

DALTON STATE COLLEGE

ANNUAL FIRE SAFETY AND SECURITY REPORT

Report for October 2023

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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 at (706-272-4461) to ensure an effective investigation and appropriate follow-up actions, including issuing a crime alert or emergency notification.

Voluntary, Confidential Reporting

Dalton State does not currently have a policy regarding voluntary, confidential reporting of crimes by complainants or witnesses for inclusion in crime statistics.

Anyone may report crimes to the Department of Public Safety at 706-272-4461. Callers may remain anonymous.

Reporting to Department of Public Safety

We encourage all members of the College community to report all crimes and other emergencies to the Department of Public Safety in a timely manner. The Department of Public Safety has 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, the Department of Public Safety should be notified of any crime, whether or not a criminal 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 Department of Public Safety Dispatch Center.

Anonymous Reporting

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

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

or by calling the Department of Public Safety at 706-272-4461. By policy, we do not attempt to trace the origin of the person who submits this form, unless such is deemed necessary by the Department of Public Safety.

Reporting to Campus Security Authorities

While Dalton State prefers that community members promptly report all crimes and other emergencies directly to the Department of Public Safety 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:

Official	Campus Address	Phone Number
Department of 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
Assistant Vice President of Human Resources	Brown Hall, Office 315	706-272-2034

Assistant Director of Student Conduct	Student Center, Office 235	706-272-2999
Dean of Students	Student Center, Office 223	706-272-2505
The Office of Residence Life	Mashburn Hall	706-712-8228
VP for Student Affairs and Enrollment Management	Westcott, Office 109	706-272-4475

Pastoral and Professional Counselors

According to 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. Dalton State does not currently have a policy or procedure that encourages pastoral and professional counselors, at their professional discretion, to inform the persons they are counseling of any such procedures to report crimes on a voluntary, confidential basis for inclusion in crime statistics.

Preparation of the Annual Report and Disclosure of Crime Statistics

The Director of the Department of Public Safety prepares this report (to include collecting crime statistics) to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act by reviewing reports from several sources:

- Local Law Enforcement Agencies (both campuses)
- Student Conduct
- Campus Security Authorities- members of the campus community such as police officers, security officers, individuals responsible for security of the campus outside the police or security department, an individual that students are directed to report crimes, others with significant responsibilities outside the classroom such as athletic coaches, student housing, student discipline, etc.

The individual reports are reviewed to determine if they meet Clery reporting requirements such as: incident is within the Clery geographical reporting area; incident falls within one

of the four Clery crime categories. Guidance from the Department of Education is sought for clarification on reporting of individual incidents as required.

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 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)

A Persona branded electric lock system and Medco core lock system are used throughout the Residential Hall at Dalton State College. Students are provided an individual electronic

access card that is used to gain entry to the building, the hallways, and their assigned suite. A hard key is issued which only works on the door lock going into their assigned bedroom.

Only residents and their escorted 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 which are provided to them before they arrive and are easily found on the Dalton State College Residential Life's website. 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 the Department of Public Safety receives a report of a suspicious person in the residence hall, a police officer is dispatched to identify that person. The Department of Public Safety staff 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, Officers 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 Department of Public Safety at 706-272-4461.

About the Department of Public Safety

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:

- 12 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;
- Department of 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 Department of Public Safety.

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

investigations. Incidents beyond the capabilities of the Public Safety Department are investigated by the Georgia Bureau of Investigations, the state investigative body.

The Department of Public Safety 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 federal, state, and 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 Department of Public Safety will actively investigate certain crimes occurring on or near campus. If the Department of Public Safety 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. The Department of Public Safety has a working relationship with state and local law enforcement concerning the investigation of crimes.

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 2022. If you or your organization would like to request a specific program, please contact Lt. Elicia Walker at 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 Department of Public Safety.
- **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 Department of Public Safety.
- **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 Department of Public Safety.
- **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 Department of Public Safety.

- **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.
- Dalton State continued the use of the online education program Sexual Assault Prevention for Undergraduates. This online course educates students on healthy relationships and behaviors. It prepares students to recognize and respond to sexual assault and harassment. All new first-year and transfer students that enroll at Dalton State College are required to complete this course each semester. Employees participate in mandatory training which includes *Title IX for Higher Education*.

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 Department of 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, Department of Public Safety, Residential Life, Student Conduct, and Student Life (including Greek Life). Types of programs and services vary year-to-year. This information is also contained in the Biennial Review of the Drug Free Schools and Communities Act located here:

https://www.daltonstate.edu/skins/userfiles/files/0516_001.pdf

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 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.
- Students may be referred to services offered within the Dalton State College Counseling Center when there is a concern about substance abuse. In order to use its resources most effectively, the Counseling Center utilizes a short-term

model of therapy to assist students in addressing issues common in a college setting. A student can be assessed for substance abuse concerns and offered treatment, referred to the appropriate level of care outside our services, or for further assessment.

- The DSC Counseling Center along with staff and faculty from multiple departments host a Fresh Check Day focus on mental health and suicide prevention. This program also offers information about Alcohol use and abuse as well.

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.

Department of 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. Department of 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 includes 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. Department of 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 includes 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 the Department of 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 Assistant 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 10 programs related to substance abuse and Alcohol Education.

Student Conduct:

Dalton State continued the use of the online education program AlcoholEdu for College. This is an online interactive program that engages and educates students to make healthier decisions related to alcohol and other drugs. All new first-year and transfer students that enroll at Dalton State College are required to complete this course each semester. AlcoholEdu for College informs students about the emotional and physical effects of alcohol and cannabis.

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. Victims of sexual assault, domestic violence, dating violence, and stalking have specific rights, options, and resources guaranteed to them by the Clery Act. These services are made available to the complainant and respondent before or after filing a complaint or where no complaint has been filed.

Prevention Education

Institutions are required to provide students and employees, on an introductory and ongoing basis, prevention and awareness programs on the crimes covered above. These programs must include material on bystander intervention and risk reduction aimed at recognizing the warning signs of these crimes. Dalton State offerings are on the following pages.

Student and Employee Rights

Institutions must provide victims of the crimes covered above with a written explanation of their rights. These rights include the option for a relocation/change of housing, transportation, or academic course assignment. They also include access to counseling services, legal services, and law enforcement notification. These rights are described in greater detail on the following pages.

Disciplinary Proceedings

All disciplinary proceedings must be conducted by trained parties at the institution — either individuals or panels of trained persons. Proceedings are required to be prompt, fair, and impartial, and must confer certain procedural rights to both the accuser and the accused.

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 Assistant Vice President of Human Resources, in Brown Hall, 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, Dalton State Department of Public Safety, 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 Department of Public Safety 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. Immigration and Visa assistance and other services can be obtained by contacting Dalton State College's Title IX Coordinator: Executive Director Department of Health and Wellness, Bandy Gymnasium, 706-272-2504.

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 Department of Public Safety.
- 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.
- Dalton State continued the use of the online education program Sexual Assault Prevention for Undergraduates. This online course educates students on healthy relationships and behaviors. It prepares students to recognize and respond to sexual assault and harassment. All new first-year and transfer students that enroll at Dalton State College are required to complete this course each semester.
- Employees complete an online program *Title IX for Higher Education*.

- In April and October of 2022, the Dean of Students Office collaborated with Alpha Kappa Lambda Fraternity in consultation with the GreenHouse CAC/SAC of Dalton for the "These Hands Don't Hurt" program. This program is hosted once a semester and engages and educates students on recognizing and addressing domestic violence, sexual assault, and sexual harassment at Dalton State. Students are educated to identify, report, and refer students for support and resources.

Definitions:

Georgia Code § 16-6-1. Rape

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Georgia Code § 16-6-3. Statutory rape

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

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

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

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

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

Georgia Code § 16-6-22. Incest

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

(1) Father and child or stepchild;

(2) Mother and child or stepchild;

- (3) Siblings of the whole blood or of the half blood;
- (4) Grandparent and grandchild of the whole blood or of the half blood;
- (5) Aunt and niece or nephew of the whole blood or of the half blood; or
- (6) Uncle and niece or nephew of the whole blood or of the half blood.

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

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

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

Georgia Code § 19-13A-1.

As used in this chapter, the term:

(1) “Dating relationship” means a committed romantic relationship characterized by a level of intimacy that is not associated with mere friendship or between persons in an ordinary business, social, or educational context; provided, however, that such term shall not require sexual involvement.

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

(A) Any felony; or

(B) Commission of the offenses of simple battery, battery, simple assault, or stalking.

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

As used in this article, the term “family violence” means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household:

(1) Any felony; or

(2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.

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

Georgia Code § 16-5-90. Stalking

(a)(1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms “computer” and “computer network” shall have the same meanings as set out in Code Section 16-9-92; the term “contact” shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term “place or places” shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term “harassing and intimidating” means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a

pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made.

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

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

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

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

Georgia Code § 16-1-3. (Consent)

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

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 Department of Public Safety if the victim wishes to pursue criminal action. The Campus Authority also can make the required reporting to the Department of Public Safety 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 Whitfield County Victim Assistance can be available to the victim to provide support 706-876-1322. 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 the Department of Public Safety– 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 protective measures and their 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 even if victims do not wish to report the incident to law enforcement. 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 the Title IX Coordinator. 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 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 the Department of Public Safety. Students and employees may contact the Title IX Coordinator at 706-272-2504 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 victims 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 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:

Whitfield County Victim Services	706-876-1322
DSC Counseling Services	706-272-4430
Hamilton Medical Center	706-272-6000
Northwest Georgia Family Crisis Center	706-278-6595

Disciplinary Proceedings for Sexual Assault, Domestic Violence, Dating Violence, and Stalking

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

Disciplinary complaints may be made by any campus community member and should be directed to the Title IX Coordinator located in the Bandy Gym, Office #213; by calling 706-272-2504; or by email gburgner@daltonstate.edu. Complaints made to the Title IX Coordinator will not initiate a law enforcement investigation.

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

What to Expect

Upon notice of the alleged misconduct, the institution will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the institution will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether an investigation is appropriate in light of the

circumstances, whether the parties prefer an informal resolution, and whether any safety concerns exist for the campus community. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

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

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

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

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

The Title IX Coordinator is responsible for determining which type of proceeding will be used or if a complaint is to be dismissed and will provide simultaneous written notice of their determination to the parties at their institutional e-mails. If the Title IX Coordinator

dismisses a complaint the notice provided to the parties will include the reason and a right to appeal. If a complaint moves forward an investigator will be assigned and the notice will include their identity.

Prompt, Fair, and Impartial Proceedings

In all cases proceedings will afford a prompt, fair, and impartial process from the initial investigation to the final result for all parties. Proceedings will be conducted in a manner consistent with the institution's policies, and be transparent to the Complainant and Respondent. The institution is responsible for proving cases by the preponderance of the evidence standard in both student and employee cases. This means that it is more likely than not that the accused committed a violation of policy.

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

Timeframes and Notice

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

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

Amnesty

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

Advisor of Choice

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

In Title IX Sexual Misconduct cases the advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process except to conduct cross-examination at the hearing. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

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

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

Interim Measures

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

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

Informal Resolution

Once an investigation has begun if the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate. Student allegations of Title IX Sexual Misconduct against an employee may not be resolved informally.

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

Unbiased Proceedings

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

Investigation

The parties shall be provided with a written notice containing the allegations, possible charges and sanctions as well as available support and interim measures. Upon receipt of the notice parties have at least 3 business days to respond in writing. The Respondent

may admit or deny allegations and set forth a defense. The Complainant may respond and supplement their written notice. Throughout both parties may present witnesses and other inculpatory and exculpatory evidence.

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

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

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

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

Hearing – Student Respondent

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

Notice of the date, time, and location of the hearing as well as the selected hearing panel members shall be provided to the Complainant and the Respondent at least 10 calendar days prior to the hearing. Hearings shall be conducted in-person or via video

conferencing technology. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.

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

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

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

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

Hearing – Employee Respondent

Matters involving alleged Title IX Sexual Misconduct must be heard at a live-hearing. Institutions may determine whether the live hearing is conducted by a single administrative decision maker (such as the Chief Human Resources Officer, the Chief Academic Officer, or their designee) or by a panel. Formal civil rules of evidence do not

apply to the resolution process and the standard of evidence shall be a preponderance of the evidence. The institution will determine how the facts or evidence will be introduced. Notice of the date, time, and location of the hearing as well as the designated Hearing Officer shall be provided via email at least 10 calendar days prior to the hearing.

Hearings shall be conducted in-person or via video conferencing technology. Each institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

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

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

Possible Sanctions – Student Respondent

The broad range of sanctions includes: expulsion; suspension for an identified time frame or until satisfaction of certain conditions or both; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating no-contact orders; required participation in sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas);

additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

Possible Sanctions – Employee Respondent

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

Appeals

An appeal must be submitted in writing and within five (5) business days of the date of notification of the findings of the Hearing Panel. If an appeal is submitted, the other Party shall receive notice of the appeal, including a copy of the submission. That Party may submit, in writing and within five (5) business days from the date of notification, a response to the appeal submission. A decision on an appeal may only be rendered once the filing deadline has passed, including the deadline for the other Party to respond to the appeal submission.

The Respondent and the Complainant shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal); (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing (or appeal), including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Title IX Coordinator, Conduct Officer, investigator(s), decision makers(s); or (3) to allege that the finding was inconsistent with the weight of the information. The appeal must be made in writing, must set forth one or more of the bases outlined above, and must be submitted within five business days of the date of the final written decision. The appeal should be made to the institution's President or their designee (Appellate Officer).

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

The Appellate Officer will render a decision no later than seven (7) business days after receiving all materials, barring exigent circumstances. The Appellate Officer's decision will be in writing and include a rationale. The institution will inform the Parties simultaneously and in writing of the outcome of the appeal. This shall be the final decision of the institution.

Further review, such as a Discretionary Review, if available, is governed under the policies and procedures of the Board of Regents of the University System of Georgia. Appeals received after the designated deadlines above will not be considered unless the institution or Board of Regents has granted an extension prior to the deadline. If an appeal is not received by the deadline the last decision on the matter will become final, and notice shall be provided simultaneously and in writing to both Complainant and Respondent.

Retaliation

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

Additional Information

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

USG policies are available at these links:

6.7 Sexual Misconduct Policy

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

4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings

https://www.usg.edu/policymanual/section4/C332/#p4.6.5_standards_for_institutional_student_conduct_investigation

Human Resources Administrative Practice Manual, Prohibit Discrimination & Harassment

https://www.usg.edu/hr/assets/hr/hrap_manual/HRAP_Prohibit_Discrimination__Harassment_Employee_Relations.pdf

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

The federal Campus Sex Crimes Prevention Act, enacted on Oct. 28, 2000, and also referred to as Megan's Law, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student. In Georgia, convicted sex offenders must register with the Georgia Department of Corrections. You may obtain state information on individuals registered as sex offenders by visiting the Georgia Bureau of Investigation Sex Offender Registry website at <https://gbi.georgia.gov/georgia-sex-offender-registry>.

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 will 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 Department of Public Safety 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 Department of 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 Department of Public Safety 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 Department of 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

The Department of Public Safety is primarily responsible for determining the content and distribution of a timely warning notice to the community. Such notifications are distributed via Dalton State's Roadrunner Alert mass communication system (phone, text, email) and are issued without delay as soon as the pertinent information is available. A timely warning notice is considered for distribution to the Dalton State community for all Clery Act crimes that are (1) reported to campus security authorities or local police and

(2) determined by the institution to represent a serious or continuing threat to students and employees. Such reports shall be provided to students and employees in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and will provide protective advice that will aid in the prevention of similar occurrences. The decision to issue a timely warning shall be decided on a case-by-case basis. The decision is made by the Chief of Police or their designee considering all available facts, including whether the crime is considered to be a serious or continuing threat to students or employees. Certain specific information may be withheld from a warning if there is a possible risk of compromising law enforcement efforts. If a crime occurs that would pose a serious or continuing threat to the Dalton State community, a timely warning notice would be distributed to the campus community. Timely warning notices are typically distributed to the Dalton State community via Roadrunner Alert Dalton State's mass communication system. The Dalton State's Police Chief or designee reviews all College Police reports to determine if there is an ongoing threat to the community and if the distribution of a timely warning notice is warranted. Timely warning notices may also be posted for other crime classifications, as deemed necessary.

Emergency 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 Department of 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 Department of 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 tabletop 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 following is documented for each test; a description of the exercise, the date and time of the exercise, and whether it is announced or unannounced.

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 Department of 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) of 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 Department of Public Safety 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 (or the Assistant VP for Student Affairs and Dean of Students in their absence) 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

Consistent with the Clery Act requirements, the Department of Public Safety maintains a Daily Crime Log. This log records all crimes and serious incidents by the date and time of occurrence and when reported to the department. Incidents included are those that occur on campus (reasonably contiguous geographical area); non-campus building or property owned/operated by the College or students; public property within, adjacent, or immediately accessible from campus; or within the department's patrol jurisdiction. The Daily Crime Log is available for public inspection during business hours at the Department of Public Safety; no request is required for the past 60 days of entries; requests for archives within 7 years will be available within 2 business days.

The Daily Crime Log includes the offense, date and time the incident occurred and was reported, and general location of each crime to the department, as well as its disposition. The department posts incidents in the Daily Crime Log within two business days of receiving a report of an incident, and, in accordance with the Clery Act requirements, may exclude incidents from the log in certain circumstances, particularly those in which inclusion is prohibited by law. Limited information may be temporarily withheld if it could jeopardize an ongoing investigation or the safety (confidentiality) of an individual; cause a suspect to flee or evade detection; result in the destruction of evidence; if the disclosure is prohibited by law; or if the disclosure would compromise the confidentiality of the victim.

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
- Planet Fitness located at 1515 Walnut Ave in Dalton, GA 30720 (During Bandy Gym remodel)

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

Criminal Offenses	Year	DSC Main Campus Clery Geography				
		On Campus			Non-Campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Murder and Non-negligent Manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Negligent Manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	1	0	1	0	0
	2022	2	1	3	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Hate Crimes

2020: No reportable hate crimes

2021: One incident of destruction/damage/vandalism of property that occurred in Residence Life (Mashburn Hall) motivated by hate on the basis of religion was reported.

2022: No reportable hate crimes.

VAWA Offenses	Year	DSC Main Campus Clery Geography				
		On Campus			Non-Campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Domestic Violence	2020	0	1	1	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	1	0	1	0	0
Stalking	2020	1	1	2	0	0
	2021	1	3	4	0	0
	2022	0	1	1	0	0

Arrests	Year	DSC Main Campus Clery Geography				
		On Campus			Non-Campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Weapons: Carrying, Possessing, etc.	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug Abuse Violations	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor Law Violations	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Disciplinary Actions	Year	DSC Main Campus Clery Geography				
		On Campus			Non-Campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Weapons: Carrying, Possessing, etc.	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	1	1	0	0
Drug Abuse Violations	2020	0	0	0	0	0
	2021	1	0	1	0	0
	2022	0	0	0	0	0
Liquor Law Violations	2020	3	0	3	0	0
	2021	1	0	1	0	0
	2022	1	0	1	0	0

	2020	2021	2022
Total Unfounded Crimes	0	0	0

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

(No On-Campus Housing)

Criminal Offenses	Year	DSC Mountain Campus Clery Geography		
		On Campus	Non- Campus Building or Property	Public Property
Murder and Non-negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Fondling	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Incest	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Statutory Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Robbery	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Aggravated Assault	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Burglary	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Motor Vehicle Theft	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Arson	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Hate Crimes

There are no reportable hate crimes for the Dalton State College Mountain Campus from 2020-2022.

VAWA Offenses	Year	DSC Mountain Campus Clery Geography		
		On Campus	Non-Campus Building or Property	Public Property
Domestic Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Dating Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Stalking	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Arrests	Year	DSC Mountain Campus Clery Geography		
		On Campus	Non-Campus Building or Property	Public Property
Weapons: Carrying, Possessing, etc.	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Drug Abuse Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Liquor Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Disciplinary Actions	Year	DSC Mountain Campus Clery Geography		
		On Campus	Non-Campus Building or Property	Public Property
Weapons: Carrying, Possessing, etc.	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Drug Abuse Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Liquor Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

	2020	2021	2022
Total Unfounded Crimes	0	0	0

Recordkeeping

As required by the federal Clery Act, Dalton State retains for at least seven (7) years all records documenting reports of Clery crimes made to the Dalton State Public Safety Department, other Campus Security Authorities, and local law enforcement. This will include the timely warning determination for each report, and if a timely warning was made a copy of that warning. Also retained are records of all crime prevention and educational programming offered, including but not limited to security procedures, alcohol and other drugs, and sexual violence, across the institution.

The Dalton State College Department of Public Safety retains all entries made in the daily crime and fire log for at least seven (7) years. Copies of these archived entries will be made available for public inspection within two business days of a request.

For a period of seven (7) years, Dalton State will maintain records of:

- Each investigation conducted involving reported sexual misconduct, including any determination regarding responsibility and any audio or audio-visual recording or transcript, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to Dalton State programs or activities;
- Any appeal and the result therefrom;

- Any informal resolution and the result therefrom;
- Any supportive measures or actions taken in response to a report or formal complaint under this policy and the rationale for the measure/response.

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	2020	0	NA	0	0	0
	2021	0	NA	0	0	0
	2022	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

Fire Drills:

2 fire drills in 2022; spring 2022 and fall 2022

Training:

Date	
Fall 2020	EH&OS provides rules and regulations to residents pertaining to candles and other fires as well as fire alarms and evacuations.
Fall 2021	EH&OS provides rules and regulations to residents pertaining to candles and other fires as well as fire alarms and evacuations.
Fall 2022	Residence life provides rules and regulations to residents pertaining to candles and other fires as well as fire alarms and evacuations to all new and existing residents.

Rules:

- **Open flames:** candles or other open flames are not permitted.
- 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.
- **Portable electric appliances:** do not overload electrical outlets, instead use power strips with surge protection. Unplug items that you use periodically (i.e. phone charger, hair dryer). The use of extension cords is not permitted.
- **Residence Life policies:**
<https://www.daltonstate.edu/skins/userfiles/files/2022-2023%20Living%20Guide.pdf>

Evacuation Procedures

All occupants of 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

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 Department of 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.

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

Dalton State College Department of 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 ensure the safety of all students, faculty and staff. The fire alarm system is monitored by the Department of Public Safety and any trouble or maintenance issues are corrected by Residence Life staff. The

system is tested a few times per years through managed evacuations and professional testing.