 college.

Even at colleges with a police department on campus, a student who is the victim of a crime may be more inclined to report it to someone other than the campus police. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers to be "Campus Security Authorities" or "CSA."

Because official responsibilities and job titles vary significantly on campuses, a list of specific titles would not be practical. To determine specifically which individuals or organizations are CSAs for Ogeechee Technical College, consider the function of that individual or the office. Individuals whose functions involve relationships with students or have significant responsibilities for students and/or campus activities are considered a CSA.

Individuals may be designated as a CSA based on whether they perform the following functions:

- Their official job responsibilities involve significant interaction with students and/or campus activities.
- They serve as informal or unofficial mentors to students.
- They serve as a member in an office or on a committee to whom students are instructed and informed to report or discuss crimes, allegations of crimes, and other troubling situations.
- They have oversight for disciplinary procedures.

Examples of a CSA would be:

- Campus Police
- Local Police
- Individuals responsible for security (including contract personnel)
- Officials of the institution with significant responsibilities for student and campus activities (faculty and/or staff to student organizations)
- Any person who has the authority and duty to take action and respond to particular issues on behalf of the college
- Student Affairs professionals (Deans, Directors)

- Administrators who oversee off-campus instructional sites
- Title IX Coordinator
- Staff who provide safety escorts around campus

Whether or not an institution pays an individual IS NOT a factor in determining that individual is a CSA.

A CSA's primary responsibility is to report allegations made in good faith to the reporting structure established by the college. If the CSA receives the crime information and believes it was provided in good faith, the CSA should document it as a crime. By good faith it is meant that there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.

A Pastoral Counselor is defined as a person who is associated with a religious order or denomination is recognized by that religious order or denomination as someone who provides confidential counseling or is functioning within the scope of that recognition as a pastoral counselor.

A Professional Counselor is defined as a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his/her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution. Pastoral and Professional Counselors are exempt from disclosing reported offenses. Pastoral and Professional Counselors must be acting in the role of Pastoral or Professional counselors to qualify for exemption.

There are no formal procedures that require pastoral or professional counselors to inform persons they are counseling of any procedures to report crimes on a voluntary and confidential basis for inclusion in the ASR.

## **ANNUAL SECURITY REPORT (ASR)**

As required by the Clery Act, statistics concerning the occurrence on campus of criminal offenses reported by Campus Police officers to the Chief of Police will be published annually by October 1. Policies are updated annually. This information will be posted on the Ogeechee Tech [Campus Police website](#), the United States Department of Education website at <https://ope.ed.gov/campussafety/#/>, and the Technical College System of Georgia website at <https://www.tcsg.edu/>. Printed copies are available through the Campus Safety Office.

Federal law requires Ogeechee Technical College to disclose information dealing with registered sex offenders in the College's service area. This information is posted on the Georgia Bureau of Investigation Sex Offenders Registry website at <https://gbi.georgia.gov/georgia-sex-offender-registry>.

Annual Security and Fire Safety Report (Clery Act) or a paper copy can be obtained at the Campus Safety Office, One Joe Kennedy Blvd., Room 177, Statesboro, Georgia 30458.



## **REPORTING CRIMES AND OTHER EMERGENCIES**

Ogeechee Technical College has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate College officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire College community that you immediately report all incidents to the Ogeechee Technical College Police at (912) 531-2367 or 911. The Ogeechee Technical College Police Department is located at One Joe Kennedy Blvd., in the Joseph E. Kennedy (JEK) Building Room 177.

Members of the College community must assume responsibility for their own personal safety and the security of their personal property. The following suggestions can provide guidance to protect against becoming a victim of a crime:

- Report all suspicious incidents and persons to the OTC Police immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night.
- Limit your alcohol consumption and leave social functions that get too loud, too crowded, or that have too many people drinking in excess.
- Carry only small amounts of cash.
- Never leave valuables unattended.
- Carry your keys with you at all times and do not lend them to anyone.
- Lock up bicycles using a U-Lock.
- Lock car doors and never leave valuables in view.
- Engrave numbers on your valuables and inventory your items.

Individuals are responsible for being aware of and complying with College procedures and applicable local, state and federal laws. Ogeechee Technical College students, faculty, staff, contractors and visitors are encouraged to accurately, voluntarily and promptly report crimes, sexual assaults, emergencies, potential threats or risk to the College. Crimes and other emergencies should be reported to the Ogeechee Technical College Police Department at (912) 531-2367 or 911 for an emergency. Victims or witnesses of crimes on campus may report these crimes anonymously on a voluntary, confidential basis by calling the Ogeechee Technical College Police Department at (912) 531-2367.

Criminal or suspicious acts and emergencies should be reported to the Ogeechee Technical College Police Department immediately in person or by telephone.

The Ogeechee Technical College Police Department encourages everyone who has become a victim of a crime to come forward and report it to the police. However, on occasion and depending on the nature of the crime the victim may refuse to press charges. This is the victim's option. Just because a report is filed with the police department does not mean that criminal charges have to be filed. Students also have the option of contacting other College resources, such as the Vice President for Student Affairs Office, or Academic Advisors who will assist with notifications, if desired. Crimes can also be reported to the following Municipal Police Departments, County Sheriff's Departments or other local, state, or federal law

enforcement agencies.

- Statesboro Police Department, 25 West Grady Street, Statesboro, GA., 30458 (912) 764-9911
- Bulloch County Sheriff's Department, 17257 Hwy 301 N., Statesboro, GA., 30458 (912) 764-8888
- Screven County Sheriff's Department, 202 Rocky Ford Road, Sylvania, GA 30467 (912) 564-2013
- Sylvania Police Department, 104 South Main Street, Sylvania, GA 30467 (912) 564-2056
- Evans County Sheriff's Department, 123 West Main Street, Claxton, GA 30417 (912) 739-1611

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

### **VOLUNTARY CONFIDENTIAL REPORTING**

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage College community members to report crimes promptly and to participate in and support crime prevention efforts. The College community will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the College or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. Confidential reports may be filed with any "Campus Security Authority" person (see page 8). The confidential reports allow the College to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security and Fire Safety Report. In criminal circumstances, the Office of Campus Safety may not be able to assure confidentiality and will inform you in those cases.

Anyone may call the Ogeechee Technical College Police at (912) 531-2367 to report information.

### **REPORTING TO THE OGEECHEE TECHNICAL COLLEGE POLICE**

We encourage all members of the College community to report all crimes and other emergencies to Ogeechee Technical Police in a timely manner. Though there are many resources available, Ogeechee Technical College Police should be notified of any crime, whether or not an investigation continues, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the College community.

Students may also voluntarily and confidentially make reports to the college's Vice President for Student

Affairs, who also serves as the Title IX Coordinator. College employees may make reports to the college's Human Resources Officer, who serves as the Title IX Coordinator for employees.

The Ogeechee Technical College Police Department's policy to monitor crimes off-campus against recognized student organizations is structured by an agreement with local police agencies. It is the desire of the Ogeechee Technical College Police Department to provide timely warning of crimes to the Ogeechee Technical College community whether the incident involved a student organization on campus or in a surrounding jurisdiction.

### **ANONYMOUS REPORTING**

If you are interested in reporting a crime anonymously, you can report the information by calling (912) 531-2367 and leaving a message. We do not attempt to trace the origin of the person who calls unless such is deemed necessary for public safety.

### **REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES (CSA)**

While Ogeechee Technical College prefers that community members promptly report all crimes and other emergencies directly to the Ogeechee Technical College Police at (912) 531-2367 or 911, we also recognize that some may prefer to report to other individuals or College officials. The Clery Act recognizes certain College officials and offices as "Campus Security Authorities (CSA)." The Act defines these individuals as including any "official of an institution who has significant responsibility for student and campus activities. 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."

The following offices are examples of places where campus community members can report crimes:

- Ogeechee Technical College Police, One Joe Kennedy Blvd., JEK Building, (912) 531-2367
- Vice President for Operations, One Joe Kennedy Blvd., JEK Building, (912) 871-1640
- Vice President for Academic Affairs, One Joe Kennedy Blvd., JEK Building, (912) 688-6061
- Human Resources (Employee Title IX), One Joe Kennedy Blvd., JEK Annex Building, (912) 871-1801
- Vice President for Student Affairs (Student Title IX), One Joe Kennedy Blvd., JEK Building, (912) 486-7607

### **PASTORAL AND PROFESSIONAL COUNSELORS**

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Ogeechee Technical College to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the College encourages pastoral and professional counselors to notify those whom they are counseling of the Voluntary Confidential Reporting options available to them. At this time Ogeechee Technical College does not have any pastoral or professional counselors.

### **IT'S UP TO EACH OF US**

Ogeechee Technical College takes great pride in the community and offers students, faculty and staff many

advantages. This community is a great place to live, learn, work and study; however, this does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, Ogeechee Technical College has taken progressive measures to create and maintain a reasonably safe environment on campus. Though the College is progressive with its procedures, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when attending classes, working, or visiting on campus.

## **PREPARATION OF THE ANNUAL SECURITY REPORT AND THE DISCLOSURE OF CRIME STATISTICS**

The Ogeechee Technical College Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Ogeechee Technical College Police, information provided by other College offices such as Student Affairs Office, other Campus Security Authorities, and information provided by local law enforcement agencies surrounding each campus location. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by Ogeechee Technical College. This report also includes institutional procedures concerning campus security, sexual assault, alcohol and other drugs.

Ogeechee Technical College distributes a notice of the availability of this Annual Security Report by October 1 of each year to every member of the College community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Ogeechee Technical College Police at (912) 531-2367 or One Joe Kennedy Blvd., Statesboro, Georgia 30458.

## **OGEECHEE TECHNICAL COLLEGE CAMPUS SAFETY**

The Ogeechee Technical College Police Department operates as a fully certified law enforcement agency and handles calls for service and those dealing with criminal acts within the jurisdiction of Ogeechee Technical College. The department is staffed Monday through Thursday, between the hours of 7:00am – 10:00pm. It employs sworn police officers, all of whom are certified as law enforcement officers by the Georgia Peace Officer Standards and Training Council. The department is responsible for the protection of persons and property on all campus properties. To accomplish this objective, officers routinely patrol the campus on foot, and in vehicles. Ogeechee Technical College police officers enforce all the State of Georgia laws (including traffic laws) as well as the rules and regulations of the College. It is the policy of the

Ogeechee Technical College Police Department to professionally investigate and refer for prosecution any crime within its jurisdiction. OTC Police investigate all crimes which occur on campus and assists outside agencies if students, faculty, or staff are involved in incidents off campus.

All crimes or other emergencies occurring on the Ogeechee Technical College campus should be reported to the Ogeechee Technical College Police Department. The Ogeechee Technical College procedures designate Ogeechee Technical College Police Department as the law enforcement unit for the College. Students are encouraged to report crimes directly to OTC Police. Campus personnel are informed of this procedure through new employee/student orientation, as well as through the crime prevention talks. Written reports are made and followed up by the appropriate personnel in the Police Department.

Ogeechee Technical College Police Department provides a walking escort service to faculty, staff, students, and visitors as requested.

The Officers often serve as liaisons with the offices of the District Attorney, FBI, GBI, and other law enforcement agencies.

Ogeechee Technical College Police Department is responsible for the receipt and maintenance of physical records of all Police operations including incident/offense reports, accident reports, criminal records and fingerprints.

Programs designed to inform students and employees about campus security procedures and practices are handled through the police department which organizes crime prevention sessions/classes with students, as well as faculty or staff. Human Resources also advises new employees about services available to them through the Ogeechee Technical College Police Department.

Statistics detailing the on-campus occurrence of murder/non-negligent manslaughter, negligent manslaughter, sexual assault (Rape, Fondling, Incest, and Statutory Rape), robbery, arson, aggravated assault, burglary (Forcible Entry, Unlawful Entry-No Force, and attempted forcible entry) motor vehicle theft, hate crimes (race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability), domestic violence, dating violence and stalking for the most current year as well as statistics for the two preceding years are maintained by the Ogeechee Technical College Police Department and documented in the Annual Security Report (ASR). Statistics on arrests for violations of alcohol or drug abuse as well as weapons possession violations are also gathered and reported in the ASR.

The Police Department keeps statistical information on these crimes as well as any other felonies and misdemeanors (including traffic violations) in the Records Section of the Police Department. Statistics are distributed to the campus in the form of an annual statistical report published on the Campus Police website, <https://www.ogeecheetech.edu/student-services/campus-police>.

Any monitoring of crimes off-campus is done by the agency of jurisdiction where the crime took place; however, Ogeechee Technical College Police Department is usually advised by the agency in question or the victim (if a student) of the crime and will offer any assistance.

The Campus Safety survey administrator (Director for Campus Safety/Chief of Police) gathers statistics on arrests for violations of alcohol or drug abuse as well as weapons possession from local law enforcement agencies. These violations are gathered and reported in the ASR.

### **OTC POLICE DEPARTMENT**

The Chief of Police is responsible for the overall direction, development, and supervision of the Police Department. The areas of responsibility for the Chief of Police include primary administration, management, planning and research, budget preparation and management, recruitment and hiring, promotion selection, public information, and general orders development.

The Ogeechee Technical College Police Department provides basic patrol functions for the protection of persons and property. Each officer has completed training mandated by the State of Georgia and is sworn to uphold the laws of the state.

Patrol officers provide a wide variety of law enforcement services including responding to calls for service, taking reports, conducting preliminary investigations, monitoring security of College property, responding to emergency incidents, traffic enforcement, traffic accident investigation, and security at special events. Officers patrol the Ogeechee Technical College campus and surrounding areas in marked police vehicles, and on foot.

The Ogeechee Technical College Police Department administrative phone number is (912)531-2367.

For Emergencies all faculty, staff and visitors should call **911**.

### **PEACE OFFICER POWERS**

Sworn members of this Department shall be considered Peace Officers pursuant to O.C.G.A. § 20-4-39. *O.C.G.A. 20-4-39 "Campus policemen and other security personnel who are regular employees of the Technical College System of Georgia shall have the power to make arrests for offenses committed upon any property under the jurisdiction of the Technical College System of Georgia and for offenses committed upon any public or private property within 500 feet of such property."*

### **TRAINING**

Ogeechee Technical College Police Department staff have received specialized training in the following areas: criminal law, race relations, interpersonal communications, crisis intervention, critical incident response, and all other facets of protection of persons and property. Each officer is also certified in the use of force, de-escalation, community policing, gang awareness, human trafficking and firearms each calendar year.

### **WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES**

The Ogeechee Technical College Police maintains a cooperative relationship with the Georgia Southern

University Police, Georgia State Patrol, Georgia Bureau of Investigation, Statesboro Police, Bulloch County Sheriff's Department, Screven County Sheriff's Department, Sylvania Police Department, Evans County Sheriff's Department, Hagan Police Department and surrounding police agencies. This includes intraoperative radio capability, training programs, special events coordination, and investigation of serious incidents.

**There are written memorandums of agreement between Ogeechee Technical College Police Department and all local jurisdictional agencies.**

### **CRIMES INVOLVING STUDENT ORGANIZATIONS AT OFF-CAMPUS LOCATIONS**

Ogeechee Technical College relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Ogeechee Technical College students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, the Ogeechee Technical College Police will actively investigate certain crimes occurring on or near campus. If the Ogeechee Technical College Police Department learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Vice President for Student Affairs, as appropriate.

Ogeechee Technical College requires all recognized student organizations to abide by federal, state, and local laws, and College procedures. The College may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to affect a substantial College interest.

### **TIMELY WARNING REPORTS – CRIME ALERTS**

The OTC Police Department is primarily responsible for determining the content and distributing a timely warning notice to the community.

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, the OTC Campus Police Department issues a crime alert called an "OTC Alert." Ogeechee Technical College will generally issue an OTC Alert for the following crimes: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. Ogeechee Technical College Campus Police will post these warnings through text message alerts. Text messaging can be a very effective way to send important information to the campus community.

The purpose of an OTC Alert is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from the incidents. The College will issue OTC Alerts whenever the following criteria are met: 1) a crime is committed; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of this crime. Such crimes include, but are not limited to: 1) Clery Act crimes that are reported to any campus security authority or the local police; or 2) Ogeechee Technical College determines that the incident represents an on-going threat to the campus community.

Additionally, OTC Police may, in some circumstances, issue OTC Alerts when there is a pattern of crimes

against persons or property. At Ogeechee Technical College, the Chief of Police will generally make the determination, in consultation with other college offices, regarding whether an OTC Alert is required. However, in emergency situations, any OTC police officer may authorize an OTC Alert.

## **EMERGENCY MESSAGING SYSTEM**

### **OTC ALERT**

Ogeechee Technical College has implemented an emergency message alert notification system as one method to contact members of the College in the event of an emergency.

Students, faculty and staff may update their emergency contact information.

- Visit <https://www.ogeecheetech.edu/otcalert>.
- Login using your username/password.
- Update your emergency contact information. If you have a cell phone, please be sure to include that number.
- OTC Alert will use that number to try to contact you via phone or text message in the event of an emergency.

#### ***Q: What is OTC Alert?***

A: OTC Alert is a mass notification system comprised of e-mail and text messaging that is designed to send emergency messages to thousands of individuals in minutes. It supplements existing means of emergency communication and severe weather alert radios.

All students, faculty and staff have the opportunity to provide a primary mobile phone number for receipt of text messages. Emergency messages will be sent via OTC Alert and will be used in tandem with other campus communication tools.

#### ***Q: Who can sign up for OTC Alert text messages?***

A: All Ogeechee Technical College students, faculty and staff are enrolled using the information on file, but anyone who has a valid ID are able to manually sign up to receive text message alerts.

While those at locations beyond the main campus may sign up for alerts, messages will primarily focus on possible threats at the main campus location. If you spend time on the main campus, you are strongly encouraged to sign up. If you are located beyond the main campus location, you should continue to rely on local emergency notification systems for site specific warnings.

#### ***Q: How do I sign up for OTC Alert?***

A: If you are a student or employee, you are automatically enrolled using the information from your college records. Please visit <https://www.ogeecheetech.edu/otcalert> to verify your information. Or, if no account is found, complete the required information and select submit.



***Q: Who implements OTC Alert?***

A: OTC Alert is managed jointly through the Ogeechee Technical College Police Department and the Office of Student Affairs, based on the type of alert.

***Q: What kind of alerts will be sent?***

A: The system will only be used to distribute information regarding emergencies that dictate immediate action be taken.

Examples of alerts include severe weather, building evacuations, dangers requiring secure-in-place or shelter-in-place, or other emergencies requiring immediate action. The message will direct you where to go for further information or what action to take. Following a warning, the alert system may be used to provide additional messages or an "all-clear" announcement. OTC Alert will also be tested on a random basis as needed.

Less urgent messages will be sent using the campus e-mail system.

***Q: Are there any costs involved if I sign up for the system?***

A: If you do not have a text messaging contract as part of your cellular service, there may be a small charge for any text messages that you receive. You should check with your cell phone carrier to determine what these costs may be. If you do not register your cell phone number, you will not receive any charges. You ARE encouraged to register your cell phone if you have one to receive additional access to emergency messages.

As a service to the campus community, the College actually pays a flat rate subscription charge for each student and employee that is signed up for OTC Alert.

***Q: Will my contact information remain secure, and will it be used for any other purposes?***

A: The information collected for OTC Alert is securely maintained and will not be shared. It is only used for notification of emergencies requiring immediate action.

***Q: How can I recognize messages from OTC Alert?***

A: SMS Text messaging: Text messages will include "OTC Alert."

**CAMPUS ALERTS**

All of us want to be alerted to dangerous situations near our homes or workplaces so that we can take appropriate precautions. Campus alerts are posted by the Ogeechee Technical College Police Department in an effort to make the Ogeechee Technical College community aware of potential dangers and informed about security and safety issues.

**What it means to Shelter-in-Place**

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

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

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

**When this occurs:**

- Remain CALM.
- Faculty should recommend students and others not to leave or go outside.
- Select a small interior room with no or as few windows as possible.
- Close all windows, exterior doors, and any other openings that lead to the outside.
- Stay away from all windows and doors.
- Select interior room(s) on the ground floor, with the fewest windows or air vents.
- Room(s) should have adequate space for everyone to be able to sit down comfortably.
- Avoid overcrowding by selecting several rooms when necessary.
- Remain alert for instructions and updates as they become available from the emergency personnel and college administrators.

**Response to an act of violence on campus:**

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

**What it means to Secure-in-Place**

In the event of an act of violence situation, individuals are encouraged to follow the “Run, Hide, Fight” concept considering these procedures:

**Remain as calm as possible**

Determine your course of action. The best way to survive an active shooter incident is to not be where the shooter is and to not go where he or she can see you. You have three choices:

- **Evacuate (Run)**
  - Have an escape route and plan in mind
  - Leave your belongings behind
  - Evacuate regardless of whether others agree to follow
  - Help others escape, if possible
  - Do not attempt to move the wounded

- Keep your hands visible
- Call 911 when you are safe
- **Secure-in-Place (Hide)**
  - Hide in an area out of the shooter's view
  - Lock door or block entry to your hiding place
  - Silence your cell phone (including vibrate mode) and remain quiet
- **Fight**
  - Fight as a last resort and only when your life is in imminent danger
  - Attempt to incapacitate the shooter
  - Act with as much physical aggression as possible
  - Improvise weapons or throw items at the active shooter
  - Commit to your actions... Your life depends on it

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **EMERGENCY MANAGEMENT AT OGEECHEE TECHNICAL COLLEGE**

The Ogeechee Technical College Police Department is responsible for the Emergency Operations Plan (EOP). 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 EOP.
- Cooperation, integration, and mutual aid with local, state and federal planning, response, and public safety agencies and their EOPs.

A summary of the College's emergency response procedures may be obtained by contacting the Director for Campus Safety/Chief of Police.

### **DRILLS, EXERCISES AND TRAINING**

Annually, Ogeechee Technical College conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year, and include several departments from across the campus.

To ensure the College's emergency management plans remain current and actionable, the College will conduct an emergency management exercise, at a minimum once yearly. 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.

In conjunction with at least one emergency management exercise each year, the College will notify the community of the exercise.

## **EMERGENCY NOTIFICATION**

Ogeechee Technical College 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. Ogeechee Technical College uses the emergency notification system OTC Alert. OTC Alert is an emergency notification service available to students, staff, and anyone in the College community who wants to subscribe. OTC Alert can be used to send emergency messages within minutes of the occurrence of an incident. The Chief of Police, Vice President for Operations, or their designee will be responsible for issuing the emergency alerts.

Ogeechee Technical College performs a College-wide annual test of the system. The following procedures outline the process the College uses when issuing emergency notifications.

## **PROCEDURES USED TO NOTIFY THE CAMPUS COMMUNITIES**

In the event of a situation that poses an immediate threat to members of the campus community, Ogeechee Technical 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 may include the mass notification system OTC Alert, the Alertus Beacons and Desktops system, and verbal announcement within a building and public address system in police cars. The College will post updates during a critical incident on the Ogeechee Technical College homepage.

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

The OTC Police Department /or other campus first responders may become aware of a critical incident or other emergency situation 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 or upon discovery during patrol or other assignments.

Once first responders confirm 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, first responders will notify other authorized College officers to issue an emergency notification.

The Chief of Police, Vice President for Operations, and the Vice President for Student Affairs, or their designee will immediately initiate all or some portions of the College's emergency notification system. 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 CONTENTS OF THE EMERGENCY NOTIFICATION**

The Ogeechee Technical College Police Department is responsible for issuing the emergency notification and will, in concert with College and local first responders, determine the contents of the notification. The College has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert 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 individual authorizing the alert 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**

In the event an incident occurs that poses an immediate threat to members of the College community, various systems are in place to communicate the information. These methods of communication include the local media outlets and local emergency agencies which notify their resources which will be used to notify the local community.

## **SECURITY AND ACCESS TO COLLEGE FACILITIES**

The Ogeechee Technical College campus is open to the public. The administrative offices are accessible during normal business hours of 8:00 a.m. until 7:00 p.m., Monday through Friday. Common areas and academic spaces are generally open from 7:00 a.m. until 10:00 p.m., Monday through Thursday.

College buildings are scheduled to be open on Friday and weekends only as needed. Faculty and staff who have been issued keys and alarm codes are authorized to enter buildings for official purposes, outside normal hours. However, all faculty and staff members are reminded that any College building or grounds are the property of the State of Georgia and are to be used for official purposes only.

Ogeechee Technical College has no residence halls nor any off-campus housing.

Security cameras are strategically placed at all locations. The Police Department as well as other key personnel have access to monitor live campus camera feeds as time permits. Additionally, some personnel have the ability to review and archive video from the past 30 days. The Information Technology Services department maintains the system.

Other facilities such as the bookstore, library, and conference centers are likewise open to the public. Only those who have demonstrated a need are issued keys or electronic access credentials to a building.

### **Security Considerations for the Maintenance of Campus Facilities**

Ogeechee Technical College is committed to campus safety and security. At Ogeechee Technical 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.

The College buildings and grounds are maintained to provide a safe environment for all who come to campus. A variety of personnel from various departments, including Administration, Plant Operations, and OTC Police work together to ensure all components that comprise the safety system are operational. This includes exterior lighting, fire and smoke detection systems, HVAC systems, and maintenance of landscaping, sidewalks, parking lots, and traffic control.

If you observe any safety issue, please contact the OTC Police so corrective action can be initiated.

We encourage community members to promptly report any security concerns:

OTC Police - (912) 531-2367

Plant Operations - (912) 871-1692

OTC Main Line - (912) 681-5500

### **CAMPUS ASSESSMENT RESPONSE EVALUATION (CARE) TEAM**

Colleges and universities around the country are becoming more diligent and proactive in providing a safe environment for students, faculty, staff, and visitors to their campuses. The Campus Assessment Response Evaluation (CARE) Team is dedicated to a proactive, coordinated and planned approach to the identification, prevention, assessment, management, and reduction of interpersonal and behavioral threats to the safety and well-being of Ogeechee Technical College students, faculty, staff, and visitors.

It is the responsibility of faculty, staff, and students to immediately report any situation that could possibly result in harm to anyone at the College. These reports may be directed to the CARE Team depending on the nature of the concern.

When there is an active or immediate risk of violence or harm to others you should call 911 and Ogeechee Technical College Police Department at 912-531-2367.

How Do I Report a Concern?

In non-emergency situations, you may fill out an online concern report, call, send an email to [care@ogeecheetech.edu](mailto:care@ogeecheetech.edu), or submit an anonymous report.

Behaviors of concern might be observed in a number of settings: in the classroom, at a service location or office, at an on-campus job, or during participation at an extracurricular activity. By reporting behaviors that are concerning, the Campus Assessment Response Evaluation (CARE) Team will be able to reach out to students to intervene, provide support, and connect them with resources that can assist them.

The CARE Team process does not replace faculty classroom management, disciplinary processes, and/or public safety responses to incidents.

The CARE Team model works within all current college policies and serves as a model to formalize current informal processes at the College.

Download and complete this form at <https://ogeecheetechcentral.etrieve.cloud/#/form/111>. Then, email it to a member of the Campus Assessment Response Evaluation (CARE) Team as noted on the form. Please note, you may choose to remain anonymous, but if the CARE Team needs additional details and you do not provide your contact information, we may not be able to conduct a proper and thorough investigation.

Report to CARE Team behaviors such as:

- Violent fantasy content
- Anger Problems
- Fascination with weapons
- Homicidal ideation
- Stalking
- Interest in previous shooting situations
- Victim/Martyr self-concept
- Strangeness and abnormal or deviant behavior
- Paranoia
- Violence and cruelty
- Recent police contact
- Mental health history related to dangerousness
- Unusual interest in police, military, terrorist activities and materials

Campus Assessment Response Evaluation (CARE) Team

Student Success Coach	912-486-7811
VP for Student Affairs	912-486-7607
Director for Human Resources	912-871-1801
Campus Police Officer	912-871-8526
Student Navigator	912-871-8514
Chief of Police	912-681-5667

## **FIREARMS/WEAPONS POLICY**

Ogeechee Technical College complies with all state and federal laws applied to firearms and weapons on a campus, specifically:

Firearms, Weapons, and Explosives Policy (State Board Policy 3.3.10.) The Technical College System of Georgia (TCSG) and its associated technical colleges are committed to providing all employees, students,

volunteers, visitors, vendors and contractors a safe and secure workplace and/or academic setting. The possession, carrying, or transportation of a firearm, weapon, or explosive compound/material in the TCSG System Office or on any technical college campus shall be governed by Georgia state law. All individuals are expected to comply with the related laws.

**Related Authority:**

O.C.G.A. § 20-4-11 – Powers of the Board

O.C.G.A. § 20-4-14 – TCSG Powers and Duties

O.C.G.A. § 16-8-12(a) (6) (A) (iii)

O.C.G.A. § 16-7-80

O.C.G.A. § 16-7-81

O.C.G.A. § 16-7-85

O.C.G.A. § 16-11-121

O.C.G.A. § 16-11-125.1

O.C.G.A. § 16-11-126

O.C.G.A. § 16-11-127

O.C.G.A. § 16-11-127.1

O.C.G.A. § 16-11-129

O.C.G.A. § 16-11-130

O.C.G.A. § 16-11-133

O.C.G.A. § 16-11-135

O.C.G.A. § 16-11-137

O.C.G.A. § 43-38-10

## **CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS**

In an effort to promote safety awareness, the Ogeechee Technical College Police Department maintains a strong working relationship with the community. This relationship includes offering a variety of safety and security programs and services. If you or your organization would like to request a specific program, please contact the OTC Police Department, at 912-531-2367. Below are some of the programs and services available:

### **Active Shooter on Campus**

Plan, Prepare, React Active Shooter Response Options (online Video) required watching by new students and employees. Also, safety awareness programs (lectures and discussions); and tests (tabletop exercises, and multi public safety response drills) are performed throughout the year.

### **Personal Safety**

Ogeechee Technical College Police Department Police, and guest speakers present awareness programs to students and employees on topics such as:

- Theft Measures – is an awareness program focusing on risk reduction, and the prevention of personal items taken from a student or employee while on the college campus.



- Alcohol/Drug Awareness and Prevention – is an awareness program to help students address their choices in the consumption of alcoholic beverages.
- Sexual Assault Awareness - is a program informing the students, faculty and staff of preventive measures, risk reduction, and avoidance in become a victim of a sexual assault.
- Dating Violence, Domestic Violence, and Stalking are also discussed in this program.

### **Bystander Intervention – Tell Someone**

Each new student orientation and new employee orientation for professional staff provides training, techniques and empowerment to challenge unethical situations and how to appropriately handle the situation/incident.

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. 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.

## **SEXUAL & GENDER VIOLENCE**

### **INTRODUCTION**

Ogeechee Technical College is committed to providing a safe learning and working environment, and in compliance with federal law has adopted procedures to prevent and respond to incidents of sexual violence including sexual assault, domestic violence, dating violence and stalking. These guidelines apply to all students, faculty, staff, contractors and visitors.

If you are a victim of a sexual assault, every effort should be made to protect evidence that could be used to prosecute the offender. If you are a victim, before you take any action on your own, you should immediately notify the proper authority such as the Ogeechee Technical College Police (912-531-2367) or local law enforcement agency (Statesboro Police – 912-764-9911, Bulloch County Sheriff’s Department – 912-764-1771, Screven County Sheriff’s Department – 912-564-2013, Evans County Sheriff’s Department – 912-739-1611, Sylvania Police Department – 912-564-2056, Hagan Police Department – 912-739-3801), or East Georgia Regional Hospital – 912-486-1000. If possible, do not change your clothes, shower, eat or drink between the sexual assault and the examination by medical professionals. If possible, bring a change of clothes with you to the examination because the investigators will require the clothes for evidence. Professionals at these agencies are available to instruct you on proper procedures to follow. Any student who is the victim of a sexual assault investigated by the OTC Police Department and/or the Georgia Bureau of Investigation, will have counselors made available to them at any time during the investigation. The OTC Police Department will support these victims of sexual assault as needed.

The OTC Police Department investigates all reports of sexual offenses that occur on campus in the most professional manner possible. OTC Police Officers are on-call and capable of responding immediately and at any time. Once reported to OTC Police, officers respond, investigate, and make applicable criminal charges based on evidence collection and victim/witness statements. Cases that are investigated are turned over to the District Attorney's Office for prosecution, as well as to the proper College judicial officials. Georgia law states that a person convicted of rape can be punished by death, by imprisonment for life, or by imprisonment of not less than 1 nor more than 20 years. Any student found in violation of the OTC Student Code of Conduct based on a sexual act that is not legally consensual may be suspended from Ogeechee Technical College in addition to any criminal charges that may be warranted. The disciplinary process for alleged sex offenses includes the right of the accuser and accused to have an advisor present during a disciplinary proceeding. Both the accused and accuser will be notified of the outcome of institutional disciplinary proceedings involving sex offenses.

It is the policy of the OTC Police Department to immediately notify the campus community any time a sexual assault is reported and is an immediate threat to the campus community. This notification is done so that people will be aware of the incident and can take necessary precautions. However, great care is taken to protect the identity of the victim. The OTC Police Department's policy to monitor crimes off-campus against recognized student organizations is structured by an agreement with local police agencies. It is the desire of the OTC Police Department to provide timely warning of crimes to the Ogeechee Technical College community whether the incident involved a student organization on campus or in a surrounding jurisdiction.

Remember that it is never too late to report a sexual assault. People are ready and able to assist you. Whether or not the offense occurred on or off campus, the victim will receive a written explanation of their rights.

Campus sexual assault procedures, definitions, suggestions, and sanctions are found in the Ogeechee Technical College Student Catalog & Handbook which is available from the Office of Student Affairs (912) 688-6061 or at <https://ogeecheetech.smartcatalogiq.com/>.

A sexual assault is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent, as well as incest or statutory rape.

**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. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

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

- Dating violence does not include acts covered under the definition of domestic violence.

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

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

**Consent** can be given by word or action, but non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Clarification of a partner's explicit consent is recommended. Individuals who consent to sex must be able to fully understand what they are doing. For example, alcohol or drugs may impair a person's ability to give valid consent if the person cannot comprehend the who, what, where, when, why, or how of a sexual interaction. Consumption of alcohol, in and of itself, does not relieve an individual initiating sexual activity of the responsibility to obtain ongoing consent. Silence does not indicate consent. Consent is never to be assumed and is never implied even in a relationship.

**Bystander Intervention** is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander Intervention includes:

- Recognizing situations of potential harm;
- Understanding institutional structures and cultural conditions that facilitate violence;
- Overcoming barriers to intervening;
- Identifying safe and effective intervention options;
- Taking action to intervene.

**Risk reduction** is defined as options designed to:

- Decrease perpetration and bystander inaction;
- Increase empowerment for victims in order to promote safety; and
- Help individuals and communities address conditions that facilitate violence.

## ON AND OFF CAMPUS RESOURCES

Both Ogeechee Technical College and Statesboro/Bulloch County also offer other important resources to the victims of sexual violence including medical treatment, counseling and advocacy. Statesboro Regional Sexual Assault Center (SRSAC) 1-866-489-2225 is available to assist any student or employee free of charge and will help them consider their options and navigate through any resources or recourse they elect to pursue. A victim need not make a formal report to law enforcement or Ogeechee Technical College. Access to these resources include the following:

- Ogeechee Technical College Police – (912) 531-2367
- OTC Title IX (students) Office – (912) 486-7607
- OTC Title IX (employees) Office – (912) 871-1801
- Emergency – 911
- East Georgia Regional Hospital – (912)486-1000

Statesboro Regional Sexual Assault Center (SRSAC) 24 Hour Crisis Line – 1-866-489-2225  
(912) 489-6060 Admin, (912) 489-6050 Fax, email: srsac@frontiernet.net, website:  
<https://thetealhouse.org/>

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- <https://www.rainn.org/> – Rape, Abuse and Incest National Network
- <https://www.justice.gov/ovw/sexual-assault> – Department of Justice
- <https://www2.ed.gov/about/offices/list/ocr/index.html> – Department of Education, Office of Civil Rights

## DEFINITION OF CONSENT

What is Consent?

- Consent is a voluntary, sober, imaginative, enthusiastic, creative, wanted, informed, mutual, honest, and verbal agreement.
- Consent is an active agreement; consent cannot be coerced.
- Consent is a process, which must be asked for every step of the way; if you want to move to the next level of sexual intimacy, just ask.
- Consent is never implied and cannot be assumed, even in the context of a relationship. Just because you are in a relationship does not mean that you have permission to have sex with your partner.
- A person who is intoxicated cannot legally give consent. If you're too drunk to make decisions and communicate with your partner, you're too drunk to consent.
- The absence of a "no" doesn't mean "Yes".
- Both people should be involved in the decision to have sex.

## **PERSONAL SAFETY**

Theft, disorderly conduct, and alcohol related offenses occur on college campuses. However, they don't stand alone. Despite law enforcement's efforts, serious crimes do occur on campuses. It is important to report any suspicious incidents to police and always remain alert and vigilant.

One of the more serious crimes that too often goes unreported is sexual assault. It is important to know what these crimes are, because in many cases, victims do not realize that they have been victimized. Additionally, crimes of this nature are very difficult for victims to report for a number of very complex reasons. We provide the following information to assist those who may have been victims of sexual assault or who have a friend who has been sexually assaulted.

There are many guidelines to help you be more alert and aware of the situation to prevent such serious crimes.

### **Know Your Surroundings**

- Be alert.
- Call for help report any suspicious people and/or activity, immediately.
- Report all suspicious incidents and persons to the OTC Police immediately.
- Never take personal safety for granted.
- Try to avoid walking at night alone.
- Limit your alcohol consumption and leave social functions that get too loud, too crowded, or that have too many people drinking in excess.
- Carry only small amounts of cash.
- Never leave valuables unattended.
- Carry your keys with you at all times and do not lend them to anyone.
- Lock car doors and never leave valuables in view.

## **DEFINING RAPE AND SEXUAL ASSAULT**

### **Rape O.C.G.A. § 16-6-1**

(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.

### **Statutory Rape O.C.G.A. 16-6-3**

(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.

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

#### **Sodomy O.C.G.A. 16-6-2**

(a) (1) A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another.

(2) A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy.

#### **Sexual Battery O.C.G.A. 16-6-22.1**

(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.

#### **Aggravated Sexual Battery O.C.G.A. 16-6-22.2**

(a) For the purposes of this Code section, the term "foreign object" means any article or instrument other than the sexual organ of a person.

(b) A person commits the offense of aggravated sexual battery when he or she intentionally penetrates with a foreign object the sexual organ or anus of another person without the consent of that person.

#### **Incest O.C.G.A. 16-2-22**

(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.

**Forcible Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sex Offense (Non-Forcible)** - Unlawful, non-forcible sexual intercourse.

While these definitions are clear, victims often have difficulty reporting a sexual assault for numerous reasons such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, and fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to get help.

The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible!
- Try to preserve all physical evidence – The victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until she/he has a medical exam. Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department. Advocates from the Women’s Resource Center can be available to the victim to provide support.
- Get medical attention as soon as possible – An exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all female victims at the time of the exam (if the victim presents within 120 hours) to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used “date rape” drugs, however, are only detectable in the urine for 6-8 hours after ingestion.
- Contact the police – Sexual assault is a crime and, it is vital to report it. It is important to remember that reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the District Attorney.
- Consider talking to a counselor – Seeing a counselor may be important in helping the victim understand his/her feelings and begin the process of recovery.

### **OUR COMMITMENT TO ADDRESSING SEXUAL ASSAULT/RAPE**

Ogeechee Technical College does not tolerate sexual misconduct or abuse, such as sexual assault, rape or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct, Ogeechee Technical College procedures and may violate Federal and State Laws. Violations of this policy are subject to disciplinary sanctions through the Student Affairs Office and/or those outlined in applicable College procedures and criminal law. The Student Code of Conduct Policy and disciplinary procedures in sexual assault incidents/sexual misconduct can be found on the following link: <http://ogeecheetech.smartcatalogiq.com>. Ogeechee Technical College in conjunction with the District Attorney’s Office provides the following rights to all sexual assault victims.

**Sex Offender Registration**

Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) provides for the registration and tracking of sex offenders. Institutions of higher education are required to issue a statement advising the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. The law also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

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

**VICTIM BILL OF RIGHTS**

Georgia has important laws concerning your role in the legal system. The purpose of this document is to explain your rights and responsibilities under our legal system. Ogeechee Circuit District Attorney Daphne Totten has established the Ogeechee Judicial Circuit Victim Witness Program which provides victims of crime, as well as their families, information, support, and guidance through the criminal justice system. You may obtain more information concerning different stages of the criminal process by contacting Victim Services in the District Attorney's Office, the custodial authority (where the accused is being held), the investigating law enforcement agency, the State Department of Corrections, the State Board of Pardons and Paroles, and the probation office. If you are threatened by the accused or anyone associated with the accused, contact the nearest law enforcement office and the District Attorney's Office.

**COMPENSATION**

As a victim of a criminal act, you may be eligible for victim compensation administered by the State of Georgia. The maximum amount of compensation is \$10,000. There is a 365-day limit after the occurrence of the crime for making an application. Compensation is limited to medical and funeral expenses, counseling and therapy fees, and occasionally loss of support or lost wages. If you are interested in applying for compensation, contact Victim Services in the District Attorney's Office.

**CONFIDENTIALITY**

Information such as your address or telephone number that you give to the District Attorney's Office is confidential and is not subject to public disclosure. Under the law, prosecutors generally are required to give the defendant's attorney the address and telephone number of any witness the prosecution intends to call during trial. The court can order the defense attorney not to give this information to anyone, including the accused. The defendant's attorney may contact you to ask you about the case. You are not required to speak to the defense attorney. If you so choose, you have the right to have your own attorney present or a representative from the District Attorney's Office.

**DEFENDANT MAY BE RELEASED PENDING TRIAL**

The accused may be released from jail before and during the trial. If this happens, it is your right to state



an opinion concerning the release of the accused. You have the right to file a witness complaint with the District Attorney if any acts or threats of violence or intimidation occur against you or your family by the accused or at the direction of the accused. If you file a written complaint, the District Attorney may ask the court to revoke the release of the accused.

### **DESIGNATION OF SOMEONE TO ACT IN YOUR PLACE**

If you are physically disabled or unable to exercise your rights under the law, you may designate a spouse, adult child, parent, sibling, or grandparent to act in your place for as long as you are disabled. You must make this designation in writing. If you make such a designation, your notification rights will still apply to you and not your representative. If you wish to make such a designation, you may do so on your own, or you may contact the District Attorney's Office for assistance.

### **NOTIFICATION - GENERAL RIGHTS**

These rights do not have to be requested. You will have these rights unless you waive them. You have the right:

- To be notified of the arrest of the accused. This notification will probably be issued by the Investigating Agency.
- To be notified of any proceeding where the release of the accused will be considered. This notification will generally come from the District Attorney's Office.
- To be notified of the release of the accused. This notification will generally come from the District Attorney's Office.

### **NOTIFICATION RULES CONCERNING PAROLE**

If the accused is found guilty and sentenced to a prison term, you have notification rights concerning any possible parole of the accused, including the right to express your opinion to a parole decision being made. To exercise these rights, you must either express an objection to any parole of the accused or make a request for notification. Objections and requests are made to the State Board of Pardons and Paroles. If you have any questions concerning parole or need assistance, contact the State Board of Pardons and Paroles.

### **OPINIONS**

You have the right to express your views on the outcome of the case including plea negotiations, sentence negotiations, and participation in pretrial or post- conviction diversion programs. To do so, contact Victim Services.

### **VICTIM IMPACT STATEMENT**

You have the right to make a Victim Impact Statement describing how the crime has affected you. If the accused is found guilty, the Victim Impact Statement may be used by the District Attorney or the Judge to determine the accused's sentence. This statement may also be used by the Probation Office (if the accused is given probation) and the State Board of Pardons and Paroles (if the accused is sentenced to a prison term). Victim Services can assist you in making a Victim Impact Statement.

## **WAITING AREAS**

During any court proceeding involving the accused, you have the right to wait in an area separate from the accused, family, friends, and witnesses for the accused. If such an area is not available, you may contact the District Attorney's Office for assistance.

## **RESTITUTION**

You may have the right to restitution, that is, the right to the return of anything of value or money to compensate you for injury to yourself or damage to your property. If your property has been damaged, we need a copy of an estimate for repair. If you were injured, we need copies of any medical bills you have received. If you have any questions, please give us a call.

## **SERVICE DIRECTORY**

- To report a crime or personal injury in Bulloch County - 911
- To report or receive additional information about a case you may contact the proper Agency listed below:
  - Ogeechee Judicial Circuit; Bulloch County – (912) 764-9924
  - Ogeechee Technical College Police - (912) 531-2367
  - District Attorney's Victim Services - (912) 764-9924
  - Domestic Violence – 912-764-4605 or toll free 1-800-334-2836
  - Child Abuse (Department of Family and Children Services) - (912) 871-1333
  - Alcohol/Drug/Mental Health-Pineland Mental Health - (912) 764-9868
- For input into sentencing and possible Parole consideration, victims and their families can call
  - Georgia Department of Community Supervision, Statesboro Office - (912) 871-1119
- For an inmate's progress through the Georgia Prison System (including prison location, possible Parole or release date, escape/recapture, or an inmate's death) victims and their families can call Georgia Department of Corrections - 1-800-721-8057
  - Further information can be obtained from the Georgia Department of Community Supervision, Statesboro Office - (912) 871-1119
- Sex Offender Registration – Campus Sex Crimes Prevention Act – (Megan's Law)
- Members of the general public may request community notification flyers for information concerning sexually violent predators in a particular community by contacting the Bulloch County Sheriff's Department at 17257 Hwy 301 North, Statesboro, GA., (912) 764-1771 or visit their website at <http://www.interopweb.com/bullochsexoff/>.
- This information is also available on the Internet at <https://gbi.georgia.gov/georgia-sex-offender-registry>.

## **STUDENT DISCIPLINE 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 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 following due process and justice principles.

## Definitions

1. **Academic Misconduct:** includes, but is not limited to, the definition found in the Student Code of Conduct, Article II, Paragraphs 1-4.
2. **Business Days:** weekdays that the Technical College administrative offices are open.
3. **Hearing Body:** any person or persons authorized by the president of a Technical College to provide a hearing as provided in this procedure.
4. **Member of the Technical College Community:** any person who is a student, faculty member, Technical College official, or any other person/s involved with the Technical College community or employed by the Technical College.
5. **Policy:** the written regulations of the Technical College as found in, but not limited to, the Student Code of Conduct, Student Handbook(s), Residence Hall Handbook(s), Technical College Catalog(s), the Technical College Policy Manual, and the Policy Manual approved by the State Board for the Technical College System of Georgia.
6. **Student:** all persons taking courses at the Technical College full-time, part-time, dual enrollment, joint enrollment, non-credit, and credit. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the Technical College are considered "students."
7. **Student Organization:** any persons who have complied with the formal requirements for Technical College recognition.
8. **Technical College:** any college within the Technical College System of Georgia.
9. **Technical College Official:** any person employed by the Technical College performing assigned administrative responsibilities on a part-time, full-time, or adjunct basis.
10. **Premises:** all land, buildings, facilities, and other property in possession of or owned, used, or controlled by the Technical College (including adjacent streets and sidewalks).

## Procedure

### 1. Filing a Complaint

- a. Any person 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 should complete a Student Code of Conduct Complaint Form, and provide it to the Vice President for Student Affairs or the Technical College President's designee.
- b. Academic Misconduct may be managed using this procedure or a separate Academic Misconduct Procedure at the discretion of the Technical College President.
- c. Investigation and Decision
  - a. 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. If 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.
  - b. 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. Suppose 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, reschedule the meeting more than once, or fails to appear at the meeting. In that case, the Vice President for Student Affairs or the Technical College President's designee will consider the available evidence without student input and decide.

- c. Supposed a Complaint alleges violations of the Student Code of Conduct by more than one Student. In that case, each Student's disciplinary proceeding and any appeals relating to that proceeding shall be conducted individually.
- d. Suppose the Vice President for Student Affairs or the Technical College President's designee determines that the Student has violated the Student Code of Conduct. In that case, they shall impose one or more disciplinary sanctions consistent with those described below. However, suppose 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. In that case, they shall not impose disciplinary sanctions on the Student and the investigation shall be closed.

## **2. Disciplinary Sanctions**

### **a. Violation of the Student Code of Conduct**

- a. Based on the severity of the incident, the Vice President for Student Affairs may take one of two actions, no referral to the Hearing Body or referral to the Hearing Body.
  - a. 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 sanctions without referral to the Hearing Body. The notification shall be sent to the Student and the person(s) who initially filed the complaint.
    - a. Restitution: A student who has committed an offense against property may be required to reimburse the Technical College or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to the actual cost of repair or replacement.
    - b. Reprimand: A written reprimand may be given to any student. Such a reprimand does not restrict the Student in any way. However, it signifies to the Student that there is being given another chance to conduct themselves as a proper member of the Technical College community and that any further violation may result in more serious sanctions.
    - c. Restriction: A restriction upon a student's privileges for a period of time may be imposed. This restriction may include but is not limited to denial of the right to represent the Technical College, denial of use of facilities, alteration or revocation of parking privileges, or restrictions from participating in extracurricular activities.

- d. **Disciplinary Probation:** Continued student enrollment 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 violate these terms while on probation may result in the imposition of more serious disciplinary sanctions, as specified by the terms of probation.
    - e. **Failing or Lowered Grade:** In cases of academic Misconduct, the Vice President for Student Affairs or the Technical College President's designee will make a recommendation to the Vice President for Academic Affairs or their 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.
  - b. 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 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 in section 2.a.i.1 above, following a hearing. A copy of the written recommendation shall be provided to the Student and the person filing the complaint.
    - a. **Disciplinary Suspension:** If a student is suspended, they are separated from the Technical College for a stated period of time. Conditions of reinstatement, if any, must be stated in the notice of suspension.
    - b. **Disciplinary Expulsion:** Removal and exclusion from the Technical College, Technical College controlled facilities, programs, events, and activities. The Vice President for Student Affairs or the Technical College President's designee maintains a record of the reason for the student's dismissal. Students dismissed from the Technical College for any reason may write to the Vice President for Student Affairs for reinstatement twelve 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.
    - c. **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 ten years after the most recent expulsion/suspension.
- b. **Violation of Federal, State, or Local Law**

- a. Suppose 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. In that case, disciplinary action may be taken, and sanctions imposed for misconduct detrimental to the Technical College's vital interests and stated mission and purpose.
- b. Disciplinary proceedings may be instituted against a student charged with a violation of a law that violates 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 conducted prior to, simultaneously with, or following criminal proceedings.
- c. When a student is charged by federal, state, or local authorities with a violation of law, the Technical College will not request or agree to special consideration for that individual because of their status as a student. The Technical College will cooperate fully with law enforcement and other agencies in enforcing criminal law on campus and the conditions imposed by criminal courts for rehabilitating student violators. Individual students, acting in their capacities, remain free to interact with governmental representatives as they deem appropriate.

**c. Interim Disciplinary Suspension**

- a. As a general rule, the status of a student accused of violating the Student Code of Conduct should not be altered until a final determination is made regarding the allegations against them. However, an interim suspension may be imposed upon a finding by the Vice President for Student Affairs or their 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.

**d. Conditions of Disciplinary Suspension and Expulsion**

- a. 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 for Student Affairs or the Technical College President's designee.
- b. In addition, after vacating the Technical College premises, a suspended or expelled Student may not enter upon the Technical College Premises at any time, for any purpose, in the absence of written permission from the Vice President for Student Affairs or the Technical College President's designee. A suspended or expelled student must contact the 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.
- c. If the student seeks to submit a signed Disciplinary Sanction Appeal Form, the Vice President for Student Affairs or the technical college President's designee must accept the form by mail, fax if he/she refuses the student's request to enter the technical college premises for that specified purpose.

d. 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.

### **3. Mediation**

- a. 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. However, mediation may never be used in cases of alleged sexual misconduct.

### **4. Hearing/Appeals Procedure**

- a. 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.
- b. Suppose the Vice President for Student Affairs or the Technical College President's designee recommended a sanction of disciplinary suspension, disciplinary expulsion, interim disciplinary suspension, or system-wide expulsion. In that case, 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 notified of the hearing.
- c. The Student will then have the right to appear in a hearing before a Hearing Body assigned by the Technical College President or their designee within ten 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 they choose, at their own expense. The Student is responsible for presenting their case; therefore, advisors are not permitted to speak or participate directly in any hearing before a Hearing Body. The Hearing Body may consist of a single person or group from the Technical College community. There shall be a single official record of all hearings before the Hearing Body, such as a tape recording. The official record shall be the property of the Technical College. The standard of proof in all hearings shall be a preponderance of the evidence. The chairperson of the Hearing Body shall notify the Technical College president and the Vice President for Student Affairs in writing of the Hearing Body's decision. The Technical College President or their designee will notify the Student in writing of the Hearing Body's decision.
- d. Suppose the Student appeared before the Hearing Body to appeal to the Vice President for Student Affairs or the Technical College President's designee's sanction of restitution, reprimand, restriction, disciplinary probation, or failing or lowered grade. In that case, 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.
- e. Suppose the student appeared before the Hearing Body after the Vice President for Student Affairs or the Technical College President's designee recommended disciplinary suspension, disciplinary expulsion, interim disciplinary suspension, or system-wide

expulsion, the Student should be able to appeal directly to the Technical College president.

- f. 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. In addition, the person who filed the original complaint shall be notified of the Student's appeal.
- g. The President of the Technical College or his/her designee's review shall be in writing and 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 their designee shall deliver the decision to the Student and the person who filed the original complaint within ten business days. The decision of the Technical College President or their designee shall be final and binding.

### **Record Retention**

The Vice President for Student Affairs or the Technical College President's designee shall retain a copy of all documents concerning complaints, investigations, administrative actions, and communications concerning any incident that resulted in a disciplinary investigation of any kind against a student; records of any disciplinary appeals filed by the affected Student, as well as the resulting record of appeal and decision submitted by the Hearing Body and the Technical College President or their designee; and records of the final decision. All records specified in this section shall be retained for five years.

### **EMPLOYEE DISCIPLINE PROCEDURE**

The objective of the Positive Discipline program (chart in Appendix A) is to ensure all employees build genuine commitment to the organization and its values among all employees. The fundamental purpose of Positive Discipline is not to punish misbehavior and enforce compliance but rather build individual responsibility and re-inspire commitment. The primary objective of Positive Discipline is to gain the employee's agreement to change behavior, close the gap, and return to fully acceptable performance. When performance deficiencies are confronted and corrected, Ogeechee Technical College is better able to achieve its organizational objectives. There are two types of positive discipline:

#### **1. Informal Discussions**

- a. **Positive Contact-** A Positive Contact is a discussion between a manager and an employee for the purpose of recognizing and acknowledging good performance. The discussion may or may not be formally documented in a memo to the employee.
- b. **Informal Coaching-** Informal Coaching refers to the casual, brief, unrecorded, impromptu, day-in / day-out conversations between managers and employees to solve problems or improve performance on the spot. They are not formally documented; the only written record may be just a note in a supervisor's calendar or performance diary.
- c. **Performance Improvement Discussion-** A Performance Improvement Discussion is a serious, planned-for discussion between a manager and an employee about the need to improve performance. It is not a formal step of disciplinary action. It is documented using the Performance Discussion Worksheet. The worksheet will be retained by the supervisor and will not be placed in or become part of the individual's formal personnel



file unless problems continue. The supervisor may also confirm the discussion in a memo to the individual.

## 2. Formal Discussions

- a. Reminder 1- The Reminder 1 is the first step of the TCSG formal discipline procedure. It consists of a conversation between a supervisor and an employee about a problem that must be solved. The transaction is documented by the supervisor's completing the Discussion Worksheet, which is retained by the supervisor in the productivity file. It is active for 6 months.
- b. Reminder 2- The Reminder 2 is the second step of the TCSG formal discipline system. It consists of a discussion about a problem followed by the supervisor's writing a memo to the employee formally documenting the discussion and the need for immediate correction. It is active for 9 months.
- c. Decision Making Leave- The Decision Making Leave is the final step of the TCSG discipline system. It consists of a discussion with an employee about a problem followed by the employee's suspension from work on the following day. On the day of suspension the individual must decide either to solve the immediate problem and make a total commitment to acceptable performance, or decide to resign. To indicate TCSG's hope that the employee will decide to change and stay, the employee will be paid for the Decision Making Leave day. It is active for 12 months.

## MISSING STUDENT NOTIFICATION POLICY

The Clery Act requires institutions that maintain on campus housing facilities to establish a missing student notification policy and related procedures (20 USC 1092 (j) Section 488 of the Higher Education Opportunity Act of 2008).

**Ogeechee Technical College does not have residential student housing.**

### PROVISIONS

In accordance with general institutional emergency notification procedures, when an Ogeechee Technical College student is thought to be missing from the campus, staff in the Ogeechee Technical College administration should be immediately notified. Specifically, Vice President for Academic Affairs, Vice President for Student Affairs, Ogeechee Technical College Police Department, and the Vice President for Operations, should be contacted so that they can coordinate efforts to locate the student. The Vice President for Student Affairs has the authority and the responsibility for coordinating the efforts made by Ogeechee Technical College to assist the student and the student's family.

The appropriate Student Affairs representative, or other individual learning that a student is missing, will file a formal missing student report with the Ogeechee Technical College Police or to the local law enforcement agency that has jurisdiction in the geographical areas around the specific campus location.

If campus law enforcement personnel have been notified that a student has gone missing, and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours, Ogeechee Technical College staff will initiate emergency contact procedures as outlined in Ogeechee Technical College's policy and protocol.

### **DAILY CRIME LOG**

Ogeechee Technical College Police maintains a Daily Crime Log of all crime incidents reported to the Department. The Ogeechee Technical College Police publishes the Daily Crime Log Monday – Thursday, when the College is open for normal operations. The log is available to members of public upon a request made to the Chief of Police during normal business hours at the OTC Police Department Office. This log identifies the type, location, and date/time of each criminal incident reported to the Ogeechee Technical College Police.

The most current of information is available at the Ogeechee Technical College Police Department located at 1 Joe Kennedy Blvd., Joseph E. Kennedy Building, Room 177, Statesboro, Georgia 30458.

## **OGEECHEE TECHNICAL COLLEGE PROCEDURES GOVERNING ALCOHOL AND OTHER DRUGS**

Federal law requires Ogeechee Technical College to notify annually all faculty, staff, and students of the following:

Ogeechee Technical College prohibits the unlawful possession, use, manufacture or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds or property controlled by the College or used as part of College activities. For students, this includes prohibiting the possession and consumption of any beverage containing alcohol on campus. In addition, the smoking of any material is prohibited on the campus of Ogeechee Technical College at all locations.

### **ALCOHOL POLICY**

Ogeechee Technical College fully complies with the alcohol laws for the State of Georgia. All state laws apply to OTC students, faculty, staff and visitors while on the campus of OTC. Ogeechee Technical College prohibits the possession and use of alcoholic beverages in areas open to the public including areas of buildings open to the public. However, the use of alcoholic beverages, subject to the laws of the State of Georgia may be permitted at Ogeechee Technical College sponsored activities in areas designated and with prior approval. These laws are:

- Possession or consumption of alcoholic beverages by persons under the age of 21;
- Driving under the influence of alcohol;
- Possession or consumption of alcoholic beverages in public locations on campus, including common spaces; Common spaces refer to any public space that exists outside of a college building

and public spaces located on the outside grounds on campus;

- The use and carrying of a false identification, e.g., state driver's license, state ID card
- Possessing an open container of alcohol in a motor vehicle;
- The sale, distribution, or furnishing of alcoholic beverages to persons under the age of 21;
- The use of alcohol in an irresponsible manner (games, contests, forced or ritualized consumption of alcohol, behaviors requiring the response of a College Official or law enforcement officer, etc.);
- Providing alcoholic beverages to a person who is intoxicated;
- Any activity or conduct involving the use of alcohol that is in violation of law, e.g., Public Drunkenness;
- Alcohol is not for sale on Ogeechee Technical College property;
- Any abuse of alcohol or drugs is subject to enforcement by OTC Police through Federal and State laws pertaining to such violations.

## **CONTROLLED SUBSTANCES**

Ogeechee Technical College fully complies with the State of Georgia Controlled Substances Act and all other local, state and federal laws governing controlled substances. The College strictly prohibits the illegal use or possession of any controlled substance:

- The Possession, Use, Manufacture, Cultivation, Distribution, Sale, and/or misuse of any controlled or illegal substance, designer drug, or synthetic cannabinoid (i.e. Spice or K2);
- The Possession and/or Use of any drug paraphernalia, *i.e. bowls, hookah pipes, Bongs, "homemade" smoking devices, any other smoking device or smoking paraphernalia*;
- Any Activity or Conduct involving drugs that is in violation of local, state, or federal law.

The illegal use of controlled substances is not compatible with the goals of an academic community. For information regarding drug risks and consequences, please contact one of the following:

Employees wishing information on drug or alcohol abuse education programs may contact Human Resources (912) 871-1801.

Students wishing the same information may contact the Office of Student Affairs (912) 688-6061, for more comprehensive details, please refer to the College's policy on controlled substances at <http://ogeecheetech.smartcatalogiq.com/>.

## **DRUG AND ALCOHOL PREVENTION PLAN**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, Ogeechee Technical College provides the following information to promote a campus environment free of illicit drug use and alcohol abuse, and to prevent the abuse of alcohol and drugs by students and employees.

Ogeechee Tech has partnered with Get Inclusive, whose mission is to help students address critical life skills such as alcohol abuse prevention and sexual assault prevention in high schools and higher education institutions across the country. Each year over a half million students complete these courses.

As part of the comprehensive prevention efforts for new students, Ogeechee Tech expects students to complete Alcohol & Other Drugs and Consent & Sexual Violence, during their first semester of enrollment. These online courses are thoughtful and educational programs for adults committed to thinking about their life choices. New students are provided course completion information at the beginning of each semester through the Online New Student Orientation. The Online New Student Orientation is mandatory for new students to complete before they can register for classes. More information about alcohol abuse prevention can be found at [getinclusive.com](http://getinclusive.com).

Ogeechee Tech believes that illegal drugs and abuse of alcohol have no place in the college environment. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance or alcohol is strictly prohibited in all facilities of the college, in all places where employees/students work/attend, including all state-owned vehicles, and as any part of the college's activities. As a condition of employment/enrollment, all employees/students shall abide by this prohibition and notify the college of any criminal drug or alcohol use. Violation of such prohibition shall result in action against the employee/student, which shall include action up to and including termination/expulsion, and/or satisfactory participation in an approved drug or alcohol abuse assistance or rehabilitation program. Participation in such a program shall not be paid for by the college, but may be covered by an employee's/student's health insurance policy.

No student may engage in the unlawful manufacture, possession, use, or distribution of illicit drugs and alcohol on the Ogeechee Technical College's property or as part of any of its sponsored activities.

Such unlawful activity may be considered sufficient grounds for serious punitive action, including expulsion. Disciplinary sanctions for students convicted of a felony offense involving alcohol or the manufacture, distribution, sale, possession or use of marijuana, controlled substances or other illegal or dangerous drugs shall be immediate suspension and denial of further state and/or federal funds from the date of conviction. Specifically, in the case of a drug-related offense the student shall minimally be suspended for the remainder of the semester and forfeit all academic credit for that period.

### **Drug and Alcohol Abuse Education Programs**

A variety of counseling services and treatment centers are available throughout the state for anyone experiencing problems related to substance abuse. Although most counseling and treatment centers charge for their services, some programs are free of charge. Faculty, staff, and students should avail themselves of sources to identify the services or programs which most closely meet their specific needs. The following agencies can be contacted for assistance with drug/alcohol abuse related issues:

- National and Statewide Programs
  - Alcoholics Anonymous [www.aa.org](http://www.aa.org)
  - Narcotics Anonymous /[www.na.org](http://www.na.org) 818-773-9999 x771
  - Al-Anon for Families of Alcoholics [www.al-anon.alateen.org/](http://www.al-anon.alateen.org/) 888-425-2666
  - Alcohol Treatment Referral Hotline 800-662-4357
  - Center for Substance Abuse Treatment 240-276-1660

- Cocaine Anonymous 310-559-5833, [ca.org](http://ca.org)
- Georgia Drug Abuse Treatment Programs 877-779-8108, [drugabuse.com/usa/drug-abuse/georgia/](http://drugabuse.com/usa/drug-abuse/georgia/)
- National Drug Helpline 888-633-3239
- Georgia Crisis Access Line 800-338-6745
- NARCANON of Georgia 844-332-6432
- Addiction Center <https://addictioncenter.com/college/> 855-706-9275

#### Local Organizations

- Bulloch Recovery Resources, 18 Simmons Center Statesboro, GA 30458, Main Tel: 912-489-8401
- Pineland BHDD, Women's Intensive Outpatient Services, 209 South College Street Statesboro, GA 30458, Main Tel: 912-764-1817
- Reliance Treatment Center Statesboro, 201 Donehoo Street Statesboro, GA 30458, Main Tel: 912-489-7827, Intake Tel 1: 912-489-7827
- Pineland Area MH/MR/SA CSB Johns Place, West Altman Street Statesboro, GA 30458, Main Tel: 912-764-6129, Intake Tel 1: 912-764-6129
- Ogeechee Behavioral Health Services, 302 East Ogeechee Street Sylvania, GA 30467, Main Tel: 912-564-7825, Intake Tel 1: 912-564-7825
- Pineland Area MH/MR/SA CSB, Tattnall Counseling Center, 150 Memorial Drive Reidsville, GA 30453, Main Tel: 912-557-6794, Intake Tel 1: 912-557-6794, Intake Tel 2: 800-746-3526
- Willingway & Willingway Women's Residence, 311 Jones Mill Road Statesboro, GA 30458, Main Tel: 844-242-9455, Intake Tel: 844-259-4911

## ANNUAL DISCLOSURE OF CRIME STATISTICS

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The Ogeechee Technical College Police Department maintains a close relationship with all police departments where Ogeechee Technical College owns or controls property to ensure that crimes reported directly to these police departments that involve the College are brought to the attention of the Ogeechee Technical College Police.

The Ogeechee Technical College Police Department collects the crime statistics disclosed in the Clery Charts through a number of methods. Police officers enter all reports of crime incidents made directly to the department. After an officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The Department periodically

examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that the OTC Police Department maintains, the statistics below also include crimes that are reported to various campus security authorities, as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represent the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

## **DEFINITIONS OF REPORTABLE CRIMES**

### **Primary Crimes:**

- **Murder** - 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.
- **Manslaughter by Negligence** – defined as the willful killing of one human being by another.
- **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** — Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** — Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Robbery** – is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault** – is defined as 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.
- **Burglary** – is the unlawful entry of a structure to commit a felony or a theft.

- Motor Vehicle Theft – is 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 – includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of prejudice listed below, plus the following crimes. 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.
- 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.
- Simple Assault – an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- Intimidation – to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism of Property (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.

#### **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
- 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/national origin – 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. A preformed negative opinion or attitude toward a group of people based on their actual perceived country of birth.

- Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, 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, e.g., bias against transgender or gender nonconforming individuals.

## **OTHER CLERY ACT REPORTABLE OFFENSES**

**Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Drug Law Violations** - The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics-manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Weapon Law Violations** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapon offenses that are regulatory in nature.

## **DATING VIOLENCE, DOMESTIC VIOLENCE, and STALKING**

- Dating Violence - In Georgia, the term Dating Violence is not defined however “Family Violence” as defined under OCGA § 19-13-1 to include some dating situations – i.e. persons who are parents of the same child, other persons living or formerly living in the same household. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.



- Domestic Violence - In Georgia, the term Domestic Violence is not defined but Family Violence is defined under OCGA § 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, simply battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass”. A felony or misdemeanor crime of violence committed:
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or,
  - 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.

#### Family Violence – 19-13-1

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:

Any felony; or

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.

Stalking - In Georgia, Stalking is defined under OCGA § 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 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." 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.

#### Aggravated Stalking – O.C.G.A. 16-5-91

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, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, good behavior bond, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole in effect prohibiting the behavior described in this subsection, 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.

## **VIOLENCE AGAINST WOMEN ACT "GOOD FAITH" POLICY STATEMENT**

### **INTRODUCTION**

Ogeechee Technical College is committed to providing a safe learning and working environment, and in compliance with federal law has adopted procedures to prevent and respond to incidents of sexual violence including sexual assault, domestic violence, dating violence and stalking. These guidelines apply

to all students, faculty, staff, contractors and visitors.

## **REPORTING AN INCIDENT**

If a student, employee or visitor has been the victim of an incident of sexual violence they should immediately report it to the Ogeechee Technical College Police at (912) 531-2367 or 1 Joe E. Kennedy Blvd., Room 177. In the case of an emergency or ongoing threat, if possible, get to a safe location and please report the incident by calling 911.

**Students** may also report to

- Vice President Student Affairs (student Title IX coordinator), Christy Rikard [crikard@ogeecheetech.edu](mailto:crikard@ogeecheetech.edu), 912-486-7607, located in Joseph E. Kennedy Building
- Or any other employee or faculty of Ogeechee Technical College.

**Employees** may also report to Human Resources at (912) 681-1801 located in the Kennedy Annex Building of the Ogeechee Technical College.

Ogeechee Technical College officials will assist any victim in notifying law enforcement, including local police, if they elect to do so.

Victims are also entitled not to report to law enforcement.

Any student or employee who reports an incident of sexual violence, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options.

A sexual assault is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent, as well as incest or statutory rape.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim. Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

## **PROCEDURES VICTIMS SHOULD FOLLOW**

If you are a victim of sexual violence, call the OTC Campus Police, at (912) 531-2367 or call 911. Victims do not have to press charges. By having a rape kit completed to collect evidence at the time of the assault, victims can press charges at a later date. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours so that evidence may be preserved which may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police.

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The College will assist any victim with notifying local police if they so desire.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Christy Rikard at [crikard@ogeecheetech.edu](mailto:crikard@ogeecheetech.edu) , or phone at (912) 486-7607 and to Ogeechee Technical College Police Department (if the victim so desires). The 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. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protective orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she, nevertheless, should consider speaking with Ogeechee Technical College Police Department or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

Once an individual makes a complaint or receives notice that a complaint has been made against him or her, that individual should receive information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and legal assistance, as is available at the institution.

If a report of domestic violence, sexual violence, dating violence, sexual assault, sexual exploitation, or stalking is reported to the College, below are the procedures that the College will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

A. Administration and Implementation

1. Each college president shall designate one or more officials to serve as the Title IX Coordinator and post contact information for the coordinator and the TCSG's Statement of Equal Opportunity in electronic or written college publications and educational materials as described in the TCSG Usage for Statement of Equal Opportunity (e.g.

bulletin boards, the college website, catalogs, student and employee handbooks, orientation materials, and flyers). In addition, the college president will ensure that the designated officials have received appropriate training.

2. Instructors/administrators must take ongoing proactive steps to ensure educational opportunities (including classrooms, clinics, labs, programs, etc.) and student activities (clubs, sports, etc.) are accessible and free from sex discrimination or harassment.
3. The Compliance Officer will coordinate training programs and monitor the colleges to ensure the correct administration and implementation of this procedure and will ensure that proactive or corrective measures have been taken to prevent sex discrimination and sexual misconduct. In addition, the training materials will be posted on the College's website or made available for members of the public to inspect.
4. Colleges are required to provide sexual harassment and sexual violence prevention training to students and employees and programs for ongoing awareness training as required by the Violence Against Women Reauthorization Act (VAWA) and the Clery Act. As of the effective date of this procedure, colleges have been provided training modules for this purpose and are required to incorporate the training in new student and employee orientation activities.
5. Each Technical College shall publish a list of local sources for counseling, support and advocacy in conjunction with publishing this procedure. Individuals who report sexual violence, sexual assault, stalking, or dating/domestic violence will be provided with and/or referred to the list of resources.

#### B. Reporting and Management Action

1. All students are encouraged to report sex discrimination and sexual misconduct incidents against themselves or others to the Title IX Coordinator at the Technical College. The Title IX regulations define "sexual harassment" to include three types of misconduct based on sex which jeopardize the equal access to education that Title IX is designed to protect. These types of misconduct include any instance of quid pro quo harassment by a TCSG and/or College employee; any conduct based on sex that, in the view of a reasonable person, is so severe and pervasive and objectively offensive that it effectively denies a person equal access to a TCSG and/or College education program or activity; and any instance of sexual assault, dating violence, domestic violence, or stalking (collectively "Title IX Prohibited Conduct," as defined in this Procedure). Students may find the Title IX Coordinator's contact information on the Technical College website, the student handbook, and the college catalog. Complaints may also be emailed to [unlawfulharassment@tcsq.edu](mailto:unlawfulharassment@tcsq.edu).
2. To utilize this procedure, a Complainant may file a Formal Complaint, defined herein as a document filed and signed by a Complainant or filed and signed by the Title IX Coordinator alleging Title IX Prohibited Conduct against a Respondent and requesting that TCSG investigate the allegations. A Complainant who makes an oral request for investigation shall be treated as a Formal Complaint.
3. Any allegation of sex discrimination, sexual misconduct, or retaliation against employees must be reported to the Human Resources Director and the Title IX Coordinator.

4. All allegations of sex discrimination and sexual misconduct on one of TCSG's college campuses or clinical locations must be reported to the Title IX Coordinator regardless of whether the allegations involve students or employees. All students, faculty, staff, and others participating in TCSG and/or College programs and activities in the United States are subject to this Title IX Procedure. If the allegations do not fall within the jurisdiction under this procedure, they may be referred and processed under the student code of conduct procedure.
5. Students have the right to file (or not to file) a criminal complaint for sexual violence with the local law enforcement authorities before, during, or after filing a complaint with the College. The Investigation under this procedure shall not be unreasonably delayed to await the outcome of any criminal investigation. Sexual violence reports made to the Title IX Coordinator will be investigated and adjudicated separately from any criminal complaints. A student may request that the Title IX Coordinator and/or the Investigator assist the student with notifying local law enforcement authorities. For example, suppose a Technical College's campus law enforcement receives a complaint alleging sexual harassment and/or sexual misconduct as defined in this procedure. In that case, the Title IX Coordinator for the College shall be immediately notified so that they may take appropriate action regarding the complaint.
6. Suppose a student filing a complaint alleging sexual misconduct requests confidentiality, anonymity, or asks that the complaint not be pursued. In that case, the College must inform the Complainant that its ability to respond may be limited, that retaliation for filing a complaint is prohibited, and that steps to prevent harassment and retaliation will be taken. Consistent with the request, all reasonable steps to investigate and respond to the complaint should be made, and other steps to limit the effects or recurrence of the alleged misconduct will be taken.
  - a. Regardless of a student's request for confidentiality, anonymity of a complaint, or a request that a complaint not be pursued, if the complaint includes allegations of sexual assault, sexual violence, domestic violence, dating violence, or stalking, the Title IX Coordinator must report the incident to campus law enforcement for inclusion in the college's Annual Security Report ("ASR"). The Complainant should be informed that their name will not be disclosed to campus law enforcement if they have requested confidentiality during the processing of the complaint.
7. Colleges may weigh a request for confidentiality, anonymity, or a request they not pursue a complaint considering the following factors: the seriousness of the alleged conduct, the Complainant's age, and the Respondent's right to receive information about the allegations if the information is maintained as an "education record" under FERPA. The College must inform the Complainant if the request cannot be granted and the reasons for the denial.
8. Reports concerning all prohibited conduct referenced in this procedure will be processed confidentially to the extent permitted by law; communications regarding complaints will be disseminated to others on a need-to-know basis to ensure that necessary steps are taken to protect the community as a whole, and that appropriate corrective actions are considered and taken.
9. Suppose an allegation of sex discrimination or sexual misconduct is made to an employee not designated to receive such reports. In that case, the employee receiving

the complaint must report the allegation to the Title IX Coordinator. The College must take corrective actions to stop harassment to its notice, prevent recurrence of the harassment, and remedy the effects on the Complainant promptly and effectively. The College will be deemed to have notice if a responsible employee knew, or in the exercise of reasonable care should have known, about the harassment. A responsible employee includes any employee who has the authority to take action to redress the harassment, who must report the harassment to the Title IX Coordinator, or who a student could reasonably believe has this authority or responsibility, including instructors and staff at the college.

10. Any sexual conduct involving individuals under the age of 18 must also be reported as an allegation of child abuse as outlined in O.C.G.A. § 19-7-5.
11. Supportive measures must be offered to the complainant by the college president or the Title IX Coordinator or their designee before the final outcome of an investigation and until final Resolution of the allegations if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the Complainant, the Respondent, or other members of the College, or to ensure equal access to the College's programs and activities. Supportive measures may include adjustments to academic workload (including extending deadlines); adjustment to class or work schedules; no contact orders; and suspensions, transfers or reassignments in order to prevent further harassment, discrimination, sexual violence or retaliation, to facilitate the investigation, or to implement preventive or corrective actions under this procedure; informal resolutions or discretionary dismissals.
12. Discretionary Dismissal.
  - a. TCSG and/or the College may dismiss the Formal Complaint if:
    - a. The Respondent is no longer enrolled or employed by TCSG and/or the College.
    - b. Specific circumstances prevent TCSG and/or the College from gathering sufficient evidence to reach a determination.
    - c. The Complainant informs the Title IX Coordinator in writing that the Complainant desires to withdraw the Formal Complaint or allegations.
  - b. A Complainant may notify the Title IX Coordinator at any time that the Complainant does not wish to proceed with the Investigation and/or Hearing process. If such a request is received, the Title IX Coordinator will inform the Complainant that the TCSG and/or the College's ability to respond to the allegation may be limited if the allegations are withdrawn.
  - c. The Title IX Coordinator will consider the relevant factors in determining whether to terminate the Investigation and/or Hearing process. If the Title IX Coordinator determines that the Investigation will continue, the Title IX Coordinator will notify the Complainant of that determination. The Title IX Coordinator will include in that notification a statement that the Complainant is not required to participate in the Investigation and/or Hearing process but that the process will continue. In the event that the Title IX Coordinator determines that the Investigation will be terminated, both Parties will be notified.

### C. Investigations

1. All complaints of prohibited conduct under this procedure will be reported immediately to the Investigator who will be responsible for conducting the Investigation in a fair, prompt, and impartial manner.
2. The Investigator shall disclose to the TCSG Compliance Officer any relationship with the parties that could call into question their ability to be objective prior to taking any action with respect to the Investigation. The TCSG Compliance Officer will reassign alternate individuals if necessary.
3. The Investigator shall send written notice to both parties of the allegations upon receipt of a formal complaint.
4. Either the complaining Party or the Respondent may challenge the Investigator or designee to recommend corrective action on the grounds of personal bias by submitting a written statement to the TCSG Compliance Officer setting forth the basis for the challenge no later than three business days after the party reasonably should have known of the alleged bias. The TCSG Compliance Officer will determine whether to sustain or deny the challenge.
5. The Investigation should be completed within forty-five business days of the receipt of the Complaint by the Investigator. The Investigator will notify the parties and the Title IX Coordinator in writing (typically by email) if extraordinary circumstances exist requiring additional time.
6. The parties will be notified within five business days of receipt of the Complaint by the Investigator if the Complaint does not specify facts sufficient to allege sex discrimination, harassment, sexual violence, or retaliation, or if the allegations of sexual misconduct did not occur in the College's education program or activity against the complaining Party while he or she was located in the United States, and that a formal investigation will not be conducted according to this procedure. However, a referral and investigation may be made by the Title IX Coordinator as to some or all of the matter for consideration under other applicable TCSG policy or procedure, if any. The complaining Party may appeal the decision in writing to the President within five business days of receiving the notice. The President's decision will be final.
7. Individuals designated to investigate or recommend corrective actions in response to allegations of sexual misconduct will be trained annually to conduct investigations that protect the Complainant's safety and promote fairness of the process and accountability.
8. Investigations will be conducted by gathering relevant information and interviewing appropriate witnesses.
  - a. All parties must preserve any documents or other evidence which may pertain to the Investigation.
  - b. Any medically related evidence is best preserved by trained medical personnel.



- c. Students are encouraged to seek medical services both for treatment and preservation of any medical evidence.
9. The complaining Party and the Respondent (the parties) will be given equal opportunity to identify witnesses and offer evidence in person or in writing. Best efforts will be made to interview all witnesses identified by the parties. If a witness identified by either Party is not interviewed during the Investigation, an explanation for not interviewing the witness should be documented in the investigatory Report. Both parties will be given timely notice of meetings at which one or the other or both parties may be present. Both the complaining Party and the Respondent may be accompanied by an advisor of their choice during any meetings involved in the investigatory process in which the advisee is also eligible to be present. However, the Advisor may not speak on behalf of the Party.
10. Any evidence collected during the Investigation should be maintained under the record retention requirements below. Personally identifiable information, including, but not limited to home address, telephone number, student ID or social security number should not be maintained in investigative records.
11. A report of Investigation will be provided to the College's Title IX Coordinator within five business days of completion of the Investigation. The Title IX Coordinator will provide both parties simultaneously with a copy of the Report and any supporting evidence. The parties shall be given ten calendar days from receipt of the Report to respond to the Report and the supporting evidence, which the Investigator must consider before finalizing the Report. Any information prohibited from disclosure by law or policy will be redacted from any documents before distribution. Concerning complaints of sexual misconduct, disclosures made to comply with the Violence Against Women Reauthorization Act (VAWA) do not constitute a violation of FERPA.
12. Suppose the Investigator determines that all or some of the allegations made in the Complaint are substantiated and that the conduct at issue constitutes a violation of this or other applicable procedure. In that case, the Title IX Coordinator shall forward the Report to the appropriate officials at the College for further action under the provisions below and the College's Student Code of Conduct and Disciplinary Procedure or the Positive Discipline Procedure for employees.

#### D. Formal Review

1. Review Process:
  - a. The Decision-Maker in addition to reviewing the Report of the Investigator and responses from either Party, may at his discretion choose to interview either Party with the Advisor present or gather additional information as needed.
  - b. At the request of either Party, TCSG will provide for the Hearing to occur with the Parties located in separate rooms with technology enabling the Decision-

Maker(s) and Parties to simultaneously see and hear the Party or the Witness answering questions.

2. Role of Advisor:

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

3. Role of the Decision-Maker:

a. The Decision-Maker will:

- a. be a professional appointed by the TCSG Commissioner who is experienced and trained in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this Title IX Procedure;
- b. be identified to the Parties before the Formal Review commences.

b. Conflict of Interest:

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

4. Decision Process:

a. Written Determination Regarding Responsibility:

- a. The Decision-Maker shall issue a Written Determination Regarding Responsibility within thirty business days of receipt of the Report and responses submitted by either Party, applying the Preponderance of the Evidence standard (as required by Georgia law) which shall include:
  - a. identification of the allegations potentially constituting Title IX Prohibited Conduct;
  - b. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and

- Witnesses, site visits, methods used to gather other evidence, and Hearings held;
  - c. findings of fact;
  - d. conclusions about whether the alleged Title IX Prohibited Conduct occurred, applying the definitions outlined in this Title IX Procedure to the facts;
  - e. the rationale for the result as to each allegation;
  - f. any disciplinary Sanctions imposed on the Respondent;
  - g. whether Remedies or Supportive Measures will be provided to the Complainant; and
  - h. information about how to file an appeal.
- b. Sanctions:
  - a. The Decision-Maker may ask the Parties to submit Sanctions statements.
  - b. The Decision-Maker may consult TCSG and/or College personnel, including the Human Resources Director or Vice President for Student Affairs, regarding any Sanctions and Remedies appropriate to the specific Respondent and Complainant under the circumstances of the case.
  - c. The Sanction determination will be provided to the Title IX Coordinator, who will be responsible for implementing the Supportive Measures and/or Remedies, including the continuation of any Supportive Measures and/or any additional or ongoing accommodations for both Parties.
- c. The Title IX Coordinator will cause the Written Determination Regarding Responsibility to be sent to the Parties.
- d. The Title IX Coordinator will provide copies of the Written Determination Regarding Responsibility and Sanctions and/or Remedies (if any) to maintain records as follows:
  - a. For students, to the Office of Student Affairs
  - b. For staff, to Human Resources
  - c. For faculty, to the Office of Academic Affairs
- e. The Decision-Maker must explain decisions on responsibility and Sanctions (if applicable) and Remedies with enough specificity for the Parties to be able to file meaningful appeals.
- f. Whether Remedies and Sanctions go into immediate effect or are temporarily delayed pending appeal, or some combination thereof will be determined on a case-by-case basis by the Title IX Coordinator.
- g. The Written Determination Regarding Responsibility becomes final:
  - a. If an appeal is not filed, the date on which an appeal would no

- longer be considered timely; or
- b. if an appeal is filed, on the date that TCSG and/or the College provides the Parties with the written determination of the result of the appeal.

#### E. Corrective Actions

1. Colleges will take all reasonable steps to prevent unlawful retaliation against Complainants and any other individuals participating in investigations under this procedure.
2. If prohibited conduct is determined to have occurred following the Investigation, steps shall be taken to prevent a recurrence and to correct the discriminatory effects on the complaining Party and others as appropriate.
  - a. Steps may include, but are not limited to mandating training or evaluation, disciplinary sanctions, policy implementation, issuing no-contact orders, or reassigning students or employees.
  - b. Disciplinary sanctions for students are defined in TCSG Procedure governing Student Discipline and may include: reprimand, restriction, disciplinary probation, disciplinary suspension, and disciplinary expulsion.
  - c. Disciplinary sanctions for employees are defined in TCSG's Positive Discipline Procedure and may include: formal reminders, decision-making leave, or dismissal.
3. The severity of sanctions or corrective actions may depend on the severity, frequency and/or nature of the offense, history of past discriminatory, harassing, or retaliatory conduct, the Respondent's willingness to accept responsibility, previous college response to similar conduct, and the College's interests in performing its education mission.
  - a. Should recommended disciplinary sanctions involve academic suspension or expulsion, the matter must be referred to the Vice President for Student Affairs, as provided by the college's Student Code of Conduct and Disciplinary Procedure.
4. Even in the absence of sufficient evidence to substantiate a finding that sex discrimination, sexual misconduct, or retaliation has occurred, colleges are expected to address any inappropriate conduct and take all reasonable steps to prevent any future sex discrimination, harassment, sexual violence, or retaliation.
5. Under this procedure, individuals who are responsible for conducting investigations may not also serve as reviewing officials or Decision-Makers in the appeal of sanctions arising from an Investigation.

#### F. Appeals

1. Appeal of a Written Determination Regarding Responsibility

a. Submission of Appeal

- a. Both Parties have the right to an appeal from a Written Determination Regarding Responsibility on the basis set forth below.
- b. A Complainant or Respondent may submit an appeal in writing to the Title IX Coordinator, who will forward the appeal to a designated Appeal Officer to decide the appeal.
- c. The Appeal Officer will be the Commissioner of TCSG or their designee.
- d. Each Party may submit a written appeal of up to 6,000 words, which will be shared with the other Party.
- e. The Parties must submit the appeal to the Commissioner within ten calendar days from the receipt of the Written Determination Regarding Responsibility (if any).

b. Grounds for appeal are limited to the following:

- a. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the appealing Party?
- b. Was there any substantive new evidence that was not available at the time of the decision and that could not have been available based on reasonable and diligent inquiry that would substantially affect the outcome?
- c. Did the Title IX Coordinator, Investigator(s), or Decision-Maker have a conflict of interest or bias for or against Complainants or Respondents that affected the outcome of the matter?
- d. For matters that proceeded to Sanctioning and imposition of Remedies, are the Sanction and/or Remedies ones that could have been issued by reasonable persons given the findings of the case?

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

c. Receipt of Appeal

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

d. Response to Appeal

- a. The Title IX Coordinator is permitted, but not required, to file a response to a Party's appeal to respond to concerns relating to

- procedural irregularities or bias in the Investigation process.
- b. The Title IX Coordinator may submit one response for each Party that files an appeal (that raises a procedural irregularity).
- c. Each response by the Title IX Coordinator should be no more than 1,500 words.
- d. The Parties will have access to the Title IX Coordinator's response(s) to the appeal, but no further responses will be permitted.
- e. Appeal Decision
  - a. The Appeal Officer will provide the Notice of Outcome of Appeal no later than ten business days after receipt of all appeal documents.
  - b. As needed, the Appeal Officer will consult with the Title IX Coordinator regarding the management of ongoing Remedies.
  - c. The Appeal Officer may reject the appeal in whole or in part, issue a new decision regarding responsibility, issue new or revised Sanctions and Remedies, or refer the matter to a new Decision-Maker.

## **RECORD RETENTION**

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

## **Assistance for Victims: Rights and Options**

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

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

1. The right to reasonable, accurate, and timely notice of any scheduled court proceedings or any changes to such proceedings;
2. The right to reasonable, accurate, and timely notice of the arrest, release, or escape of the accused;
3. The right not to be excluded from any scheduled court proceedings, except as provided in this chapter or as otherwise required by law;

4. The right to be heard at any scheduled court proceedings involving the release, plea, or sentencing of the accused;
5. The right to file a written objection in any parole proceedings involving the accused;
6. The right to confer with the prosecuting attorney in any criminal prosecution related to the victim;
7. The right to restitution as provided by law;
8. The right to proceedings free from unreasonable delay; and
9. The right to be treated fairly and with dignity by all criminal justice agencies involved in the case.

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

The College may issue a criminal trespass warning, if deemed. To the extent of the victim's cooperation and consent, college offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal college investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Ogeechee Technical College is also committed to protecting victims from any further harm, and the Vice President for Student Affairs may issue a temporary no-contact order pending the outcome of any conduct proceeding.

## **ACCOMMODATION**

Whether or not a student or employee reports to law enforcement and or pursues any formal action, Ogeechee Technical College is committed to providing anyone who reports an incident of sexual violence with as safe a learning or working environment as possible. Upon request Ogeechee Technical College will make any reasonably available change to a victim's academic, living, transportation, and or working situation. Students may contact the Ogeechee Technical College Police Department at (912) 531-2367 for assistance, and employees may contact Human Resources at (912) 871-1801 for assistance.

If a victim reports to law enforcement, they may assist them in obtaining a Temporary Protection Order from a criminal court. Ogeechee Technical College is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. Ogeechee Technical College is also committed to protecting victims from any further harm, and the Vice President for Student Affairs may issue a temporary no-contact order pending the outcome of any conduct proceeding. When a student or

employee reports to the college that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the college will provide the student or employee a written explanation of the student's or employee's rights and options. College employees will receive written notification from the Director for Human Resources. Students will receive written notification from the Vice President for Student Affairs. Options include available assistance in, and how to request changes to: Academic, Living, Transportation, and working situations or protective measures.

### **VICTIM CONFIDENTIALITY**

Ogeechee Technical 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. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including whether criminal prosecution is pursued, may be made public and shared with the accused.

Reports made to Ogeechee Technical College officials will be kept confidential to the extent possible and identifying information about the victim shall not be made public unless required by law. Reports made to medical professionals, licensed mental health counselors, and other officials exempt from reporting in the institution's jurisdiction will not be shared with third parties except in cases of imminent danger to the victim or a third party.

### **EDUCATIONAL PROGRAM**

Ogeechee Technical College is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that Ogeechee Technical College prohibits such acts, their definitions, the definition of consent, options for bystander intervention, information about risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year.

### **CONDUCT PROCEEDINGS**

Ogeechee Technical College strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal action, students, employees and other affiliates may also face disciplinary action by Ogeechee Technical College. Individuals found responsible for having committed such a violation face permanent expulsion, termination of employment, suspension, probation, and additional penalties and protective measures the College deems appropriate. Incidents involving accused students will be handled by the Vice President for Student Affairs, and incidents involving accused employees/affiliates will be handled by the Human Resources/Title IX Office.

All conduct proceedings, whether the conduct is reported to have occurred on or off campus, shall provide a prompt, fair and impartial investigation and resolution by officials who have received annual training on



the nature of the types of cases they are handling, on how to conduct an investigation, and conduct a hearing in a manner that protects the safety of victims and promotes accountability. Determination of responsibility shall be made by the Vice President for Student Affairs in student cases or the Title IX Office in employee/affiliate cases using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred).

In all proceedings, including any related meetings, both the accused and accuser are entitled to equal rights, including the right to be accompanied by an advisor of their choice. Both the accused and accuser shall simultaneously be informed in writing of the outcome reached by the finder of fact and of procedures for appealing the results of the outcome, of any change to the results that occurs prior to the time that such it becomes final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not share the details with any third parties.

For additional information about student conduct proceedings please consult the Student Handbook, Section: Policies and Procedures, Student Code of Conduct. The Student Code of Conduct is available at <http://ogeecheetech.smartcatalogiq.com/> or the Vice President for Student Affairs which is located in the Joseph E. Kennedy Building. For additional information about employee conduct proceedings please consult the Human Resources website located at the following web address: <http://www.ogeecheetech.edu/faculty-staff/human-resources>.

*Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.*

*Result means any initial, interim, and / or final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.*

*Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.*

## **EMERGENCY MEDICAL RESPONSE PROCEDURES**

Students, faculty, staff, and visitors should report any emergency medical situation to the 911 and Ogeechee Technical College PD (912) 531 2367. When speaking with emergency personnel remain calm and give clear answers to the questions you will be asked.

## **PREPARATION AND DISTRIBUTION OF ANNUAL REPORT**

The Chief of Police prepares the Annual Report statistics, as well as updates to any procedures. Correspondence is sent to the head of each law enforcement agency with primary response jurisdiction for crime analysis and statistics on College property, adjoining public property and off campus locations. Each year, an e-mail notification is sent to all enrolled students that provides the website to access this report. Faculty and staff receive a similar notification on the College email service. Copies of the report may also be obtained at the Ogeechee Technical College Police Department office, located on OTC's Main Campus in the Joseph E. Kennedy Building, Office 177.

### **OTC PROPERTY ADDRESSES**

OTC does not own or operate any residence facilities for students.

- Ogeechee Technical College Main Campus, 1 Joe Kennedy Blvd., Statesboro, Georgia 30458
- Jack Hill Building, 20 Joe Kennedy Blvd., Statesboro, Georgia 30458
- OTC Shipping and Receiving/Industrial Technology Building, 16 Joe Kennedy Blvd., Statesboro, Georgia 30458
- Construction Technology Building, 208 Hal Averitt Blvd., Statesboro, Georgia 30458
- Evans Technical Education Complex, 625 Cedar Drive, Hagan, Georgia 30429
- Screven County Workforce Development Center, 107 S. Community Drive, Sylvania, Georgia 30467
- Screven Commercial Truck Driving Complex, 901 Rocky Ford Road, Sylvania, Georgia 30467

### **PROHIBITION ON RETALIATION**

Ogeechee Technical College, or an officer, employee, or agent of this college, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate, against any individual for exercising their rights or responsibilities under any provision in this section.

### **DISTRIBUTION OF ANNUAL FIRE SAFETY REPORT**

This requirement is not applicable as Ogeechee Technical College does not provide housing.

### **CLERY STATISTICS FOR FY 2021, 2022 & 2023**

#### **GEOGRAPHY DEFINITIONS FROM THE CLERY ACT**

On-Campus-Defined as: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus Building or Property-Defined as: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned

or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property-Defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

Reported in accordance with Uniform Crime Reporting procedures and the Jean Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (January 1 - December 31).

**OTC has no Non-campus property**

## OGEECHEE TECHNICAL COLLEGE –

### MAIN CAMPUS

1 JOE KENNEDY BLVD, STATESBORO, GA. 30458

### JACK HILL BUILDING

20 JOE KENNEDY BLVD, STATESBORO, GA. 30458

### OTC SHIPPING AND RECEIVING/ INDUSTRIAL TECHNOLOGY BUILDING

16 JOE KENNEDY BLVD, STATESBORO, GA. 30458

### CONSTRUCTION TECHNOLOGY BUILDING

208 HAL AVERITT BLVD, STATESBORO, GA. 30458

Offense	On Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023
MURDER/NONMANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	*
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	*
SEX OFFENSES: FONDLING	0	0	0	0	0	*
SEX OFFENSES: RAPE	0	0	0	0	0	*
SEX OFFENSES: INCEST	0	0	0	0	0	*
SEX OFFENSES: STATUTORY RAPE	0	0	0	0	0	*
ROBBERY	0	0	0	0	0	*
AGGRAVATED ASSAULT	0	0	0	0	0	*
BURGLARY	0	0	0	0	0	*
MOTOR VEHICLE THEFT	0	0	0	0	0	*
ARSON	0	0	0	0	0	*

\*We have reached out to the Bulloch County Sheriffs Office for our Public property statistics and have not received any statistics at this time.

**EVANS TECHNICAL EDUCATION COMPLEX  
625 CEDAR AVE, HAGAN, GA. 30429**

Offense	On Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023
MURDER/NONMANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	*0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	*0
SEX OFFENSES: FONDLING	0	0	0	0	0	*0
SEX OFFENSES: RAPE	0	0	0	0	0	*0
SEX OFFENSES: INCEST	0	0	0	0	0	*0
SEX OFFENSES: STATUTORY RAPE	0	0	0	0	0	*0
ROBBERY	0	0	0	0	0	*0
AGGRAVATED ASSAULT	0	0	0	0	0	*0
BURGLARY	0	0	0	0	0	*0
MOTOR VEHICLE THEFT	0	0	0	0	0	*0
ARSON	0	0	0	0	0	*0

\*We have reached out to the Evans County Sheriffs Office for our Public property statistics and have not received any statistics at this time.

**SCREVEN COMMERCIAL TRUCK DRIVING COMPLEX  
901 ROCKY FORD RD, SYLVANIA, GA. 30467**

Offense	On Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023
MURDER/NONMANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0
SEX OFFENSES: FONDLING	0	0	0	0	0	0
SEX OFFENSES: RAPE	0	0	0	0	0	0
SEX OFFENSES: INCEST	0	0	0	0	0	0
SEX OFFENSES: STATUTORY RAPE	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0
ARSON	0	0	0	0	0	0

**SCREVEN COUNTY WORKFORCE DEVELOPMENT CENTER  
107 SOUTH COMMUNITY DR., SYLVANIA, GA. 30467**

Offense	On Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023
MURDER/NONMANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	*0
MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	*0
SEX OFFENSES: FONDLING	0	0	0	0	0	*0
SEX OFFENSES: RAPE	0	0	0	0	0	*0
SEX OFFENSES: INCEST	0	0	0	0	0	*0
SEX OFFENSES: STATUTORY RAPE	0	0	0	0	0	*0
ROBBERY	0	0	0	0	0	*0
AGGRAVATED ASSAULT	0	0	0	0	0	*0
BURGLARY	0	0	0	0	0	*0
MOTOR VEHICLE THEFT	0	0	0	0	0	*0
ARSON	0	0	0	0	0	*0

\*We have reached out to the Sylvania Police Department for our Public property statistics and have not received any statistics at this time.

***VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT***

OFFENSE	YEAR	ON-CAMPUS PROPERTY				PUBLIC PROPERTY			
		Statesboro	Evans	Screven CDL	Sylvania Workforce Center	Statesboro	Evans	Screven CDL	Sylvania Workforce Center
DOMESTIC VIOLENCE	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
DATING VIOLENCE	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
STALKING	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0



### ARREST AND DISCIPLINE ACTIONS

OFFENSE	YEAR	ON-CAMPUS PROPERTY				PUBLIC PROPERTY			
		Statesboro	Evans	Screven CDL	Sylvania Workfor ce Center	Statesboro	Evans	Screven CDL	Sylvania Workforce Center
ARRESTS: WEAPONS, CARRYING, POSSESSING, ETC.	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS, CARRYING, POSSESSING, ETC.	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2023	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0

## **HATE CRIMES AND UNFOUNDED CRIMES**

Reviewing our incident reports for 2021, 2022, and 2023 we did not have any hate crimes for the following categories: race, gender, religion, sexual orientation, ethnicity, national origin, and disability.

Reviewing our incident reports for 2021, 2022, and 2023 we did not have any unfounded reports for any of the Clery or VAWA categories.

Updated August 28th, 2024

The preceding statistical information is reported in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. For more information on the Clery Act, visit <https://www.clerycenter.org/>

## APPENDIX A - POSITIVE DISCIPLINE PROCESS MATRIX



### Positive Discipline Process

ACTION		Initiator	Consultation Prior to Action	Prior Approval	Location	Management Witness Required?	Documentation Required	Employee Signature Required	Documentation Distribution	Right to Review	Maximum Number Allowed	Length of Time Active	Responsibility for Deactivation	Eligible for Perf.-Based Increase
Issue														
INFORMAL DISCUSSIONS														
POSITIVE CONTACT	Immediate/ Evaluating Supervisor	No	None	Anywhere	No	Productivity File Not Recommended	No	Productivity File	NA	No Limit	NA	NA	Yes	
INFORMAL COACHING / CASUAL CONVERSATIONS	Immediate/ Evaluating Supervisor	No	None	Anywhere	No	Productivity File Not 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														
REMANDER 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	
REMANDER 2	Immediate/ Evaluating Supervisor	HR Coordinator/ Director	Initiator's Immediate Supervisor	Private Space	Yes	Discussion Worksheet & Memorandum	Yes	Employee Productivity File	Yes	1 in each area – performance, conduct or attendance	9 Months	Employee	Yes	
DISCIPLINARY ACTION	Immediate/ Evaluating Supervisor	HR Coordinator/ Director	Vice President	Private Space	Yes	Discussion Worksheet & Memorandum	Yes	Employee Productivity File	Yes	1	12 Months	Employee	No	
TERMINATION														
TERMINATION	President	HR Coordinator/ Director of Legal Services or DUE/HR Director	President and as applicable, Private Space	Private Space	Yes	Discussion Worksheet & Memorandum	Yes	Employee Productivity File	Yes	NA	NA	NA	NA	

Attachment A – Technical College Matrix