



**2023**

**Annual Security Report**

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**MESSAGE FROM THE COLLEGE PRESIDENT, TIM MCDONALD**

Dear Community Member:

I am pleased to introduce Lanier Technical College's 2023 Annual Security Report. This report provides Clery Act Crime Statistics for the 2022 calendar year for Lanier Technical College. A comprehensive Clery Team representing various campus sectors prepares this report: The Lanier Technical College Chief of Police, the Vice President of Student Affairs, the Vice President of Administrative Services, the Title IX Coordinator, Disability Coordinator, Vice President of Information Technology, and the Human Resources Director. Not only does this report comply with the Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act, it is part of our ongoing effort to inform you of the safety programs, the services available, and the steps you can take to maintain your safety and the security of others.



**Tim McDonald**

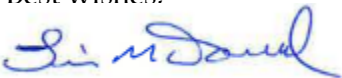
The safety and well-being of our students, employees, and visitors are our foremost concern. I am proud to report that with the creation of the Lanier Technical College Police Department in 2016, campus safety has been greatly enhanced and we are much better prepared to protect our campuses. In 2023 we have again invested in Safety with a Capital Improvement Plan that added video surveillance cameras on all our campuses. This 1.4 Million Dollar Project is a force multiplier for our Police Department and has greatly improved our ability to provide a safe and secure learning environment.

The best protections against campus crime is a strong law enforcement presence; an aware, informed, alert campus community; and a commitment to reporting suspicious activities while using common sense when carrying out daily activities.

Lanier Technical College works diligently to reduce risk and the potential for crime. However, despite our best efforts, crimes may occur. Safety and security are a shared responsibility, and we expect all current and prospective community members to contribute to the safety and security of our campus. We ask you to report suspicious or concerning activity to our police department.

If you have any questions or suggestions concerning this publication, please feel free to contact me or the Lanier Technical College Police Department at (770) 533-6912.

Best wishes.

A handwritten signature in blue ink that reads "Tim McDonald".

Tim McDonald  
President  
Lanier Technical College

**MESSAGE FROM THE CHIEF OF POLICE, JEFF STRICKLAND**

Dear Campus Community,

The 2023 Annual Security Report is published to inform you of Lanier Technical College’s campus crime statistics, security policies and steps you can take to maximize your personal safety. The Lanier Technical College Police Department and Campus Administration are committed to providing the highest standard of professionalism and services on behalf of this College and the surrounding counties we serve. I encourage you to use the information provided in this report to promote your own awareness and to make the Lanier Technical College community a safe place.



**Chief Jeff Strickland**

The Lanier Technical College Police Department is a full service, professional law enforcement agency that is committed to providing a safe and secure educational environment for students, employees and visitors. The Police Department is dedicated to the Community Policing Philosophy; providing pro-active service through inter-departmental and inter-agency collaboration to meet the ever-changing needs of the college community. We welcome input from the college community regarding security issues, needs, concerns, and pledge to work as partners with the college community to provide quality police and security services.

For your safety, the Lanier Technical College Police Department utilizes sophisticated electronic technology to monitor activity on our campuses. Campuses are monitored by modern surveillance camera systems, emergency call boxes are located in parking areas, and doors are electronically locked and monitored. Police officers patrol each campus and investigate reported crime.

I would encourage you to feel free to get to know the Police and Security Officers on the Lanier Technical College campuses. We are here to keep you safe and assist you with all your security needs. I think you will find our officers friendly, approachable and willing to assist you in any way possible.

I urge you to keep safety in mind at all times. “If you see something, say something”. If I may ever be of assistance to you in any way please do not hesitate to call upon me any time at 770-533-6912, or email me at [jstrickland2@laniertech.edu](mailto:jstrickland2@laniertech.edu) .

Thank You,

  
Jeff Strickland  
Chief of Police  
Lanier Technical College



## Accessibility of Information

Lanier Technical College distributes a notice of availability regarding the Annual Security Report to all students, employees, and staff, by October 1st of each year. Anyone, to include prospective students, employees, as well as the outside community, may obtain an electronic copy on the Lanier Technical College website; <https://www.laniertech.edu>, as well as under the Annual Security Report drop-down under About Us. A printed copy of this report may also be obtained by contacting the Lanier Technical College Police Department at 770-533-6912.

## Non-Discrimination Statement

Lanier Technical College does not discriminate on the basis of race, color, creed, national or ethnic origin, gender, religion, disability, age, political affiliation or belief, genetic information, disabled veteran, veteran of the Vietnam Era, spouse of military member, or citizenship status (except in those special circumstances permitted or mandated by law). This nondiscrimination policy encompasses the operation of all technical college-administered programs, programs financed by the federal government including

any Workforce Innovation and Opportunity Act of 1998 (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 persons have been designated to handle inquiries regarding the nondiscrimination policies:

- **Title IX/Equity Coordinator**, Hall County Campus, Nancy Beaver, Breeden/Giles Building, , 2535 Lanier Tech Drive, Gainesville, GA 30507, (770) 533-7001, [titleix@laniertech.edu](mailto:titleix@laniertech.edu);
- **ADA/Section 504 Coordinator**, Hall County Campus, Allison Haynes, Breeden/Giles Building, 2535 Lanier Tech Drive, Gainesville, GA 30507, (770) 533-7003, [adacoordinator@laniertech.edu](mailto:adacoordinator@laniertech.edu);
- **Equal Employment Opportunity (EEO) Compliance Officer**, Hall County Campus, Jill Cantrell, Director of Human Resources, Breeden/Giles Building, 2535 Lanier Tech Drive, Gainesville, GA 30507, (770) 533-6903, [hr@laniertech.edu](mailto:hr@laniertech.edu);

Any complaints filed against the Title IX/Equity Coordinator or ADA/Section 504 Coordinator on any campus/center shall be handled by the President, Tim McDonald, Breeden/Giles Building, Hall County Campus, 2535 Lanier Tech Drive, Gainesville, GA 30507, (770) 533-7031, [tmcdonald@laniertech.edu](mailto:tmcdonald@laniertech.edu).

Lanier Technical College adheres fully to the requirements of Title IX in both policies and procedures. It is the policy of Lanier Technical College that all students shall be provided an environment free of unlawful harassment (including sexual harassment and sexual violence), discrimination, and retaliation. All students and employees are expressly prohibited from engaging in any form of harassing, discriminating, intimidating or retaliatory behavior or conduct in all interactions with each other, whether or not the interaction occurs during class or on or off campus. Visitors to campuses shall not engage in prohibited conduct and may be barred for such conduct if other corrective measures are ineffective. Allegations of unlawful harassment occurring at clinical sites to which students are assigned shall be investigated in accordance with this procedure. Any individual who has engaged in prohibited behavior or conduct will be subject to disciplinary action up to and including expulsion or dismissal. All students are encouraged to report any act of unlawful harassment, discrimination, retaliation and/or intimidation. Reports will be treated in an expeditious and confidential manner.

### **REPORTING CAMPUS CRIMES AND EMERGENCIES**

All crimes and emergencies should be promptly reported to the Lanier Technical College Police Department at 678-410-4139 or 770-533-6912. Reporting crimes is voluntary. Lanier 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 Lanier 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 suspicious, against College policy or a threat to another individual.

#### **On Duty Police Officer Phone Numbers**

**For Immediate Response from the Police Officer on Duty or Safety Escort:**

**Lanier Technical College Police Department: 678-410-4139 (24 Hours)**

#### **Voluntary, Confidential Reporting.**

Reporting crimes or emergencies is voluntary. All crimes and emergencies should be promptly reported to the Lanier Technical College Police Department at 678-410-4139 or 770-533-6912 when attending an LTC class or LTC sponsored function at an off-campus location. Lanier Technical College does not have any non-campus organizations or housing, but student organizations may sponsor an event, such as a dance, at an off-campus facility. At those times, a College police officer may be assigned to the event for security purposes. If a College police officer is not present, the local law enforcement agency will be responsible for responding to a crime or incident, and will report any



problems to the College Police. All crimes should be reported to the Lanier Technical College Police Department for the purpose of investigating the crime, making a timely warning report and for annual disclosure in the crime statistics.

College Police do not have a process for voluntary confidential reporting due to state open-records laws. If you are the victim of a crime and do not want to pursue action within the Lanier Technical College or within the criminal justice system, you may still want to consider making an anonymous report. You may contact the Lanier Technical College Police Department at \*67-770-533-6912 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.

Confidential reports can be made to campus pastoral and professional counselors. According to the 1998 amendments to the 20 U.S.C. Section 1092 (f), campus “pastoral counselors” and “professional counselors,” when acting as such, are NOT considered to be a campus security authority and are NOT required to report crimes for inclusion into the annual disclosure of crime statistics. But, while in the course of their professional duties as a mental health counselor (e.g., in a counseling session, assessment, crisis intervention session or a consultation situation), any Counseling and Psychological Services professional staff member (e.g., licensed professional counselor, psychologist, social worker, administrative assistant or student intern) who learns from a LTC student that s/he has been a victim of a crime will take the following steps:

1. The staff member will provide the student with information on procedures for reporting the crime to Campus Police.

- To report a crime or an emergency on campus, contact campus police at 770-533-6912 or 678-410-4139. After hours and for any campus dial 678-410-4139 for emergency situations.

- Anonymous reports of crime may be made to the Campus Police at \*67-770-533-6912. Employees are encouraged; if and when they deem it appropriate, to inform persons they are counseling about the ability to report an incident to the police department. They also educate their clients about the fact that Lanier Technical College Police Department does not allow voluntary confidential reporting because of state open records laws but does investigate anonymous reports of crime.

2. Counseling and Psychological Services staff may choose to voluntarily report anonymous information about crimes disclosed during confidential counseling sessions to Lanier Technical College Police Department. All information reported to LTC Police will be redacted to protect identities and will be used for the purposes of maintaining accurate crime statistics for inclusion in the LTC Annual Security Report, as required by the Clery and Campus Crime Statistics Act.

### Reporting to Campus Police

Accurate and prompt reporting of all crimes to the Campus Police and other appropriate law enforcement agencies is encouraged, when the victim of a crime elects to or is able (physically/mentally) to make such a report. The Lanier Technical College Police Department is open Monday – Thursday 7:00 – 11:00 and Fridays 07:00 – 12:00. There are several ways to contact the department for assistance:



**Telephone.** To Contact the Lanier Technical College Police Department dial 678-410-4139 or 770-533-6911. The number is monitored 24/7.

**Text.** To Text the Lanier Technical College Police Department text message to 678-410-4139.

**Email.** For non-emergency questions, comments or concerns, email [ltcpolice@laniertech.edu](mailto:ltcpolice@laniertech.edu)

**Emergency phones (All Campuses).** Emergency phone calls may be made from any administrator’s desk phone with permission. To contact campus police, dial extension 6911.



**Emergency Call Boxes.** Emergency Call Boxes are located in the parking lots of the Hall County Campus and dial directly to the Lanier Technical College Police Department.

**In Person (Hall County Campus).** The Lanier Technical College Police Department headquarters is located on the Hall County Campus in the Breeden/Giles Building in the main lobby, 2535 Lanier Tech Drive, Gainesville, GA 30507. A Police Substation is located on the Lanier Technical College Forsyth, Dawson, and Barrow Campuses.

**Response to Reports of Crimes.** Calls for service and reports of crime will receive a response from a police officer to the scene. The officers make arrests when appropriate. Campus Police investigators will investigate a report when it is deemed necessary by the Chief of Police. The department forwards incident reports involving students to the Vice President of Student Affairs for review and potential action by Student Affairs. Additional information obtained via the investigation will also be forwarded to the Vice President of Student Affairs. Campus Police will contact local or state, law enforcement agencies, as appropriate if further assistance is required to respond to reported incidents.

### Reporting to Campus Security Authorities

In addition to Campus Police, crimes and emergencies may be reported to certain College Officials who are deemed **Campus Security Authorities (CSA)** by Federal Law. If a crime is reported to any of these individuals, basic information about the type of crime and the location where it occurred shall be shared with Campus Police for the purposes of investigation, timely warnings and inclusion in the Annual Security Report.

### How Campus Security Authorities are Identified:

Campus Security Authorities (CSA's) are identified by the Director of Human Resources using the criteria below:

1. A member of a campus police/security department. **Example:** Any Lanier Technical College Police or Security Officer.
2. Individuals or Organizations identified in institutional security policies as an individual or organization to which students and employees should report criminal offenses. **Example:** Include but not limited to Student escorts, student security, and parking monitors.
3. People or offices that are not members of a campus police/security department, but where policy directs individuals to report criminal offenses to them or their office. **Examples:** Include but not limited to Title IX Office, Student Affairs, and Academic Affairs.
4. Officials having significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings. **Examples:** Include but not limited to Athletic Directors, Athletic Coaches, Faculty advisors to student organizations, Resident Assistants, Student Life Coordinator, Disability Services Coordinator and Student Navigators.

### Who is not a CSA:

When acting within the scope of the official responsibilities, Pastoral Counselors and Professional Counselors are not CSAs.

Individuals who do not have significant responsibility for student and campus activities are not CSAs. **Examples:** faculty members not responsible for student and campus activities beyond the classroom, and clerical or dining facility staff.

### CSA Training:

Campus Security Authority (CSA) training is an annual requirement. Those with responsibility for campus security in whole or part are identified by Lanier Technical College, Human Resources Director as CSAs. Individuals responsible for student and campus activities and others, as a result of their role at the College, may also be classified as CSAs under the Clery Act; this means they have specific crime reporting obligations under the law.

The Director of Human Resources, or delegate, is responsible for annual training for the Lanier Technical College CSAs.

**Additional Resources for Crime Victims.**

Crime victims have a number of offices at LTC available to them that are here to offer support and provide information about programs and services available. Some of the offices a student crime victim may contact for information and assistance include:

- Vice President of Student Affairs..... 770-533-7001
- Human Resources..... 770-533-6903
- Office of Equal Employment Opportunity (EEO)..... 770-533-6903
- Coordinator of Disability Services.....770-533-7003

**ABOUT THE LANIER TECHNICAL COLLEGE POLICE DEPARTMENT**

**The Campus Police Staff and Services**

The Lanier Technical College Police Department consists of sworn certified police officers, whose duties include enforcing laws, preventing and investigating crimes, providing security, and encouraging safety awareness. Officers patrol the campus Monday – Thursday 7:00 am – 11:00 pm and Friday 07:00 am – 12:00 pm. Police and Security Officers provide additional security by patrolling parking lots and buildings, assisting motorists, and providing safety escorts. All Lanier Technical College Police Officers are certified and have full arrest powers.



The Lanier Technical College Police Department also provides unarmed Security Service Officers (SSOs) to assist with security in buildings and around campuses. The SSOs are serving as the eyes and ears of the Lanier Technical College Police Department. The SSO's do not have arrest authority.

The Campus Police Department has the primary responsibility of the Emergency Management function at Lanier Technical College.

**Officers' Jurisdiction**



According to Georgia state law, O.C.G.A. 20-4-39, Campus Policemen and other Security Personnel who are regular employees of the Technical College System of Georgia shall have the power to make arrests for offenses committed upon any property under the jurisdiction of the Technical College System of Georgia and for offenses committed upon any public or private property within 500 feet of such property.

All LTC police officers have the power of arrest and the authority to enforce all state laws. If an offense occurs within the officers' jurisdiction, they can leave this area to pursue an offender.

## Training of Police Officers

All LTC law-enforcement personnel receive a minimum of 20 hours of law enforcement training annually. Training includes the use of force, firearms qualifications, de-escalation, and community relations. Additional training such as legislative updates, first aid, AED and CPR are also provided. Several members of the department belong to professional police organizations and are certified instructors.



## Open Lines of Communication

The department has established open lines of communication with State, Federal, and nearby law enforcement agencies and maintains ongoing relationships with them so that information about criminal investigations may be exchanged and assistance may be obtained. LTC has Memorandum of Agreements with:

1. Memorandum of Agreement with the Hall County Government to allow for Radio Communications over the Hall County Central Radio System.
2. Memorandum of Agreement with the City of Auburn and the City of Commerce to allow their Officers to provide Police Services on the Barrow and Jackson County Campuses.
3. Memorandum of Agreement to provide Law Enforcement Services upon request with the Barrow County Sheriff's Office.
4. Memorandum of Agreement to provide Law Enforcement Services upon request with the Commerce Police Department.
5. Memorandum of Agreement to provide Law Enforcement Services upon request with the Dawson County Sheriff's Office.
6. Memorandum of Agreement to provide Law Enforcement Services upon request with the Forsyth County Sheriff's Office.
7. Memorandum of Agreement to provide Law Enforcement Services upon request with the Gainesville Police Department.
8. Memorandum of Agreement to provide Law Enforcement Services upon request with the Hall County Sheriff's Office.
9. Memorandum of Agreement to provide Law Enforcement Services upon request with the Jackson County Sheriff's Office.
10. Memorandum of Agreement to provide Law Enforcement Services upon request with the Winder Police Department.

## TIMELY WARNING REPORTS – CRIME ALERTS



Lanier Technical College will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Lanier Technical College Police Department and the Vice President of Information Technology is primarily responsible for determining the content and distributing a timely warning notice to the LTC community, and such notifications are distributed via official LTC email and the Lanier Alert Mass Notification System.

A timely warning notice is considered for distribution to the LTC community for all Clery Act crimes that are (1) reported to Campus Police (2) reported to Campus Security Authorities or local Law Enforcement and (3) 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 shall be decided on a case-by-case basis. The decision is made by either the College President, Vice President of IT, or the Chief of Police after 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 LTC community, a timely warning notice would be distributed to the campus community. Timely warning notices are typically distributed to the LTC community via college email and the Lanier Alert System.

The Chief of Police 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 notice is warranted. Timely warning notices may also be posted for other crime classifications, as deemed necessary.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### **Emergency Management at Lanier Technical College**

The Lanier Technical College Emergency Operations Plan (EOP) is designed to provide a resource for Lanier Technical College personnel, administrators, and students to assist with information and provide guidelines in planning and responding in a crisis. While the EOP does not cover every conceivable contingency, it does provide the basic administrative guidelines to cope with most emergencies.

All campus administrators, especially those whose responsibilities and authority include the operational areas specified in the Plan, must adhere to these guidelines. Only those College administrators responsible for directing and/or coordinating emergency operations may approve exceptions to these crisis management procedures as required to fulfill the emergency response.

The Chief of Police is responsible for annual review of these procedures with input from other key stakeholders on campus, including the Public Safety Review Team, as well as selected 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. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

### Drills, Exercises and Training

The College conducts an emergency response and evacuation exercises on campus each year, including fire drills, tornado drills, tabletop exercises and tests of its emergency notification system, and the Lanier Alert System (immediate mass notification). These tests and drills are designed to assess and evaluate the emergency plans and capabilities of the institution. The College tests aspects of the campus emergency notification system annually. Additionally, the mass notification system, Lanier Alert, which distributes email and text to all employees and students, is tested annually. Fire Drills are conducted annually.



In addition to testing the emergency notification system, the College also conducts exercises with departments and agencies on and off campus. The Training and Exercises listed below were conducted in 2022 and 2023.

- |   |                    |
|---|--------------------|
| • Campus Chiefs Conference                    | September 28, 2022 |
| • College Public Safety Assessment            | November 08, 2022  |
| • Use of Force and De escalation Training     | January 03, 2023   |
| • Officer Response to Mental Illness Training | January 03, 2023   |

- Cultural Awareness Training January 03, 2023
- Active Shooter Exercise Forsyth Campus January 04, 2023
- Bomb Threat Evacuation Drill Forsyth Campus January 04, 2023
- CPR, AED, First Aid Training January 05, 2023
- Naloxone Training January 05, 2023
- Legislative Update January 05, 2023
- Taser Recertification January 05, 2023
- GACP Winter Conference January 23, 2023
- Certification Manager/Assessor Training February 03, 2023
- GEMA Severe Weather Week February 08, 2023
- Tornado Drill All Campuses February 08, 2023
- LTC Alert System Tested February 08, 2023
- Changed Knox Box Batteries March 14, 2023
- Lock Down Procedure Test All Campuses March 29, 2023
- Safety Team Meeting April 6, 2023

Campus Police have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Campus Police, local law enforcement agencies, local fire responders and emergency medical services. All departments typically respond and work together to manage the incident. Depending on the nature of the incident, other College departments and local or federal agencies could also be involved in responding to the incident. General information about the emergency response and evacuation procedures for Lanier Technical College are publicized each year as part of the institution’s Clery Act compliance efforts (LTC’s Annual Security Report). That information is available on the Lanier Technical College website at [www.laniertech.edu](http://www.laniertech.edu) .

**Photo of Active Shooter Exercise and Training January 3, 2023**





### **What it Means to Shelter-in-Place**

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

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

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

### **When this occurs:**

1. Remain CALM.
2. Employees should recommend students and others not to leave or go outside.
3. If in on campus housing that is safe, remain there.
4. Select a small interior room with no windows or as few windows as possible.
5. Close all windows, exterior doors, and any other openings that lead to the outside.
6. Stay away from all windows and doors.
7. Plant Operations personnel or trained crisis coordinators should shut down all building ventilation fans and air conditioners, when and if appropriate.
8. Select interior room(s) on the ground floor, with the fewest windows or air vents.
9. Room(s) should have adequate space for everyone to be able to sit down comfortably.
10. Avoid overcrowding by selecting several rooms when necessary.
11. Remain alert for instructions and updates as they become available from the emergency personnel and College administrators.

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

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

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

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

- a. Evacuate (**Run**)
    - i. Exit the building immediately, if it is safe to do so
    - ii. Move quickly to a safe location away from the incident
    - iii. Leave belongings behind that will slow you down
    - iv. When you see police vehicles, move toward them when it is safe to do so with your hands on your head and presenting no threat to them
    - v. Follow the directions of any emergency responders you encounter
  
  - b. Secure-in-Place (**Hide**)
    - i. Go to the nearest room or office
    - ii. Close, lock, and barricade the door with any heavy furniture possible
    - iii. Cover windows, if possible
    - iv. Turn out the lights, if possible
    - v. Silence all noise-producing sources, including your cell phones
    - vi. If you can provide any valuable information to the responding units, such as the whereabouts of the shooter, call 770-533-6912 or extension 6912 or 911.
3. If you are in a room with others, spread out in the room, keep quiet, and determine a plan of attack if an armed person enters your room.
  
  4. If you are faced with a shooter, you have a choice to make, and only you can make the choice. You can stay still and hope they don't shoot you, run for an exit while zigzagging, or even attack the shooter (**Fight**). This is very dangerous. A moving target is much harder to hit than a stationary one and the last thing the shooter will expect is to be attacked by an unarmed person. Any option you choose may still result in a negative consequence.
  
  5. If someone near you has a life-threatening injury, and it is possible for you to safely provide first aid, do so up to but not exceeding your level of training.



**How to evacuate:**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work or living area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Campus Police at extension 6912 or dial 770-533-6912 or dial 911.



1. Remain CALM.
2. Do NOT use elevators. Use the stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Campus Police or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet away from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

**Accounting for All Persons**

Individuals in leadership positions should attempt to account for students, employees and visitors who are under their supervision at the time of the evacuation. Those positions may include:

- Faculty or instructors in the classroom
- Crisis coordinators
- Office managers
- Supervisors

Once you have assembled at your designated meeting place, conduct a reasonable accounting of personnel. Inform Public Safety Officials or Crisis Coordinators if someone is unaccounted for or if you suspect someone did not exit the building, and inform them of the missing person's last known whereabouts.

## Emergency Notification to the Community about an Immediate Threat:

LTC will immediately distribute emergency notification warnings to the campus community upon confirmation of a significant emergency or dangerous situation on campus involving an immediate threat to the health or safety of students or staff, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Examples of emergencies that may warrant such a notification include but are not limited to: an active shooter on campus, hostage/barricade situation, a riot, credible bomb threat, a tornado, a fire/explosion, suspicious death, structural damage to a College-owned or controlled facility, significant flooding, a large gas leak, or a significant hazardous material release.



### Authorization of the LTC Emergency Notification Systems

The Chief of Police, or his designee, is primarily responsible for making the recommendation to the President and the Vice President of Information Technology for initiation of the primary communication system, which is the Lanier Alert System. In the event of an immediate need, determining the segment of the community to receive the notification (if the threat is limited to a particular building or segment of the population) and activating the system to all students and employees registered after confirming a significant emergency or dangerous situation has indeed occurred. The Lanier Alert System is an opt out enrollment-based system in which upon being accepted by the College, students, and employees are automatically enrolled into the system. In the event they do not want to receive such notifications, then they have the option to later opt out.

Emergencies on campus are typically confirmed by the Lanier Technical College Police Department, in consultation with other offices such as the National Weather Service and/or responding law enforcement or fire departments. The Lanier Technical College Police Department is also authorized to activate the systems in an emergency situation.

The Chief of Police and the Vice President of IT will determine the content of the notification by selecting from the templates existing in the Lanier Alert 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 Director of Communications and Marketing who, in turn, will 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 Lanier Alert System (text, email, telephone calls to registered users)

To learn more about Lanier Alert, go to <http://www.laniertech.edu>. The general public and parents may also sign up for the alerts and request they be added to the LTC Alert notification system.

The IT Department will test the system annually as a minimum and keep a record of the tests.

## **SECURITY OF AND ACCESS TO CAMPUS FACILITIES**

While classes are in session, Lanier Technical College, is open to students, parents, employees, contractors, guests and invitees. During normal business hours and into the evening hours for night classes and activities, access to LTC facilities is through unlocked doors or key locks, along with a card access system deployed at LTC, where applicable. After regular hours, which includes when classes and events are completed, LTC Police Officers and Security Specialist make rounds and secure doors by locking them. Persons wanting to enter a building after-hours must have approved access. In the case of periods involving extended closing times, the College will admit only those with prior supervisory approval or approval from Campus Police to enter the facilities.

Security cameras are placed at strategic locations around the campus, in some of the facilities for safety reasons, and most of the parking area. 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. Employees of the College employees may be present in buildings after-hours provided that they have supervisory approval. Student assistants may be present in the building as well. The Lanier Technical College Police Department is responsible for verifying the eligibility of student assistants to stay in closed buildings after-hours. Police officers regularly patrol all campus facilities to maintain security and inspect doors and locks to ensure they are properly maintained.

Upon Campus closure due to inclement weather (e.g., snow or icy conditions) all LTC employees shall exit buildings so they may be 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 will be asked to gather in their designated storm-shelter areas.

### **Special Considerations for On Campus Housing Access**

Lanier Technical College does not have any On Campus Housing. Therefore, this section does not apply to Lanier Technical College.

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

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Lanier Technical College Police Department regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Other members of the College community are helpful when they report equipment problems to Campus Police or to Facilities Management.

## SECURITY AWARENESS AND CRIME PREVENTION EDUCATION AND PROGRAMMING ON CAMPUS

Security awareness and crime prevention programs on personal safety are sponsored by various departments at LTC throughout the year and at the beginning of each semester. 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.

Campus Police facilitate programs for students and employee orientations, and organizations. Crime prevention and security awareness programs available include:

### Crime Prevention Education [668.46(b)(6)]

The Lanier Technical College Police Department facilitates community education presentations that promote personal safety for students and employees. Any student organization or campus department can request a training presentation from the Police Department. These presentations cover topics such as Social Media Safety, Internet Safety, Crime Prevention, Community and Law Enforcement Interaction Safety, Identity Theft Prevention, Active Shooter Response, Date Rape Prevention and General Campus Safety. To schedule a class or to learn more on what classes are available, email: [ltpolice@laniertech.edu](mailto:ltpolice@laniertech.edu) .

### CRIME-PREVENTION TIPS

The following are safety measures that could keep you from becoming a crime victim:

#### When you are driving

- When you park, lock car doors and trunk and take your keys.
- Store valuables out of sight in a locked trunk or glove compartment.
- Park in well-lit areas.
- If possible, don't drive alone. There is safety in numbers.
- Don't pick up hitchhikers.
- Check inside and underneath the car before getting in.
- If you see blue lights on the car behind you, do not pull over until you are in a well-lit, populated area. The police officer will understand your concerns.

#### If you are walking

- Don't walk alone.
- Use public, well-lit walkways.
- Avoid dark, isolated areas.
- Look alert and hold your keys in your hand when you are walking to your car.
- Carry only necessary cash and credit cards.

### **If you are being followed**

- Cross the street.
- Change direction.
- Keep looking back, so the person realizes you are aware of his/her presence.
- Go to a well-lit, populated area.
- Notice as many physical details as possible, so you can describe the person to the police.
- Report the incident to the police as soon as possible.

### **If you are alone in an office or classroom**

- Keep the door locked.
- Always ask who is knocking before you open the door.
- Never prop open locked exterior building doors.

### **Preventing theft on campus**

- Keep cash, checks, credit cards and books with you at all times. Never leave them unattended.
- Write your name and student ID number, in pen, inside your books.
- Keep your car locked at all times to prevent theft of stereos, CD players, GPS devices and iPods.
- Store computers, lab equipment and audio-visual equipment, when not in use, in a locked office or classroom.

### **Keeping the campus safe**

- Report suspicious or criminal activity to the Campus Police.
- Use locks on lockers and bicycles.
- Attend crime-prevention programs.
- Take responsibility to protect yourself and your fellow students.



### **Non-Campus Student Organizations Not Applicable**

Lanier Technical College has no non-campus locations of student organizations officially recognized by the institution, and no student organizations with non-campus housing facilities.

Lanier Technical College does not have any officially recognized off-campus student organizations. We rely on our close working relationships with local law enforcement agencies to receive information about incidents involving our students, on and off campus. In coordination with local law enforcement agencies, our police will actively investigate or coordinate investigation of certain crimes occurring on or near campus. If we learn of off campus criminal activity involving students, we coordinate with the appropriate law enforcement agency and forward information about the situation to the Office of Student Affairs.”

## BEHAVIORAL INTERVENTION TEAM



The Behavioral Intervention Team is dedicated to a proactive, coordinated and planned approach to the identification, prevention, assessment, management, and reduction of interpersonal and behavioral threats to the safety and wellbeing of Lanier Technical College students, employees and visitors.

### GOALS

- Provide a safe physical environment for members of the college community,
- Provide a safe emotional environment for the college community, and
- Promote peace of mind for friends and family of the college community.

LTC has established the Behavioral Intervention Team to assist in addressing situations where students and employees are displaying behaviors that are disruptive, threatening, or concerning in nature that potentially impede their own or others' ability to function successfully or safely. It is the responsibility of employees and students to immediately report any situation that could possibly result in harm to anyone at the college. Any member of the campus community may become aware of a troubling person or situation that is causing serious anxiety, stress, or fear. However, behavioral assessment should not be confused with crises management. A crisis may be defined where a person may pose an active or immediate risk of violence to self or others. LTC employs certified police officers to provide police services on all campuses. Officers may be reached at [678-410-4139](tel:678-410-4139).

- Concern Form ( <https://www.laniertech.edu/bitform/> ) – For non-emergency situations, click the link and follow the prompts to submit your concern.
- The team will coordinate a team response to the issue and keep you informed. This may include interim suspension and removal from class and/or campus until the threat can be assessed. Please also inform your division chair, dean or supervisor of any ongoing issues.





## LTC's RESPONSE TO SEXUAL AND GENDER VIOLENCE

In compliance with federal laws, Lanier Technical College has adopted policies and procedures to prevent and respond to incidents of sexual assault, domestic violence, dating violence, and stalking involving members of our campus community. These guidelines apply to all students, employees, contractors, and visitors.

Lanier Technical College does not discriminate on the basis of sex or gender in its educational programs or employment programs and does not tolerate sexual harassment or sexual violence, which is a type of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether gender-based or not and include dating violence, domestic violence, and stalking.

The College does not tolerate sexual misconduct or abuse, such as sexual assault, rape, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct, College policies, and may violate federal and state laws. Violations are subject to disciplinary sanctions through the Office of Student Affairs. To review procedures, policies, and protocols for reporting and addressing allegations of student sexual misconduct, please visit <http://www.laniertech.edu/harassment>.

You have other options in addition to contacting College Police regarding sexual assault, domestic violence, dating violence, and stalking. The first step in the procedure is to contact Nancy Beaver, Title IX Coordinator, at 770-533-7001 or [titleix@laniertech.edu](mailto:titleix@laniertech.edu).

Lanier Technical College strongly encourages members of the community to report instances of sexual misconduct promptly. These policies and procedures are intended to ensure that all parties involved receive appropriate support and fair treatment, and that allegations of sexual misconduct are handled in a prompt, thorough and equitable manner.

In 2018 a State Investigator for Title IX position was added at the Technical College System of Georgia System Office. The College Title IX Coordinator notifies the State Investigator of all Title IX complaints at the College. The State Investigator works with the College's Title IX Coordinator to coordinate the investigation into all complaints.

The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing students and employees about their right to file criminal charges as well as the availability of written information on counseling, **health, mental health, victim advocacy, legal assistance, visa and immigration assistance** and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as **academic, living, transportation and working accommodations**, if reasonably available. The College will make such accommodations, if the victim requests them and if they are

reasonably available, regardless of whether the victim chooses to report the crime to the Campus Police or local law enforcement. Students and employees should contact the Campus Police Department at 770-533-6912 or the Lanier Technical College Vice President of Student Affairs at 770-533-7001.

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible.

Lanier Technical College seeks to ensure that the victims of crime at Lanier Technical College become an integral part of the criminal justice system. Through education of the rights and services available to Lanier Technical College crime victims, collaboration with Campus Police, as well as local court and legislative advocacy, Lanier Technical College believes that the voices of crime victims will become a necessary component of the justice system in this state.

The primary goals of Lanier Technical College are to aid in reducing trauma to the crime victim; reduce the level of secondary injury associated with the aftermath of crime; and to aid in the prosecution of criminal cases by ensuring that crime victims and witnesses are provided with the entitlements and services mandated by the Crime Victims' Bill of Rights.

The Northeast Georgia Medical Center provides medical services as well as Sexual Assault Nurse Examiners (SANE). They are available 24 hours a day to provide medical forensic examinations for sexual assault victims. These registered nurses are trained in advanced assessment and forensic techniques that enhance the quality of the investigation while providing compassionate care. A sexual assault advocate meets the victim at the hospital along with the SANE nurse.

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

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

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

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

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

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

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

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

10. The right to reasonable, accurate, and timely notice of any scheduled court proceedings or any changes to such proceedings;
11. The right to reasonable, accurate, and timely notice of the arrest, release, or escape of the accused;
12. The right not to be excluded from any scheduled court proceedings, except as provided in this chapter or as otherwise required by law;
13. The right to be heard at any scheduled court proceedings involving the release, plea, or sentencing of the accused;
14. The right to file a written objection in any parole proceedings involving the accused;
15. The right to confer with the prosecuting attorney in any criminal prosecution related to the victim;
16. The right to restitution as provided by law;
17. The right to proceedings free from unreasonable delay; and the right to be treated fairly and with dignity by all criminal justice agencies involved in the case.



## Procedures Victims Should Follow

If you are a victim of sexual violence, call Campus Police or local Law Enforcement, at 770-533-6912 or 911 and go to the Northeast Georgia Medical Center. Victims do not have to press charges. By having a rape kit completed to collect evidence at the time of the assault, victims can press charges at a later date.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 12 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police. Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The College will assist any victim with notifying local police if they so desire. The Lanier Technical College Police Department may also be reached directly by calling 678-410-4139 or 770-533-6912, in person on the Hall County Campus at 2535 Lanier Tech Drive, Gainesville, GA 30507, Breeden/Giles Building lobby. Additional information about the Campus Police department may be found online at [www.laniertech.edu](http://www.laniertech.edu).



## **PROCEDURES FOR REPORTED INCIDENTS OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING**

### **PROCEDURE: 6.1.2P SEXUAL HARASSMENT AND MISCONDUCT**

#### **I. PURPOSE:**

It is the purpose of this procedure to ensure that all students within the Technical College System of Georgia (TCSG) and its colleges are provided access to a safe educational environment free from any discrimination on the basis of sex. To that end, this procedure prohibits sex discrimination of any kind, including sexual harassment and sexual misconduct (“prohibited conduct”). Sexual misconduct includes, but is not limited to, domestic violence, sexual violence, dating violence, sexual assault, sexual exploitation, and stalking.

All students and employees are expressly prohibited from engaging in any form of prohibited conduct in all interactions with each other, whether or not the interaction occurs during class or on or off campus. Visitors to campuses also shall not engage in prohibited conduct, and may be barred from campus.

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

TCSG strongly encourages all students and requires employees to report any instances of sexual harassment or sexual misconduct promptly and accurately. TCSG will not tolerate retaliation for having filed a good faith complaint or for having provided any information in an investigation. Any individual who retaliates against a complainant or witness in an investigation will be subject to disciplinary action, up to and including expulsion or dismissal.

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

#### **II. RELATED AUTHORITY:**

20 U.S.C. §§ 1681 et seq.

O.C.G.A. § 19-7-5

Violence Against Women Reauthorization Act of 2013

Campus Sexual Violence Elimination Act (Campus SaVE)

Titles VI and VII of the Civil Rights Act of 1964

Title IX of the Educational Amendments of 1972

#### **III. APPLICABILITY:**

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

#### IV. DEFINITIONS:

**Advisor:** the person who will attend the Hearing with a Party and conduct the oral cross-examination of the other Party and Witnesses. This person may also offer advice and support from the time the Notice of Formal Complaint is issued and may attend any meetings involved in the investigatory process, but may not speak on behalf of the party during such meetings. The Advisor may be chosen by the Party and is permitted to be, but need not be, an attorney. If either Party is unable to select an Advisor, TCSG will furnish an Advisor to the Party. The Advisors are intended to maintain Privacy and confidentiality to the extent permitted by law.

**Affirmative Consent:** affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that the person has the Affirmative Consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence or incapacitation mean Affirmative Consent. Affirmative Consent also cannot be procured by duress or intimidation, or by the use of anesthetizing or intoxicating substances. Affirmative Consent must be ongoing throughout a sexual activity and can be revoked at any time. Affirmative Consent may be based on a condition(s), e.g., the use of a condom, and that condition(s) must continue to be met throughout an activity, unless there is mutual agreement to forego or change the condition. When there is no Affirmative Consent present during sexual activity, the activity at issue necessarily occurred “against the person’s will.”

**Appeal Officer:** The Commissioner of TCSG or his designee, who will review the Parties’ appeals and issue the Notice of Outcome of Appeal.

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

**Complainant:** The Party to the process who has allegedly experienced the alleged Title IX Prohibited Conduct at issue.

**Confidential Resource:** a person who, by law, is exempted from the obligation to report an allegation of conduct that could constitute Title IX Prohibited Conduct to any entity, including the College’s Title IX Coordinator or law enforcement in circumstances in which the reported conduct could be a crime (except, as to law enforcement, if the Complainant is a minor or if there is a belief that there is an imminent threat of harm to self or others).

**Confidentiality:** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained

clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses.

**Court Order:** any formal order issued by a state or federal court or authorized police officer that restricts a person's access to another TCSG community member, such as an emergency, temporary or permanent restraining order.

**Dating Violence:** means the occurrence of one or more of the following acts between persons through whom a current pregnancy has developed or who are currently, or within the last 12 months were, in a dating relationship: (A) Any felony; or (B) Commission of the offenses of simple battery, battery, simple assault, or stalking.

**Decision-Maker:** a professional appointed by the TCSG Commissioner experienced and trained in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this Title IX Procedure who will preside over the Hearing and will issue the Written Determination Regarding Responsibility

**Domestic Violence:** a felony or misdemeanor crime of violence committed: (i) by a current or former spouse or intimate partner of the Complainant; (ii) by a person with whom the Complainant shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Georgia; (v) by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Georgia. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**Duress:** a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity to do or submit to something that they would not otherwise do or submit to. When deciding whether the act was accomplished by duress, all the circumstances, including the age of the Complainant and their relationship to the Respondent, are relevant factors.

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

**Expert Witness:** a witness identified by a party or the Title IX Office that has special expertise in a technical matter, such as forensic evidence.

**Force:** an act is accomplished by force if a person overcomes the other person's will by use of physical force or induces reasonable fear of immediate bodily injury.

**Formal Complaint:** a document filed and signed by a Complainant or filed and signed by the Title IX Coordinator alleging Title IX Prohibited Conduct against a Respondent and requesting that TCSG investigate the allegations.

**Hearing:** a live hearing conducted with all Parties physically present in the same geographic location or with participants appearing virtually with technology enabling participants simultaneously to see and hear each other. During the Hearing, the Decision-Maker permits each Party's Advisor to ask the other Party and Witnesses all relevant questions and follow-up questions, including those challenging credibility. A recording or transcript of the hearing will be made.

**Hearing Coordinator:** the person who manages Hearings under this Title IX Procedure.

**Hearing File:** the information collected during the Investigation that is deemed relevant to be considered by the Decision-Maker.

**Hearing Schedule:** a time-table specific to each matter that schedules key dates for the matter after it has been charged.

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

**Incapacitation:** a state where a person lacks the ability to voluntarily agree (that is, to give Affirmative Consent) to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that sexual activity is occurring, or is unable to appreciate the nature and quality of the act. Incapacitation is not necessarily the same as legal intoxication.

**Informal Resolution:** a voluntary process that the Parties may consent to participate in, as described in Section IV.F.

**Initial Report:** a report of conduct that may constitute Title IX Prohibited Conduct, which may be made by any individual, even if not the person alleged to have experienced the conduct. An Initial Report is made prior to a Formal Complaint, and triggers the Title IX Coordinator's obligation to contact the Complainant and inform the Complainant of Supportive Measures, as described in Section IV.A.1.

**Intimidation:** includes any threatening statement or conduct made with the intent to prevent or dissuade any Party or Witness from reporting or participating in the Title IX Procedure. Intimidation also includes the use of implied threats to overcome a person's freedom of will to choose whether or not to participate in sexual activity or provide affirmative consent.



**Investigation:** the phase of the Title IX Procedure when the Parties are invited to provide evidence and identify Witnesses to the Investigator related to the allegations in the Notice of Formal Complaint.

**Investigative Report:** a formal written document that fairly summarizes the relevant evidence gathered during the Investigation, including the parties' responses to the preliminary report.

**Investigator:** the person assigned by TCSG to investigate Formal Complaints under this Title IX Procedure. The Investigator shall have been trained on all elements of an Investigation as required by federal and state law.

**Menace:** a threat, statement, or act showing intent to injure someone.

**New Evidence:** evidence that was not available at the time of the charge decision, could not have been available based on reasonable and diligent inquiry, and is relevant to the matter.

**Nonforcible Sexual Violations:** Any of the following acts:

1. Incest: nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Georgia law.
2. Statutory Intercourse Violation: nonforcible sexual intercourse with a person who is under the statutory age of consent of Georgia.

**Notice of Charge:** the formal notification issued by the Title IX Coordinator following an Investigation that the matter will be charged and will proceed to a Hearing.

**Notice of Dismissal:** the formal notification issued by the Title IX Coordinator following a determination that the matter does not meet the definitional or jurisdictional standards of Title IX and stating the reasons for dismissal.

**Notice of Formal Complaint:** the formal notification issued by the Title IX Coordinator that a Formal Complaint has been filed and including the details set forth in Section IV.C.1.

**Notice of Outcome of Appeal:** a written determination describing the Appeal Officer's final decision of a matter brought forward on appeal.

**Party/Parties:** the generic or collective term used to refer to Complainant(s) and Respondent(s).

**Preponderance of the Evidence:** the standard of proof used by the Investigator and the Decision-Maker. A finding by the Preponderance of the Evidence means that the credible evidence on one side outweighs the credible evidence on the other side, such that, as a whole, it is more likely than not that the alleged fact or conduct occurred. It does not mean that a greater number of Witnesses or documents is offered

on one side or the other, but that the quality or significance of the evidence offered in support of one side is more convincing than the evidence in opposition.

**President:** the chief executive officer responsible for the management and operation of the technical college where the complainant and/or accused violator are enrolled or employed.

**Privacy:** means that information related to a complaint will be shared with only a limited number of TCSG employees who “need to know” in order to assist in the assessment, Investigation, and resolution of the report. All employees who are responsible for TCSG’s response to Title IX Prohibited Conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”), and the privacy of employee records will be protected in accordance with Georgia law and TCSG policy.

**Rebuttal Evidence:** evidence presented to contradict other evidence in the Hearing File, which could not have been reasonably anticipated by a Party to be relevant information at the time of the Investigation.

**Remedies:** individualized measures implemented after a Hearing or as part of an Informal Resolution that are designed to restore or preserve equal access to College Programs or Activities, and may include Supportive Measures, but need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

**Respondent:** the person alleged to have engaged in Title IX Prohibited Conduct.

**Retaliation:** includes, but is not limited to, adverse action related to employment, academic opportunities, participation in TCSG and/or College programs or activities, or similar punitive action taken against an individual because that person has made an Initial Report or Formal Complaint, responded to a Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an Investigation, proceeding, or Hearing.

**Sanctions:** individualized measures implemented after a Hearing that may be disciplinary in nature.

**Sexual Assault:** any of the following acts:

1. Rape: penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
  
2. Sodomy: oral or anal sexual intercourse with another person:
  - forcibly and/or against that person’s will; OR

- not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
3. Sexual Assault with an Object: to use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person:
- forcibly and/or against that person's will; OR
  - not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
4. Fondling: the touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification:
- forcibly and/or against that person's will (non-consensually); OR
  - not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for the person's safety or the safety of others; or (ii) suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Supportive Measures:** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to TCSG Programs or Activities without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the TCSG educational environment, or deter sexual harassment. Supportive measures may include extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

**Title IX Prohibited Conduct:** the collective term used in this Title IX Procedure to refer to the conduct described in the definitions for Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking.

**Title IX Sexual Harassment:** conduct, on the basis of sex that satisfies one or more of the following:

1. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal educational access.
2. an employee of the college conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.

**TCSG Compliance Officer:** the individual designated by the Deputy Commissioner to coordinate TCSG compliance with Title IX of the Educational Amendments of 1972 and other state and federal laws governing unlawful discrimination and harassment and educational access by disabled individuals.

**TCSG Program or Activity:** locations, events, or circumstances over which TCSG and/or the College exercised substantial control over both the alleged Respondent and the context in which the Title IX Prohibited Conduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by TCSG and/or the College.

**Technical College System of Georgia:** all work units and technical colleges under the governance of the State Board of the Technical College System of Georgia.

**Title IX Coordinator:** an individual designated by the president of the college to ensure compliance with Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and related federal regulations. The Title IX Coordinator may also be assigned the responsibility for compliance with other state and federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the U.S. Department of Education.

**Violence:** the use of physical force to cause harm or injury.

**Visitor:** any third party (e.g. volunteer, vendor, contractor, member of the general public etc.) who conducts business or regularly interacts with a work unit or technical college.

**Witness:** a person asked to give information or a statement under this Title IX Procedure.

**Written Determination Regarding Responsibility:** the formal written notification issued by the Decision-Maker after a Hearing that includes: (i) identification of the allegations potentially constituting Title IX Prohibited Conduct; (ii) a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other evidence, and Hearing held; (iii) findings of fact; (iv) conclusions about whether the alleged Title IX Prohibited Conduct occurred, applying the definitions set forth in this Title IX Procedure to the facts; (v) the rationale for the result as to each allegation; (vi) any disciplinary Sanctions imposed on the Respondent; (vii) whether Remedies or Supportive Measures will be provided to the Complainant; and (viii) information about how to file an appeal.

## V. ATTACHMENTS:

Attachment 6.1.1p.a1. Sources of Counseling, Advocacy and Support

Attachment 6.1.1p.a2. [TCSG Usage for Statement of Equal Opportunity](#)

## VI. PROCEDURE:

### A. Administration and Implementation

1. Each college president shall designate one or more officials to serve as the Title IX Coordinator and post contact information for the coordinator and the TCSG's Statement of Equal Opportunity in electronic or written college publications and academic materials as described in the TCSG Usage for Statement of Equal Opportunity (e.g. bulletin boards, the college website, catalogs, student and employee handbooks, orientation materials, and flyers). The college president will ensure the designated officials have received appropriate training.
2. Instructors/administrators must take ongoing proactive steps to ensure educational opportunities (to include classrooms, clinics, labs, programs, etc.) and student activities (clubs, sports, etc.) are accessible and free from any type of sex discrimination or harassment.
3. The Compliance Officer will coordinate training programs and monitor the colleges to ensure the correct administration and implementation of this procedure, and will ensure that proactive or corrective measures have been taken to prevent sex discrimination and sexual misconduct. The training materials will be posted on the college's website or made available for members of the public to inspect.

### Education and Prevention Programs

4. Colleges are required to provide sexual harassment and sexual violence prevention training to students and employees and to provide programs for ongoing awareness training as required by VAWA and the Clery Act. As of the effective date of this procedure, colleges have been provided the Haven training modules for this purpose and are required to incorporate the training in new student and employee orientation activities.
5. Each technical college shall publish a list of local sources for counseling, support and advocacy in conjunction with the publishing of this procedure. (See attachment for sample format) Individuals who report sexual violence, sexual assault, stalking or dating/domestic violence will be provided with and/or referred to the list of resources.

## Procedures for Reporting a Complaint

### B. Reporting and Management Action

1. All students are encouraged to report incidents of sex discrimination and sexual misconduct against themselves or others to the Title IX Coordinator at the technical college. The Title IX regulations define “sexual harassment” to include three types of misconduct on the basis of sex which jeopardize the equal access to education that Title IX is designed to protect. These types of misconduct include: any instance of quid pro quo harassment by a TCSG and/or College employee; any conduct on the basis of sex that in the view of a reasonable person is so severe and pervasive and objectively offensive that it effectively denies a person equal access to a TCSG and/or College education program or activity; and any instance of sexual assault, dating violence, domestic violence, or stalking (collectively “Title IX Prohibited Conduct,” as defined in this Procedure). Students may find contact information for the Title IX Coordinator on the technical college website, and in the student handbook and college catalog. Complaints may also be emailed to [unlawfulharassment@tcsge.edu](mailto:unlawfulharassment@tcsge.edu).
2. To utilize this procedure, a Complainant must file a Formal Complaint which is defined herein as a document filed and signed by a Complainant or filed and signed by the Title IX Coordinator alleging Title IX Prohibited Conduct against a Respondent and requesting that TCSG investigate the allegations.
3. Any allegation of sex discrimination, sexual misconduct or retaliation against employees must be reported to the Human Resources Director and the Title IX Coordinator.
4. All allegations of sex discrimination and sexual misconduct on one of TCSG’s college campuses or clinical locations must be reported to the Title IX Coordinator regardless of whether the allegations involve students or employees. All students, employees, and others participating in TCSG and/or College programs and activities in the United States are subject to this Title IX Procedure. If the allegations do not fall within the jurisdiction under this procedure, they may be referred and processed under the student code of conduct procedure.
5. Students have the right to file (or not to file) a criminal complaint for sexual violence with the local law enforcement authorities before, during, or after filing a complaint with the college. The investigation under this procedure shall not be unreasonably delayed to await the outcome of any criminal investigation. Sexual violence reports made to the Title IX Coordinator will be investigated and adjudicated separately from any criminal complaints. A student may request that the Title IX Coordinator and/or the Investigator assist the student with notifying local law enforcement authorities. If a technical college’s campus law enforcement receives a complaint alleging sexual harassment and/or sexual misconduct as defined in this procedure, the Title IX Coordinator for the college shall be immediately notified so that appropriate action may be taken by the Title IX Coordinator regarding the complaint.

6. If a student filing a complaint alleging sexual misconduct requests confidentiality, anonymity or asks that the complaint not be pursued, the college must inform the complainant that its ability to respond may be limited, that retaliation for filing a complaint is prohibited, and that steps to prevent harassment and retaliation will be taken. Consistent with the request, all reasonable steps to investigate and respond to the complaint should be made and other steps to limit the effects or recurrence of the alleged misconduct will be taken.
  - a. Regardless of a student's request for confidentiality, anonymity of a complaint, or a request that a complaint not be pursued, if the complaint includes allegations of sexual assault, sexual violence, domestic violence, dating violence, or stalking, the Title IX Coordinator must report the incident to campus law enforcement for inclusion in the college's Annual Security Report ("ASR"). The complainant should be informed that their name will not be disclosed to campus law enforcement if they have requested confidentiality during the processing of the complaint.
7. Colleges may weigh a request for confidentiality, anonymity or a request they not pursue a complaint considering the following factors: the seriousness of the alleged conduct, the complainant's age, and the respondent's right to receive information about the allegations if the information is maintained as an "education record" under FERPA. The college must inform the complainant if the request cannot be granted and the reasons for the denial.
8. Reports concerning all prohibited conduct referenced in this procedure will be processed confidentially to the extent permitted by law; communications regarding complaints will be disseminated to others on a need-to-know basis to ensure that necessary steps are taken to protect the community as a whole and that appropriate corrective actions are considered and taken.
9. If an allegation of sex discrimination or sexual misconduct is made to an employee not designated to receive such reports, the employee receiving the complaint must report the allegation to the Title IX Coordinator. The College must take corrective actions to stop harassment to which it has notice, prevent recurrence of the harassment, and remedy the effects on the complainant promptly and effectively. The College will be deemed to have notice if a responsible employee knew, or in the exercise of reasonable care should have known, about the harassment. A responsible employee includes any employee who has the authority to take action to redress the harassment, who has a duty to report the harassment to the Title IX Coordinator, or who a student could reasonably believe has this authority or responsibility, including instructors and staff at the college.
10. Allegations of any sexual conduct involving individuals under the age of 18 must also be reported as an allegation of child abuse as outlined in O.C.G.A. § 19-7-5.
11. Supportive measures must be offered to the complainant by the college president or the Title IX Coordinator or his/her designee before the final outcome of an investigation and until final

resolution of the allegations if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the complainant, the respondent, or other members of the college, or to ensure equal access to the college's programs and activities. Supportive measures may include: adjustments to academic workload (including extending deadlines); adjustment to class or work schedules; no contact orders; and suspensions, transfers or reassignments in order to prevent further harassment, discrimination, sexual violence or retaliation, to facilitate the investigation, or to implement preventive or corrective actions under this procedure; informal resolutions or discretionary dismissals

## 12. Discretionary Dismissal.

- a. TCSG and/or the College may dismiss the Formal Complaint if:
  - i. the Respondent is no longer enrolled or employed by TCSG and/or the College;
  - ii. specific circumstances prevent TCSG and/or the College from gathering sufficient evidence to reach a determination; or
  - iii. the Complainant informs the Title IX Coordinator in writing that the Complainant desires to withdraw the Formal Complaint or allegations therein.
- b. A Complainant may notify the Title IX Coordinator at any time that the Complainant does not wish to proceed with the Investigation and/or Hearing process. If such a request is received, the Title IX Coordinator will inform the Complainant that the TCSG and/or the College's ability to respond to the allegation may be limited if the allegations are withdrawn.
- c. The Title IX Coordinator will consider the relevant factors in reaching a determination as to whether to terminate the Investigation and/or Hearing process. In the event that the Title IX Coordinator determines that the Investigation will continue, the Title IX Coordinator will notify the Complainant of that determination. The Title IX Coordinator will include in that notification a statement that the Complainant is not required to participate in the Investigation and/or Hearing process but that the process will continue. In the event that the Title IX Coordinator determines that the Investigation will be terminated, both Parties will be notified.

## C. Investigations

1. All complaints of prohibited conduct under this procedure will be reported immediately to the Investigator who will be responsible for conducting the investigation in a fair, prompt, and impartial manner.
2. The Investigator shall disclose to the TCSG Compliance Officer any relationship with the parties that could call into question his/her ability to be objective prior to taking any action with respect to the investigation. The TCSG Compliance Officer will reassign alternate individuals if necessary.
3. The Investigator shall send written notice to both parties of the allegations upon receipt of a formal complaint.



4. Either the complaining party or the respondent may challenge the Investigator or designee to recommend corrective action on the grounds of personal bias by submitting a written statement to the TCSG Compliance Officer setting forth the basis for the challenge no later than 3 business days after the party reasonably should have known of the alleged bias. The TCSG Compliance Officer will determine whether to sustain or deny the challenge.
5. The investigation should be completed within 45 business days of the receipt of the complaint by the Investigator. The investigator will notify the parties and the Title IX Coordinator, in writing (typically by email), if extraordinary circumstances exist requiring additional time.
6. The parties will be notified within 5 business days of receipt of the complaint by the Investigator if the complaint does not specify facts sufficient to allege sex discrimination, harassment, sexual violence or retaliation, or if the allegations of sexual misconduct did not occur in the college's education program or activity against the complaining party while he or she was located in the United States, and that a formal investigation will not be conducted pursuant to this procedure, although a referral and investigation may be made by the Title IX Coordinator as to some or all of the matter for consideration under other applicable TCSG policy or procedure, if any. The complaining party may appeal the decision in writing to the president within 5 business days of receiving the notice. The president's decision will be final.
7. Individuals designated to investigate or recommend corrective actions in response to allegations of sexual misconduct will be trained annually to conduct investigations in a manner that protects the safety of complainants, promotes fairness of the process and accountability.
8. Investigations will be conducted by gathering relevant information and interviewing appropriate witnesses.
  - a. It is important that all parties preserve any documents or other evidence which may pertain to the investigation.
  - b. Any medically related evidence is best preserved by trained medical personnel.
  - c. Students are encouraged to seek medical services both for treatment and preservation of any medical evidence.
9. Both the complaining party and the respondent (the parties) will be given equal opportunity to identify witnesses and offer evidence in person or in writing. Best efforts will be made to interview all witnesses identified by the parties. If a witness identified by either party is not interviewed during the investigation, an explanation for the decision not to interview the witness should be documented in the investigatory report. Both parties will be given timely notice of meetings at which one or the other or both parties may be present. Both the complaining party and the respondent may be accompanied by an advisor of his or her choice during any meetings

involved in the investigatory process in which the advisee is also eligible to be present. However, the advisor may not speak on behalf of the party.

10. Any evidence collected during the investigation should be maintained in accordance with the record retention requirements below. Personally-identifiable information, including, but not limited to home address, telephone number, student ID or social security number should not be maintained in investigative records.
11. A report of investigation will be provided to the college's Title IX Coordinator within five (5) business days of completion of the investigation. The Title IX Coordinator will provide both parties simultaneously with a copy of the report and any supporting evidence. The parties shall be given ten (10) calendar days from receipt of the report to respond to the report and the supporting evidence, which must be considered by the Investigator before finalizing the report. Any information prohibited from disclosure by law or policy will be redacted from any documents prior to distribution. With regard to complaints of sexual misconduct, disclosures made to comply with the Violence Against Women Reauthorization Act ("VAWA") do not constitute a violation of FERPA.
12. If the Investigator determines that all or some of the allegations made in the complaint are substantiated and that the conduct at issue constitutes a violation of this or other applicable procedure, the Title IX Coordinator shall forward the report to the appropriate officials at the college for further action in accordance with the provisions below and the college's Student Code of Conduct and Disciplinary Procedure or the Positive Discipline Procedure for employees.

## Hearings

### D. Hearings

1. Format of Hearing:
  - a. Hearings may be conducted with all Parties physically present in the same geographic location or, at the discretion of the Decision-Maker, any or all Parties, Witnesses, and other participants may appear at the live Hearing virtually, with technology enabling participants simultaneously to see and hear each other.
  - b. At the request of either Party, TCSG will provide for the Hearing to occur with the Parties located in separate rooms with technology enabling the decision-maker(s) and Parties to simultaneously see and hear the Party or the Witness answering questions.

2. Recording of Hearing:
  - a. Hearings will be transcribed or recorded through audio or audiovisual means, and TCSG and/or the College will make the transcript or recording available to the Parties for inspection and review upon request.
  
3. Role of Advisor:
  - a. If a Party does not have an Advisor present at the Hearing, TCSG and/or the College will provide, without fee or charge to that Party, an Advisor of TCSG and/or the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that Party.
  
4. Role of the Decision-Maker:
  - a. The Decision-Maker will:
    - i. be a professional appointed by the TCSG Commissioner who is experienced and trained in adjudicating matters of civil rights, sexual harassment and/or sexual violence and trained on this Title IX Procedure;
    - ii. preside over the Hearing and will issue the Written Determination Regarding Responsibility;
    - iii. be identified to the Parties before the Hearing at least three calendar days prior to the Hearing.
  - b. Conflict of Interest:
    - i. No person who has a conflict of interest may serve as the Decision-Maker.
    - ii. A conflict of interest exists if the Decision-Maker has prior involvement in or knowledge of the allegations at issue in the case, has a personal relationship with one of the Parties or Witnesses, or has some other source of bias.
    - iii. Either Party may assert, in writing, that a Decision-Maker has a conflict of interest.
    - iv. A request to recuse a Decision-Maker based on a conflict must be submitted to the Hearing Coordinator within 1 business day's receipt of the name of the Decision-Maker.
    - v. A determination will be made by the Commissioner or his designee whether a Decision-Maker has a conflict of interest, and if so that Decision-Maker will be replaced by an alternate.
  - c. At the Hearing, the Decision-Maker will:
    - i. Permit Cross-examination. At the Hearing, the Decision-Maker will permit each Party's Advisor to ask the other Party and any Witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the Hearing must be conducted directly, orally, and in real time by the Party's Advisor of choice and never by a Party personally. The Parties may, however, jointly agree in advance to waive oral cross-examination and instead submit written cross-examination to the Decision-Maker to conduct the examination. Even if the Parties so agree, the Parties are still required to have a Advisor present at the Hearing. The Decision-Maker has discretion to otherwise restrict the extent to which Advisor may participate in the proceedings.

- ii. Determine Relevance of Questions. Only relevant cross-examination and other questions may be asked of a Party or Witness. Before a Complainant, Respondent, or Witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
  - iii. Provide Rape Shield Protections for Complainants. The Decision-Maker will prohibit any questions and evidence about the Complainant's sexual predisposition or prior sexual behavior as not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
  - iv. Exclude Statements, as Relevant, in Reaching a Determination Regarding Responsibility. If a Party or Witness does not submit to cross-examination at the live Hearing, the Decision-Maker must not rely on any statement of that Party or Witness in reaching a determination regarding responsibility. The Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or Witness's absence from the live Hearing or refusal to answer cross-examination or other questions.
5. Hearing Process:
- a. The Investigator will be available to answer any questions from the Decision-Maker about the Investigation.
  - b. The Decision-Maker may meet with the Parties and Witnesses for the purpose of making findings of fact.
  - c. The Parties and Witnesses may not speak to matters beyond the scope of the Hearing File (for example, by raising potential misconduct allegations that go beyond the scope of the charged conduct).
  - d. Parties and Witnesses must not disclose or reference information to the Decision-Maker that was excluded from the Hearing File.
  - e. The Decision-Maker may ask questions of the Parties and/or Witnesses.
  - f. Parties are permitted to listen to Witnesses as they are speaking to the Decision-Maker. The Decision-Maker is not obligated to speak to all Witnesses.
  - g. Written Determination Regarding Responsibility:
    - i. The Decision-Maker shall issue a Written Determination Regarding Responsibility within 10 business days of the hearing, applying the Preponderance of the Evidence standard (as required by Georgia law), which shall include:
      - identification of the allegations potentially constituting Title IX Prohibited Conduct;
      - a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other evidence, and Hearings held;
      - findings of fact;

- conclusions about whether the alleged Title IX Prohibited Conduct occurred, applying the definitions set forth in this Title IX Procedure to the facts;
- the rationale for the result as to each allegation;
- any disciplinary Sanctions imposed on the Respondent;
- whether Remedies or Supportive Measures will be provided to the Complainant; and
- information about how to file an appeal.

## Possible Sanctions

- ii. Sanctions:
  - The Decision-Maker may ask the Parties to submit Sanctions statements at the conclusion of the Hearing.
  - The Decision-Maker may also consult with TCSG and/or College personnel, including the Human Resources Director or Vice President of Student Affairs, regarding any Sanctions and Remedies appropriate to the specific Respondent and Complainant under the circumstances of the case.
  - The Sanction determination will be provided to the Title IX Coordinator who will be responsible for implementing the Supportive Measures and/or Remedies, including the continuation of any Supportive Measures and/or any additional or on-going accommodations for both Parties.
- iii. The Title IX Coordinator will cause the Written Determination Regarding Responsibility to be sent to the Parties.
- iv. The Title IX Coordinator will provide copies of the Written Determination Regarding Responsibility and Sanctions and/or Remedies (if any) for the purpose of maintaining records as follows:
  - For students, to the Office of Student Affairs
  - For staff, to Human Resources
  - For faculty, to the Office of Academic Affairs
- v. The Decision-Maker must explain decisions on responsibility and Sanctions (if applicable) and Remedies with enough specificity for the Parties to be able to file meaningful appeals.
- vi. The consideration of whether Remedies and Sanctions go into immediate effect or are temporarily delayed pending appeal or some combination thereof, will be determined on a case-by-case basis by the Title IX Coordinator.
- vii. The Written Determination Regarding Responsibility becomes final:
  - if an appeal is not filed, the date on which an appeal would no longer be considered timely; or
  - if an appeal is filed, on the date that TCSG and/or the College provides the Parties with the written determination of the result of the appeal.

## E. Corrective Actions

1. Colleges will take all reasonable steps to prevent unlawful retaliation against complainants and any other individuals participating in investigations under this procedure.
2. If prohibited conduct is determined to have occurred following the investigation, steps shall be taken to prevent a recurrence and to correct the discriminatory effects on the complaining party and others as appropriate.
  - a. Steps may include, but are not limited to mandating training or evaluation, disciplinary sanctions, policy implementation, issuing no-contact orders, or reassignment of students or employees.
  - b. Disciplinary sanctions for students are defined in TCSG Procedure governing Student Discipline and may include: reprimand, restriction, disciplinary probation, disciplinary suspension, and disciplinary expulsion.
  - c. Disciplinary sanctions for employees are defined in TCSG's Positive Discipline Procedure and may include: formal reminders, decision making leave, or dismissal.
3. The severity of sanctions or corrective actions may depend on the severity, frequency and/or nature of the offense, history of past discriminatory, harassing, or retaliatory conduct, the respondent's willingness to accept responsibility, previous college response to similar conduct, and the college's interests in performing its education mission.
  - a. Should recommended disciplinary sanctions involve academic suspension or expulsion, the matter must be referred to the Vice President 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, under this procedure, may not also serve as reviewing officials or Decision-Makers in the appeal of sanctions arising from an investigation.

## Appeals

### F. Appeals

1. Appeal of a Written Determination Regarding Responsibility
  - a. Submission of Appeal

- i. Both Parties have the right to an appeal from a Written Determination Regarding Responsibility on the bases set forth below.
  - ii. Appeals may be submitted by a Complainant or Respondent in writing to the Hearing Coordinator, who will forward the appeal to a designated Appeal Officer to decide the appeal.
  - iii. The Appeal Officer will be the Commissioner of TCSG or his designee.
  - iv. Each Party may submit a written appeal of up to 6,000 words in length, which will be shared with the other Party.
  - v. The Parties must submit the appeal to the Commissioner within ten (10) calendar days from the receipt of the Written Determination Regarding Responsibility (if any).
- b. Grounds for appeal are limited to the following:
- i. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the appealing Party?
  - ii. Was there any substantive new evidence that was not available at the time of the decision or Hearing and that could not have been available based on reasonable and diligent inquiry that would substantially affect the outcome of the decision?
  - iii. Did the Title IX Coordinator, Investigator(s), or Decision-Maker have a conflict of interest or bias for or against Complainants or Respondents that affected the outcome of the matter?
  - iv. For matters that proceeded to Sanctioning and imposition of Remedies, are the Sanction and/or Remedies ones that could have been issued by reasonable persons given the findings of the case?
- NOTE: In composing appeals, Parties should format their arguments following these four grounds as the organizational structure.
- c. Receipt of Appeal
- i. Upon receipt of a Party's appeal, the Hearing Coordinator will share it with the other Party.
  - ii. Each Party may submit a response to the other Party's appeal (no more than 3,000 words).
  - iii. Each Party must submit this response to the Commissioner within 10 calendar days after the other Party's appeal has been shared.
  - iv. The appealing Party will have access to the other Party's response to the appeal, but no further responses will be permitted.
- d. Response to Appeal
- i. The Title IX Coordinator is permitted, but not required, to file a response to a Party's appeal to respond to concerns relating to procedural irregularities or bias in the Investigation and Hearing process.
  - ii. The Title IX Coordinator may submit one response for each Party that files an appeal (that raises a procedural irregularity).
  - iii. Each response by the Title IX Coordinator should be no more than 1,500 words.
  - iv. The Parties will have access to the Title IX Coordinator's response(s) to the appeal, but no further responses will be permitted.
- e. Appeal Decision
- i. The Appeal Officer will provide the Notice of Outcome of Appeal no later than ten (10) business days after receipt of all appeal documents.
  - ii. As needed, the Appeal Officer will consult with the Title IX Coordinator regarding the management of ongoing Remedies.

- iii. The Appeal Officer may reject the appeal in whole or in part, issue a new decision regarding responsibility, issue new or revised Sanctions and Remedies, or refer the matter to a new Decision-maker.

## VII. RECORD RETENTION:

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

### Protective Measures

A complainant may meet with Campus Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home.

Lanier Technical College complies with Georgia law in recognizing temporary protective orders (TPO). Any person who obtains a temporary protective order from Georgia or any reciprocal state should provide a copy to Campus Police and the Title IX Coordinator.

The College cannot apply for a temporary protective order for a victim. The victim is required to apply directly for these services. The following is information regarding how to obtain a temporary protective order from the Hall County Courts:

The College does not publish the name of crime victims in the Campus Police Departments Daily Crime Log or online. The College does not maintain any public directory information on students, but does have public directory information on employees. Victims may request that directory information on file be removed from public sources by sending an email request to [titleix@laniertech.edu](mailto:titleix@laniertech.edu).

**To Discuss Protective Measures with the Police Department**

**Lanier Technical College Police Department: 678-410-4139**



### **Who is Eligible to Apply for a TPO?**

Before an application for a TPO can be made, an act of family violence or stalking must have occurred. The following parties are eligible to apply:

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

### **How to Obtain a TPO**

The first step in obtaining a TPO is the application process. A representative (advocate) will assist you with the required paperwork. The advocate is located at the Hall County Courthouse in Gainesville in the Office of the District Attorney.

The advocate will provide the required paperwork for parties seeking temporary protective orders. Additional duties of the advocate include entering information into the state computer system and screening cases before bringing said matters before the presiding judge.

If there is a finding by the judge that there is probable cause to believe that an act of family violence has occurred in the past and may occur in the future, the Court may order such relief as is deemed appropriate.

After the responding party has been served with a copy of the order by the Sheriff's Office, a hearing will be held within 30 days. Both parties will have the opportunity to be present at the hearing. An assisting Superior Court Judge will determine by a preponderance of the evidence if it is warranted to continue the protective order for a period of up to 12 months.

### **Criminal Trespass Warning**

The College may issue a criminal trespass warning. To the extent of the victim's cooperation and consent, college officers will work cooperatively to ensure that the complainant's health, physical safety, work and academic status is protected, pending the outcome of a formal college investigation of the complaint. For example, if reasonably available, a complainant may be offered counseling, health services and assistance in notifying appropriate local law enforcement. Additionally, personal 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 (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20)). Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.



## Resources for victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking

### On-Campus Resources

Vice President, Student Affairs	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-7001 <a href="mailto:nbeaver@laniertech.edu">nbeaver@laniertech.edu</a>
Human Resources	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-6903
Campus Police (Hall County Campus)	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-6912
Campus Police (Forsyth Campus)	3410 Ronald Reagan Blvd Cumming, GA 30041	678-341-6600
Office of Equal Employment Opportunity (EEO)/Title IX Coordinator	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-7001 <a href="mailto:titleix@laniertech.edu">titleix@laniertech.edu</a>
Disability Services Allison Haynes	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-7003 <a href="mailto:adacoordinator@laniertech.edu">adacoordinator@laniertech.edu</a>
Student Navigator Megan Whitworth	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-7026
Veterans Services Lisa Larkin	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-7019
Special Populations Kari Register	2535 Lanier Tech Dive Gainesville, GA Breeden/Giles Building	770-533-7005

### Off-Campus Resources

Local Law Enforcement, Fire, EMS	All Campuses	911
Domestic & Family Violence Hotline	All Campuses	800-334-2836
Georgia Legal Services	All Campuses	404-894-7707
Mental Health Crisis Line	All Campuses	800-493-1932



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

- Domestic & Family Violence Hotline 800-334-2836
- Child Abuse Prevention Hotline 800-4-ACHILD
- Georgia Legal Services 404-894-7707
- Georgia Network to End Sexual Assault 404-815-5261
- Rape Response Inc. 770-503-7273
- United Way Resource List 211

### **How to be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. 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. Below is a list of some ways to be an active bystander:

#### **Create a distraction**

Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.

#### **Ask directly**

Talk directly to the person who might be in trouble.

#### **Refer to an authority**

Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like a police officer or security guard.

#### **Enlist others**

It can be intimidating to approach a situation alone. Enlist another person to support you.

#### **Your actions matter**

Whether or not you were able to change the outcome, by stepping in you are helping to change the way people think about their role in preventing sexual assault.

## Risk Reduction

The following tips may reduce your risk for many different types of crimes, including sexual violence (taken from Rape, Abuse & Incest National Network, [rainn.org](http://rainn.org)).

1. **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
2. **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
3. **Be careful about posting your location.** Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other [social media settings](#).
4. **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.
5. **Think about Plan B.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
6. **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.
7. **Have a code word.** Develop a code with friends or family that means "I'm uncomfortable" or "I need help." It could be a series of numbers you can text, like "311." It might be a phrase you say out loud such as, "I wish we took more vacations." This way you can communicate your concern and get help without alerting the person who is pressuring you.
8. **Think of an escape route.** If you had to leave quickly, how would you do it? Locate the windows, doors, and any other means of exiting the situation. Are there people around who might be able to help you? How can you get their attention? Where can you go when you leave?

### Safety in social settings

You can take steps to increase your safety in situations where drinking may be involved. These tips can help you feel safer and may reduce the risk of something happening, but, like any safety tips, they are not foolproof. It is important to remember that sexual assault is never the victim's fault, regardless of whether they were sober or under the influence of drugs or alcohol when it occurred.

1. **Make a plan.** If you are going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to confer with the other people in your group. Do not leave someone stranded in an unfamiliar or unsafe situation.
2. **Protect your drink.** Do not leave your drink unattended, and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It is not always possible to know if something has been added to someone's drink. In [drug-facilitated sexual assault](#), a perpetrator could use a substance that has no color, taste, or odor.
3. **Know your limits.** Keep track of how many drinks you have had, and be aware of your friends' behavior. If one of you feels extremely tired or drunk you may have been drugged. Leave the party or situation and find help immediately.
4. **It is okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it is okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, [pressured](#), or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.
5. **Be a good friend.** Trust your instincts. If you notice something that does not feel right, it probably is not.
6. **Know what you are drinking.** Don't recognize an ingredient? Use your phone to look it up. Consider avoiding large-batch drinks like punches or "jungle juice" that may have a deceptively high alcohol content. There is no way to know exactly what was used to create these drinks.
7. **Trust your instincts.** If you feel unsafe, uncomfortable, or worried for any reason, do not ignore these feelings. Go with your gut. Get somewhere safe and find someone you trust or call law enforcement.
8. **Do not leave a drink unattended.** That includes when you use the bathroom, go dancing, or leave to make a phone call. Either take the drink with you or throw it out. Avoid using the same cup to refill your drink.

9. **Do not accept drinks from people you do not know or trust.** This can be challenging in some settings, like a party or a date. If you choose to accept a drink from someone you have just met, try to go with the person to the bar to order it, watch it being poured, and carry it yourself.

### Adjudication of Violations

Whether or not criminal charges are filed, the College or a person may file a complaint under the Lanier Technical College Student Code of Conduct; and the LTC Employee Handbook;

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Police will automatically be referred to the Title IX Coordinator for investigation whether or not the complainant chooses to pursue criminal charges.

The college disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, resolution of complaints of sexual misconduct are completed within 60 days of the report; however, the proceedings time frame allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.





The Sexual Misconduct Policy provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
6. A student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused student violated the College's Student Code of Conduct?"
7. The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
8. The accuser and the accused each have the right to appeal the outcome of the hearing and will be notified simultaneously in writing of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved. All appeals must be in writing and must be submitted to the Vice President of Student Affairs within five business days of the student or student organization's receipt of the sanctioning decision in writing. The Vice President of Student Affairs will forward the



appeal to the proper appeals officer. The appeals process does not grant a new hearing at a higher level. All appeals described in this section involve written appeals only. Students or organizations do not meet with or make oral presentations to the person deciding the appeal. There may be times when the person deciding the appeal requests a meeting with parties involved in order to clarify matter related to the appeal. But that is solely within the discretion of the person deciding the appeal.

An Employee alleging sexual assault, domestic violence, dating violence, or stalking should utilize the complaint and investigatory procedures set forth in the Technical College System of Georgia's Policy against Unlawful Discrimination, Sexual Harassment, and Retaliation in Employment in Procedure 4.3.1p of the TCSG Policy Manual located in Appendix 1 on this document.

All conduct proceedings against students, however, will be resolved through the Unlawful Harassment and Discrimination of Students section of the Student Code of Conduct. Which states, "It is the purpose of this procedure to ensure that all students within the Technical College System of Georgia (TCSG) shall be provided an environment free of unlawful harassment (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."

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the college's ability to respond to the complaint may be limited.

### **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.

### **Sex Offender Registration**

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, volunteer's 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 web site at: <https://gbi.georgia.gov/georgia-sex-offender-registry> .



## SAFETY ESCORT SERVICE

The Lanier Technical College Police Department provides officers as a “Safety Escort Service” for any student, employee, or visitor that wishes an officer to escort them to or from their vehicle. This service operates during the hours the campus is open and can be requested by calling the Police Department at 770-533-6912 or the Officer on Duty at the number below:

**For Immediate Response from the Police Officer on Duty or Safety Escort:**

**Lanier Technical College Police Department: 678-410-4139**

## MISSING STUDENT NOTIFICATION POLICY Not Applicable

Lanier Technical College does not provide any student housing on any of the campuses. This regulation does not apply to the college. However, LTC Police Department will assist in any effort to locate an LTC student who is reported missing to local police.

## DAILY CRIME LOG

Consistent with the Clery Act requirements, the Lanier Technical College Police Department maintains a Daily Crime Log of all criminal offenses reported on its campuses. It is maintained by the Lanier Technical College Police Department and is available for public inspection between the hours of 8 a.m. and 5 p.m., Monday through Thursday at 2535 Lanier Tech Drive, Gainesville, Georgia 30507, Breeden/Giles Building lobby, excluding holidays when the College is closed.

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

Lanier Technical College Police Department’s crime log covers the most recent 60-day period and is open for public inspection during normal business hours. Crime log information dating back



more than 60 days will be made available for inspection within two business days of a written request.

## **LTC's POLICIES GOVERNING ALCOHOL AND OTHER DRUGS**

In accordance with the Drug Free Schools and Communities Act Amendments of 1989, Lanier Technical College has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.

Lanier Technical College expects students and employees to meet appropriate standards of performance, to observe basic rules for good conduct, and to comply with the College Student Code of Conduct. In the discharge of its responsibilities as an employer, Lanier Technical College aggressively promotes and requires a drug-free campus among its students and employees.

Institutional standards of conduct clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on campus or as part of any institutional-sponsored activities.

Sanctions up to and including dismissal and referral for prosecution will be imposed for the violation of these standards.

College police regularly patrol the campus and respond to calls for service. Officers enforce Georgia state laws regarding underage drinking and the use, possession and sale of alcoholic beverages at LTC by either referring the student to Student Affairs, by issuance of a citation, or by arrest. Officers also respond to complaints of drug activity and enforce state and federal drug laws on campus.

### **LTC's Drug, Alcohol, and Other Substances Policy**

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

- a. Alcohol: Students must comply with all state and federal laws regulating alcohol as well as TCSG Policy 11.C.6, Alcohol on Campus. Alcoholic Beverages may not be served or sold at any Student sponsored function. Students being in a state of intoxication on Technical

College Premises or at Technical College-sponsored or supervised functions (including off-campus functions), internships, externships, practicum, clinical sites, co-operative or academic sponsored programs or activities or in a technical college-owned vehicle is prohibited.

- b. Controlled substances, illegal drugs and drug paraphernalia: The Technical College prohibits possession, use, sale, or distribution of any controlled substance, illegal drugs, or drug paraphernalia except as expressly permitted by law. Any influence which may be attributed to the use of drugs or of alcoholic beverages shall not in any way limit the responsibility of the individual for the conduct or consequences of his/her actions.
- c. Food: The Technical College prohibits eating and/or drinking in classrooms, shops, and labs or other unauthorized areas on Technical College Premises, unless otherwise permitted by Technical College Officials.
- d. Tobacco: The Technical College prohibits smoking, or using other forms of tobacco products in classrooms, shops, and labs or other unauthorized areas on Technical College Premises. Refer to the Lanier Technical College Tobacco Policy.

**Drug and Alcohol Education Programs and Assistance Available**

The Office of Student Affairs provides assistance to students with drug or alcohol-related problems. If you wish to read the entire Drug-Free Campus Act, please go to [www.laniertech.edu](http://www.laniertech.edu). Type in "Drug Free Campus Act" under search site. Questions regarding this policy should be directed to the Human Resource Office, if in regard to employees, and to the Special Populations Office, if in regard to students.

Information can be obtained from the following campus resources:

- 1. Alcohol and Drug Education: Student Affairs, Coordinator of Special Populations, 770-533-7005.
- 2. Counseling Services Referrals: Student Affairs, Coordinator of Special Populations, 770-533-7005.
- 3. College Disciplinary Actions: Student Affairs Office, Title IX Coordinator, 770-533-7001.
- 4. Employees: HR Director, Jill Cantrell, 770-533-6900.

**Sources of Help for Alcohol/Drug Dependency:**

**Avita Locations:**

- 1. Hall County 678-207-2900
- 2. Forsyth County 678-341-3840
- 3. Banks County 706-894-3700
- 4. Jackson County 706-864-6822
- 5. Lumpkin County 706-864-6822
- 6. Dawson County 706-864-6822

**United Way 2.1.1** 770-534-0617  
**HALT Club** 770-534-3777  
 (Twelve Step Program)

**Laurelwood** 770-219-3800  
 (Mental Health Services at Northeast Georgia Medical Center)

**National Clearinghouse for Drug and Alcohol Info** 1-800-729-6686

## Medical Amnesty Law

This law is aimed to reduce the number of drug overdose victims by providing protection from arrest for drug violations, parole or probation violations, and alcohol related violations. The law, in effect since April 24, 2014, says that anyone seeking medical assistance for themselves or someone else for a drug overdose cannot be charged if the evidence of a drug violation results solely from seeking such medical assistance. Protections offered by the law include: (a) possession for a controlled substance if the aggregate weight including any mixture is less than 4 grams of a solid substance, less than one milliliter of liquid substance, or if the substance is placed onto a secondary medium with a combined weight of less than four grams; (b) possession of marijuana less than 1 ounce; (c) possession of drug related objects; (d) violation of a temporary protective order; (e) violation of parole or probation (for possessing such drug or in the company of persons who possess controlled substances); (f) or violation of a pretrial release (for possessing such drug or in the company of persons who possess controlled substances).

## LTC's ANNUAL DISCLOSURE OF CRIME STATISTICS

The Lanier Technical College Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Crime statistics that occurred on the Lanier Technical College campuses were compiled by the Campus Police for the years 2020, 2021, and 2022. Also included are statistics reported by other law enforcement agencies for all non-campus buildings and property and public property adjacent to the campus.

The Campus Police will disclose any crime report made directly to any local or state law enforcement agency by a member of the campus community. Annual statistics are also collected from the Campus Police, the Office of Student Affairs, and Campus Security Authorities on campus and distributed by October 1, of each year in the publication "Lanier Technical College Annual Security Report," which can be found here: [www.laniertech.edu](http://www.laniertech.edu) .

The statistics are gathered from January 1 to December 31, of each year. [668.46(c)(3)]

Lanier Technical College reports and discloses all crime statistics in the Calendar year in which the crime was report.



**DEFINITIONS OF CLERY ACT REPORTABLE CRIMES**

**Murder and non-negligent manslaughter**

The willful, non-negligent, killing of one human being by another.

**Manslaughter by Negligence**

The killing of another person through gross negligence.



**Sexual Assault (Sex Offenses)**

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

**Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest**

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

**Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent.

**Robbery**

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.

**Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

**Burglary**

The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

**Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another person, etc.

**Hate Crimes**

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

**The crimes listed below are only required to be reported if they are motivated by bias:**

**Larceny/Theft**

The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

**Simple Assault**

An unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property**

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.





**Lanier Technical College has no reported hate crimes for the years of 2020, 2021, 2022.**

**Categories of Prejudice/Bias**

**Race**

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

**Gender**

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

**Religion**

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

**Sexual Orientation**

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

**Ethnicity**

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

**National Origin**

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

**Disability**

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

**Gender Identity**

A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals.

## OTHER CLERY ACT REPORTABLE OFFENSES

### Liquor Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, transporting furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition).

### Drug Law Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

### Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; illegal aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.





## **VIOLENCE AGAINST WOMEN ACT (VAWA)/CAMPUS SAVE ACT CRIMES**

### **Sexual Assault**

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

### **Dating Violence**

Violence committed by a person

(A) Who is or has been in a social relationship of a romantic or intimate nature with the victim.

(B) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:

- i. The length of the relationship;
- ii. The type of the relationship; and
- iii. The frequency of interaction between the persons involved in the relationship.

### **Domestic Violence**

A felony or misdemeanor crime of violence committed:

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

### **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

# CRIME STATISTICS

## 2022 Crime Statistics, Barrow, Dawson, Forsyth, and Hall County Campuses

### Barrow County Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Dawson County Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Forsyth County Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	1	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Hall County Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	1
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	0	0	0	0	0	0

## 2022 Crime Statistics, Jackson County Campus

### Jackson County Campus

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

## 2022 Crime Statistics, Adult Learning Centers

### Manufacturing Development Center

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Banks County Adult Learning Center

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Barrow County Adult Learning Center

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	2	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	1	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	1	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Dawson County Adult Learning Center

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Hall County Adult Learning Center

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	1	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

### Lumpkin County Adult Learning Center

Category	On-Campus Criminal Offenses			Non-Campus Buildings			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes									
Occurrences of Hate Crimes	0	0	0	0	0	0	0	0	0
Arrest and Referrals for Campus Disciplinary Action									
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
VAWA OF 2013									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0



### **Crime Statistic Discloser**

Lanier Technical College includes in its crime statistics all crimes occurring on or within its Clery geography that are reported to a campus security authority for purposes of Clery Act reporting. Lanier Technical College does not require initiating an investigation or disclosing personally identifying information about the victim in compliance with the Violence Against Women Act of 1994.

Lanier Technical College does not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar no campus official.

### **Unfounded Crime Reports**

Lanier Technical College has no unfounded crime reports for the years 2020, 2021 and 2022.

### **Crime Reports at Travel Destinations**

No Clery crimes were reported at Lanier Technical College travel destinations for the years 2020, 2021 and 2022.

### **Crime Statistics Report by Calendar Year**

Lanier Technical College reports and discloses crime statistics for the calendar year in which the crime was reported to the Lanier Technical College Police Department, State and Local Police Agencies or to a Campus Security Authorities.

### **HEOA**

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

### **PROHIBITION ON RETALIATION**

Lanier Technical College, its officers, employees, or agents shall not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the report.

### **LTC's ANNUAL FIRE SAFETY REPORT FOR CAMPUS HOUSING Not Applicable**

Lanier Technical College provides no on campus housing at this time. Therefore, this section does not apply to Lanier Technical College.

## Appendix 1

### Procedure: 4.3.1p. (III.A.1)

### Unlawful Discrimination, Harassment and Retaliation in Employment

Revised: April 16, 2019; and January 12, 2016.  
Last Reviewed: September 20, 2022; and April 16, 2019.  
Adopted: March 9, 2007

#### I. PURPOSE:

This procedure aims to ensure that all the Technical College System of Georgia employees are provided with an environment free of unlawful discrimination, harassment, and retaliation.

Employee complaints of sexual harassment by another employee, which is a form of sex discrimination, should be processed under TCSG Procedure 4.3.1p2.

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

All employees are required to report any act of unlawful discrimination and harassment. Reports will be treated expeditiously and confidentially 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 providing any information in an investigation. Any employee who retaliates against a complainant or witness in an investigation will be subject to disciplinary action, 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).

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

#### II. RELATED AUTHORITY:

O.C.G.A. § 20-4-11 – Powers of Board.  
O.C.G.A. § 20-4-14 – TCSG Established; Powers and Duties.  
20 U.S.C. §§ 1681 et seq.  
Titles VI and VII of the Civil Rights Act of 1964.  
Age Discrimination Act of 1975.  
Rehabilitation Act of 1973, as amended.  
2 Americans with Disabilities Act of 1990.  
Americans with Disabilities Amendments Act (ADAAA) of 2008.  
Genetic Information Nondiscrimination Act (GINA) of 2008.  
TCSG State Board Policy 2.1.1. – Statement of Equal Opportunity.  
TCSG Procedure 4.4.1p. – Positive Discipline.



### III. APPLICABILITY:

All work units and technical colleges associated with the Technical College System of Georgia. The terms of this Procedure will govern behavior during normal work hours, at work-related functions at or away from the primary work site before or after normal work hours, and/or while off duty when negatively impacting an employee's ability to effectively perform their duties.

### IV. DEFINITIONS:

A. **Unlawful Discrimination:** the treatment, consideration of, or making a distinction in favor or against a person based upon a legally protected characteristic, class, or category to which the person belongs: e.g., race, color, religion, sex, national origin, age, or disability. Unlawful discrimination can also affect a procedure or practice that confers or denies privileges to a protected class because of race, color, religion, etc.

B. **Unlawful Harassment:** Verbal or physical conduct that disparages or shows hostility or aversion toward an individual because of that person's race, color, religion, sex, national origin, age, or disability. The conduct will be considered Unlawful Harassment if it:

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

Examples of Unlawfully Harassing Conduct or Behavior (Other Than Sexual Harassment) or Generally Offensive Behavior/Conduct:

Offensive remarks, jokes, epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, sexual orientation, national origin, age or disability;

Displaying offensive written or graphic material, pictures, photographs, or drawings on walls, bulletin boards, computers, or other work locations, or which are circulated in the work place;

Offensive e-mail, text or voice mail message(s), or inappropriate use of state resources (e.g. downloading sexually explicit websites and/or information); and

Foul or obscene language.

This is a representative list of harassing conduct or behavior and is not intended to be exhaustive.

C. **Retaliation:** Unfavorable employment action taken, unfavorable employment condition created, or other action taken for intimidation directed toward an employee because the employee reported or complained of unlawful discrimination or harassment or because the employee participated in an investigation



- D. **Employees:** Any individual employed in a full- or part-time capacity in any work unit and/or Technical College associated with the Technical College System of Georgia (“TCSG”).
- E. **Non-Employee:** Any third party (e.g., volunteer, vendor, contractor, etc.) who conducts business with or on behalf of a work unit or Technical College.
- F. **President:** The chief executive officer responsible for managing and operating the Technical College where the complainant and/or respondent are currently employed.
- G. **Human Resources Director:** The highest-ranking employee responsible for the human resource function at a Technical College. The System Office Human Resources Director provides technical assistance and expertise to all college HR Directors and manages the human resource function for all work units not associated with a Technical College.
- H. **Local Investigator:** The person(s) at the Technical College who has delegated the responsibility for investigating employee complaints of unlawful discrimination, harassment, and retaliation. Local Investigators are typically staff from the college’s Office of Human Resources but may also include Title IX Coordinators.

V. **ATTACHMENTS:** Attachment: 4.3.1p.a1. Employee Acknowledgment Form  $\zeta$

VI. **PROCEDURE:**

A. **Policy Administration**

1. The State Board Policy Statement on Equal Opportunity should be permanently displayed on official bulletin boards of the technical colleges and System Office and easily assessable to staff.
2. Supervisors must take ongoing proactive steps to ensure their work environments are free from any type of discrimination, unlawful harassment and retaliation and to educate their staff on appropriate conduct.
3. All current and future employees shall be required to read and become familiar with the Statement of Equal Opportunity and other employment-related policies and procedures located in the TCSG State Board Policy Manual (tcsge.edu).
4. As a condition of employment, all employees (current and future) are required to read and sign the employee acknowledgment of this procedure that will become a permanent part of the employee’s personnel record.
5. Any employee, student, contractor or volunteer who has any questions concerning this Procedure should direct those questions to the college’s Title IX Coordinator or Human Resources Director.
7. Presidents should ensure that employees receive appropriate training on the identification, prevention, and reporting of sexual harassment.





## B. 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@tcsge.edu](mailto:UnlawfulHarassment@tcsge.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 should 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.

## C. 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. 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 instead of investigation. Mediations must be conducted by a qualified objective third party not employed by the college.

2. Both the complaining party and the respondent will be given an equal opportunity to identify witnesses and offer evidence in person or writing. Best efforts will be made to interview all witnesses identified by the parties.
3. Conduct that 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.
4. Investigative materials generated through the application of this Procedure will be processed and maintained confidentially to the extent permitted by law.

#### **D. Review and Disposition**

1. Local Investigators and Presidents should consult with the Office of Legal Services when determining whether or not the facts support a finding of unlawful conduct.
2. If the investigation results 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. Suppose the investigation results support a finding of unlawful harassment, discrimination, retaliation, or any other policy violation. In that case, the President shall promptly take necessary action to ensure the conduct is not repeated. Actions may include but are not limited to mandating training, issuing disciplinary actions, or dismissal from employment.
4. The complainant and the respondent will be notified in writing of the investigation results, provided, however, that if disciplinary action is to be initiated due to the investigation, neither party will be notified until all disciplinary actions are taken.

#### **VII. 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.

