



Annual Security Report

2019

NOTE: Containing Information for the 2019-2020 Academic Year & Includes Crime Statistics for 2016, 2017 & 2018

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PREPARATION OF THE ANNUAL SECURITY REPORT

The Annual Security Report (ASR) is prepared annually and the crime statistics are based on three previous calendar years. The information contained in the report is collected across Augusta Technical College and includes the following campuses; Augusta, Waynesboro/Burke County, Thomson/McDuffie County and the Columbia County Center in Grovetown. The Augusta Technical College Police Department is responsible for collecting crime statistics and publishing the crime statistics for the past three years and the current policies, policy statements and procedures. The ASR is published every October 1 and distributed via email to the campus community, prospective students and employees. A hard copy is available in the Augusta Technical College Police Department, located in the 100 building, 3200 Augusta Tech Drive, Augusta, GA 30906.

PREPARATION OF DISCLOSURE OF CRIME STATISTICS

Augusta Technical College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

This report is prepared in cooperation with the local law enforcement agencies that have jurisdiction over the main campus as well as alternate campuses.

College crime, arrest, and referral statistics include those reported to the Augusta Technical College Police Department, Vice President for Administrative Services and designated employees, Vice President for Student Affairs and Support Services and designated employees, campus coordinators, designated campus representatives (including, but not limited to, deans and directors, department heads, advisors to student organizations), and the local law enforcement agencies having jurisdiction over a particular campus.

Augusta Technical College distributes a notice of availability regarding the Annual Security Report to all students, and employees by October 1 of each year. Anyone, to include prospective students and employees, as well as the outside community, may obtain an electronic copy on the Augusta Technical College website:

<https://www.augustatech.edu/skins/userfiles/files/AugustaTechnicalCollegeAnnualSecurityReport-2019.pdf> as well as under the Clery/Crime Information link located at:
<https://www.augustatech.edu/about-us/crime-statistics.cms>

Copies of the report may also be obtained from the Vice President for Administrative Services, or from the Augusta Technical College Police Department or by calling 706-771-4021. All prospective employees and students may obtain this information via the College website or from the Vice President for Administrative Services or the Augusta Technical College Police Department.

REPORTING CRIMES & OTHER EMERGENCIES

To report a crime:

Contact the Augusta Technical College Police Department in person or at the numbers listed below. Any suspicious activity or person seen in the parking lots or loitering around vehicles, or inside buildings should be reported to the proper authority listed below. **IN CASES OF EMERGENCY, DIAL 9-911 FROM A CAMPUS PHONE.** The Augusta Technical College Police Department Building 100, 3200 Augusta Tech Drive, Augusta, GA 30906

Augusta Campus, 3200 Augusta Tech Dr. Bldg. 100 Augusta , GA 30906	706-771-4021
Thomson/McDuffie Campus, 388 Tech Dr. NW Thomson, GA 30824	706-595-0166
Waynesboro/Burke Campus, 216 Hwy 24 S Waynesboro, GA 30830	706-437-6801
Columbia County Center, 3500 John Huffman Way, Grovetown, GA 30813	706-651-7368

Community members, students, employees and visitors are encouraged to report all crimes and other emergencies to the proper officials in an accurate and timely manner.

All incident reports involving a crime committed by a student are forwarded to the Vice President for Student Services and/or the Campus Police for review and potential administrative and/or criminal sanctions. Crimes should be reported to the appropriate authority to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Augusta Technical College has good working relationships with local law enforcement agencies within the jurisdictions of all campuses.

Some College officials have been deemed Campus Security Authorities (CSAs) under the Clery Act and have an obligation to report crimes to the Augusta Technical College Police Department.

COUNSELORS AND CONFIDENTIAL CRIME REPORTING

Voluntary Confidential Reporting

Reporting crimes or other emergencies is voluntary. All crimes and other emergencies should be accurately and promptly reported to the Augusta Technical College Police Department at 706-771-4021, or the local law enforcement agency, when an Augusta Technical College sponsored function occurs at an off-campus location. Augusta Technical College does not have non-campus organizations or residential housing. All crimes should be reported to the Augusta Technical College (ATC) Police Department for the purpose of investigating the crime, making a timely warning report and for annual disclosure in the crime statistics. ATC Police do not have a process for voluntary confidential reporting due to State of Georgia open-records laws. If you

are the victim of a crime and do not want to pursue action within the Technical College System of Georgia or within the criminal justice system, you may still want to consider making an anonymous report. Contact the Augusta Technical College Police Department at 706-771-4021 to report a crime anonymously. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Anonymous Reporting

Due to their federally mandated responsibilities, Campus Security Authorities **cannot** guarantee any person confidentiality. By federal law, CSAs are required to provide the following information about crimes that are reported to them:

- Date & time the offense occurred
- Location where the offense occurred
- Date & time the offense was reported to the CSA
- All relevant information reported to the CSA

However, persons reporting a crime to a CSA may wish to remain anonymous.

To submit a CSA Report Form anonymously, please confirm with the reporting person directly that they do not wish their name be included in the report. If that is their choice, they should be made aware that electing to remain anonymous may greatly limit the College's ability to stop the prohibited conduct, collect evidence, or take effective action against individuals or organizations. If the person elects to report a crime anonymously, please complete a CSA Incident Report (located in the forms repository) and make sure to note that the report was filed anonymously.

Regardless of their wishes to report an incident, survivors of crimes are afforded rights and interim measures for offenses involving sexual assault, dating violence, domestic violence and stalking. To review information about available resources, please see the section entitled "Procedures for Victims" in this document.

REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

"Campus Security Authority" means:

1. A campus police department or a campus security department of an institution.
2. 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 institutional property).

3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The following are designated as a Campus Security Authorities:

- Augusta Technical College Police Department Officers;
- Vice President for Administrative Services and designated employees;
- Vice President for Student Affairs and Support Services and designated employees;
- Campus Coordinators;
- Designated campus representatives (including, but not limited to, deans and directors, department heads, advisors to student organizations); and
- Title IX Coordinator.

PASTORAL AND PROFESSIONAL COUNSELORS

Pastoral and professional counselors are defined as individuals who are appropriately credentialed and employed by the College to serve in counseling role are not CSAs when acting in counseling role. **Augusta Technical College has no pastoral and professional counselors on staff.**

IT'S ON US

Reporting crimes or emergencies is voluntary. Augusta Technical College has taken measures to ensure the safety and security of the campus community; however, the campus environment is not immune from criminal incidents that occur in the surrounding community. The College takes great pride in ensuring the campus community is one where students, employees and visitors can work, study, live, and enjoy all that Augusta Technical College has to offer. Ultimately, it is up to each of us to be aware of our surroundings and use reasonable judgment while on campus or attending a College function. It is also up to each of us to report any incident we may feel is against college policy or a threat to another individual.

COLLEGE LAW ENFORCEMENT

On July 1, 2012, the state of Georgia authorized the establishment of a campus police department. The ATCPD is currently staffed by full-time and part-time certified police officers, as well as non-certified security officers. The certified police officers have full arrest powers and are authorized to enforce state and local laws, as well as the rules, regulations and parking regulations of Augusta Technical College. Uniformed officers provide police protection for safety. The purpose of the ATCPD is to serve student, employees and visitors and provide a safe and pleasant campus atmosphere. Students, employees and visitors are encouraged to provide cooperation to the officers. Students and employees must have the Augusta Technical College identification card visible for verification at all times. Students and employees shall not interfere with law enforcement officers in the performance of their duties. For questions, problems, or special needs, or if there is a concern regarding enforcement of the code of conduct, traffic and parking regulations and/or security procedures, contact the Vice President for Administrative Services or the appropriate campus administrator.

All crime victims and witnesses to crimes are strongly encouraged to immediately report any crime or criminal activity. Prompt reporting will ensure timely warning notice reports are sent and crime statistics are annually disclosed.

The Augusta Technical College Police Department maintains a close working relationship with the local authorities whose jurisdiction includes Augusta Technical College campuses. The Augusta Technical College Police Department officers work closely with the investigative staff of the respective jurisdictions when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information, as deemed necessary. At this time, there is no written memorandum of understanding between Augusta Technical College Police Department and any local jurisdictional agencies.

Augusta Technical College employees have the authority to ask persons for identification to determine whether individuals have lawful business at Augusta Technical College.

COLLEGE LAW ENFORCEMENT AUTHORITY

Augusta Technical College Police Officers have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus. If minor offenses involving College rules and regulations are committed by a College student, the Augusta Technical College Police Officers may also refer the individual to the disciplinary division of Student Services. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft may be reported to the local law enforcement agency and joint investigative efforts with officers from Augusta Technical College Police Department and the local law enforcement authorities may be deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at either Municipal, State, Superior, or Federal Court of the appropriate jurisdiction.

Augusta Technical College Police Officers have completed a training course required of all state certified peace officers in the state of Georgia. They obtain, at minimum, 20 hours per year of training certified by the Georgia Peace Officers Standards and Training Council including the areas of Firearms Requalification Use of Force, Crisis Intervention, and De-Escalation Techniques.

GA law 20-4-39 states “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.”

Augusta Technical College Police Officers work closely with local, state, and federal police agencies and have direct radio communication with the Richmond County Sheriff’s Office, Columbia County Sheriff’s Office, and the Georgia State Patrol on the appropriate police radio network. By mutual agreement with the Georgia Bureau Investigation, the ATCPD maintains access to the National Crime Information Center (NCIC) and Georgia Crime Information Center (GCIC). Through these systems, ATCPD can access the NCIC/GCIC. These computer databases are used for driver/vehicle identification information, wanted person information, as well as other local, state and federal law enforcement information.

TIMELY WARNING REPORTS

The intent of a timely warning report regarding a criminal incident(s) is to enable people to protect themselves. This means that a timely warning report will be issued as soon as pertinent information is available. If the college has a criminal incident that represents a serious and continuing threat to students and employees, a timely warning report will be issued. The timely warning report will contain information about the type of criminal incident that has occurred and other additional information as it becomes available.

In the event an off campus crime represents a serious and continuing threat to the campus community, a timely warning report will be sent to the College. The timely warning report will contain information about the type of criminal incident that has occurred and other additional information as it becomes available.

The ATCPD is primarily responsible for determining the content and distributing a timely warning report to the College and such reports are distributed via official Augusta Technical College email (Smartweb), Mass Notification System (Regroup), and campus electronic bulletin boards.

A timely warning report is considered for distribution to the Augusta Technical College community for all Clery Act crimes that are (1) reported to campus security authorities or local law enforcement and (2) determined by the institution to represent a serious or continuing threat to students and employees. Such reports shall be provided to students and

employees in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and will provide protective advice that will aid in the prevention of similar occurrences.

The decision to issue a timely warning report shall be decided on a case-by-case basis. The decision is made by the College President (or his designee) and/or the Chief of Police (or his designee) considering all available facts, including whether the crime is considered to be a serious or continuing threat to students or employees. Certain specific information may be withheld from a warning if there is a possible risk of compromising law enforcement efforts. But if a crime occurs that would pose a serious or continuing threat to the Augusta Technical College community, a timely warning report would be distributed to the campus community. Timely warning notices are may be distributed to the Augusta Technical College community by any of the following means: blast email to student emails, phone calls and by text message notification.

The Augusta Technical College Police Chief or designee reviews all campus police reports to determine if there is an ongoing threat to the community and if the distribution of a timely warning report is warranted. Timely warning reports may also be posted for other crime classifications, as deemed necessary.

Anyone with information warranting a timely warning report should report the circumstances to the ATCPD by phone at 706-771-4021 on the Augusta Campus.

- On the Thomson/McDuffie campus, call 706-595-0166.
- On the Waynesboro/Burke campus, call 706-437-6801.
- On the Columbia County Center, call 706-651-7368.

All current students and employees are enrolled in the *Regroup* Mass Notification System. The system sends texts and phone calls to the number on file. Anyone who elects not to receive notifications via *Regroup* can remove their information the ATCPD at 706-771-4021.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Augusta Technical College Police Department is responsible for Emergency Management on campus. The Augusta Technical College has an emergency notification system that is comprised of a notification system called *Regroup* (notices via text and phone calls) and a building PA system to notify the campus community of emergencies. The emergency notification system is managed jointly by the ATCPD and IT personnel when the decision is made to activate the system. The College will receive text messages, phone calls and emails to alert them of specific campus emergencies. Follow up (all clear) information may be sent via text message, phone calls, emails, postings on the college website and on electronic bill boards.

The Augusta Technical College Emergency Operations Plan is designed to provide a resource for Augusta Technical College students and employees to assist with information and provide guidelines in planning and responding in a crisis. While the Plan does not cover every conceivable contingency, it does provide the basic administrative guidelines necessary to cope with most campus emergencies.

The Augusta Technical College Safety Committee will be responsible for the annual review of these procedures with input from other key stakeholders on campus, including, but not limited to, the ATCPD, safety committee members, facilities personnel, campus deans, as well as select others with specific responsibilities outlined in the plan. The College's Emergency Operations Plan contains "best practices" and information about Emergency Guidelines for the campus community; College emergency procedures; pre-emergency planning and performance expectations; "shelter-in-place," "secure-in-place" and evacuation guidelines; and local contingency and continuity planning requirements.

Augusta Technical College will immediately notify the College, or appropriate segments of the college, upon the confirmation of a significant emergency or dangerous situation, occurring on the campus, involving an immediate threat to the health or safety of students and employees. In accordance with the Higher Education Act of 1965, the College has implemented a comprehensive communications system with the primary method of communication being the *Regroup* Emergency Notification System (text, phone and email) to provide prompt emergency notifications of immediate threats to the health and safety of students and employees. The College may also use additional communication methods, including the college mass notification system, College website notices and building fire alarm systems.

Students and employees are automatically signed up for immediate email notification through Augusta Technical College's emergency notification system (*Regroup*). Emergency notifications may also be posted the College website at www.augustatech.edu.

The Augusta Technical College Police Department (ATCPD) is primarily responsible for confirming that there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of students and employees. ATCPD may be assisted in confirming an emergency by other college administrators, the local first responder agencies and/or the National Weather Service. For example, there are other departments on campus that could be in a position to assist with confirming certain types of emergencies, such as a pandemic flu outbreak, etc. The ATCPD and the Director of Information Technology (IT) have access to *Regroup* to notify the campus community of immediate threats that have occurred and necessitate evacuation, shelter in place, or other action on the part of students, employees, and campus visitors.

The Augusta Technical College Police Department will determine the content of the notification by selecting from the templates existing in the *Regroup* notification system based on the emergency type and may alter language based on the facts and circumstances. The Chief of Police or his designee will then notify the President or designee who, in turn, will designate someone to notify local media outlets to provide information to the larger community. The Chief of Police or his designee will be responsible for disseminating the following notifications using

some or all of the below listed systems when activation is required and to providing follow-up information regarding the emergency as needed:

- Activate the *Regroup* notification system (text, email, telephone calls to registered users).
- Post closure or other information on the Augusta Technical College front web site page. The content of the message is determined by the Chief of Police, after notifying the President, or his designee, and the messages are typically posted to the website by the Director of Information Technology.
- Activate the building Emergency Notification System when necessary. The content of the message and activation of this system is the responsibility of the Chief of Police or his designee.
- Digital Signage. The content of the message and activation of this system is the responsibility of the Chief of Police and/or the Director of Information Technology or designee.

In the event of a failure in the systems (technology) listed above, the College may use face to face communication and seek assistance from local media outlets. The College typically provides follow-up information to the community using the same systems that were used to send out the original alert. The information will also be updated on the college web site

Members of the larger community, such as parents, neighbors, etc. interested in receiving information about emergencies on campus may access the Augusta Technical College website at www.augustatech.edu and via local and/or national news coverage.

The decision to notify the College will be based on a case by case basis. The initial recommendation may be made by the President (or designee), ATCPD or responding law enforcement at the scene. In the event of an incident which would require the larger community to be notified, information may be posted via the internet, local radio, and/or local TV stations. The President, Vice President for Administrative Services, Chief of Police (or designee) will be responsible for initiating the initial notifications. Outside agencies, such as the Public Health Department, local law enforcement agency, local fire department or local EMS may also be involved with confirming emergencies that would require campus warnings.

The College conducts unannounced building evacuation drills by conducting evacuation drills for both day classes and evening classes each semester. These drills are conducted to test the alarm system and to familiarize students and employees, and visitors with the evacuation procedures and location of exits. The College also conducts unannounced shelter-in-place drills to familiarize students, employees and visitors with severe weather procedures and the location of shelters.

Emergency procedures are addressed during new student orientation and are posted in classrooms and hallways and labs in each building and on each campus.

The College will maintain the documentation of drills, which contain a description of the drill (test), date of drill, time the drill was started and ended, location of each drill and whether the drill was announced or unannounced.

SECURITY AND ACCESS TO CAMPUS FACILITIES

Access Policy

During business hours, the College will be open to students, employees and visitor. During non-business hours access to all College facilities is by key or by admittance after permission is granted from the Vice President for Administration. The ATCPD Officers will admit only those with prior written approval to all facilities. During the semester, when classes are in session, building hours are generally 7:00 AM to 11:00 PM M-F (depending on semester and if classes are over. Certain buildings may close earlier based on class and testing schedule). Saturday openings are dictated by class and testing schedules. The ATCPD are responsible for opening and closing the buildings.

Security cameras located in strategic locations around the campus. Specific building interior corridor facilities have interior cameras focused on areas of higher risk, such as facility entrances, elevators and telecommunication rooms. These cameras are not actively monitored, but all footage is saved on a digital feed. Cameras are checked routinely through visual confirmation to ensure the component is working via the central monitoring station. ATCPD regularly patrol all College facilities to maintain security and inspect doors and locks to ensure they are properly maintained.

Upon College closure due to inclement weather (e.g., snow or icy conditions) or other instances when “sheltering-in-place” is required, Augusta Technical College employees and students may stay in a building after it has been locked. In certain instances of severe weather that do not require a campus closure (e.g., tornado watch or warning), egress from campus buildings will be discouraged, and all employees and students will be asked to gather in their designated storm-shelter areas.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are deemed as problematic will have security surveys conducted to correct the issues.

Security Considerations used in the Maintenance of Campus Facilities

The Director of Facilities is in charge of the Facilities Department, which includes maintenance and ground crews. Maintenance/ground crews routinely check the campuses for overgrown shrubbery, lighting issues, broken/cracked concrete, broken door locks, etc. Students and employees are encouraged to report any issues involving the maintenance of buildings or grounds that they encounter so that a work order can be submitted and the issue can be resolved.

BEHAVIORAL INTERVENTION TEAM/C.A.R.E. (CAMPUS AWARENESS RESPONSE AND EVALUATION)

The Augusta Technical College Behavioral Intervention Team (BIT), also known as *Cougars C.A.R.E. (Campus Awareness Response and Evaluation)*, is a group of campus professionals who respond to reports of disruptive or troubling behavior.

The team consists of members from key campus areas including, but not limited to: Vice President for Student Affairs, Chief of Police, Disabilities Counselor, Academic Counselor, Academic Deans, Off-Site Campus Dean and Satellite Coordinators and an instructor.

What does BIT do?

- Provides consultation and support to students and employees assisting individuals who display concerning or disruptive behavior
- Serves as the central point of contact for reporting problematic behavior
- Assesses threat/risk
- Coordinates follow-up
- Connects individuals with appropriate campus and community resources

BIT is:

- Outreach based on care and concern. Every effort is made to help the individual succeed in the classroom or workplace.
- A confidential reporting resource available 7 days a week, 24 hours a day through the Technical College System of Georgia Early Alert Management System (TEAMS) or by filling out a **CougarsCARE Incident Report Form** .

BIT is not:

- Punitive. The focus of BIT is care and concern for the individual.
- 911. If you feel that you or any other person is in immediate danger, call the local authorities.

Students and employees who are concerned about behavior that is disturbing, disruptive or distressed but does not pose an imminent danger should complete a **CougarsCARE Incident Report Form**. Once the report is received, the CougarsCARE team will develop an appropriate response plan. The response will be based on the nature of the behavior, the severity of the risk, and the needs of the student.

WEAPONS ON CAMPUS

Augusta Technical College is designated as a school safety zone. This means that weapon possession is restricted by GA law. The text of the law (O.C.G.A. 16-11-127.1) is listed below:

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

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

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

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

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

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

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

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

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

(2) Except as provided for in paragraph (20) of subsection (c) of this Code section, any license

holder who violates this subsection shall be guilty of a misdemeanor. Any person who is not a license holder who violates this subsection shall be guilty of a felony and, upon conviction thereof, be punished by a fine of not more than \$10,000.00, by imprisonment for not less than two nor more than ten years, or both.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(G) Medical examiners, coroners, and their investigators who are employed by the state or any political subdivision thereof;

provided, however, that this Code section shall not apply to any extent to persons who are provided for under Code Section 16-11-130;

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

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

(8) A weapon possessed by a license holder which is under the possessor's control in a motor vehicle or which is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle which is being used by an adult over 21 years of age to bring to or pick up a student within a school safety zone, at a school function, or on a bus or other transportation furnished by a school, or when such vehicle is used to transport someone to an activity being conducted within a school safety zone which has been authorized by a duly authorized official or local board of education as provided by paragraph (6) of this subsection; provided, however, that this exception shall not apply to a student attending a public or private elementary or secondary school;

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

(10) Those employees of the State Board of Pardons and Paroles when specifically designated

and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;

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

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

(13) Public safety directors of municipal corporations;

(14) State and federal trial and appellate judges;

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

(16) Clerks of the superior courts;

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

(18) Constables of any county of this state;

(19) Any person who is 18 years of age or older or currently enrolled in classes on the campus in question and carrying, possessing, or having under such person's control an electroshock weapon while in or on any building or real property owned by or leased to such public technical school, vocational school, college or university or other public institution of postsecondary education; provided, however, that, if such person makes use of such electroshock weapon, such use shall be in defense of self or others. The exemption under this paragraph shall apply only to such person in regard to such electroshock weapon. As used in this paragraph, the term "electroshock weapon" means any commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge, including, but not limited to, a stun gun or taser as defined in subsection (a) of Code Section 16-11-106; or

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

(i) Not apply to buildings or property used for athletic sporting events or student housing,

including, but not limited to, fraternity and sorority houses;

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

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

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

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

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

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

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

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

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

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

(d) (1) This Code section shall not prohibit any person who resides or works in a business or is in

the ordinary course transacting lawful business or any person who is a visitor of such resident located within a school safety zone from carrying, possessing, or having under such person's control a weapon within a school safety zone; provided, however, that it shall be unlawful for any such person to carry, possess, or have under such person's control while at a school building or school function or on school property or a bus or other transportation furnished by a school any weapon or explosive compound, other than fireworks the possession of which is regulated by Chapter 10 of Title 25.

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

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

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

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

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

(f) In a prosecution under this Code section, a map produced or reproduced by any municipal or county agency or department for the purpose of depicting the location and boundaries of the area of the real property of a school board or a private or public elementary or secondary school that is used for school purposes or the area of any public or private technical school, vocational school, college, university, or other institution of postsecondary education, or a true copy of the map, shall, if certified as a true copy by the custodian of the record, be admissible and shall constitute prima-facie evidence of the location and boundaries of the area, if the governing body of the municipality or county has approved the map as an official record of the location and boundaries of the area. A map approved under this Code section may be revised from time to time by the governing body of the municipality or county. The original of every map approved or revised under this subsection or a true copy of such original map shall be filed with the municipality or county and shall be maintained as an official record of the municipality or county. This subsection shall not preclude the prosecution from introducing or relying upon any other evidence or testimony to establish any element of this offense. This subsection shall not preclude the use or admissibility of a map or diagram other than the one which has been approved by the municipality or county.

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

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

If you know of anyone who is in violation of this law while on campus please let the ATCPD immediately.

For more information on the GA Campus Carry Law, visit <https://www.augustatech.edu/about-us/campus-carry.cms>

SECURITY AWARENESS PROGRAMS FOR STUDENTS AND EMPLOYEES

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

The ATCPD facilitate programs for students and employees, orientations and other organizations. Crime prevention and security awareness programs available include:

- A.L.I.C.E. training (Active Shooter Training for employees and students)
- Active Shooter scenario training (available to employees)

Campus Safety and Security Procedures

During new student and employee orientation sessions that are held throughout the year, students and employees are informed of services provided by the ATCPD. Students and employees also informed of procedures for evacuation drills/fire alarms and tornado drills that are conducted throughout the year.

Crime Prevention Seminars

Crime prevention and personal safety seminars are conducted by the ATCPD when requested. Augusta Technical College hosts Wellness Fairs during the year and information about crime prevention programs and sexual assault programs are distributed by community partners.

CRIME PREVENTION PROGRAMS FOR STUDENTS AND EMPLOYEES

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. ATCPD is available to facilitate programs for student and employee orientations as well as student organizations as requested.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well, or call ATCPD for an escort.

The Augusta Technical College Police Department (ATCPD) is committed to the principles of community policing. Crime prevention/awareness programs begin with new student or employee orientation presentations. Through the ATCPD website, special pamphlets, flyers, and the crime log, the College community is informed of crime trends, safety tips, and special programs. Upon request from any department or student organization, the ATCPD will provide informational seminars, including speakers, on a variety of topics including the prevention of rape, sexual assault, theft, robbery prevention, drug and alcohol awareness, safety issues, and advice about personal defense. Members of the ATCPD also routinely participate in Safety Awareness Committee meetings on these and other crime prevention subjects. The ATCPD participates in Student Government Association meetings upon invitation to answer any questions and provide information relative to crimes and crime trends on campus. Anyone wishing to request such crime prevention service, or desiring more information, should contact the ATCPD at 706-771-4021.

The ATCPD participated in the following campus-wide events and distributed “Run, Hide, Fight, Comply” pamphlets and were available to speak with students and faculty about campus safety policies and procedures:

- “Spring Spirit” on April 11, 2018 (all campuses)
- “Acoustic Café” on September 20, 2018, March 28, 2017, October 18, 2017
- “Franks for Fall” on September 18, 2018 (All campuses)

All students who attend New Student Orientation are briefed on Active Shooter preparedness, A.L.I.C.E.

All employees receive yearly A.L.I.C.E. awareness training and are invited to participate in the annual active shooter exercises that are conducted on one of the campuses on a yearly basis. A.L.I.C.E. training for employees was conducted on May 7 & 8, 2018 on the Augusta Campus. An Active Shooter training exercise was conducted by the Augusta Technical College Police Department on August 13, 2018 at the Thomson/McDuffie campus.

Fire drills are conducted on a monthly basis in the 500 building, which houses the Head Start childcare program. Fire drills for all other buildings and campuses are conducted each semester.

Augusta Technical College has no off-campus locations for officially recognized student organizations, nor does Augusta Technical College sponsor off-campus housing facilities.

STUDENT CODE OF CONDUCT

Purpose:

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

Freedom to teach and freedom to learn are inseparable facets of academic conditions in the classroom, on the campus, other college sites, and in the community. Students are expected to exercise their freedom with responsibility. As members of the academic community, students are subject to the obligations which accrue to them by virtue of this membership. As members of the larger community of which the college is a part, students are entitled to all rights and protection accorded them by the laws of the community. Nothing in this Code of Conduct shall be interpreted to interfere with any person's right to free speech as provided by the First Amendment to the Constitution of the United States of America.

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

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

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

The Student Code of Conduct can be found on the college website or by following this link: <http://augustatech.smartcatalogiq.com/2018/Student-Handbook-and-Wellness-Guide/Student-Code-of-Conduct>

ALCOHOLIC BEVERAGES AND ILLEGAL DRUG POSSESSION

The possession, sale or the furnishing of alcohol on any campus of the Augusta Technical College is governed by school policy and Georgia state law. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Augusta Technical College Police Department. Violators are subject college disciplinary action, criminal prosecution, fine and imprisonment. It is a violation of the Augusta Technical College Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Augusta Technical College Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment.

Drug-Free Policy*

**The Drug-Free Policy was approved by the State Board of Technical and Adult Education July, 1990.*

A. Policy

1. The Federal Drug Free Schools and Communities Act Amendment of 1989 (Public Law 102-226) contains Section 22, Drug-Free Schools and Campuses, which was enacted to ensure that any institution of higher education that receives funds under any federal program has adopted and implemented a program to prevent the use of illicit drugs and abuse of alcohol by students.
2. No student may engage in the unlawful possession, use, or distribution of illicit drugs and alcohol on the 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.
3. If a student is convicted (including a plea of nolo contendere) of committing certain felony offenses involving any criminal drug and/or alcohol statute of any jurisdiction, regardless of whether the alleged violations occurred at the College or elsewhere, the student will be suspended immediately and denied state and/or federal financial aid funds from the date of conviction.
4. The College shall notify the appropriate state/federal funding agency within 10 days after receiving notice of the conviction from the student or otherwise after receiving the actual notice of conviction.
5. Within 30 days of notification of conviction, the College shall with respect to any student so convicted:
 - a. Take additional appropriate action against such student up to and including expulsion as it deems necessary.
 - b. Provide such student with a description of any drug or alcohol counseling treatment, or rehabilitation, or re-entry programs that are available for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

B. Responsibility

1. The College is responsible for ensuring the development and implementation of a drug-free awareness program to inform students of the following:
 - a. The dangers of drug and alcohol abuse on the campus and elsewhere.
 - b. Any available drug and alcohol counseling, rehabilitation, and assistance programs.
 - c. Any penalties to be imposed upon students for drug and alcohol abuse violations occurring on the campus.
2. Each College shall conduct a biennial review of its program to determine its effectiveness and implement changes to the program if they are needed and to ensure that the sanctions required by the program are consistently enforced.

ALCOHOL AND DRUG INFORMATION

LOCAL, STATE & FEDERAL LEGAL SANCTIONS

Legal Sanctions – Laws Governing Alcohol

OGCA 3-3-23 states that No person under 21 years of age shall purchase, attempt to purchase, or knowingly possess any alcoholic beverage; No person under 21 years of age shall misrepresent his or her identity or use any false identification for the purpose of purchasing or obtaining any alcoholic beverage; and no person under 21 years of age shall misrepresent such person's age in any manner whatever for the purpose of obtaining illegally any alcoholic beverage. If found guilty of violating OCGA 3-3-23, criminal sanctions for a conviction can result in a misdemeanor. Penalties can include fines, probation, imprisonment, and suspension of a driver's license (OCGA 3-3-23.1)

Specific ordinances regarding violations of alcohol laws, including driving under the influence, are available from the Campus Police Department.

A violation of any law regarding alcohol on campus or at college sponsored events is also a violation of the College's Student Code of Conduct and will be treated as a separate disciplinary matter by the College.

Alcohol, Drugs and Narcotics

1. The use, possession, or distribution of alcohol, narcotics, amphetamines, barbiturates, marijuana, hallucinogens, and any other dangerous or controlled drugs, not prescribed by a physician, is prohibited on College property or at College sponsored events.
2. Title 20-1 of the Official Code of Georgia Annotated states that any student of a public educational institution who is convicted, under the laws of the state, the United States, or any other state, of any felony offense involving the manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug shall, as of the date of conviction, be suspended from the public educational institution in which such person is enrolled. Except for cases in which the institution has previously taken disciplinary action against a student for the same offense, such suspension shall be effective as of the date of conviction, even though the educational institution may not complete all administrative actions necessary to implement such suspension until a later date. Except for cases in which the institution has already imposed

disciplinary sanctions for the same offense, such suspension shall continue through the end of the term, quarter, semester, or other similar period for which the student was enrolled as of the date of conviction. The student shall forfeit any right to any academic credit otherwise earned or earnable for such term, quarter, semester, or other similar period; and the educational institution shall subsequently revoke any such academic credit which is granted prior to the completion of administrative actions necessary to implement such suspension.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4), which, among other provisions, amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of participating in the Federal student financial aid programs authorized by Title IV of the HEA. Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports (ASRs).

The HEA defines the new crime categories of domestic violence, dating violence, and stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:

“Domestic violence” means a “felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA]; or 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.”

GA state law:

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, 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.

“Dating violence” means “violence committed by a person: who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a

relationship shall be determined based on a consideration of the following factors: 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,

GA state law:

In Georgia, the term Dating Violence is not defined, however, “Family Violence” is 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.

“**Stalking**” means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.”

GA state law

16-5-90. Stalking;

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

(2) A person commits the offense of stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, standing order issued under Code Section 19-1-1, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole

in effect prohibiting the harassment or intimidation of another person, broadcasts or publishes, including electronic publication, the picture, name, address, or phone number of a person for whose benefit the bond, order, or condition was made and without such person's consent in such a manner that causes other persons to harass or intimidate such person and the person making the broadcast or publication knew or had reason to believe that such broadcast or publication would cause such person to be harassed or intimidated by others.

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

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

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

16-5-91. Aggravated stalking

(a) 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.

(b) Any person convicted of a violation of subsection (a) of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than ten years and by a fine of not more than \$10,000.00. The provisions of subsection (d) of Code Section 16-5-90 apply to sentencing for conviction of aggravated stalking.

SEXUAL ASSAULT PREVENTION AND RESPONSE

Federal Campus Sexual Assault Victims' Bill of Rights

In cases of sexual assault on campus:

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present at any disciplinary proceeding.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic, employment, transportation, financial aid, immigration, and living situations.

The Campus Sexual Assault Victims' Bill of Rights was signed into law by President George Bush in July of 1992. This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. The "Campus Sexual Assault Victims' Bill of Rights" exists as a part of the campus security reporting requirements—commonly known as the Jeanne Clery Act.

On March 7, 2013, President Barack Obama signed a bill that strengthened and reauthorized the Violence Against Women Act (VAWA). Included in the VAWA legislation were amendments to the [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#) which afford additional rights to campus victims of sexual harassment, including sexual assault, dating or domestic violence, gender-based harassment and bullying, and stalking.

A (student or employee) victim or survivor of sexual harassment, including sexual assault, dating or domestic violence, gender-based harassment or bullying, and stalking shall be afforded the following rights:

- Victim's or survivor's option to decline to notify authorities.
- Accuser and accused are entitled to the same opportunities to have others present at any disciplinary proceeding or related meeting including an advisor of their choice.
- Both parties shall be notified simultaneously of the outcome of any disciplinary hearing, procedures to appeal, any change of results prior to final results, and final results.
- Written notification to victims or survivors about victims' or survivors' rights, options, and assistance the school is required to provide, including the institution's obligation to arrange appropriate accommodations for academic, counseling, health services, legal advocacy and assistance filing criminal reports, housing and transportation, financial aid assistance, immigration and visa assistance, help with employment concerns, and various other on-campus and off-campus needs.
- Information regarding how the institution will protect the confidentiality of victims or survivors, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the victim or survivor, to the extent permitted by law.

- Written notification to students and employees about existing resources and services on campus and within the local community, including counseling, medical and mental health services, immigration and visa assistance, employment, financial aid assistance, and legal services.

Reporting an incident of dating violence, domestic assault, stalking, rape, acquaintance rape or other sexual offense

Following an allegation of the offense of dating violence, domestic assault, stalking rape, acquaintance rape, or another sexual offense, **whether the incident occurred on campus or off campus**, and to the extent of the victim's cooperation, consent and request, college offices, including Student Affairs, Title IX Coordinator or Deputy Coordinators, ATCPD, and any other applicable departments, and regardless of whether the victim chooses to report the crime to ATCPD or local law enforcement, 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.

Sexual Offenses

Sexual offenses Augusta Technical College places a high priority on the safety of all students, employees and visitors. Any type of sexual misconduct is strictly forbidden. Criminal charges may be applied to sexual offenses.

Title IX Notice of Non-Discrimination

Augusta Technical College is in compliance with the rules and regulations for the administration of Title IV of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Title II of the Amendments of 1976, Public Law 83-318, as amended by Section 3 of Public Law 93-568, Title VI, Section 504 of the Rehabilitation Act of 1973, and Public Law 101-336, The Americans with Disabilities Act of 1990.

The Technical College System of Georgia and its constituent Technical Colleges do not discriminate on the basis of race, color, creed, national or ethnic origin, sex, religion, disability, age, political affiliation or belief, genetic information, disabled veteran, veteran of the Vietnam Era, spouse of military member or citizenship status (except in those special circumstances permitted or mandated by law). This nondiscrimination policy encompasses the operation of all technical college-administered programs, programs financed by the federal government including any Workforce 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. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

For information on Equity/Title IX, employees should contact: Shannon Patterson, Title IX Coordinator, Augusta Campus-Building 100, (706) 771-4013, sbentley@augustatech.edu; Julie Langham, Deputy Title IX Coordinator, Columbia County Center and Thomson Campus, (706) 595-0166, jlangham@augustatech.edu; Joan Teresa Evans, Deputy Title IX Coordinator, Burke Campus Library-Room #103, (706) 437-6806, tevans@augustatech.edu. For information on Equity/Title IX, students should contact Nichole Kennedy, (706) 771-4035, nichole.kennedy@augustatech.edu. For information on ADA/504, contact Karissa D. Wright, ADA/504 Coordinator, (706) 771-4067, Augusta Campus Counseling Center-Building 1300, kdavis@augustatech.edu.

Prevention/Intervention Programs

Prevention is one of the primary mechanisms used to reduce incidents of sexual violence, dating violence, domestic violence and stalking on campuses. The college is required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the students, employees. Such programs are designed to stop sexual violence dating violence, domestic violence and stalking through the promotion of positive and healthy behaviors. Programming educates the campus community on consent, sexual assault, alcohol use, dating violence, domestic violence, stalking, bystander intervention, and reporting. Below is a list of the educational programs and campaigns.

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

AlcoholEdu for College and ***Haven/Sexual Assault Prevention*** – through the Technical College System of Georgia (TCGS) the College offers these online education, prevention, and awareness courses through a service called EverFi. New and returning students have been notified to complete the courses by college email. A letter of introduction and instructions on how to access the training course were included in the email. New employees are directed to complete ***Haven for Employees Faculty*** during employee orientation and retake each year as required hours of Professional Development.

- ***AlcoholEdu for College*** – an interactive online program designed to reduce the negative consequences of alcohol amongst students.
- ***Haven/ Sexual Assault Prevention*** – an online program for students that addresses the critical issues of sexual assault, relationship violence, stalking, and sexual harassment.
- ***Haven for Employees*** – a web-based, interactive training program for employees that includes scenarios and examples they may face around sexual assault, domestic violence, and sexual harassment.

#Turn Augusta Teal (formerly We speak) - a campus-wide program sponsored by the Wellness Committee, Counseling Center, Student Government Association, and ATCPD that occurred on April 11, 2018. The purpose of this event is to bring awareness of community resources including Rape Crisis Sexual Assault Services (RCSAS), Safe Homes of Augusta (Domestic Violence) and Walton Option Independent Living (Elder Abuse). A banner was signed by students to show their support and then displayed at a Rape Crisis event known as Take back the Day and Take back the Night, hosted at Augusta State University.

Purple Promise/Domestic Violence Event – an event designed to speak up against domestic violence and to raise awareness of the need for bystander intervention. This event was held on October 23, 2018.

Wellness/Resource Fairs – campus-wide fairs were held on February 12-15, 2018 and September 5, and 10-12, 2018 highlighting the community agencies where students and employees receive valuable resource/service information. Several groups provided education, awareness, and prevention information including the Counseling Center, Wellness Committee, Rape Crisis Sexual Assault Services (RCSAS), Safe Homes of Augusta, CSRA Agency on Aging, and Walton Options Independent Living.

The College is currently under a three-year grant (FY2017-FY2019) with the Georgia Independent College Association (GICA) and the Office of Women's Health to create sustainable sexual assault and relationship violence education, prevention, and awareness program for students and employees. Grant priorities include: Year One - Promotion of Haven and Alcohol Edu. Year Two - Active Bystander Intervention. Year Three - Healthy Relationships.

The Georgia Independent College Association (GICA), a non-profit serving 26 private colleges, will work with member institutions and public colleges to develop a comprehensive sexual assault policy plan that includes strategies aligned with the White House Taskforce on Campus Sexual Assault recommendations and identifies challenges, introduces interventions proven to decrease the prevalence of sexual assault on campus, provides education on how to respond effectively when an assault occurs and clarifies current policy requirements and recommendations. The goal is to expand and improve sexual assault prevention strategies in the diverse campus environments represented by Georgia's extensive private and public colleges and universities through the implementation of policies and initiatives that are sustainable, evidenced-based and informed. GICA will implement and evaluate multiple prevention strategies on campuses across the state of Georgia to: 1) incorporate Title IX and VAWA into campus policies and processes, 2) assist with the formation of campus coalitions; and 3) lead prevention efforts grounded in best practices and research. (GICA/OWH Grant)

Intervention Assistance/Resources for Students

Information for off-campus sexual assault and substance abuse programs can be obtained from the college's counselors and/or ATCPD Officers. Wellness Counseling and referral services are available through the Counseling Center. This referral service provided by our counselors

includes comprehensive information about community agencies and support groups. In addition, the Wellness Committee plans, develops, and promotes wellness programs and activities for students and employees each semester. Counselors can help by referring individuals with alcohol and/or drug addictions to an appropriate agency or support group. An Employee Assistance Program is available.

A Wellness Guide is included in the Augusta Technical College Student Handbook. Anyone desiring a copy of the complete Wellness Guide, personal guidance and counseling, or referral to an agency or support group, may contact Amy Laughter at 706-771-4068.

Employee Assistance Program (EAP)

Augusta Technical College and the Technical College System of Georgia (TCSG) believe the health and wellbeing of all our employees is of critical importance. The State of Georgia has contracted with Espyr, an independent firm, to provide employee assistance services for full-time employees, and their immediate families. The EAP staff and counselors include psychologists, clinical social workers, marriage and family counselors, alcohol and drug counselors, attorneys, financial advisors and other professionals. EAP counselors are licensed mental health professionals, and all have a master's degree or doctorate in their field of expertise. The EAP program is free, confidential, and accessible 24/7, with your right to privacy protected within the bounds of the law. Espyr will not disclose who uses the Employee Assistance Program. To take advantage of the EAP, contact Espyr by calling 855-584-3588 or you may securely request services from the website at www.espyr.com. Enter SOG2015 in the Employee Portal as your password.

Educational Programs

- ***Haven: Understanding Sexual Assault/Sexual Assault Prevention*** online through EverFi
- Presentations by Campus Safety and Security personnel, as requested.

Sexual Violence Prevention Programs for Students and Employees

Augusta Technical College hosts wellness fairs annually with representatives from Safe Homes, Rape Crisis and Sexual Assault Services, and other agencies to promote both prevention education and assistance programs for victims of sexual violence. The counseling center also has contact information for other services and is available to provide referrals when necessary. All employees were required to complete ***Preventing Harassment and Sexual Violence in CY 2018*** and all new employees will be required to complete the training as well. Additionally, all employees are required to complete Title IX training on an annual basis.

Due to added emphasis on the Clery Act: Violence Against Women Act, the College offers two courses through a service called EverFi. The courses are ***Haven Understanding Sexual Assault/Sexual Assault Prevention*** and ***AlcoholEdu for College***. New and returning students

have been notified by college email requesting that the courses be completed. A letter of introduction and instructions on how to access the training were included in the email.

The counseling center and the ATCPD can conduct, or arrange, training as requested.

Ways to Prevent and Reduce the Risk of Sexual Assault

Although victims are NEVER responsible for being assaulted, there are precautions you can take to lower your risk.

- Know your limits and communicate them clearly and firmly.
- Be aware of your surroundings and avoid secluded places, especially with someone you don't know well.
- Have a safety plan (such as buddy system) in place - especially BEFORE heading out with one or more friends - and avoid people who display controlling behavior and don't respect your limits

Active Bystander Intervention

An active bystander is one who may observe violence or witness the conditions or situations that may lead to violence, including, but not limited to, bullying, sexual harassment, sexual assault, domestic violence, or stalking. A bystander is not directly involved in the situation, but may have the choice to intervene in some manner. Bystander intervention is facilitated when the bystander speaks up, intervenes, or calls the authorities. Since they are present during the situation, they have the potential to discourage, prevent, or interrupt an 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. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

(Bystander intervention strategies have been adapted from Stanford University.)

Options for Bystanders

Any person who witnesses an active sexual assault or incident of domestic violence, dating violence or stalking is requested to immediately call 9-1-1, the Augusta Technical College Police Department, or notify a campus authority. Bystanders are strongly discouraged from intervening in an altercation to the extent that the bystander's safety is at risk. In addition to calling police, a person who witnesses an active assault may distract the person committing the assault and draw attention to the scene by shouting for help. If a person who commits an assault flees, a bystander should assist the victim of the assault and obtain the offender's description and direction of travel for responding officers. If a bystander encounters someone who is being followed by a stalker, the bystander may accompany that person to a safe, populated location and remain with the person until police arrive.

Sanctions

Upon determination that a student or employee has committed the offense of dating violence, domestic assault, stalking rape, acquaintance rape, or another sexual offense, the following sanctions are available:

- Criminal Charges
- Probation
- Suspension from college and/or employment
- Expulsion from college
- Termination of employment
- Ban from college property

Range of Protective Measures That May Be Offered

Following an allegation of the offense of dating violence, domestic assault, stalking rape, acquaintance rape, or another sexual offense, **whether the incident occurred on campus or off campus**, and to the extent of the victim's cooperation, consent and request, college offices, including Student Affairs, Title IX Coordinator or Campus administrators, ATCPD, and any other applicable departments, and regardless of whether the victim chooses to report the crime to campus police or local law enforcement, 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 or working situations in addition to counseling referrals, health services referrals and assistance in notifying appropriate law enforcement authorities. If a victim has an order of protection, "no contact" order, restraining order, or similar lawful orders issued by a criminal, civil or tribal court, the campus police, or the local sheriff's office, will assist in ensuring that the order is executed, according to the applicable law concerning the order.

Victims of dating violence, domestic violence, sexual assault or stalking, **whether the incident took place on or off campus**, will be provided with written documentation outlining their rights and options.

Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The College does not publish the name of crime victims nor house identifiable information regarding victims in the ATCPD Daily Crime Log or online.

Procedures for Victims

In the event you are the victim of sexual assault, dating violence, domestic violence or stalking, it is important to remember details, follow procedures and notify the proper college officials. The single most important thing a victim of rape or sexual assault, dating violence, domestic violence or stalking can do is to tell someone--the police, a friend, a medical professional, etc. Rape or sexual assault, whether by a stranger or someone you know, is a violation of your body, your trust and your right to choose. The following are recommended procedures to follow:

- Do not shower, wash, or change your clothes if you are the victim of a sexual assault or rape
- Preserve any evidence such as clothing, used condoms, towels, tissue or other items which may be useful for investigation purposes
- If the incident occurs on campus, contact the Vice President of Administrative Services. If the incident occurs off campus, contact 911.
- If you are a victim of domestic violence, dating violence or stalking, it is important to document the crime, if possible. Take photos of injuries or damage to property, maintain phone records, record dates and time of incidents and report incidents to local law enforcement. Preserving any evidence can assist in the arrest and prosecution of the offender.
- Victims may contact other college officials to get assistance in notifying appropriate law enforcement and medical personnel.
- Seek medical attention immediately. Campus Safety and Security can assist in seeking medical attention. Also, local emergency medical services can be contacted by dialing 9- 911 from a campus phone.
- Seek counseling to assist with mental and emotional trauma. Information concerning counseling services available through various agencies can be obtained by calling Karissa Davis at (706) 771-4067.

If you are the victim of dating violence, domestic violence, sexual assault, or stalking, the following off campus resources, victim services, and support services are available (**Augusta Technical College does not have counselors on staff that can assist with crisis counseling**):

- Rape Crisis Center located at University Hospital The Rape Crisis Center by calling (706) 724-5200
- District Attorney's Office by calling (706) 821-1135 (Richmond and Columbia County)
- Richmond County Victim & Witness Assistance by calling (706) 821-1220
- Safe Homes by calling (706) 736-2499
- Burke County Victim's Assistance by calling (706) 437-1424
- Toombs Victim Assistance by calling (706) 595-7175 (McDuffie County)

- U.S. Citizenship and Immigration Services located at 2150 Parklake Drive NE Atlanta, Georgia 30345
- Financial aid information by calling 706-771-4030 or by visiting the Augusta Tech website at https://www.augustatech.edu/fin_aid_pay.html

Student services staff and advisors can also assist with contacting their resources at the above agencies.

Campus Disciplinary Procedures

Disciplinary procedures for students in the event of any criminal incident including sexual offenses are outlined in the Code of Student Conduct section of the Student Handbook. In cases involving sex offenses, the college will provide for a prompt, fair, and impartial disciplinary proceeding, from the initial investigation to the final result, in cases of alleged dating violence, domestic violence, sexual assault, or stalking in which: (1) officials are appropriately trained and do not have a conflict of interest or bias for or against the accuser or the accused; (2) the accuser and the accused have equal opportunities to have others present, including an advisor of their choice; (3) the accuser and the accused receive simultaneous notification, in writing, of the result of the proceeding and any available appeal procedures; (4) the proceeding is completed in a reasonably prompt time frame; (5) the accuser and accused are given timely notice of meetings at which one or the other or both may be present; and (6) the accuser, the accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings. Both the accuser and the accused shall be informed of the results of the outcome, in writing, of any campus disciplinary proceeding brought alleging sexual assault.

For the purposes of this section, “Advisor” means: any individual who provides the accuser or accused support, guidance, or advice.

Victim Confidentiality

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

UNLAWFUL HARASSMENT AND DISCRIMINATION OF STUDENTS

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

All students and employees are expressly prohibited from engaging in any form of unlawful harassing, discriminating, intimidating or retaliatory behavior or conduct (“prohibited conduct”)

in all interactions with each other, whether or not the interaction occurs during class or on or off campus. Visitors to campuses also shall not engage in prohibited conduct and may be barred from campus for such prohibited conduct. Allegations of discrimination, harassment or retaliation, occurring at clinical sites to which students are assigned shall be investigated in accordance with this procedure.

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

All students are encouraged to report any prohibited conduct. Reports will be treated in an expeditious and confidential manner. TCSG will not tolerate retaliation for having filed a good faith harassment and/or discrimination complaint or for having provided any information in an investigation. Any individual who retaliates against a complainant or witness in an investigation will be subject to disciplinary action, up to and including expulsion or dismissal.

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

Reporting and Management Action

1. All students are encouraged to report incidents of sex discrimination and sexual misconduct against themselves or others to the Title IX Coordinator at the technical college. Students may find contact information for the Title IX Coordinator on the technical college website, and in the student handbook and college catalog. Complaints may also be emailed to unlawfulharassment@tcs.edu.
2. Complaints under this procedure can be expressed in writing, by telephone, or in person; individuals are encouraged to express complaints in writing to ensure all concerns are addressed.
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.
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 System-wide investigator assist the student with notifying local law enforcement authorities. If a technical college's campus law enforcement receives a complaint alleging sexual harassment and/or sexual misconduct as defined in this procedure, the Title IX Coordinator for the college shall be immediately notified so that appropriate action may be taken by the Title IX Coordinator regarding the complaint.

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

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, whether there have been other complaints about the same individual, and the respondent's right to receive information about the allegations if the information is maintained as an "education record" under FERPA. The college must inform the complainant if the request cannot be granted and the reasons for the denial.

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

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

Coordinator, or who a student could reasonably believe has this authority or responsibility, including instructors and staff at the college.

10. Allegations of any sexual conduct involving individuals under the age of 18 must also be reported as an allegation of child abuse as outlined in O.C.G.A. § 19-7-5.
11. Interim protective measures may be imposed by the college president or the Title IX Coordinator or his/her designee before the final outcome of an investigation and until final resolution of the allegations if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the complainant, the respondent, or other members of the college, or to ensure equal access to the college's programs and activities. Interim protective 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.

Investigations

1. All complaints of prohibited conduct under this procedure will be reported immediately to the System-wide investigator who will be responsible for conducting the investigation in a fair, prompt, and impartial manner.

The System-wide investigator shall disclose to the TCSG Compliance Officer any relationship with the parties that could call into question his/her ability to be objective prior to taking any action with respect to the investigation. The TCSG Compliance Officer will reassign alternate individuals if necessary.

Either the complaining party or the respondent may challenge the System-wide investigator or designee to recommend corrective action on the grounds of personal bias by submitting a written statement to the TCSG Compliance Officer setting forth the basis for the challenge no later than 3 business days after the party reasonably should have known of the alleged bias. The TCSG Compliance Officer will determine whether to sustain or deny the challenge.

2. The investigation should be completed within 30 business days of the receipt of the complaint by the system-wide investigator. The investigator will notify the parties and the Title IX Coordinator in writing (typically by email) if extraordinary circumstances exist requiring additional time.
3. A complaining party will be notified within 5 business days of receipt of the complaint by the System-wide investigator if the complaint does not specify facts sufficient to allege sex discrimination, harassment, sexual violence or retaliation and that a formal investigation will not be conducted pursuant to this procedure. The complaining party may appeal the decision in

writing to the president within 5 business days of receiving the notice. The president's decision will be final.

4. Individuals designated to investigate or recommend corrective actions in response to allegations of sexual misconduct will be trained annually to conduct investigations in a manner that protects the safety of complainants, promotes fairness of the process and accountability.
5. Investigations will be conducted by gathering relevant information and interviewing appropriate witnesses. It is important that all parties preserve any documents or other evidence which may pertain to the investigation. Any medically related evidence is best preserved by trained medical personnel. Students are encouraged to seek medical services both for treatment and preservation of any medical evidence.
6. Both the complaining party and the respondent (the parties) will be given equal opportunity to identify witnesses and offer evidence in person or in writing. Best efforts will be made to interview all witnesses identified by the parties. If a witness identified by either party is not interviewed during the investigation, an explanation for the decision not to interview the witness should be documented in the investigatory report. Both parties will be given timely notice of meetings at which one or the other or both parties may be present. Both the complaining party and the respondent may be accompanied by an advisor of his or her choice during any meetings involved in the investigatory process in which the advisee is also eligible to be present. However, the advisor may not speak on behalf of the party.
7. The System-wide investigator will evaluate the information collected during the investigation and determine whether a preponderance of the evidence substantiates the allegations. Investigations and summary findings will be documented appropriately.
8. Any evidence collected during the investigation should be maintained in accordance with the record retention requirements below. Personally-identifiable information, including, but not limited to home address, telephone number, student ID or social security number should not be maintained in investigative records.
9. A report of investigation will be provided to the college's Title IX Coordinator within five (5) days of completion of the investigation. The Title IX Coordinator will provide both parties simultaneously with a copy of the report. Any information prohibited from disclosure by law or policy will be redacted from any documents prior to distribution. With regard to complaints of sexual misconduct, disclosures made to comply with the Violence Against Women Reauthorization Act ("VAWA") do not constitute a violation of FERPA.
10. If the System-wide investigator determines that all or some of the allegations made in the complaint are substantiated and that the conduct at issue constitutes a violation of this or other applicable procedure, the Title IX Coordinator shall forward the report to the appropriate

officials at the college for further action in accordance with the provisions below and the college's Student Code of Conduct and Disciplinary Procedure or the Positive Discipline Procedure for employees.

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. Steps may include, but are not limited to, mandating training or evaluation, disciplinary sanctions, policy implementation, issuing no-contact orders, or reassignment of students or employees. Disciplinary sanctions for students are defined in TCSG Procedure governing Student Discipline and may include: reprimand, restriction, disciplinary probation, disciplinary suspension, and disciplinary expulsion. 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. Should recommended disciplinary sanctions involve academic suspension or expulsion, the matter must be referred to the Vice President for Student Affairs, as provided by the college's Student Code of Conduct and Disciplinary Procedure.
4. Even in the absence of sufficient evidence to substantiate a finding that sex discrimination, sexual misconduct or retaliation has occurred, colleges are expected to address any inappropriate conduct and take all reasonable steps to prevent any future sex discrimination, harassment, sexual violence or retaliation.
5. Individuals who are responsible for conducting investigations or proposing sanctions under this procedure may not also serve as reviewing officials or hearing officers in the appeal of sanctions arising from an investigation.

Reviews and Dispositions

1. Any of the parties to a complaint under this procedure may request a review of the investigative findings within 5 business days of receiving notice of the investigative results by submitting a written request to the president.
2. Within 10 business days of receiving a request for a review of the investigative findings, the president of the college will notify the parties in writing, which may be sent via email, of his/her final determination, including any change in the result of the findings.

Record Retention

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

(TCSG Policy: 6.1.1p)

UNLAWFUL DISCRIMINATION, HARASSMENT AND RETALIATION IN EMPLOYMENT

The purpose of this procedure is to ensure that all employees of the Technical College System of Georgia, which includes Augusta Technical College, are provided an environment free of unlawful discrimination, harassment (including sexual harassment) and retaliation.

All employees are expressly prohibited from engaging in any form of unlawful discrimination or harassment. Any employee who has engaged in such prohibited behaviors or conduct will be subject to disciplinary action, up to and including dismissal.

All employees are required to report any act of unlawful discrimination and harassment. Reports will be treated in an expeditious and confidential manner to the extent provided by law. TCSG will not tolerate retaliation for having filed a good faith complaint of unlawful discrimination or harassment or for having provided any information in an investigation of such. Any employee who retaliates against a complainant or witness in an investigation will be subject to disciplinary action, up to and including dismissal.

Employees in a supervisory or managerial capacity are prohibited from knowingly permitting unlawful discrimination, harassment or retaliation in their assigned work unit(s) and from making sexual advances, welcome or unwelcome, toward any subordinate.

The harassment of an employee by a non-employee (e.g. vendor, contractor, etc.) in conjunction with the performance of his/her assigned duties and responsibilities and the harassment of a non-employee by an employee will not be tolerated.

Conduct which does not rise to the level of unlawful harassment may still violate other policies or procedures and subject an employee to disciplinary action, up to and including dismissal from employment.

Reporting and Management Action

1. All employees are required to report allegations of unlawful discrimination, harassment and retaliation against themselves or others, as well as other possible policy violations.
 - a. Allegations of unlawful discrimination, harassment or retaliation may be reported by employees within their chain of command, or may bypass the normal chain of command and report an allegation/suspicion directly to the Title IX Coordinator or Human Resources Director; employees may also email complaints to UnlawfulHarassment@tcsg.edu.
 - b. Complaints can be expressed in writing, by telephone, or in person.
2. Supervisors who have reason to believe that unlawful discrimination, harassment and/or retaliation may exist shall immediately inform the President, Human Resources Director, Title IX Coordinator or the System Office Human Resources Director.
3. Other than reporting the information and discussing it with the investigator, employees must keep the information confidential unless release is approved, or unless final action has been taken pursuant to this Procedure.
4. Employment related unlawful discrimination, harassment or retaliation complaints received by the Title IX Coordinator shall be immediately reported to the Human Resources Director.
5. A President or other designee of the Commissioner may suspend with pay, temporarily transfer, or reassign employees involved in an investigation in order to prevent further discrimination or harassment or to facilitate the effectiveness of an investigation. Whenever possible, any changes in assignments or work status for a complainant should not be made.
6. Unless otherwise authorized by the System Office Human Resources Director or Office of Legal Services, no disciplinary action shall be taken against the respondent until an investigation has been completed. *NOTE: A suspension with pay pending completion of an investigation is not a disciplinary action.*
7. All allegations of unlawful discrimination, harassment and retaliation by or against a System office employee, Vice President or President of a technical college shall be referred to the System Office Human Resources Director or the Office of Legal Services.
8. A President may refer any allegation of unlawful discrimination harassment, and/or retaliation to the System Office Human Resources Director or Office of Legal Services for investigation. Investigations may also be conducted in conjunction with the Local Investigator.

Investigations

1. All complaints shall be investigated thoroughly and should be completed within 45 business days of the receipt of the complaint. The parties will be notified if extraordinary circumstances exist requiring additional time.
2. If a complaint does not specify facts sufficient to support an allegation of unlawful discrimination, harassment or retaliation the President, after consultation with the Office of Legal Services, may determine the allegations will not be investigated pursuant to this Procedure. The complaint, if appropriate, may be investigated pursuant to the Employee Complaint Procedure. The complainant must be notified of the decision within five (5) business days of receipt of the complaint. Upon consent by both the complainant and the

respondent, any complaint not rising to an allegation of unlawful conduct may also be referred for mediation in lieu of investigation. Mediations must be conducted by a qualified objective-third party not employed by the college.

3. Both the complaining party and the respondent will be given an 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.
4. Conduct which does not rise to the level of unlawful discrimination or harassment as those terms are defined in this Procedure may still violate other policies or procedures and any such violations should be included in investigative findings.
5. Investigative materials generated through the application of this Procedure will be processed and maintained confidentially to the extent permitted by law.

Review and Disposition

1. Local Investigators and Presidents should consult with the Office of Legal Services when making the determination whether or not the facts support a finding of unlawful conduct.
2. If the results of the investigation do not support a finding of unlawful discrimination, harassment or retaliation, or other policy violations, the matter will be closed and the parties notified of such.
3. If the results of the investigation support a finding of unlawful harassment, discrimination or retaliation or any other policy violation, the President shall promptly take any necessary action to ensure the conduct is not repeated. Actions may include, but not be limited to, mandating training, issuance of disciplinary actions, or dismissal from employment.
4. Both the complainant and the respondent will be notified in writing of the results of the investigation; provided, however, that if disciplinary action is to be initiated as a result of the investigation, neither party will be notified until all disciplinary actions are taken.

Record Retention

Acknowledgment statements shall be retained permanently in the official personnel files of employees. Investigative files shall be retained for 5 years after the close of the investigation or effective date of any adverse employment action resulting from the investigation
(TCSG policy 4.3.1p)

For the purposes of this section, “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.*

For the purposes of this section, “Results” means *any initial, interim and 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.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C.1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA)

Augusta Technical College will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this policy.

DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING

Augusta Technical College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking.

Violence Against Women Act (VAWA) definitions of dating violence, domestic violence, sexual assault and stalking are listed on pages 23-27

Risk Reduction and Prevention

“Prevention” is stopping the behavior

“Risk reduction” is actively taking steps to reduce the likelihood that the behavior will happen

Stalking is contact (usually two or more times) from someone that makes you feel afraid or harassed.

Examples of stalking include:

- Following or spying on you
- Sending you unwanted emails or letters
- Calling you often
- Showing up at your house, school, or work
- Leaving you unwanted gifts

You can be stalked by a stranger, but most stalkers are people you know, like a boyfriend or ex-boyfriend. Sometimes, a current partner will stalk you by calling very often, texting constantly, or asking where you are all the time. These may be signs of an abusive relationship.

Stalking is a crime and can be dangerous. To learn more about the laws against stalking, contact the National Center for Victims of Crime helpline. Stalking can be very frightening, and can make you feel out of control, anxious, and depressed. It can affect

your ability to sleep, eat, and work. If you are being stalked, get support from people who care about you.

If you think you're being stalked, consider these steps:

File a complaint with the police. Make sure to tell them about all threats.

- If you are in immediate danger, find a safe place to go, like a police station, friend's house, domestic violence shelter, fire station, or public area. If you can't get out of danger, but can get to a phone, call 911.
- Get a restraining order. A restraining order requires the stalker to stay away from you and not contact you. You can learn how to get a restraining order from a domestic violence shelter, the police, or an attorney in your area.
- Write down every incident. Include the time, date, and other important information.
- Keep evidence such as videotapes, voicemail messages, photos of property damage, and letters. Get names of witnesses.
- Contact support systems to help you, including domestic violence and rape crisis hotlines, domestic violence shelters, counseling services, and support groups. Keep these numbers handy in case you need them.
- Tell important people in your life about the stalking problem, including the police, your employer, family, friends, and neighbors.
- Carry a cellphone at all times so you can call for help.
- Consider changing your phone number (though some people leave their number active to collect evidence). You also can ask the phone company about call blocking and other safety features.
- Secure your home with alarms, locks, and motion-sensitive lights.

Cyberstalking is using the Internet, email, or other electronic communications to stalk someone. Examples of cyberstalking include:

- Sending unwanted, frightening, or obscene emails, text messages, or instant messages (IMs)
- Harassing or threatening someone in a chat room
- Posting improper messages on a message board
- Tracking your computer and Internet use
- Sending electronic viruses
- Pretending to be you in a chat room

If you are cyberstalked:

- Send the person a clear, written warning not to contact you again.
- If the stalking continues, get help from the police. You also can contact a domestic violence shelter and the National Center for Victims of Crime Helpline for support and suggestions.

- Print out copies of evidence such as emails. Keep a record of the stalking and any contact with police.
- Consider blocking messages from the harasser.
- Change your email address.
- File a complaint with the person's Internet Service Provider (ISP).
- Never post online profiles or messages with details that could be used to identify or locate you (such as age, sex, address, workplace, phone number, school, or places you hang out).

<https://www.womenshealth.gov/violence-against-women/types-of-violence/stalking.html>

Dating violence is when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes, and education levels. It can happen on a first date, or when you are deeply in love. It can happen whether you are young or old, and in heterosexual or same-sex relationships. Dating violence is always wrong, and you can get help.

Dating violence includes:

- **Physical abuse** like hitting, shoving, kicking, biting, or throwing things
- **Emotional abuse** like yelling, name-calling, bullying, embarrassing, keeping you away from your friends, saying you deserve the abuse, or giving gifts to "make up" for the abuse.
- **Sexual abuse** like forcing you to do something sexual (such as kissing or touching) or doing something sexual when you cannot agree to it (like when you are very drunk).

Dating violence often starts with emotional abuse. You may think that behaviors like calling you names or insisting on seeing you all the time are a "normal" part of relationships. But they can lead to more serious kinds of abuse, like hitting, stalking, or preventing you from using birth control. Learn more about the warning signs of abuse and the differences between healthy and unhealthy relationships.

Dating violence can cause serious harm to your body and your emotions. If you are in an abusive relationship, get help.

Leaving an Abusive Dating Relationship

If you think you are in an abusive relationship, learn more about getting help. See a doctor or nurse to take care of any physical problems. And reach out for support for your emotional pain. Friends, family, and mental health professionals all can help. If you're in immediate danger, dial 911.

If you are thinking about ending an abusive dating relationship, keep some tips in mind:

- Create a safety plan, like where you can go if you are in danger.

- Make sure you have a working cellphone handy in case you need to call for help.
- Create a secret code with people you trust. That way, if you are with your partner, you can get help without having to say you need help.
- If you're breaking up with someone you see at your high school or college, you can get help from a guidance counselor, advisor, teacher, school nurse, dean's office, or principal. You also might be able to change your class schedules or even transfer to another school.
- If you have a job, talk to someone you trust at work. Your human resources department or employee assistance program (EAP) may be able to help.
- Try to avoid walking or riding alone.
- Be smart about technology. Don't share your passwords. Don't post your schedule on Facebook, and keep your settings private.

Avoiding Date Rape Drugs

Date rape drugs are drugs that are sometimes put into a drink to prevent a person from being able to fight back during a rape. These drugs have no color, taste, or smell, so you would not know if someone put them in your drink. They also make it hard to remember what happened while you were under their influence.

If you go to a club, bar, or party, here are some steps to take to avoid date rape drugs:

- Don't accept drinks from other people.
- Keep your drink with you at all times, even when you go to the bathroom.
- Don't drink from punch bowls or other open containers.
- If you lose track of your drink, dump it out.

<https://www.womenshealth.gov/violence-against-women/types-of-violence/dating-violence.html>

Rape and Sexual Assault

Consent

There is no definition in the Georgia state code (OCGA) for “*Consent*” in reference to sexual activity. However, Augusta Technical College defines consent as “words or actions are freely, knowingly, and actively given that indicate that permission is given to engage in mutually agreed upon sexual activity.” It is important to note that consent can be withdrawn at any time. The existence of a current or former intimate relationship between two persons does not alone sufficiently constitute consent. Consent cannot be given if a person is prevented from (or incapable of) providing consent. This can occur when a person is impaired by alcohol or drugs or if they have a physical or mental disability that renders them unable to give consent freely, knowingly, and actively. Silence or passivity does not infer consent.

Rape is sex you don't agree to, including forcing a body part or an object into your vagina, rectum (bottom), or mouth. In the United States, 1 in 6 women reported experiencing rape or attempted rape at some time in their lives.

In Georgia, rape is defined under 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.

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

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

Sexual assault or abuse is any type of sexual activity that a person does not agree to, including:

- Rape or attempted rape
- Touching your body or making you touch someone else's
- Incest or sexual contact with a child
- Someone watching or photographing you in sexual situations
- Someone exposing his or her body to you

Sometimes, sexual violence is committed by a stranger. Most often, though, it is committed by someone you know, including a date or an intimate partner like a husband, ex-husband, or boyfriend. Sexual violence is always wrong, and a person who is sexually abused does not ever "cause" the attack.

Keep in mind that there are times when a person is not able to agree to sex, such as if they are drunk or have been drugged with a date rape drug, or if they are underage.

Women who are sexually abused may suffer serious health problems, such as sexually transmitted infections, stomach problems, and ongoing pain. They also are at risk for emotional problems, like depression, anxiety, and post-traumatic stress disorder. If you

or someone you know has been sexually abused, it is important to get help as soon as possible.

If someone you know has been abused or assaulted you can help by listening and offering comfort. If the person wants, you also can go along to the police station, the hospital, or counseling sessions. Make sure the person knows the abuse is not his or her fault, and that it is natural to feel angry and ashamed.

In Georgia, Sexual Assault is defined under O.C.G.A 16-6-5.1:

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

(1) "Actor" means a person accused of sexual assault.

(2) "Intimate parts" means the genital area, groin, inner thighs, buttocks, or breasts of a person.

(3) "Psychotherapy" means the professional treatment or counseling of a mental or emotional illness, symptom, or condition.

(4) "Sexual contact" means any contact between the actor and a person not married to the actor involving the intimate parts of either person for the purpose of sexual gratification of the actor.

(5) "School" means any educational program or institution instructing children at any level, pre-kindergarten through twelfth grade, or the equivalent thereof if grade divisions are not used.

(b) A person who has supervisory or disciplinary authority over another individual commits sexual assault when that person:

(1) Is a teacher, principal, assistant principal, or other administrator of any school and engages in sexual contact with such other individual who the actor knew or should have known is enrolled at the same school; provided, however, that such contact shall not be prohibited when the actor is married to such other individual;

(2) Is an employee or agent of any community supervision office, county juvenile probation office, Department of Juvenile Justice juvenile probation office, or probation office under Article 6 of Chapter 8 of Title 42 and engages in sexual contact with such other individual who the actor knew or should have known is a probationer or parolee under the supervision of any such office;

(3) Is an employee or agent of a law enforcement agency and engages in sexual contact with such other individual who the actor knew or should have known is being detained by or is in the custody of any law enforcement agency;

(4) Is an employee or agent of a hospital and engages in sexual contact with such other individual who the actor knew or should have known is a patient or is being detained in the same hospital; or

(5) Is an employee or agent of a correctional facility, juvenile detention facility, facility providing services to a person with a disability, as such term is defined in Code Section 37-1-1, or a facility providing child welfare and youth services, as such term is defined in Code Section 49-5-3, who engages in sexual contact with such other individual who the actor knew or should have known is in the custody of such facility.

(c) A person who is an actual or purported practitioner of psychotherapy commits sexual assault when he or she engages in sexual contact with another individual who the actor knew or should have known is the subject of the actor's actual or purported treatment or counseling or the actor uses the treatment or counseling relationship to facilitate sexual contact between the actor and such individual.

(d) A person who is an employee, agent, or volunteer at any facility licensed or required to be licensed under Code Section 31-7-3, 31-7-12, or 31-7-12.2 or who is required to be licensed

pursuant to Code Section 31-7-151 or 31-7-173 commits sexual assault when he or she engages in sexual contact with another individual who the actor knew or should have known had been admitted to or is receiving services from such facility or the actor.

(e) Consent of the victim shall not be a defense to a prosecution under this Code section.

(f) A person convicted of sexual assault shall be punished by imprisonment for not less than one nor more than 25 years or by a fine not to exceed \$100,000.00, or both; provided, however, that:

(1) Except as provided in paragraph (2) of this subsection, any person convicted of the offense of sexual assault of a child under the age of 16 years shall be punished by imprisonment for not less than 25 nor more than 50 years and shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2; and

(2) If at the time of the offense the victim of the offense is at least 14 years of age but less than 16 years of age and the actor is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor and shall not be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

Staying Safe from Sexual Assault

Steps you can take to reduce your chances of being sexually assaulted include:

- Making sure you don't drink too much alcohol, so you can keep yourself safe
- Parking in well-lit areas
- Not leaving a social event with someone you just met
- Keeping your car and home doors locked
- Having your key ready as you approach your door

One important way to stay safe at clubs and parties is to learn more about date rape drugs. These are drugs that have no smell or taste that can be slipped into drinks. They are used to make it hard for a person to fight off a rape or to remember what happened.

Another important way to avoid sexual abuse is to leave a relationship that is becoming unhealthy. Remember, no one has a right to pressure you into doing sexual things you do not want to do. If you think your relationship may be abusive, learn more about the signs of abuse.

<https://www.womenshealth.gov/violence-against-women/types-of-violence/sexual-assault-and-abuse.html>

How Can I Lower My Risk of Sexual Assault?

There are things you can do to reduce your chances of being sexually assaulted. Follow these tips from the National Crime Prevention Council.

- Be aware of your surroundings — who's out there and what's going on.
- Walk with confidence. The more confident you look, the stronger you appear.
- Know your limits when it comes to using alcohol.
- Be assertive — don't let anyone violate your space.

- Trust your instincts. If you feel uncomfortable in your surroundings, leave.
- Don't prop open self-locking doors.
- Lock your door and your windows, even if you leave for just a few minutes.
- Watch your keys. Don't lend them. Don't leave them. Don't lose them. And don't put your name and address on the key ring.
- Watch out for unwanted visitors. Know who's on the other side of the door before you open it.
- Be wary of isolated spots, like underground garages, offices after business hours, and apartment laundry rooms.
- Avoid walking or jogging alone, especially at night. Vary your route. Stay in well-traveled, well-lit areas.
- Have your key ready to use before you reach the door — home, car, or work.
- Park in well-lit areas and lock the car, even if you'll only be gone a few minutes.
- Drive on well-traveled streets, with doors and windows locked.
- Never hitchhike or pick up a hitchhiker.
- Keep your car in good shape with plenty of gas in the tank.
- In case of car trouble, call for help on your cellular phone. If you don't have a phone, put the hood up, lock the doors, and put a banner in the rear mirror that says, "Help. Call police."

<https://www.womenshealth.gov/violence-against-women/types-of-violence/sexual-assault-and-abuse.html>

SEXUAL OFFENDER REGISTRY

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

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

In accordance with general institutional emergency notification procedures, when an Augusta Technical College student is thought to be missing from the College, Augusta Technical College administration should be immediately notified. Specifically, the Vice President for Student Affairs, ATCPD and the appropriate administrator office should be contacted so that they can coordinate efforts to locate the student. The Office of Student Affairs or ATCPD has the authority and the responsibility for coordinating the efforts made by Augusta Technical College

to assist the student and the student's family in completing a missing persons report through either the ATCPD or local law enforcement agency.

CRIME STATISTICS

Augusta Technical College maintains a close relationship with local law enforcement to ensure that it is notified of any crime report that is made directly to them that occurs on campus, on non-campus property, or public property. The College will record any crime that occurs on campus, on non-campus property, or public property (based upon Clery geography) that is reported to ATCPD by any CSA or local law enforcement agency.

Unfounded Cases - The deciding official may classify a report as “unfounded” when an investigation proves the report to be false or baseless (i.e., the investigation shows that no offense occurred nor was attempted). Unfounded cases will be recorded, documented and filed, but will not be included in the annual disclosure of Clery crime statistics. Unfounded cases (UCR Part I offenses) will still be recorded and listed on the agency’s monthly UCR report.

UCR Part 1 crimes are as follows:

- Homicide
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Larceny (and Theft from Motor Vehicle)
- Auto Theft
- Arson

DEFINITIONS OF REPORTABLE CRIMES

Clery definitions (*applicable GA state code in parenthesis*)

1. Criminal Homicide

These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Negligent Manslaughter.

a) **Murder and Non-negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

b) **Manslaughter by Negligence** is defined as the killing of another person through gross negligence.

(*OCGA 16-5-1 through 16-5-5*)

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

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

Rape is defined as 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.

(OCGA 16-6-1, 16-6-2, 16-6-3, 16-6-4)

Georgia O.C.G.A. 16-6-1 states: (a) A person commits the offense of rape when he has carnal knowledge of: (1) A female forcibly and against her will; or (2) A female who is less than ten years of age. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The Code recognizes that rape can occur even between spouses so the defendant cannot use the fact that he is married to the person accusing him of rape as a defense. Rape is punishable by death, life imprisonment with or without parole, or a minimum of 25 years imprisonment, followed by probation for life.

Fondling is 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.

(OCGA 16-6-22.1 Sexual Battery)

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

(OCGA 16-6-22)

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

(OCGA 16-6-3)

3. Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Essential Elements of a Robbery:

- Committed in the presence of a victim (usually the owner or person having custody of the property).
- Victim is directly confronted by the perpetrator.
- Victim is threatened with force or put in fear that force will be used.

- Involves a theft or larceny.

(OCGA 16-8-40, 16-8-41)

4. **Aggravated Assault** is 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.

(OCGA 16-5-21)

5. **Burglary** is the unlawful entry of a structure to commit a felony or a theft.

(OCGA 16-7-1)

6. **Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

(OCGA 16-8-2)

7. **Arson** is 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.

(16-7-60 thru 16-7-62)

Hate crimes: a criminal offense the manifests evidence that the victim was intentionally selected because the perpetrator's bias against the victim The crimes listed below are required to be reported if the are motivated by bias:

- Larceny-Theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- Simple Assault is 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 is 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 is 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.

Hate crimes categories include:

Murder and Manslaughter by Negligence, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft and Arson

Bias is a *preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity.*

Bias categories include:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity.

Arrests and Disciplinary Referrals for Violation of Weapons, Drug and Liquor Laws

Violations of the law resulting in arrests or persons being referred for disciplinary action

- **Arrest** for *Clery Act* purposes is defined as *persons processed by arrest, citation or summons.*
- **Referred for disciplinary action** is defined as *the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.*
- **NOTE:** If an individual is both arrested and referred for disciplinary action for an offense, **only the arrest statistic is disclosed.**

1. Weapons: Carrying, Possessing, Etc., is defined as *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 weapons offenses that are regulatory in nature.

- 2. Drug Abuse Violations** are defined as *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.*
- 3. Liquor Law Violations** are defined as *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.*

Daily Crime Log

Augusta Technical College records all criminal incidents and alleged criminal incidents that are reported to the ATCPD that occur within the specific geographic locations as required by the Clery Act (On-campus Properties, Non-Campus Properties and Public Property). Other incidents reported to the ATCPD but are NOT required to be included in the Daily Crime Log may also be contained in the log. The Daily Crime Log does not include any identifiable information about a victim, complainant or suspect.

The crime log for the most recent 60-day period is open to public inspection, free of charge, upon request, during normal business hours. Normal business hours are Monday through Thursday from 7:30 AM – 5:00 PM and Friday from 7:30 AM - 3:00 PM (excluding holidays or days when the campus is closed). For incidents that are older than 60 days, the log will be available within two business days of a request for public inspection. The crime log can be requested by contacting the Chief Michael Anchor at 706-771-4021 or Sgt. Jerri Joly at 706-771-4821. You may also request a copy in person by contacting Chief Anchor or Sgt. Joly at the ATCPD, located in the 100 building on the Augusta Campus.

CLERY REPORTING LOCATIONS THAT ARE INCLUDED IN OFFENSE STATISTICS

- 1. On-Campus:** Any building or property owned or controlled by Augusta Technical College within the same reasonably contiguous geographic area and used by Augusta Technical College in direct support of our educational purposes.
- 2. On-Campus Residential Facilities:** All on-campus residential (*Augusta Technical College does not have any on-campus residential buildings*)
- 3. Non-Campus properties:** Offense statistics are required for non-campus property or buildings owned or controlled by the college that are frequently used by students and are not within the same reasonably contiguous geographic area of the institution, or any

building/property that is owned or controlled by a student organization that is officially recognized by the institution.

4. **Public Properties:** Offense statistics for public property located immediately adjacent to and easily accessible from campus, including: thoroughfares, sidewalks, streets, lands and parks. *This property is not owned or controlled by Augusta Technical College and does not include private residences or businesses.*

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CRIMINAL OFFENSES-AUGUSTA TECHNICAL COLLEGE

AUGUSTA CAMPUS

		On Campus	Non- campus	Public Property
Murder/Non-negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Manslaughter by Negligence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	1	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Domestic Violence	2016	0	0	0

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	2017	2	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests – Augusta Campus

		On Campus	Non- campus	Public Property
Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	1
Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Disciplinary Actions – Augusta Campus

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Drug law violations	2016	0	0	0
	2017	1	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

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WAYNESBORO CAMPUS

		On Campus	Non- campus	Public Property
Murder/Non-negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Manslaughter by Negligence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

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Domestic Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests – Waynesboro Campus

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Disciplinary Actions – Waynesboro Campus

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	1	0	0
	2017	0	0	0
	2018	0	0	0

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THOMSON CAMPUS

		On Campus	Non- campus	Public Property
Murder/Non-negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Manslaughter by Negligence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Domestic Violence	2016	0	0	0

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	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests – Thomson Campus

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Disciplinary Actions – Thomson Campus

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	2	0	0
Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

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COLUMBIA COUNTY CENTER

		On Campus	Non- campus	Public Property
Murder/Non-negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Manslaughter by Negligence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Domestic Violence	2016	0	0	0

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	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Hate Crimes – Columbia County Center

Race	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Gender	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Religion	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Sexual Orientation	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Ethnicity	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disability	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
National Origin	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Gender Identity	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests – Columbia County Center

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

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Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Disciplinary Actions – Columbia County Center

Illegal weapons possessions	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Drug law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Liquor law violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Note: For the reporting years 2016, 2017 and 2018, there were no unfounded Clery Crimes at any Augusta Technical College Campus.

For the reporting years 2016, 2017 and 2018, there were no Hate Crimes at any Augusta Technical College Campus.

REVISION TO THE 2019 ANNUAL SECURITY REPORT:

Revision 1: Prior to the publication and distribution of the Annual Security Report by the deadline of October 1st of each year, Augusta Technical College requests statistics for public property located immediately adjacent to and easily accessible from campus, including: thoroughfares, sidewalks, streets, lands and parks.

On October 9, 2019, Augusta Technical College was notified of an incident that occurred on public property at 3200 B Augusta Tech Dr. during the reporting year of 2018. This incident involved the possession of a weapon on school grounds (Richmond County Technical Career Magnet School). The change is reflected in the crime statistic chart under the heading “Arrests-Augusta Campus” which can be located on page 62 of this document.

Revision 2: Page 61/62 under the “Domestic Violence” category, there was change in reported incidents from (1) to (2) because of how the Clery act counts VAWA (Violence against Women Act) offenses when there are (2) victims from (1) incident.

Revision date: November 13, 2019