

**DALTON STATE COLLEGE**

**ANNUAL FIRE SAFETY AND SECURITY REPORT**

**Report for October 2021**



**From President Margaret Venable**

To the Dalton State Community –

It is up to each one of us to help foster a secure and supportive environment at Dalton State — an environment where individuals can feel safe to visit, learn, work and live. Primary to this goal are the principles of responsibility and respect. These values are essential to any community, and serve as the foundation for the success and productivity of our students, faculty and staff. Safety on campus is one of the highest concerns. A truly safe campus can only be achieved through the cooperation of everyone. This publication contains information about campus safety measures and reports statistics about crime in our College community. It also describes our efforts to combat alcohol and drug abuse. Please take the time to read it and help foster a more caring and safe environment.

*Margaret Venable*

**From Michael Masters, Director of Public Safety**

To the Dalton State Community –

On behalf of the members of the Dalton State College Police Department, I want to thank you for your interest in our annual Fire Safety and Security Report. We publish this report because it contains valuable information for our campus community. We also publish the report to comply with the important provisions of the Clery Act. Campus safety and security and compliance with the Clery Act should be a part of everyone's responsibility at Dalton State. We encourage you to review the information we have made available to you in this brochure. You will find information about our organization including descriptions of certain services that we provide. You will also become familiar with our strong commitment to victims of crimes and the specific extensive services we make available to crime victims. Lastly, you will find important information about security policies and procedures on our campus, crime data, and crime prevention information. We join President Venable in the commitment to foster a secure and supportive environment at Dalton State. We are proud to be an integral part of Dalton State's tradition of excellence. Campus safety and security is a collaborative effort. We partner with the many Departments at the College that have a critical role in fostering campus safety, including the Dean of Students Office, Environmental Health & Safety, and other College offices. It has always been our goal to provide the highest quality of public safety services to the College community and we are honored to collaborate with the entire Dalton State community. The men and women of the Dalton State Police Department are committed to making our campus a safe place in which to live, work, and study.

*Michael Masters*

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## **Reporting Crimes and Other Emergencies**

Dalton State has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate College officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire College community that you immediately report all incidents to the Department of Public Safety/Police (706-272-4461) to ensure an effective investigation and appropriate follow-up actions, including issuing a crime alert or emergency notification.

## **Voluntary, Confidential Reporting**

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

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

Online forms for reporting crimes (sexual assault, disorderly conduct, stalking, etc.) and other misconduct are available on the Public Safety Website:

<https://www.daltonstate.edu/about/safety-overview.cms>

**Anyone may call Campus Police at 706-272-4461. Callers may remain anonymous.**

## **Reporting to Campus Police**

We encourage all members of the College community to report all crimes and other emergencies to Campus Police in a timely manner. Campus Police have a dispatch center that is available by phone at 706-272-4461, and reports will be taken 24 hours a day, 7 days a week. Though there are many resources available, Campus Police should be notified of any crime, whether or not an investigation continues, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to them. Officers and other employees can assist in making reports when the victim is unable to do so.

## **Emergency Phones**

Dalton State has installed emergency phones throughout the campus. Phones are located in public areas of buildings including parking garages, elevators, the residence hall complex, administration buildings, and also numerous outdoor locations. Emergency phones provide direct voice communications to the Campus Police Dispatch Center.

## **Anonymous Reporting**

If you are interested in reporting a crime anonymously (sexual assault, stalking, disorderly conduct, etc.), you can utilize the Public Safety Silent Witness program that can be accessed through the Department's website:

<https://www.daltonstate.edu/about/safety-overview.cms>

By policy, we do not attempt to trace the origin of the person who submits this form, unless such is deemed necessary for public safety.

## **Reporting to Campus Security Authorities**

While Dalton State prefers that community members promptly report all crimes and other emergencies directly to the Campus Police at 706-272-4461 or 911, we also recognize that some may prefer to report to other individuals or college offices. The Clery Act recognizes certain college officials and offices as "Campus Security Authorities (CSA)." The Act defines these individuals as "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student

discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

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

<b>Official</b>	<b>Campus Address</b>	<b>Phone Number</b>
Campus Police & Public Safety	Health Professions Building Suite 300	706-272-4461 24hrs/7 days
Provost and Vice President for Academic Affairs	Westcott Building, Office 166	706-272-2491
Director of Human Resources	James E. Brown Center, Office 315	706-272-2034
Assistant Director of Student Conduct	Student Center, Office 235	706-272-2999
Dean of Students	Student Center, Office 236	706-272-2505
The Office of Residence Life	Mashburn Hall	1-706-712-8228
VP for Student Affairs and Enrollment Management	Westcott, Office 109	706-272-4475

**Pastoral and Professional Counselors**

According the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Dalton State to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, Dalton State encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.



## **Preparation of the Annual Report and Disclosure of Crime Statistics**

The Director of Public Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Campus Police Department, information provided by other college offices such as Student Services, Residence Life, and other Campus Security Authorities and information provided by local law enforcement agencies surrounding the campus. Each of these offices provides updated policy information and crime data. Data is also collected from the Mountain Campus, and appropriate law enforcement agencies.

This report provides statistics for the previous three years concerning reported crimes that occurred on our campuses, in certain off-campus buildings or property owned, leased or controlled by Dalton State. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

There are limited circumstances in which reported crimes may be unfounded by a sworn law enforcement officer as false or baseless. The number of crimes that are unfounded will be reported in the Annual Security Report, and reported to the DOE.

The college distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the college community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Department of Public Safety/Campus Police at 706-272-4461 or by visiting: <https://www.daltonstate.edu/about/statistics.cms>

## **Security and Access to College Facilities**

On the Dalton State campus, the administrative building is generally open from 8:00 a.m. until 6:00 p.m., Monday through Thursday (8:00 a.m. until 12:00 p.m. on Friday) (with exception to summer), and academic buildings generally are open from 7:00 a.m. until 10:00 p.m. Academic buildings are scheduled to be open on weekends only as needed. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access.

Many cultural and athletic events held in the college facilities are open to the public. Other facilities such as the library are likewise open to the public. Only those who have demonstrated a need are issued access to a building.

### **Special Considerations for Residence Hall Access (Mashburn Hall)**

On the Dalton State Campus, all residential rooms have individual electronic access cards that only the residents who reside in a particular residence are issued.

Only residents and their invited guests are permitted in the living areas of the residence hall. It is the resident's responsibility to ensure that his/her guest is aware of the college and residence hall policies. Guests are not provided with building/room access. It is the responsibility of residents and staff members to report individuals who cannot be identified as residents or the guests of residents. When Campus Police receive a report of a suspicious person in the residence hall, a police officer is dispatched to identify that person. The Department of Public Safety staffs each shift with an adequate number of officers to patrol and handle calls for service. Most of these officers spend much of their time patrolling in and around the residence hall complex, especially when the college is closed. Resident Assistants are assigned to residence halls in which they help manage. During low-occupancy periods such as holidays and scheduled breaks, students are consolidated into designated rooms. During the summer when groups who are not regularly associated with Dalton State are using the residence halls, Police conduct more routine patrols of the residence halls.

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

Dalton State is committed to campus safety and security. On campus- locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled, lighted routes from parking areas to buildings and from building to building.

Plant Operations and the Department of Public Safety conducts surveys of college property to evaluate campus safety concerns.

We encourage community members to promptly report any security concern, including concerns about a locking mechanism, lighting, or landscaping to the Plant Operations Department at 706-272-4446 or the Public Safety Department at 706-272-4461.

### **About the Department of Public Safety/Campus Police**

The Dalton State College Department of Public Safety protects and serves the college community 24 hours a day, 365 days a year. The department is responsible for a number of campus safety and security programs and participates in others including emergency management, community safety and security education, physical security, including security technology, behavioral threat assessment, and special event management.

The Department is comprised of:

- 13 Police Officers
- 3 Police Dispatchers

The police officers at Dalton State:

- Have many years of experience and training;
- Complete a peace officers' training course required of all police officers in Georgia;
- Receive many hours per year of in-service training specializing in crime prevention, evidence management, response to emergency situations, first aid, CPR/AED, weapons and tactics, de-escalation, community policing, and many others;
- Public Safety Officers are authorized under OCGA 20-3-72 to make arrests on, and within 500 yards of any property owned or controlled by the Board of Regents within the State of Georgia. All crimes that occur on campus or college property shall be reported to the Public Safety Department.

The Department of Public Safety works towards: "Protecting our community through professional service, education, diversity and ethical accountability by promoting safety and security."

### **Working Relationship with Local, State, and Federal Law Enforcement Agencies**

The Department of Public Safety maintains a cooperative relationship with the Dalton Police Department, and other surrounding first responders. This includes

interoperable radio capability, training, special events coordination, and investigation of serious incidents.

The Public Safety Department participates in an Intermunicipal Mutual Aid Agreement that authorizes police officers and supervisors of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance the public's and/or officer safety and efficiency. The agencies participating in the agreement with the college include the Dalton Police Department and the Whitfield County Sheriff's Office. The agreement also allows for joint training and cooperation on other matters, such as pre-planned large-scale special events and emergencies, amongst the participating agencies.

### **Crimes Involving Student Organizations at Off-Campus Locations**

Dalton State relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students and recognized student organizations, off campus. In coordination with local law enforcement agencies, the Public Safety Department will actively investigate certain crimes occurring on or near campus. If the Public Safety Department learns of serious criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Office of Student Conduct, as appropriate.

Dalton State requires all recognized student organizations to abide by federal, state, and local laws, and college regulations. Dalton State may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to violate laws or college regulations.

### **Crime Prevention and Safety Awareness Programs**

In an effort to promote safety awareness, the Department of Public Safety and the Dean of Students Office maintains a strong working relationship with the community. This relationship includes offering a variety of safety and security programs and services and crime prevention programming. The crime prevention programs teach the participants awareness about specific crimes and ways to prevent them from becoming involved. Risk

reduction programs are also available that identify specific crimes and show participants how to avoid them, and also how to protect themselves if they do become involved. The departments work together to provide the campus community with awareness and prevention programs involving sexual assault, theft, self-defense, prevention of crime, and more. The programs offered change yearly to cover relevant topics; the following list is programs offered in 2020. If you or your organization would like to request a specific program, please contact Lt. Elicia Walker at [ewalker@daltonstate.edu](mailto:ewalker@daltonstate.edu). Below are some of the programs and services available:

- Active Threat- This program discusses active threats and the definition of an active shooter(s). It also discusses measures that can be employed to reduce the risk an active shooter presents as well as reviews what actions you can expect from responding law enforcement. This program is offered each semester to the campus community by the Public Safety Department.
- Sexual Assault- This program defines sexual assault, rape, and consent. During this program we discuss how sexual assault and rape are similar and different, how to prevent sexual assault/rape, what to do if it happens to you, and what you can do to help others. This program is offered each semester to the campus community by the Public Safety Department.
- Identity Theft- In this presentation we discuss what identity theft is; how identity theft can happen; what you can do to deter, detect, and defend against identity theft; and where you can learn more regarding identity theft. This program is offered each semester to the campus community by the Public Safety Department.
- Emergency Preparedness- In this presentation we discuss emergency notifications on and off campus; how to assist evacuating people with disabilities; what to do in case of a fire and medical emergency; when to shelter in place; what to do in case of a tornado and/or severe weather; what to do in case of a student/staff crisis; how to handle suspicious packages; and what to do in case of a suspicious person or suspicious activity on campus. We also touch on what to do in case of an active threat in this presentation. This program is offered each semester to the campus community by the Public Safety Department.

- **Safety and Security Guidance-** The Department of Public Safety sends routine emails each semester to campus and meets with specific departments concerning matters of safety and security such as: first aid kit locations and procedures, procedures for evacuations, procedures in the event of a fire or gas leak, and others.
- **Commit to Consent-** Located throughout campus each day and educates students in the definition of consent and how it is given and can be taken away. Students are asked to sign a pledge to always receive consent prior to any sexual activity.
- **Sexual Assault Prevention for Undergraduates course in EVERFI-** an online course required of incoming students. Students identify characteristics of healthy and unhealthy relationships, with an emphasis on personal values and caring communities; distinguish between consent and non-consent, and increase behaviors that lead to mutually agreed-upon (consensual) intimacy; recognize the pervasiveness of sexual/relationship violence in our culture, understand misperceptions about this violence, and experience decreased tolerance of sexual assault, relationship violence and stalking (including language, attitudes, and behaviors that support violence); feel increased compassion for victims of sexual assault, violence, or stalking and confidence in their ability to offer support to someone who has experienced one of these crimes and recognize the behaviors of a responsible bystander, and identify ways in which they can intervene and support others.

In addition, all new employees (also a yearly requirement) complete the Everfi course *Building Supportive Communities* which provides instruction on Clery Information and Title IX issues. Incoming students complete the Everfi course *Sexual Assault Prevention for Undergraduates* which covers Title IX and Clery requirements.

### **It's Up to Each of Us**

Dalton State takes great pride in the community and offers students, faculty and staff many advantages. This community is a great place to live, learn, work and study, however, this

does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, Dalton State has taken progressive measures to create and maintain a reasonably safe environment on campus. Though the College is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working or visiting on campus.

### **Policies Governing Alcohol and Illegal Drugs**

The Dalton State campus has been designated drug and alcohol free and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Campus affiliated violators are subject to College disciplinary action, criminal prosecution, fine and incarceration.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the College Alcohol Policy for anyone to consume or possess alcohol in any public/private area of campus without prior College approval provided by the President of the College. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

Dalton State College strictly prohibits the consumption, sale, distribution, or possession of any illegal substance or alcoholic beverage on college property (including Residence Life) or at events sponsored by Dalton State College unless permission is granted by the President of the college. Behaviors which are prohibited include, but are not limited to:

- \* Being intoxicated on the Dalton State campus or at a college-sponsored activity;
- \* Operating any vehicle on campus while under the influence of any drug,  
Including alcohol;
- \* Using club or student activity money to purchase any controlled substance,  
or alcoholic beverages.

Dalton State College is committed to following State of Georgia Laws concerning drug and alcohol abuse. Any violation of those laws, which are incorporated into the Dalton State Alcohol and Drug Abuse policy, will result in disciplinary action as decided by the

Student Conduct Office. If you have any questions concerning Georgia State Laws or Dalton State's policy on alcohol and drug abuse contact Public Safety at (706) 272-4461.

### **Alcohol and Illegal Drug Programs**

Alcohol and other drug programs and services are made available to students, faculty, and staff annually. Programs and services are typically provided through Athletics, The Ken White Student Health Center, The Counseling Center, Human Resources, Public Safety, Residential Life, Student Conduct, and Student Life (including Greek Life).

Types of programs and services vary year-to-year.

#### **Athletics:**

- Athletics conducts a mandatory orientation program prior to the beginning of each fall semester (started in fall 2017). During this program, the athletics training staff covers NAIA, College, and athletic department regulations regarding alcohol and drugs.
- NAIA banned substances are discussed and a link is provided through the student athlete handbook to the athletics website where the substances are listed. Sport team members sign a waiver agreeing to possible NAIA drug testing at championship events.
- Nutritional and Dietary supplements are also discussed, and students are cautioned about using any of these supplements due to the unwanted results that are possible in a drug test.
- A thorough discussion regarding prescription drugs also occurs. Students are cautioned to only take prescription drugs they personally are prescribed. Students often take a drug not prescribed to them and it can result in unwanted consequences.

#### **Ken White Student Health Center & The DSC Counseling Center:**

- The Health Center in conjunction with campus and community partners offers a health fair on the main campus every fall. Multiple agencies provide information and resources regarding drug awareness, drug and alcohol screening tools, substance abuse, mental health issues, and responsible substance use.



- Each semester health and wellness events are offered at the Mountain Campus. Drug and alcohol screening opportunities, drug awareness, and simulated drunk driving activities have been offered.
- The health center staff participated in annual trainings on responsible opioid prescribing, use of Naloxone to reverse opioid overdoses, and recognition and prompt treatment of drug intoxication and overdose. The staff also participated in training on the role of substance use and sexual assault.
- Drug and alcohol education related to the STI transmission and sexual assault is also included in the monthly STI/HIV testing program.
- Drug and alcohol screening questions have been added to the medical health history intake form which is completed by all students who seek services at the health center. This information is reviewed by the provider during their appointment and appropriate counseling and education is provided to the individual student.
- DSC Counseling Center hosted an on-campus event which provided substance abuse education, prevention materials and information about local treatment resources during National Substance Abuse Recovery month.
- Throughout the semester additional substance abuse education and resources were shared with student by guest lecturers on campus.
- DSC Counseling Center staff presented a lecture focusing on the impact of THC on academic success which was open to all students on campus and held in the residence hall.

**Human Resources:**

- The Employee Assistance program provides training seminars and webinars for managers and employees on a variety of subjects including alcohol and drugs. In addition, the program provides counseling and other resources to help our employees. \_\_\_\_\_
- The University System of Georgia (USG) provides well-being initiatives that include topics ranging from health management to tobacco and smoke free. The objective of the well-being program is to create a comprehensive approach to achieving well-being that engages and empowers the entire USG

community. This has proven to be successful in initiatives we have participated in and need to expand on marketing those that surround alcohol and other drugs.

- During the new hire orientation Human Resources staff go over Drug Free Policy, Ethics Policy, EAP Resources, and Well-Being Resources.

### **Public Safety:**

- The Drug Awareness course which encompasses a discussion on how illicit drugs work on the body. These drugs include marijuana, cocaine, heroin, meth, ecstasy, and synthetic marijuana. This course consists of a power point presentation and a display of look-alike drugs and drug paraphernalia. Public Safety's goal of this course is to spread awareness to our campus community of the illicit drugs that are out there and the effects that they have on the body. We have achieved this by offering multiple classes to the campus community which including our faculty, staff, students, fraternities, and sororities.
- The Alcohol Awareness course encompasses a discussion of different types of alcohol and how it effects the body. This course consists of a power point presentation and if time allows a video that talks about alcohol abuse. Public Safety's goal of this course is to spread awareness to our campus community of the types of alcohol and the effects that it has on the body. We have achieved this by offering multiple classes to the campus community which including our faculty, staff, students, fraternities, and sororities.

### **Residential Life:**

- Resident Assistant staff complete an intensive two-week long training every August. As part of these trainings, the Resident Assistant staff is trained by representatives from Student Conduct, Counseling, and Public Safety on how to assist and refer students in need — including alcohol abuse. The goal is to assist student leaders within the residence hall the necessary skills to detect alcohol abuse within the resident community and assist those students in receiving the necessary help.

- Resident Assistants are trained to be able to handle all incidents within the residence hall, especially those pertaining to alcohol consumption and abuse.
- Resident Assistants are required to plan and execute several programs and bulletin boards every semester. Resident Assistants planned a total of 11 programs related to substance abuse, with 8 of those focusing on Alcohol Education.

**Student Conduct:**

- AlcoholEdu for First Year Students states it is, "Designed for students entering college, this interactive online program uses the latest evidence-based prevention methods to create a highly engaging user experience, inspiring students to make healthier decisions related to alcohol and other drugs." AlcoholEdu is a University System of Georgia initiative and is the most commonly used alcohol prevention program in higher education. It assists the compliance of the Education Department General Administrative Regulations (EDGAR, part 86). The goals for AlcoholEdu for College are to ensure that every incoming student at Dalton State College understands alcohol as it relates to college life and is better informed when making choices regarding the use of alcohol.

**Student Life:**

- 100% of fraternity and sorority members signed a compliance statement indicating they have received a copy of the FIPG Risk Management Guidelines, were educated on the FIPG policy, and they certify that all social programs will follow the FIPG policy. Annual education will ensure that all members are aware of the guidelines and will ensure compliance within the organization. By having all members sign a compliance statement, it is ensuring a basic level of awareness of each member; however, it does not take into consideration the next steps of education, understanding, and application.

## Dalton State’s Response to Sexual and Gender Violence

Dalton State College is committed to providing a safe learning and working environment and prohibits the incidents of domestic violence, dating violence, sexual assault, and stalking. In compliance with federal laws, policies and procedures have been adopted 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, faculty, staff, contractors and visitors.

- In Georgia, the term **Domestic Violence** is not defined but Family Violence is defined under OCGA § 19-13-1 as “The occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass”.
- In Georgia, the term **Dating Violence** is not defined however “Family Violence” as defined under OCGA § 19-13-1 to include some dating situations – i.e. persons who are parents of the same child, other persons living or formerly living in the same household.
- In Georgia, **Sexual Assault** is defined under OCGA § 16-6-5.1 as “sexual contact” is that is perpetrated by “a person who has supervisory or disciplinary authority over another individual.”
- In Georgia, **Stalking** is defined under OCGA § 16-5-90 as “(a)(1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms ‘computer’ and ‘computer network’ shall have the same meanings as set out in Code Section 16-9-92; the term ‘contact’ shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by

telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term ‘place or places’ shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term ‘harassing and intimidating’ means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made. (2) A person commits the offense of stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, standing order issued under Code Section 19-1-1, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole in effect prohibiting the harassment or intimidation of another person, broadcasts or publishes, including electronic publication, the picture, name, address, or phone number of a person for whose benefit the bond, order, or condition was made and without such person's consent in such a manner that causes other persons to harass or intimidate such person and the person making the broadcast or publication knew or had reason to believe that such broadcast or publication would cause such person to be harassed or intimidated by others.”

- Dalton State defines **consent** as words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent. Minors under

the age of 16 cannot legally consent under Georgia law. Consent can be withdrawn at any time by either party using clear words or actions. The State of Georgia statute 16-1-3 (19) defines “without consent” as a person whose concurrence is required has not, with knowledge of the essential facts, voluntarily yielded to the proposal of the accused or of another.

### **Reporting an Incident**

If a student, employee or visitor has been the victim of an incident of sexual assault, domestic violence, dating violence, or stalking they should immediately report it to the Department of Public Safety at 706-272-4461. Students may also report to the Assistant Director of Student Conduct in Pope 235 or by phone 706-272-2999.

Employees may report to the Director of Human Resources, in the James E. Brown Center, Office 315 or by calling 706-272-2034.

The Dean of Students Office, Residence Life, and other offices will assist any victim of sexual assault, domestic violence, dating violence, and stalking in notifying law enforcement, including campus police, if they elect to do so.

Victims are not required to report to law enforcement in order to receive assistance from or pursue any options with Dalton State.

The Public Safety Department can assist a victim in obtaining a restraining order, or medical assistance after being involved in an incident.

Our Title IX Coordinator can provide the victim with a copy of their rights and options regardless of whether the incident occurred on campus. Also, the victim can get information on counseling, mental health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims. Also, changes to academic, living, transportation, and working situations, or protective measures regardless of whether the victim reports the incident to law enforcement. Dalton State College’s Title IX Coordinator is the Director of Human Resources, James E. Brown Center, office 315, 706-272-2034.

## **Risk Reduction**

### *Risk Reduction for Intimate Partner Violence, Stalking, Sexual Harassment, and Sexual Violence-*

- Make your limits/boundaries known as early as possible.
- Clearly and firmly articulate consent or lack of consent.
- Remove yourself, if possible, from an aggressor's physical presence.
- Reach out for help, either from someone who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help.
- Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability to sexual victimization.
- Look out for your friends, and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

### *Reducing the Risk of Being Accused of Sexual Misconduct*

- Show your potential partner respect if you are in a position of initiating sexual behavior.
- If a potential partner says "no," accept it and don't push. If you want a "yes," ask for it, and don't proceed without clear permission.
- Clearly communicate your intentions to your potential sexual partners, and give them a chance to share their intentions and/or boundaries with you.
- Respect personal boundaries. If you are unsure what's OK in any interaction, ask.
- Avoid ambiguity. Don't make assumptions about consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to consent. If you have questions or are unclear, you don't have consent.
- Don't take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Others' loss of control does not put you in control.

- Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen. That person may be undecided about how far to go with you, or you may have misread a previous signal.
- Respect the timeline for sexual behaviors with which others are comfortable, and understand that they are entitled to change their minds.
- Recognize that even if you don't think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold.
- Do not assume that someone's silence or passivity is an indication of consent. Pay attention to verbal and non-verbal signals to avoid misreading intentions.
- Understand that consent to one type of sexual behavior does not automatically grant consent to other types of sexual behaviors. If you are unsure, stop and ask. Understand that exerting power and control over another through sex is unacceptable conduct.

### **Education Programs**

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

- Sexual Assault- This program defines sexual assault, rape, and consent. During this program we discuss how sexual assault and rape are similar and different, how to prevent sexual assault/rape, what to do if it happens to you, and what you can do



to help others. This program is offered each semester to the campus community by the Public Safety Department.

- Commit to Consent- Located throughout campus each day and educated students in the definition of consent and how it is given and can be taken away. Students are asked to sign a pledge to always receive consent prior to any sexual activity.
- Sexual Assault Prevention for Undergraduates course in EVERFI- an online course required of incoming students. Students identify characteristics of healthy and unhealthy relationships, with an emphasis on personal values and caring communities; distinguish between consent and non-consent, and increase behaviors that lead to mutually agreed-upon (consensual) intimacy; recognize the pervasiveness of sexual/relationship violence in our culture, understand misperceptions about this violence, and experience decreased tolerance of sexual assault, relationship violence and stalking (including language, attitudes, and behaviors that support violence); feel increased compassion for victims of sexual assault, violence, or stalking and confidence in their ability to offer support to someone who has experienced one of these crimes and recognize the behaviors of a responsible bystander, and identify ways in which they can intervene and support others.

In addition, all new employees (and a yearly requirement) complete the Everfi course Building Supportive Communities which provides instruction on Clery Information and Title IX issues. Students complete the Everfi course *Sexual Assault Prevention for Undergraduates* which covers Title IX and Clery requirements.

### **Bystanders**

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

a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

#### **Procedures Victims Should Follow-**

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs it is important to preserve evidence so that a successful criminal prosecution or obtaining a protective order remains an option. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam – which is important both to address any health issues that may arise and evidence collection. Any clothing removed should be placed in a paper, not plastic, bag. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented by taking a photograph. Evidence of stalking including any communication, such as written notes, voice mail or other electronic communications should be saved and not altered. These offenses should be reported immediately to a Campus Security Authority (CSA) listed above. These Campus Authorities can assist the victim with reporting the incident to the Dalton State Public Safety Department if the victim wishes to pursue criminal action. The Campus Authority also can make the required reporting to the Public Safety Department if the victim does not wish to pursue criminal action. The CSAs can also provide direction in obtaining a protective order.

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

- Get to a safe place as soon as possible!
- Try to preserve all physical evidence – The victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until s(he) has a medical exam. Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department. Advocates from the Greenhouse Sexual Assault Center can be available to the victim to provide support 706-278-4769. Preserving evidence will assist in the prosecution of the crime and may help in obtaining a protection order.
- Get medical attention as soon as possible – An exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all victims at the time of the exam (if the victim presents within 120 hours) to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used “date rape” drugs, however, are only detectable in the urine for 6-8 hours after ingestion.
- Contact campus police – Sexual assault is a crime; it is vital to report it. It is important to remember report a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the District Attorney.
- A report may also be made to a Campus Security Authority (CSA) detailed earlier.
- Consider talking to a counselor – Seeing a counselor may be important in helping the victim understand his/her feelings and begin the process of recovery.

## **Assistance for Victims**

Dalton State provides employees and students information about counseling, health, mental health, victim advocacy, visa and immigration assistance, student financial aid, and other services through many outlets including: new employee orientation, continued employee training, community emails, community events, new student orientation, student programming, and others. Dalton State will provide victims with a written copy of these rights and options.

### **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, Dalton State 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 whether the offense occurred on or off campus. Dalton State will also assist the victim in notifying law enforcement either on campus or the local police, if requested, by providing contact information to the victim, or by contacting law enforcement and reporting the incident. If victims do not wish to report the incident to law enforcement, Dalton State will still assist victims as described under this *Assistance for Victims* section. 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.

### **Temporary Protective Order**

A temporary protective order (TPO) in Georgia, commonly known as a restraining order, is a civil court order that provides protection if someone is hurting you, threatens to hurt you, or is stalking you. Protective orders are court orders that prevent individuals from contacting you (both directly or indirectly), from harassing you, from threatening you, etc. Under Georgia law, there are three types of protective orders: family violence protective orders, stalking protective orders and employer protective orders. If you're a victim or potential victim, you must apply to a judge for a protective order. You must convince the judge that it's necessary to prevent continuing or imminent harm. In a domestic violence situation, however, the judge may issue a temporary order immediately, then later hold a hearing to determine whether to make the restraining order final. Contact the Whitfield County Magistrate Court for more information:

*205 N Selvidge Street*

*Dalton GA 30720*

*(706) 278-5052*

Dalton State also has the option to issue a campus no-contact order through Student Conduct and Case Management Room 235 in the Pope Student Center. Dalton State enforces all issued protective orders and will assist victims in applying for one. Forward a copy of any orders to the Department of Public Safety [publicsafety@daltonstate.edu](mailto:publicsafety@daltonstate.edu) or by dropping off a copy to the Health Professions Building. Dalton State will provide victims written notification concerning obtaining a Protective Order.

### **Accommodations/Interim Measures**

Interim measures may be implemented at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect any student or other individual in the Dalton State College community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties

or the campus community, or deter Sexual Misconduct and retaliation. Whether or not a student or employee reports to law enforcement and or pursues any formal action if they report an incident of sexual assault, domestic violence, dating violence, or stalking, Dalton State is committed to providing them as safe a learning or working environment as possible. Upon request Dalton State will make any reasonably available change to a person's academic, living, transportation, any protective measures, and or working situation regardless of whether the person chooses to report the crime to campus police. Students and employees may contact the Title IX Coordinator at 706-272-2034 for assistance. If a person reports to law enforcement, they may more easily assist them in obtaining a no-contact/restraining order from a criminal court. Written notice will be provided to all persons of their rights and options. Dalton State is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property, and is also committed to protecting individuals from any further harm. The College may issue an institutional no-contact directive. Dalton State will provide written notification of possible accommodations/interim measures.

### **Victim Confidentiality**

Dalton State recognizes the often-sensitive nature of sexual assault, domestic violence, dating violence, and stalking incidents. We are committed to protecting the privacy of any individual who makes a report. Different officials and personnel are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused.

Reports made to Campus Security Authorities (college officials; deans, directors, coaches, etc.) may be kept confidential, and identifying information about the victim may not be made public. Information about reports will only be shared with institutional personnel as needed to investigate and effectively respond to the report. Every effort will be made to limit the scope of information shared to keep it to a minimum of detail, and only when absolutely necessary. Reports made to medical professionals and licensed mental health counselors will not be shared with any third parties except in cases of imminent danger to the victim or a third party. Dalton State completes appropriate recordkeeping including Clery Act reporting without the inclusion of personally identifiable information as detailed

in 42 USC 13925(a)(18)/(20). Any accommodations or protective measures provided to the victim will remain confidential to the extent that maintain such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

**On & Off Campus Resources-**

Both Dalton State and our local community offer other important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize. Whitfield County Victim/Witness Assistance Office is available to assist any student or employee free of charge and will help them consider their options and navigate through any resources or recourse they elect to pursue. A victim need not make a formal report to law enforcement or Dalton State to access these resources. Dalton State will provide written notification of these resources to victims.

**Resources:**

<b>The Green House Sexual Assault Center</b>	<b>706-278-4769</b>
<b>DSC Counseling Services</b>	<b>706-272-4430</b>
<b>Hamilton Medical</b>	<b>911 or 706-272-6000</b>
<b>Northwest Georgia Family Crisis Center</b>	<b>706-278-6595</b>

**Student Conduct**

The Dean of Students Office is responsible for administering the Student Code of Conduct, which articulates the behavioral standards and the equitable procedures used by the college to respond to allegations of student misconduct. The Code of Conduct may be accessed at:

[https://www.daltonstate.edu/skins/userfiles/files/Student%20Code%20of%20Conduct%20-%202019%20to%202020%20-%20William%20Mast%20\(1\)\(1\).pdf](https://www.daltonstate.edu/skins/userfiles/files/Student%20Code%20of%20Conduct%20-%202019%20to%202020%20-%20William%20Mast%20(1)(1).pdf)

## **Disciplinary Procedures**

### **1. Throughout the student conduct disciplinary procedures, accused students shall be afforded the following rights:**

- A. To receive notice of alleged violations
- B. To be provided an opportunity to respond to alleged violations
- C. To seek information from the Student Conduct Administrator or a hearing officer about the review and resolution processes
- D. To be accompanied by one advisor of his/her choice to conduct meetings and hearings
- E. To present relevant information on his/her behalf
- F. To request relevant witnesses on his/her behalf
- G. To remain silent during any investigations and/or hearing and have no interference of responsibility drawn from such silence. (If the respondent chooses to remain silent, the investigation may still proceed, and policy violation charges may still result, and any charges may be resolved regarding the respondent)
- H. To have unrelated charges and cases resolved separately, unless the respondent consents to having them aggregated
- I. To be informed of any disciplinary outcomes in writing
- J. To appeal decisions on specific grounds
- K. To attend classes and required College functions until a hearing is held and a decision is rendered. Exceptions can be made when an interim suspension is imposed.

### **2. Complaints**

- A. Anyone may submit a report detailing possible violations of the Student Code of Conduct. Reports should be directed to the student conduct administrator. Reports can be submitted online at [https://www.daltonstate.edu/campus\\_life/student-conduct-about.cms](https://www.daltonstate.edu/campus_life/student-conduct-about.cms)
- B. Reports should be submitted as soon as possible after the event takes place, preferably within one week. However, there is no deadline for submitting a



compliant, assuming the accused student is or was a student at Dalton State at the time of the violation and there is adequate information to proceed with the conduct process.

- C. Complaints should include as much information as possible, such as: the type of misconduct alleged, the name and contact information of the respondent, the date(s), time(s), and place(s) of the misconduct, the name(s) and contact information of any individual(s) with knowledge of the incident, whether any tangible evidence has been preserved, and whether a criminal complaint has been made.
- D. Information from complaint may be shared as necessary to investigate. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.
- E. Where appropriate, complainants may file a law enforcement report along with an institutional report.
- F. **Confidentiality:** When a complainant or alleged victim requests that their identity be withheld or the allegation(s) not be investigated, Dalton State will consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the College. The College will inform the requesting party that Dalton State generally cannot guarantee confidentiality. Further, honoring the request may limit Dalton State's ability to respond fully to the incident and may limit Dalton State's ability to discipline the respondent.
- G. **Retaliation:** Anyone who, in good faith, reports what they to be student misconduct, participates in, cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes they have been the target of retaliation for reporting, participating in, or cooperating in, or otherwise being associated with an investigation should immediately contact the student conduct administrator (or public safety if there is an immediate danger). Any person found to have engaged in

retaliation in violation of the student conduct policy shall be subject to disciplinary action.

H. **False Complaints:** Individuals are prohibited from intentionally giving false statements to a Dalton State College official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion).

I. **Amnesty:** Students are encouraged to come forward and report violations of the law and/or student code of conduct notwithstanding their own improper use of alcohol or drugs. Any student(s) who voluntarily and in good faith reports information to Dalton State College faculty or staff prior to any investigation concerning use of drugs or alcohol will not be Page | 18 voluntarily reported to law enforcement; nor will information that the individual provides be used against the individual for purposes of conduct violations. Nevertheless, these students may be required to meet with staff members in regard to the incident and may be required to participate in an appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction.

### 3. **Initial Evaluation of Student Conduct Reports**

Regardless of how the College becomes aware of misconduct, it shall ensure a prompt, fair, and impartial review and resolution of complaints alleging student misconduct. The Student Conduct Administrator or designee will review each complaint to determine whether the allegation(s) describe conduct in violation of the Dalton State Code. If reported conduct would not be a violation of the Code, the report shall be dismissed.

Otherwise a prompt, thorough, and impartial review shall be conducted into each complaint received to determine whether charges against the respondent should be brought.

#### 4. **Types of Resolution Processes**

When a student is accused of a violation of the Code, there are three different types of disciplinary procedures that could take place depending on type of alleged violation, severity of alleged violation, and possible sanctions. Any sexual misconduct violations will be forwarded to the Title IX coordinator and be subject to the sexual misconduct procedures, located in the sexual misconduct policy.

- A. **General Conduct Process:** these procedures are used for student misconduct cases where suspension or expulsion are not possible sanctions. Academic dishonesty cases are not included. For further information on the General Conduct Process see Section V.
- B. **Suspension and Expulsion Process:** these procedures are used for student misconduct cases where suspension or expulsion are possible sanctions. Use of this process does not mean a student will be suspended or expelled, but means that is a possible sanction should the student be found responsible for a violation. Academic dishonesty cases are not subject to this process. For further information on the Suspension and Expulsion Process see Section VI.
- C. **Academic Dishonesty Process:** these procedures are utilized for any academic dishonesty case, where any sanction is possible, including suspension and expulsion. For further information, see Section VII.

#### 5. **Hearing Types**

- A. **Administrative Hearing:** a meeting with one hearing officer to determine if a student is responsible or not responsible for an alleged violation. If a student accepts responsibility or is found responsible by a preponderance of evidence, sanctions are also determined by the hearing officer in this hearing. This meeting can occur if a student accepts responsibility for the alleged violation or if a student chooses an administrative hearing opposed to a student conduct panel.
- B. **Student Conduct Board:** a hearing in which a group of trained hearing officers determine whether a student has violated the Code and assign sanctions when an outcome of responsible is reached. The student conduct

panel determines responsibility based upon all material available, which can include, but is not limited to, incident reports, police reports, investigative reports, witness statements and/or testimony, statements and/or testimony from the complaining and accused parties. Notice of the time, date, and location of the panel hearing shall be provided to the respondent (and alleged victim, where applicable) at least five (5) business days in advance of the hearing.

- i. The Student Conduct Panel is made up of at least three (3) individuals. These individuals are selected from a pool of trained panelist, which include students, faculty, and staff.
- ii. The Student Conduct Panel is not trained by the individuals tasked with investigations allegations of student misconduct.
- iii. After all material is presented by the complainant and respondent, including their testimony, and the testimony of witnesses, the Student Conduct Panel shall conduct a closed deliberation, in which they will determine, by majority vote, whether the accused student has committed a violation of the Code by a preponderance of evidence.

All hearings shall proceed in the event that a Respondent or complaining party chooses not to appear. The charges shall be presented and considered in the absence of the students, with whatever materials and information are available at that time.

Hearings will begin five minutes after the scheduled hearing time if the respondent does not appear at the scheduled time.

## **6. Standard of Evidence**

Every hearing officer's decision of responsibility shall be based on a preponderance of evidence. Preponderance of evidence can be defined as just enough information to determine "more likely than not" that a violation did occur or did not occur. Formal rules of evidence do not apply to any part of the student conduct process including investigatory or resolution process.

## **7. Advisors**

The Respondent and Complainant (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process. The College shall not prohibit family members of a party from attending the hearing if the party requests such attendance, but may limit each participant to having two family members present. The Respondent will be responsible for presenting his or her case and may be assisted by an advisor. Advisors, including attorneys, are not permitted to represent a Respondent in any portion of Formal Resolution, but may only offer advice to the Respondent. Advisors, including attorneys, may not address the Student Conduct Board, Title IX Formal Hearing Panel, or any member of the Student Conduct Board or Title IX Formal Hearing Panelist. Advisors may not question or examine witnesses, and may not act as witnesses in any capacity.

## **8. Witnesses**

The complainant, respondent, and hearing officer may arrange for witnesses to present pertinent information to the hearing officer or Student Conduct Panel. Witnesses can include, but are not limited to persons who have pertinent information regarding the matter and/or are a direct witnesses to the matter. Character witnesses are not allowed.

The College will try to arrange the attendance of witnesses who are members of the College community and who are identified by the complainant and/or accused student at least two (2) business days in advance of the hearing.

Witnesses will provide information and answer questions during the hearing.

Witnesses can submit statements to the hearing officer or panel if they cannot be in attendance at the hearing.

**9. No Shows to Hearings**

All hearings shall proceed in the event that an accused student or complaining party chooses not to appear. The charges shall be presented and considered in absence of the students, with whatever materials and information are available at that time. Five minutes after the scheduled hearing time, the hearing will begin.

**10. Distance Students**

Distance Education Students will have a comparable, yet accessible hearing that follows these guidelines as closely as possible.

**11. Record of the Hearing**

There shall be a single verbatim record, such as an audio recording, of all Student Conduct Panel Hearings, not including deliberations. The record shall be the property of Dalton State College. The tape recording and/or summary transcription of the proceedings shall be kept and made available at the accused student's request (and victim's request, when applicable) for the sole purpose of an appeal of an outcome or sanction. The student may also have a verbatim script of the Student Conduct Panel hearing made at his/her own expense.

**Student Conduct Sanctions**

Sanctions are possible disciplinary actions which may be imposed upon a student who is determined to be responsible for a violation of the Code through an administrative hearing or student conduct panel.

In determining the severity of sanctions or corrective actions, the following should be considered: the frequency, severity, and/or nature of the offense(s), history of past conduct, an offender's willingness to accept responsibility, previous institutional response to similar conduct, and the institution's interests. The student conduct panel or hearing officer will determine sanctions and issue notice of the sanctions in an outcome letter. Failure to complete or abide by any assigned sanction can lead to further violations of the Code and additional disciplinary action.

More than one sanction may be imposed for a single violation.

The following list of sanctions is not exhaustive and may be enlarged or modified to meet particular circumstances for a given case:

1. **Delays in Obtaining Administrative Services and Benefits from the Institution:** this can include but is not limited to holding transcripts or delaying registration, graduation, or receipt of diploma.
2. **Disciplinary Warning:** a written notice intended to draw attention to the fact that the behavior under review was not in accordance with Dalton State Policy.
3. **Disciplinary Probation:** a written reprimand for violation of specific policy. Probation is for a designated period of time, and if the student is found to violate any College policy during the probationary period more severe disciplinary sanction(s), such as suspension or expulsion, will be imposed.
4. **Disciplinary Suspension:** this is temporary separation from Dalton State College for a designated period of time or until satisfaction of certain conditions, or both. Suspended students cannot be present on campus or enrolled in any classes (including online) during their suspension. If a suspension is imposed in the middle of a term, all grades for that time period will result in zeros, and no classes can be dropped or withdrawn from. Suspended students cannot benefit from privileges of current students, such as use of the gym, library, or campus housing. Suspended students who need to be on campus for the purpose of re-enrolling should contact the Dean of Students Office and Public Safety for permission prior to coming on campus.
5. **Disciplinary Expulsion:** this is permanent separation from Dalton State College. Students who are expelled are no longer a part of the Dalton State community in any way and cannot regain such status at any point in the future. Expelled Students are not allowed on Dalton State premises without prior approval from the Dean of Students Office and Public Safety.
6. **Loss of Privileges:** denial of specific privileges for a designated period of time (i.e. housing, attending events, use of recreation facilities, etc.)
7. **Fines:** previously established and published fines may be imposed.
  - A. A violation of the smoking and tobacco policy results in a \$50 fine. The Residential Life contract dictate a higher fine for smoking in Residential Life facilities, which supersedes the \$50 general

campus smoking and tobacco fine. Any Residential Life fines are specifically violations of that contract and are overseen by the Residential Life Office

8. **Restitution:** compensation for loss items and/or damages to the College. This may take the form of appropriate service and/or monetary or material replacement.
9. **Educational Sanctions:** essays, reflection assignments, community service, alcohol and other drug awareness and abuse prevention programs, sensitivity training/awareness programs, and other related educational assignments that encourage learning related to the reviewed incident.
10. **Mentoring:** a set number of meetings with an assigned mentor on campus whose goal is to provide advice to the student in hopes of success at the institution. A mentor can require additional educational assignments or activities as a part of their sessions. (Mentoring is not considered counseling, and as such, mentors are not licensed counselors.)
11. **Referral to Counseling:** an optional referral to Dalton State Counseling services.
12. **Residential Living Evictions:** separation of the student from the residence halls for a defined period of time or permanently. Conditions for readmission to the residence halls may be specified.
13. **Separation of Parties:** actions taken to temporarily or permanently separate two or more individuals on campus. This may include, but is not limited to: change in class, reassignment of residence, no contact order, limitations of where parties can go on campus.

### **Conduct Proceedings for Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

Dalton State College strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal investigation and prosecution, students, employees and other affiliates may also face disciplinary action by the College. Individuals found responsible for having committed such a violation face permanent expulsion, termination of employment, suspension, probation, or educational



sanctions. Specific sanction information is contained in the preceding protective measure section. Incidents involving accused students will be handled by Student Conduct, and Incidents involving accused employees/affiliates will be handled by the Director of Human Resources. All conduct proceedings, whether the conduct is reported to have occurred on or off campus, shall provide a prompt, fair and impartial investigation and resolution. All investigations and proceedings shall be conducted by officials who have received annual training on the nature of the types of cases they are handling, on how to conduct an investigation, and conduct a proceeding in a manner that protects the safety of victims and promotes accountability. Investigations shall be conducted in a reasonable time unless there are mitigating circumstances in which case the accuser and accused shall be notified, providing an explanation, and the amount of additional time required. Determinations shall be made within a reasonable time unless there are mitigating circumstances in which case the accuser and accused shall be notified, providing an explanation, and the amount of additional time required. Determinations shall be made by Student Conduct using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred).

In all proceedings, including any related meetings or hearings, both the accused and accuser is entitled to the same opportunities to have others present. This includes the right to be accompanied by an advisor of their choice. The Institution may only establish restrictions regarding the extent to which the advisor may participate. Both the accused and accuser shall simultaneously be informed in writing of the outcome of the proceeding, of procedures and timeframe, for appealing the results of the outcome, of any change to the results that occurs prior to the time that they become final, and when such results become final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not share the details with any third parties. A decision of suspension or expulsion reached by the student conduct board may be appealed by the accused student to an Appellate Board within (5) business days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President for Student Affairs and Enrollment Management,

Jodi Johnson [jjohnson@daltonstate.edu](mailto:jjohnson@daltonstate.edu). The Vice President will compose a committee to review the decision and the committee decision will be final as far as the Dalton State is concerned. These results will become final approximately 10 business days from the request, unless otherwise stated. Dalton State will provide students and employees notification about: existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other service available for victims, both within the institution and in the community. When a student or employee becomes a victim of dating violence, domestic violence, sexual assault, or stalking they will be provided explanation of their rights and options as detailed.

For additional information about student conduct proceedings please consult the student handbook at:

<http://catalog.daltonstate.edu/>

For additional information about employee conduct proceedings please consult the Director of Human Resources located in the James E. Brown Center, Office 315 or Phone at 706-272-2034.

Student Conduct Complaints may be filed at:

<https://publicdocs.maxient.com/incidentreport.php?DaltonStateCollege>

### **Student Conduct for Title IX Offenses**

Title IX offenses include dating violence, domestic violence, sexual assault, and stalking. Complaints to Dalton State College regarding any of these offenses can be made online:

[https://publicdocs.maxient.com/reportingform.php?DaltonStateCollege&layout\\_id=3](https://publicdocs.maxient.com/reportingform.php?DaltonStateCollege&layout_id=3)

or in person to the Director of Human Resources, Title IX Coordinator

located in James E. Brown Center, Office 315 or by phone 706-272-2034. The

proceedings will provide a prompt, fair, and impartial investigation and resolution.

Procedures: Complaints of these matters involving student on student incidents follow the Student Code of Conduct and Disciplinary Procedures. The respondent shall have the option of having the charges resolved either by (1) a single hearing officer in an administrative hearing, or (2) by multiple hearing officers conduct panel, or (3) the alleged victim (where applicable) and respondent may have the option of selecting informal resolution as a possible resolution in certain student misconduct

cases where they mutually agree, except where deemed inappropriate by the Vice President for Student Affairs and Enrollment Management (or his/her designee) or the System Director. All cases involving charges of sexual misconduct that go to a hearing shall be heard by a panel comprised of only staff and/or faculty. The investigators and hearing panelists are trained to deal with Title IX concerns. The respondent and alleged victim (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process. Efforts will be made to complete the investigation within a reasonable timeframe, which will be determined based upon the allegations, availability of witnesses and/or evidence, etc. in a particular case. When the timeframe will extend past the reasonable timeframe, the parties will be informed of the delay and the reason for the delay. The investigator shall; keep the parties informed of the status of the investigation, provide both parties the results of the proceeding, provide both parties procedures for appeal, provide both parties with any changes and the results for the proceeding.

Sanctions are possible disciplinary actions which may be imposed upon a student or organization who is determined to be responsible for a violation of the Code through an administrative hearing or student conduct panel.

In determining the severity of sanctions or corrective actions, the following should be considered: the frequency, severity, and/or nature of the offense(s), history of past conduct, an offender's willingness to accept responsibility, previous institutional response to similar conduct, strength of the evidence, and the wellbeing of the Dalton State College community. The student conduct panel or hearing officer will determine sanctions and issue notice of the sanctions in an outcome letter.

## **Disciplinary Procedures in Sexual Misconduct Incidents**

If you have been sexually assaulted, you have options for addressing such conduct. You may wish first to discuss the problem privately with a counselor in The Dalton State Counseling Center or another confidential counselor. The Public Safety Department is always available to assist a victim with getting the support she/he requests.

The College's Student Conduct process is designed to afford a complainant (the person who is bringing a charge) and a respondent (the person who is answering a charge) a fair, prompt, and appropriate resolution process. The process is designed to help persons who need support as they address these incidents.

The Student Conduct Administrator manages the resolution proceeding in which a student is the alleged perpetrator. For more information on student conduct proceedings:

[https://www.daltonstate.edu/campus\\_life/student-conduct-about.cms](https://www.daltonstate.edu/campus_life/student-conduct-about.cms)

Sexual Misconduct Policy:

<https://www.daltonstate.edu/skins/userfiles/files/DSC-Sexual-Misconduct-Policy.pdf>

Human Resources is responsible for managing proceedings for those cases in which an employee is the respondent.

In determining whether the alleged conduct constitutes sexual harassment or assault, the full context in which the alleged incident occurred must be considered. In any case, both the accuser and the accused are entitled to the same opportunities to have others present during any disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any proceeding.

During any sexual assault complaint proceeding, Dalton State has a range of sanctions available. Those sanctions may range from probation to expulsion, depending upon the nature and circumstances of the specific incident.

## **Dalton State's Procedures for Responding to Sexual Assaults, Stalking, Dating Violence and Domestic Violence:**

### **Procedure Institution Will Follow for Reports of Sexual Assault:**

1. Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care.

2. Institution will assess immediate safety needs of complainant.
3. Institution will assist complainant with contacting local police if complainant requests and complainant will be provided with contact information for local police department.
4. Institution will provide complainant with referrals to on and off campus mental health providers.
5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties.
6. Institution will provide a Criminal Trespass Warning to accused party if deemed appropriate.
7. Institution will provide written instructions on how to apply for Protective Order.
8. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
9. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

**Procedure Institution Will Follow for Reports of Stalking:**

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a Criminal Trespass Warning to accused party, if deemed appropriate.

**Procedure Institution Will Follow for Reports of Dating Violence:**

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.

5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a Criminal Trespass Warning to accused party, if deemed appropriate.

#### **Procedure Institution Will Follow for Reports of Domestic Violence:**

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a Criminal Trespass Warning to accused party, if deemed appropriate.

#### **Sex Offender Registration**

Members of the public may view sex offenders in their area. This information is also available on the Internet for Georgia at: <http://gbi.georgia.gov/georgia-sex-offender-registry>

#### **Emergency Notifications**

Dalton State is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. 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 university-owned or controlled facility, significant flooding, a large gas leak, or a significant hazardous material release. Dalton State without delay and taking into account the safety of the community, determine the contents of emergency

notification and then initiate the notification unless issuing such notification will, in professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Dalton State's mass communication system is the Roadrunner Alert. It is an emergency notification service available to students, staff, and anyone in the college community who wants to subscribe. The Roadrunner Alert can be used to send emergency messages quickly after the occurrence of an incident. Alerts sent by Roadrunner Alert are also relayed to the college and greater community via our website home page and Dalton State's social media outlets. <https://www.daltonstate.edu/about/alert.cms>

The Public Safety Department is responsible for sending Roadrunner Alert emergency notifications. The Department's command staff and dispatchers have access to the system and have the training and authority to issue notifications. Prewritten messages have been drafted and others can be edited to tailor the message for any emergency. Marketing and Communications relays the emergency notifications to the greater community with social media and contact with local news outlets as needed.

A College-wide test of the Roadrunner Alert system is performed each semester. The following procedures outline the process the College uses when issuing emergency notifications.

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

In the event of a situation that poses an immediate threat to members of the campus community, Dalton State has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include the mass notification system – Roadrunner Alert, public address system within each building, and public address system in police vehicles. The college will post updates during a critical incident on the Dalton State homepage and utilize social media. If the situation warrants, the college may establish a telephone call-in center to communicate with the Dalton State community during an emergency situation.

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

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

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, a Public Safety Supervisor will notify Dispatchers in the Department of Public Safety to issue an emergency notification.

Dalton State will immediately initiate all or some portions of their emergency notification system. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the college may elect to delay issuing an emergency notification. Occasionally it might be several minutes before a notification is sent, during this time officials are quickly investigating what occurred and determining the threat, if any, to the campus community. As soon as the condition that may compromise efforts is no longer present, the college will issue the emergency notification to the campus community.

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

The Public Safety Department will issue the emergency notification after determining what segment or segments of the Dalton State community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. Dalton State may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the Roadrunner Alert mass



notification system, the college will also post applicable messages about the dangerous condition on the Dalton State homepage to ensure the rest of the campus and the greater community is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, college officials will distribute the notification to the entire campus community.

#### *Determining the Contents of the Emergency Notification-*

The Public Safety Office is responsible for issuing the emergency notification (usually the Police Dispatchers) and will use prewritten messages to send to the community in most all situations. The college has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. In those cases, where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most appropriate message to convey the information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

#### *Enrolling in the Emergency Notification System*

We encourage members of the campus community to enroll in the Roadrunner Alert mass notification system by visiting:

<https://www.daltonstate.edu/about/alert.cms>

We also encourage the College community members to regularly update their personal information in Banner.

### **Timely Warnings and Crime Alerts**

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, the Public

Safety Department issues “Crime Alerts.” Public Safety will generally issue Crime Alerts for the following crimes: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. Public Safety will post these warnings through a variety of ways, including but not limited to e-mails, text messages, and phone messages. The College only has the ability to send text message alerts to those who register their cell phone numbers. Text messaging can be a very effective way to send important information quickly to the campus community which is why it is very important that individuals register their phone numbers at: <https://www.daltonstate.edu/about/alert.cms>

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

Additionally, the Public Safety Department may, in some circumstances, issue Crime Alerts when there is a pattern of crimes against persons or property. At Dalton State, the Chief of Police will generally make the determination, in consultation with Public Safety Supervision, if a Crime Alert is required. However, in emergency situations, any police supervisor may authorize a Crime Alert. For incidents involving off-campus crimes, the college may issue a Crime Alert if the crime occurred in a location used and frequented by the college population.

## **Emergency Management**

The Department of Public Safety is responsible for the campus Emergency Management Plan. This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency
- Coordination with College departments to write, maintain, test, and exercise plans
- Cooperation, integration, and mutual aid with local, state and federal planning, response, and public safety agencies.

Dalton State advises the community of Emergency Management Plan yearly. A copy of Dalton State's Emergency Response Procedures is available on the Public Safety Website:

<https://www.daltonstate.edu/about/safety-overview.cms>

The Roadrunner Alert is Dalton State's mass communication system. It allows the college to send text messages, emails, and voice messages to the community. It is important for everyone to make sure their information is updated each semester and sign up to receive alerts. More information is available on-line at:

<https://www.daltonstate.edu/about/alert.cms>

### **Drills, Exercises and Training**

Periodically, Dalton State conducts an emergency management table top exercise to test emergency procedures. The scenarios for these exercises change from year-to-year, and may include several departments from across the campus.

To ensure the college's emergency management plans remain current and actionable, the college will conduct an emergency management exercise, at a minimum, once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. The college conducts after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, the college will remind the community of the information included in the College's publicly available information regarding emergency response procedures. Building evacuation drills are scheduled each semester for the Residence Life Building. These building evacuations can

both announced and unannounced and are documented in the Public Safety Computer Aided Dispatch System.

### **Missing Student Notification Policy**

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

When it is determined that a residential student is missing, staff will be guided by this Missing Student Notification Policy and related procedures.

#### Provisions

To provide a plan to inform Dalton State College students who reside in residential life (housing) a policy governing required notifications within twenty-four (24) hours after the time a student is deemed to be missing.

#### **Policy:**

Emergency contacts will be contacted;

- Not later than twenty-four (24) hours after the time the student is determined to be missing.
- Students who are under age eighteen (18) and are not emancipated will be informed each academic year that the institution is required to notify the custodial parent not later than twenty-four (24) hours after the time the student is determined to be missing.
- Students will be informed that Dalton State College will notify Campus Police not later than 24-hours after the time the student is determined to be missing.

#### **Missing Person Procedures:**

A student is determined to be missing when a report comes to the attention of Dalton State College which determines the report to be credible. Circumstances may include, but are not limited to establishing that:

- a. a student is out of contact after reasonable efforts to reach that student by phone calls, emails, and/or in-person attempts to establish contact;
- b. circumstances indicate an act of criminality involved, even lacking twenty-four (24) hours in time;
- c. circumstances indicate that physical safety is in danger, even lacking twenty-four (24) hours in time;
- d. circumstances become known that medicine dependence may threaten life or health, even lacking twenty-four (24) hours in time;
- e. existence of a physical / mental disability indicates that the student's physical safety is in danger, even lacking twenty-four (24) hours in time.

Any official missing person's report relating to such student requires that the Dalton State College Police Department be notified immediately to investigate and make a determination that a student who is subject of a missing report has been missing for more than 24 hours and has not returned to campus.

During the investigation, the following information should be established and documented in a police report:

- Name and location / contact information of the person reporting the missing student
- Name / vital information of the student reported to be out of contact
- Nature of the circumstances supporting the determination that the student is out of contact (time/date last seen or in contact with)
- Avenues to establish that the student remains out of contact (failure to respond to phone, email and in-person attempts to contact by a Dalton State College official; parental notice or notice from reporting person outside the College; establishment of lapse of time of class attendance, lapse in affiliation with roommates and friends, or use of Dalton State College facilities / services; concern of incident of criminality or safety, etc.)

- Dates and times of notifications made

The Residence Life Director (if the incident occurs within Mashburn Hall) and VP of Student Affairs and Enrollment Management will be informed by the Dalton State College Police Department after the officer's initial attempt to contact the student does not successfully establish contact or lead to information that results in actual contact being made with the student. During business hours, the VP of Student Affairs and Enrollment Management may also involve other Dalton State College faculty, staff and Administrators to assist in establishing contact or avenues to pursue contact. The VP of Student Affairs and Enrollment Management will notify the listed confidential contact and the custodial parent or guardian if a resident or student is under 18 years of age and not an emancipated individual within 24 hours from when the student was reported as missing. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, the local law enforcement agency that has jurisdiction in the area that the student is missing must be notified within 24 hours. Residents are required to maintain current resident and student profiles containing; personal cell number and current address, emergency contact name, phone number and addresses, etc. with Residence Life. Contact information will remain confidential and will only be accessed by authorized College officials and released to law enforcement as required.

## **DAILY CRIME AND FIRE LOG**

The Department of Public Safety maintains a combined Daily Crime and Fire Log of all crime and fire incidents reported to the Department in their CAD database. The log is available in print form from Public Safety on request. This log identifies the type, location, date, and time of each criminal incident as well as the disposition if known that were reported to campus police.

Upon request a copy of any maintained Daily Crime and Fire Log will be made available for viewing.

### **Annual Disclosure of Crime Statistics**

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

The Public Safety Department collects the crime statistics disclosed in the charts through a number of methods. Police officers enter all reports of crime incidents made directly to the department through an integrated computer aided-dispatch systems/records management system. After an officer turns in a report, it is appropriately classified in the correct crime category when entering the report. The Department periodically examines the data to ensure that all reported crimes are recorded in accordance with Clery crime definitions. In addition to the crime data that the Department of Public Safety maintains, the statistics below also include crimes that are reported to various campus security authorizes, as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

#### **Definitions of Reportable Crimes:**

**Murder/Manslaughter** – defined as the willful killing of one human being by another.

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

**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.

Attempted sexual assaults within the four types of sex offenses count in the statistics.

- A. *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 both the rape of males and females.*
- B. *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.*
- C. *Incest* — *Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*
- D. *Statutory Rape* — *Sexual intercourse with a person who is under the statutory age of consent.*

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

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. In making determinations about whether or not an assault that is carried out with hands and feet is aggravated, Dalton State will consider not only the intent of the attacker but the extent of the injuries. If an attack results in broken bones, a loss of consciousness or significant blood loss, or requires medical treatment, the incident must be classified as aggravated.

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

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

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



## **Hate Crimes**

*Hate Crimes* – A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

**Larceny/Theft**—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

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

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

**Destruction/Damage/Vandalism or Property (except Arson)**—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### **Categories of Prejudice:**

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

**Gender** – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender. E.g. male or female.

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

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

**Ethnicity**– A preformed negative opinion or attitude toward a group of persons whose members identify 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 towards 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 towards a person or group of persons based on their actual or perceived gender identity e.g male or female.

### **Dating violence, Domestic Violence, and Stalking**

**Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship. It is not limited to sexual or physical abuse or the threat of such abuse.

**Domestic Violence** – A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or,

- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Does not include roommates

**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.

Sexual activity requires consent, which is defined as voluntary, positive agreement between the participants to engage in specific sexual activity.

Communicating consent:

- Consent to sexual activity can be communicated in a variety of ways, but one should presume that consent has not been given in the absence of clear, positive agreement.
- While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. Communicating verbally before engaging in sexual activity is imperative. However potentially awkward it may seem, talking about your own and your partner's sexual desires, needs, and limitations provide a basis for a positive experience.
- Consent must be clear and unambiguous for each participant at every stage of a sexual encounter. The absence of "no" should not be understood to mean there is consent.
- A prior relationship does not indicate consent to future activity.

Alcohol and drugs:

- A person who is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, is not capable of giving valid consent.
- The use of alcohol or drugs may seriously interfere with the participants' judgment about whether consent has been sought and given.

## **Crime Statistics**

The Dalton State College Department of Public Safety maintains a close relationship with local law enforcement agencies to ensure that we are notified of any crime report that is made directly to them. The Department of Public Safety will disclose any crime report made directly to any local law enforcement agency by a member of the campus community, and any such reports are included in our statistics. Our statistics are included on the following pages and include both of our campuses and non-campus locations;

### **On Campus:**

- Dalton State College - Main campus located at 650 College Drive in Dalton, Georgia 30721
- Dalton State College - Mountain Campus located at 103 Dalton Street in Ellijay, Georgia 30540

### **Non-Campus:**

- Northwest Georgia Trade Center- 2211 Dug Gap Battle Road in Dalton, Georgia 30720
- School of Business- 100 N Hamilton Street in Dalton, Georgia 30720
- Athletic Complex- 28 Cedar Street in Dalton, Georgia 30720
- Dalton Golf and Country Club- 333 Country Way in Dalton, Georgia 30721
- Farm Golf Club- 187 S. Goose Hill Road in Rocky Face, GA 30740
- The Recreation Place- 510 S Tibbs Road in Dalton, Georgia 30720
- Culprit Athletics- 2518 Cleveland Hwy in Dalton, Georgia 30720
- Bradley Wellness Center- 1225 Broadrick Dr in Dalton, Georgia 30720
- Dalton State Observatory- 9196 GA Hwy 2 in Dalton, Georgia 30721
- NOB North Golf Course- 298 Nob N Dr in Cohutta, Georgia 30710

### **Student Housing:**

- Mashburn Hall- 623 Campus Place – Dalton, Georgia 30721 (located on the Dalton Campus)

**Dalton State College – Dalton Campus located at 650 College Drive in Dalton, GA 30720**

Offense	Year	On Campus	Non-Campus Property	Public Property	On-Campus Student Housing
Murder/Non-Negligent Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Fondling	2018	6	0	0	6
	2019	0	0	0	0
	2020	0	0	0	0
Incest	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2018	2	0	0	2
	2019	0	0	0	0
	2020	0	0	0	0
Burglary	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Arson	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	1	0	0	0

**Dalton State – Dalton Campus located at 650 College Drive in Dalton, GA 30720**

Offense	Year	On Campus	Non-Campus Property	Public Property	On-Campus Student Housing
Dating Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Stalking	2018	2	0	0	0
	2019	1	0	0	0
	2020	2	0	0	1
Illegal Weapon Possession Arrests	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Illegal Weapons Possession Disciplinary Referrals	2018	0	0	0	0
	2019	1	0	0	1
	2020	0	0	0	0
Drug Law Arrests	2018	3	0	0	0
	2019	1	1	0	1
	2020	0	0	0	0
Drug Law Violations Disciplinary Referrals	2018	4	0	0	4
	2019	2	0	0	2
	2020	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Liquor Law Violation Disciplinary Referrals	2018	1	0	0	1
	2019	8	0	0	8
	2020	3	0	0	3
Number of Unfounded Incidents	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

\*No Hate Crimes in 2018, 2019, or 2020.

**Dalton State College – Mountain Campus located at 103 Dalton Street-Ellijay, Georgia 30540**

Offense	Year	On Campus	Non-Campus Property	Public Property	On-Campus Student Housing
Murder/Non-Negligent Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Fondling	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Incest	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Burglary	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Arson	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

**Dalton State – Mountain Campus**

Offense	Year	On Campus	Non-Campus Property	Public Property	On-Campus Student Housing
Dating Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Stalking	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Illegal Weapon Possession Arrests	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Illegal Weapons Possession Disciplinary Referrals	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Drug Law Violations Disciplinary Referrals	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Liquor Law Violation Disciplinary Referrals	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Number of Unfounded Incidents	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

\*No Hate Crimes in 2018, 2019, or 2020.



## Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The chart and information on the following pages detail all information required by this act for Dalton State College for on campus housing. Dalton State only maintains housing at the main campus location located at 650 College Drive Dalton, Georgia, 30721.

### Definitions

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

**On-Campus Student Housing** – A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within a reasonable contiguous area that makes up the campus.

**Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

#### Residence Hall Fire Drills

Fire drills are conducted in Mashburn Hall (residential housing) during the school year to allow occupants to become familiar with and practice their evacuation skills. The drills are conducted by the Residence Assistants, Housing Management and College Police.

Residential Facility	Year	Total Fires	Cause of Fire	Number Injured Requiring Treatment	Number of Deaths	Value of Property Damage
Mashburn Hall	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
	2020	0	NA	0	0	0

## **Fire Safety**

Dalton State takes Fire Safety very seriously and continues to enhance its programs to the community through education, engineering and enforcement. Educational programs are available throughout the year to residents so they are aware of the rules and safe practices. These programs, which are available, include identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies and hands-on use of fire extinguishers.

## **Campus Housing**

According to current Department of Education Guidelines for fire safety, Dalton State has compiled the following information and statistics relevant to fire safety at DSC.

### **Description of the Fire Protection Equipment in Mashburn Hall (residential housing)**

- There is one building capable of housing 360 residents on four different floors.
- Multiple fire extinguishers are located on each floor for easy access. In addition, the building is equipped with a sprinkler system. Fire extinguishers and suppression equipment are checked routinely.

### **Number of Regular Mandatory Supervised Fire Drills and Training**

#### **Exercises:**

1. Fire Drill, Spring 2018
2. Fire Drill, Fall 2018
3. Fire Drill, Spring 2019
4. Fire Drill, Fall 2019
5. Fire Drill, Spring 2020
6. Fire Drill, Fall 2020

## **Policies**

- Candles, incense, and candle/wax warmers are not permitted in Mashburn Hall. Potpourri, oil scented reed diffusers, room sprays, and scented electrical plug-ins are permitted on campus.
- Microwaves under 1100 watts and mini fridges under 3.5 cu ft are permitted in Mashburn Hall.
- Smoking is not permitted on campus.
- Any person seeing or suspecting a fire should call (706) 272-4461 or 911. If the fire is small, such as a wastebasket fire, a reasonable attempt to extinguish the flames should be made. Even though the fire may be completely extinguished, the incident must be reported to Dalton State Public Safety, as the underlying cause for the fire may be remaining. Extinguished fires may be made to the Residential Life Director or Assistant Director if there is not a health or safety concern.

## **Evacuation Procedures**

All occupants of the Mashburn Hall must leave the building whenever a fire alarm sounds. Rooms may be checked during fire drills to ensure compliance. Failure to evacuate during a fire drill will report in disciplinary action.

## **Fire Safety Education**

Fire training is provided to residents, and fire safety pamphlets handed out. In addition, students, faculty, and staff may request additional training. Although the potential for fire always exists, routine inspections, maintenance and training are effective elements in reducing bodily injury, loss of life, and damage to property. Faculty, staff, and students should all be knowledgeable of those elements that cause fires and how to eliminate them. All persons should be aware of the fire safety regulations and conditions that have the potential to start a fire such as the use of extension cords or the improper storage of chemicals, paint, cleaning supplies, rags, papers, etc.

## **Reporting Fires**

Students, faculty and staff are instructed to call 272-4461 or 911 to report a fire emergency. Non-emergency notifications (e.g. evidence that something burned) should be made to housing management.

**Residence Life (Mashburn Hall) 1-706-712-8228**

**Dalton State Public Safety (24/7) 706-272-4461**

**Dalton Fire Department (Emergency) 911**

## **Future Improvements**

We continue to monitor trends related to residence hall fire incidents and alarms to provide a fire safe living environment for all students. New programs and policies are developed as needed to help insure the safety of all students, faculty and staff.

