SOUTHERN POLYTECHNIC STATE UNIVERSITY
ANNUAL SECURITY AND FIRE SAFETY REPORT
2014
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Introduction

The Clery Act is an institutional responsibility that is intended to provide the public, as potential consumers of higher education services, with accurate, complete and timely information about safety on campus. Compliance with the Clery Act provides students and families with the information that may prove helpful in making informed decisions about the relative safety on specific campuses.

The Clery Act requires institutions of higher education to publish information about their campus security policies and to give timely warnings of crimes that represent a threat to the safety of students or employees. It also requires the institution to collect crime data, report those data to the campus community and to submit the statistics to the Department of Education.

To comply with the Clery Act regulations, your institution has several obligations falling into three main categories: 1) policy disclosure; 2) records collection and retention; and 3) information dissemination.

1. Policy disclosure:
The University must provide the campus community with accurate statements of current security policies and practices regarding a wide range of issues.

2. Records collection and retention:
The University is required to maintain certain records and to request crime statistics from the applicable local law enforcement agencies.

3. Information dissemination:
The University must also provide campus community members with information about their safety and disseminate that information in several ways.
All institutions that participate in federal Title IV student aid programs essentially have the same compliance responsibilities. The regulations impose additional responsibilities on institutions that provide student housing.

Compliance with the Clery Act is not simply a matter of entering statistics into a Web site or publishing a brochure once a year. Compliance is achieved through collaboration – this coordination ensures the institution develops the appropriate policies, gathers accurate information from all the required sources and translates it into the appropriate categories. Finally, a system-wide approach ensures the institution is disseminating the right information, at the right time, and maintaining the appropriate records. Many people at the University, from the President to individuals charged with day-to-day compliance to designated campus security authorities, should be involved in compliance activities.

The Department of Education’s Handbook for Campus Safety and Security Reporting (2011) (Handbook) contains references in multiple locations in chapter seven that advise where a policy is required and the element is not applicable, or the institution has no such policy that this fact must be stated in response to the requirement. The recent reauthorization of the Violence Against Women Act (VAWA) amended the Clery Act in several significant ways. The VAWA Amendments require institutions to undertake robust, and proactive measures to prevent and respond to reports of sexual violence, stalking, and intimate partner violence. The Department of Education has informed the higher education community that it expects institutions to make a “good-faith effort” to comply with the amendments in advance of the Department promulgating final regulations. This good-faith effort requires coordination and collaboration across the campus, from many offices and departments that have not, heretofore, had a significant stake in Clery Act compliance.
LAW ENFORCEMENT AUTHORITY OF CAMPUS SECURITY PERSONNEL

(The Handbook for Campus Safety and Security Reporting, Chapter VII, #3a and #3b)

The Southern Polytechnic State University Police maintains a force of Georgia POST certified police officers, whose duties include enforcing State and Federal laws; preventing and investigating crimes; providing security; and encouraging safety awareness. Officers patrol the campus 24 hours a day, seven days a week.

The department, which also utilizes Dispatchers, and other support personnel, strives to contribute to the academic environment by performing professional law enforcement tasks with a proactive, service-oriented and educational approach. The department also maintains a good relationship with the faculty, staff and students of Southern Polytechnic, and encourages communication.

All SPSU police officers have the power of arrest and the authority to enforce all laws. O.C.G.A 17-4-20. Authorization of arrests with and without warrants generally; use of deadly force; adoption or promulgation of conflicting regulations, policies, ordinances, and resolutions; authority of nuclear power facility security officer.

(a) An arrest for a crime may be made by a law enforcement officer either under a warrant or without a warrant if the offense is committed in such officer’s presence or within such officer’s immediate knowledge; if the offender is endeavoring to escape; if the officer has probable cause to believe that an act of family violence, as defined in Code Section 19-13-1, has been committed; if the officer has probable cause to believe that an offense involving physical abuse has been committed against a vulnerable adult, who shall be for the purposes of this subsection a person 18 years old or older who is unable to protect himself or herself from physical or mental abuse because of a physical or mental impairment; or for other cause if there is likely to be failure of justice for want of a judicial officer to issue a warrant.

Their jurisdiction includes the entire campus and extends to 500 yards outside any SPSU property controlled by the state Board of Regents.

The department has established open lines of communication with nearby law enforcement agencies and maintains on-going relationships with them so that information about criminal investigations may be exchanged and any assistance needed may be obtained. A Memo of Understanding (MOU) exists with Marietta Police Department that indicates that the Marietta Police Department will provide investigative support to the SPSU Police, when necessary. A Mutual Aid Agreement exists with Cobb County Police, who are the local law enforcement agency that has concurrent jurisdiction with the SPSU Police Department. The Mutual Aid Agreement does not specifically address the procedures surrounding the investigation of criminal incidents.

Constant contact with other law enforcement agencies is also maintained through the Georgia Crime Information Center and National Crime Information Center computer terminal. The terminal also provides important information on wanted persons, driver’s license information and criminal history.

PROCEDURES FOR REPORTING CRIMES AND EMERGENCIES

(The Handbook for Campus Safety and Security Reporting, Chapter VII, #1, #1c, #3c, & #3d)
To report a crime or emergency on campus contact University Police at 678-915-5555 or 9-1-1 in emergency situations or use an emergency call box located throughout campus in or near residential Buildings, parking lots and by some academic buildings. All crimes should be reported to the SPSU Police for the purpose of making a timely warning report and for annual disclosure in the crime statistics. Dispatchers are available at these respective phone numbers 24 hours a day to answer your call. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around residential halls should be reported to the police department. SPSU encourages accurate and prompt reporting of all crimes to University or local Police.

| Southern Polytechnic State University Police | 678-915-5555  
| Emergency | |
| Atlanta Crime Stoppers  
(To Report a Crime Anonymously) | 404-577-TIPS  
To Report Anonymously |
| Emergency Call Boxes | Emergency call boxes are located in parking lots, along several streets, in or outside residential buildings in the parking deck. These call boxes provide direct contact with the department. |
| In Person | The Police Department is located in Norton Hall, building R2 on your campus map, near the Lawrence V. Johnson Library. |

*Campus Security Authorities*

*In addition to the offices listed above, certain University officials are deemed Campus Security Authorities by Federal Law and include student staff in residence life, athletic coaches, and advisors to student organizations, to include some faculty members. If a crime is reported to any of these individuals, basic information about the type of crime and the location where it occurred will be shared with University Police for the purposes of Timely Warnings and inclusion in the Annual Security Report. A victim’s identity will not be revealed to University Police.*

SPSU Police does not have a process for voluntary confidential reporting due to state open records laws. If you are the victim of a crime and do not want to pursue action within the University of Georgia System or within the criminal justice system, you may still want to consider making an anonymous report. You may contact Atlanta Crime Stoppers at 404-577-TIPS (8477) to report a crime anonymously. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

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

- Provide the student with information regarding procedures for reporting the crime to the University Police
• Disclose to the student that periodically (at minimum of one time annually) CPS counselors may voluntarily report crimes disclosed during confidential counseling sessions to the University Police. All information reported to University Police will be de-identified and is reported for the purposes maintaining accurate crime statistics for inclusion in the Jeanne Clery Disclosure of Campus Security Police & Crime Statistics Act annual report.

CPS mental health staff will make their best effort to obtain as much information as possible from a victim of a sexual assault or interpersonal violence. There may be instances where the student is unable, unwilling or reluctant to provide information. Counselor will gain as much information as possible while respecting the boundaries and autonomy of the student.

Response to Reports of Crimes

(The Handbook for Campus Safety and Security Reporting, Chapter VII, #1)

In response to filing a report with the SPSU Police, the department forwards all incident reports involving students to the Office of the Dean of Students for review and potential action by the Office of Student Conduct. The officers make arrests when appropriate. University Police investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of the Dean of Students and the Office of Student Conduct. University Police will contact the Marietta Police, the Cobb County Police or other law enforcement agencies as appropriate if further assistance is required to respond to reported incidents.

Campus Resources for Crime Victims

(The Handbook for Campus Safety and Security Reporting, Chapter VIII, d)

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

<table>
<thead>
<tr>
<th>Office</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean of Student</td>
<td>678-915-6841</td>
</tr>
<tr>
<td>Human Resources</td>
<td>678-915-7331</td>
</tr>
<tr>
<td>Office of Equal Employment Opportunity (EEO)</td>
<td>678-915-7404</td>
</tr>
<tr>
<td>Student Conduct</td>
<td>678-915-5032</td>
</tr>
<tr>
<td>SPSU Career &amp; Counseling Center</td>
<td>678-915-7391</td>
</tr>
<tr>
<td>(Student Center, Building A)</td>
<td></td>
</tr>
<tr>
<td>Residence Life</td>
<td>678-915-4101</td>
</tr>
<tr>
<td>SPSU Health Services</td>
<td>678-915-7366</td>
</tr>
<tr>
<td>OFF CAMPUS RESOURCES</td>
<td></td>
</tr>
<tr>
<td>YWCA 24 Hour Crisis Line</td>
<td>770-427-3390</td>
</tr>
<tr>
<td>Victims Offender Custody (VINE)</td>
<td>1-800-785-8463</td>
</tr>
<tr>
<td>Georgia Crisis &amp; access Line</td>
<td>1-800-715-4225</td>
</tr>
<tr>
<td>(Email: mygcal.com)</td>
<td></td>
</tr>
<tr>
<td>National sexual Assault 24 hour line</td>
<td>1-800-656-4673</td>
</tr>
</tbody>
</table>
MONITORING AND RECORDING OF CRIMINAL ACTIVITY OF STUDENTS AT OFF CAMPUS LOCATIONS

(The Handbook for Campus Safety and Security Reporting, Chapter VII. #6)

There are no off campus housing facilities that are owned or controlled by officially recognized student organizations. Organizations may sponsor an event, such as a dance, at an off campus facility. If a SPSU police officer is not present, the local law-enforcement agency will be responsible for responding to a crime or incident, but individuals are encouraged to report any problems to the University Police Department.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES, INCLUDING RESIDENCE HALLS

(The Handbook for Campus Safety and Security Reporting, Chapter VII. #2a)

As a public institution, the majority of university buildings and ground are accessible to the general public during normal business hours. The use of some facilities – the recreation and wellness Center, certain areas within the Lawrence F. Johnson Library, classrooms, labs, residence halls, athletic facilities and fields, certain areas within the Joe Mack Wilson Student Center – is restricted to SPSU faculty, staff, and students or others who have obtained permission through the office of scheduling and logistics to use the facilities.

O.C.G.A 16-11-35 provides that person without legitimate business on campus who act to interfere with the peaceful activities of the campus may be asked to leave. If they refuse to leave, they may be arrested and removed.

The exterior doors to the residence halls use a card access system and is locked at all times. Residents and relevant university personnel are issued access cards. University police officers conduct periodic patrols inside the residence halls.

All members of the residence hall community have the responsibility to help secure the community's welfare by ensuring their visitors comply with university regulations, by keeping the external doors closed and by reporting suspicious persons to the university police or housing staff.

Each apartment resident is responsible for keeping his or her apartment door locked. The university police conduct patrols of the grounds.

Security cameras are placed at strategic locations around the campus, in most facilities for safety reasons, and the parking deck. Specific building interior corridor facilities have interior cameras focused on areas of higher risk, such as facility entrances, and elevators. These cameras are not actively monitored, but all footage is saved on a server for at least 30 days. Cameras are checked routinely through visual confirmation to ensure the component is working via the central monitoring station.

The locking mechanisms in the residential communities vary based on the design of the facility.

- Howell Hall - Each dorm is secured through key lock.
- Courtyard Apartments – Each apartment/unit door is secured through an electronic door access system. Each bedroom door is secured with a deadbolt key system.
• Commons Apartments – Each apartment/unit door is secured through an electronic door access system. Each bedroom door is secured with a deadbolt key system.

• Hornet Village – Interior corridors and unit doors are secured through an electronic door access system. The main lobby also uses an electronic door access system.

Residence Life staff members are on duty 24 hours a day, seven days a week to respond to student needs. An emergency maintenance person is on call 24 hours a day to handle all lock and key problems.

Safety programs are conducted for residents via information sessions, demonstrations, bulletin boards, and community meetings. Residence Life staff and other university staff are available to present information and ongoing programs on crime prevention, including seminars on topics such as personal protection, acquaintance rape, and protecting personal property. Residence Life staff and residents may initiate these programs.

SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES

The Department of Facilities Management maintains and operates buildings and grounds with a concern for safety, security, and crime prevention. Any person may submit a security related maintenance request to the work order desk at 678-915-7437 or by using the online work order system. If a security related maintenance problem is detected after hours, the university police should be notified. Facilities personnel are on call all hours and will respond when necessary to repair security related problems.

TIMELY WARNING NOTICES

(The Handbook for Campus Safety and Security Reporting, Chapter VI, Chapter VII, #1a)

A timely warning notice is considered for distribution to the SPSU 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. The SPSU police is primarily responsible for determining the content and distributing of a timely warning notice to the community and such notifications are distributed via Emergency Public Broadcast System, Hornet Alert/RaveMobile Safety and/or SPSU Campus Wide Email.

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 his designee considering all available facts, including whether the crime is deemed to be a serious or continuing threat to students or employees. Certain specific information may be withheld from a Warning if there is a possible risk of compromising law enforcement efforts, but if a crime occurs that would pose a serious or continuing threat to the SPSU community, a timely warning notice would be distributed to the campus community. Timely warning notices are typically distributed to the SPSU community via Emergency Public Broadcast System, Hornet Alert/RaveMobile Safety and/or SPSU Campus Wide Email.

CLERY REQUIRED DAILY CRIME LOG

(The Handbook for Campus Safety and Security Reporting, Chapter V)

Consistent with the Clery Act requirements, the SPSU police maintains a Daily Crime Log that records, listed by the date and time the incident occurred and was reported, all crimes and other serious incidents that occur on campus; in a non-campus building or property owned or operated by the University or its students "in a reasonably contiguous geographic area"; on public property
within, adjacent to, or immediately accessible from the campus; or within the department's patrol jurisdiction.

The Daily Crime Log includes the nature, date, time and general location of each crime reported 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 may compromise the investigation. Limited information may be temporarily withheld if it could jeopardize an on-going investigation or the safety 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. The Daily Crime Log is available for inspection during normal business hours.

**POLICY REGARDING THE INSTITUTION'S EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

To promote the safety of the population of the Southern Polytechnic State University an early warning system has been established. Through the use of this multi-faceted Emergency Broadcast System, early warnings will be broadcasted by the University Police concerning life threatening emergencies on or near the campus.

In event of a major emergency, the Police Officer-in-Charge will then notify the Chief of Police and the Captain of Police Operations. The Police Chief, Captain of Police Operations, or Police Officer-in-Charge, shall then declare a major emergency. This declaration is not necessary in event that a National Weather Service Warning has been issued. The Police Dispatcher should, without delay, begin message protocol after receiving any NWS broadcasted warning or a weather-related emergency siren alert. In addition, if a campus emergency is declared by the University President, the on-duty Police Officer-in-Charge shall instruct the Police Dispatcher to broadcast an emergency message, also without delay.

The Southern Polytechnic State University Police will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will compromise efforts to assist victims, respond to, and mitigate the emergency.

Notifications of emergencies are made to the University Police through telephone calls, burglary or fire alarms, emergency call box notifications, calls from neighboring jurisdictions, etc. The University Police Communications Center (Police Dispatch) will notify the Police Officer-in-Charge, without delay, of any emergency call. The Police Officer in charge will initiate an immediate investigation into the legitimacy of the call. A major emergency shall be defined as any emergency situation which poses an imminent danger of injury or loss of life to any member of the campus community. This shall include but not be limited to National Weather Service Severe Weather Warnings (Severe Thunderstorm Warning with a Tornado Watch), National Weather Service Tornado Warnings, a Crime in Progress with potential violence (such as an active shooter, armed robbery, etc.), Fire, Explosion, Major Hazardous Material Spill, Earthquake, or Flooding.

Emergency notification is carried out by University Police emergency personnel as described in above procedures. In addition, the University President and members of the University Public Relations Department may initiate emergency messaging.

In event of a large scale emergency, notifications will be made by police radio and or telephone to all surrounding jurisdictions. This notification will be made to the City of Marietta and Cobb County through notification to the Cobb-Marietta 911 Center.

The Southern Polytechnic State University employs five types of campus emergency notification. A Fire Alarm System with all campus housing facilities having smoke detectors and audible alarms, Emergency Public Broadcast System (Spoken or Push-button Pre-recorded Message through the Public Address speakers in all buildings and all Emergency Call Boxes), Hornet Alert / ReveMobile Safety (Telephone, cell-phone and email messages), SPSU campus-wide email and Cobb County Emergency Siren System (activated by Cobb County Emergency Management Agency).
Notification systems are tested at least once annually. The Cobb County Emergency Siren is tested at noon the first Wednesday of each month. Drills and other exercises will be conducted annually with campus notification of said drills made through the University Public Relations Department.

In addition, an Emergency Procedures and Safety Information Pamphlet was produced in 2009 and distributed to all faculty and staff and some students. Copies of the Emergency Procedures and Safety Information Pamphlet are also available from the University Police or Housing Office. This pamphlet contains safety information related to Emergency Telephone Numbers of the University Police, Evacuation Procedures, Shelter in Place Procedures, Medical Emergencies, Tornado or Severe Weather Warning, Fire, Explosion, Tornado Strike or other Building Damage, Hazardous Materials, Psychological Crisis or Suicide Threat, Utility Failure, Flooding or Water Damage and Crime Prevention Tips. A copy of the Emergency Procedures and Safety Information Pamphlet has been placed on the University Police Website http://police.spsu.edu

SHELTER IN PLACE: WHAT IT MEANS TO SHELTER IN PLACE

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

A shelter-in-place order may be issued for several reasons:
- Active Shooter
- Severe weather
- Hazardous materials
- Civil Unrest
- Hostage situation
Or any situation where it is best for you to stay where you are to avoid any outside threat.

When this occurs:
1. Remain CALM.
2. Faculty should recommend to students and others not to leave and or go outside.
3. If you are in dorm rooms, remain there.
4. Select a small interior room with no or few windows as possible.
5. Close and lock all windows, exterior doors, and any other openings that lead to the outside.
6. Stay away from all windows, doors.
7. Plant Operations personnel should shut down all building ventilation fans and air conditioners, when and if appropriate.
8. If you are told there is danger of explosion, close the window shades, blinds, or curtains.
9. Select interior room(s) above the ground floor, with the fewest windows or air vents.
10. Room(s) should have adequate space for everyone to be able to sit down comfortably.
11. Avoid overcrowding by selecting several rooms when necessary.

For severe weather and civil unrest:
1. Stay inside and move away from windows.
2. Close and lock all exterior doors and offices.
3. For extreme weather, relocate to lower levels in the building.

For external chemical, biological or radiological incidents:
1. Stay inside and move to an inner corridor or office.
2. Plant Operations personnel may shut down all building ventilation fans and air conditioners, when necessary and appropriate.
3. Since many chemical agents are heavier than air, and tend to hold close to the ground move to higher levels of the building if possible to reduce the transfer of contaminated air from outside to inside.
4. Remain alert for instructions and updates as they become available from the emergency personnel and university administrators.

GENERAL EVACUATION PROCEDURES

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify University Police Emergency at ext. 5555 or dial 678-915-5555.

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

Muster and Head Count

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

- Faculty or Instructors in the classroom,
- Building Coordinators
- Office Managers
- Supervisors

Once you have assembled at your designed meeting place, conduct a reasonable accounting of personnel. Inform University Police or Building Coordinators if someone is unaccounted for, or if you suspect someone did not exit the building, and inform them of the missing person’s last known whereabouts.

NOTIFICATION TO THE COMMUNITY ABOUT AN IMMEDIATE THREAT

(The Handbook for Campus Safety and Security Reporting, Chapter VI.#1, #2a, #2b,#2c, #2d, #3, #4, #5)

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

Authorization of the SPSU Emergency Notification Systems:
The Chief of Police, or his designee is primarily responsible for making the recommendation to the President of the University for initiation of the primary communication system which is called Hornet Alert/RAVE system or in the event of an immediate need, determining the segment of the community to receive the notification (if the threat is limited to a particular building or segment of the population) and activating the system to all students and employees registered after confirming a significant emergency or dangerous situation has indeed occurred. Emergencies on campus are typically confirmed by University Police, in consultation with other offices such as the National Weather Service and/or responding law enforcement or fire departments. The University Police department is also authorized to activate the systems in an emergency situation. The University Police department will determine the content of the notification by selecting from the templates existing in the RAVE system based on the emergency type and may alter language based on the facts and circumstances that present. The Chief of Police or his designee will then notify Public Relations who, in turn, will notify local media outlets to provide information to the larger community. The Chief of Police or his designee will be responsible for disseminating the following notifications using some or all of the below listed systems when activation is required and to provide follow-up information regarding the emergency as needed:

- Activate the Hornet Alert/RAVE Emergency Notification System (text, email, telephone calls to registered users)
- Post closure or other information on the SPSU Campus Webpage (http://www.spsu.edu/). The content of the message is determined by the Chief of Police or his designee and the messages are typically posted to the website by Public Relations.
- Activate the Emergency notification speakers when necessary. The content of the message and activation of this system is the responsibility of the Chief of Police.

**NOTIFICATION OF MISSING STUDENTS**

The following procedures have been developed to provide required notifications within twenty-four (24) hours after the time a campus resident student is deemed to be missing. Notification of this policy will be made directly to all students residing in campus housing annually and be available in conjunction with the "Annual Crime and Fire Safety Report" that provides information in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Crime Statistics Act.

**Registration Procedure**

1) Residential students will be informed annually that each student has the option to identify a person designated as a "confidential contact" to be notified by the University not later than twenty-four (24) hours after the time the student is determined to be missing by the designated officials authorized to make that determination, specifically the University Police. The "confidential contact" may be a person designated by the student in addition the emergency contact listed with the Southern Polytechnic State University Registrar’s Office and the Department of Housing and Residence Life. Should the student not declare a "confidential contact", the emergency contact on record will be notified.

2) Students who are under age eighteen (18) and are not emancipated, the University will notify the legal parent or guardian in compliance with the Higher Education Opportunity Act. These students may also declare an additional, separate "confidential contact".

3) Notification of this policy will be made directly to all students residing in University Housing annually and be made available in conjunction with the "Annual Crime Report" that provides information in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Crime.
4) All students attempting to register for University Housing will be notified of this policy at the time they complete the Online Housing Application and Housing Contract. During the Online Application Process, specific campus housing emergency related contact information will be captured, and the student will have the opportunity to provide a separate "confidential contact". All information submitted online during the housing registration process will remain of file and be considered accurate until the student voluntarily provides different information. Update contact information may be emailed to the Department of Housing and Residence Life at housing@spsu.edu.

**Missing Person Procedures**

A student is determined to be missing when a report is made to the University Police at Southern Polytechnic State University and its personnel determine the report to be credible. Credibility may be established if any of the following circumstances are verified:

a. No one has been able to contact the student in the last 24 hours even though reasonable efforts have been made by phone, email, and in-person attempts to do so.

b. Evidence indicates a criminal act may have taken place. (If this occurs, the 24 hour waiting period will be discarded)

c. Based on a reliable source, information exists that the student is in danger due to physical issues, mental illness, or consumption of drugs or alcohol. (If this occurs, the 24 hour waiting period will be discarded);

d. Information exists that the person may be suicidal. (If this occurs, the 24 hour waiting period will be discarded).

**Investigative Follow-up**

1) To report a student missing, a complainant should call University Police at 678-915-5555 and inform the dispatcher that you wish to file a missing person report.

2) An initial incident report will be taken by a University Police Officer. Included in the report will be the following information:

a. Name and physical description of the missing person

b. Does the missing person own a car or have access to one

c. Physical and mental condition of the missing person

d. Any situations or events that may have contributed to the disappearance

e. The last time the student was seen and whom he/she was seen with. Included with this information is any statements made by the missing person as to his/her future plans.

f. Campus residence and any phone number he/she could be reached at.

g. List of family and friends that may be aware of the location of the student.

h. Contact information of the person reporting the missing student.

3) The responding officer and other shift personnel will conduct a search of the campus for the student and his/her vehicle. If the student cannot be found, the on-call investigator will be notified as will the Chief of Police or his designee.

4) The investigator will begin an inquiry into the whereabouts of the student. The investigator will notify local law enforcement agencies and place the student's name and information on the Georgia Crime Information System.

5) The Chief of Police will notify the Vice President(s), the Dean of Students, the Director of Auxiliary Services, as well as the Director of Housing and Residence
6) Unless circumstances dictate differently, the person listed by the student to be contacted after 24 hours will be notified. The person may be contacted prior to the 24 hours if warranted by the information developed by the investigator.

7) The Vice President(s), the Dean of Students, the Director of Auxiliary Services, as well as the Director of Housing and Residence Life will be informed by the University Police Department after 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. Each will be updated by University Police as the investigation of the incident progresses. If necessary, the Department of Public Relations will be requested to assist with contacting the media for assistance.

8) The emergency and "confidential contact" listed by the student on the StarRez Housing Application Portal, as well as any emergency contact listed with the Southern Polytechnic State University Registrar's Office will be notified as part of the investigation in attempting to establish contact with the student reported missing. In the case of a student under the age of eighteen (18) and not emancipated, the contact will be with the custodial parent. The contact will be initiated by the University Police with the assistance of the Department of Housing and Residence Life and the Registrar's Office.

SECURITY AWARENESS AND CRIME PREVENTION EDUCATION AND PROGRAMMING ON CAMPUS

(Handbook for Campus Safety and Security Reporting, Chapter VII, #4, #5 and Chapter VIII, a)

Security awareness and crime prevention programs on personal safety are sponsored by various departments at SPSU throughout the year. Security awareness programs are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. University Police facilitate programs for students, faculty, staff, orientations, organizations and residential housing. Residence Life and other offices under the Dean for Students offer programs for students specifically. Crime Prevention and Security Awareness Programs available include:

Crime Prevention Lecture: Power Point presentation covering basic crime prevention, personal safety, drug and alcohol awareness.

Civilian Safety Awareness Program: Civilian Safety Awareness Program is a comprehensive course that begins with safety awareness recommendations, how to avoid dangerous encounters, using verbal commands to enhance your personal safety, the physical mechanics of safely deploying pepper spray, and the legal requirements of using pepper spray.

RAPE AGGRESSION DEFENSE
Rape Aggression Defense (R.A.D.) is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance while progressing on to the basics of hands-on defense training. Certified RAD instructors teach all RAD classes.

The University Police Department, the Office of the Dean for Students and Residential Life offer an average of 2 educational programs per semester.
ALCOHOLIC BEVERAGE AND ILLEGAL DRUG POLICY

(The Handbook for Campus Safety and Security Reporting, Chapter VII, #7, #8, #9)

SPSU is committed to operating in accordance with the laws of the State of Georgia with regard to the use, sale, possession, and consumption of alcoholic beverages. It is the responsibility of all members of the University community to abide by those laws. Southern Polytechnic State University is in compliance with section 1213 of the Higher Education Act of 1966, regarding the possession, use and sale of alcoholic beverages and illegal drugs. Any violation of the act or of federal and state laws pertaining to the possession, use and sale of alcoholic beverages and illegal drugs can be dealt with through the criminal justice system and/or through the university judiciary system. University Police regularly patrol campus and respond to residential housing for calls for service. Officers routinely enforce Georgia state laws regarding underage drinking, use, possession, and sale of alcoholic beverages at SPSU by either referring the student to the appropriate conduct officer or by issuance of a citation and/or arrest using the criminal justice system. Officers also respond to complaints of drug activity and enforce state and federal drug laws on campus, to include residential housing. More information about on campus judicial procedures and processes can be found here: http://www.spsu.edu/studentlife/student_handbook/code%20of%20conduct.pdf

Southern Polytechnic State University is committed to promoting the health and safety of the campus community through alcohol and drug education programs and the enforcement of policies and state law. Federal law (DFSCA) requires SPSU to notify faculty, staff and students of its alcohol and drug policy which can be accessed on the following website: http://www.spsu.edu/pandp/400/420_0.pdf

WORKPLACE VIOLENCE

The University is committed to creating and maintaining a working, learning and social environment that is free from violence for all members of the University community. Civility, understanding and mutual respect toward all members of the University community are major factors providing excellence in teaching and learning. Acts or threats of physical violence, including verbal abuse, harassment, terrorism, hate, prejudice, stalking, intimidation and/or coercion that involve or affect the SPSU community will not be tolerated. These threats or acts of violence include conduct against persons or property that are severe and offensive, and create a hostile, abusive or intimidating work environment.

If an employee has been confronted with a violent incident, he/she is encouraged to report such incident to his/her supervisor and to the University Police immediately. The complete policy can be located at: https://www.spsu.edu/pandp/1200/1250_0.pdf

CRIME STATISTICS COMPILATION

(The Handbook for Campus Safety and Security Reporting, Chapter VII, #1b)

The University Police maintains a close relationship with the Cobb County Police Department, and the Marietta Police Department to ensure that it is notified of any crime report that is made directly to them. The University Police will disclose any crime report made directly to any local law enforcement agency by a member of the campus community. Annual statistics are also collected from the University Police, the Office of Student Conduct, Housing and Campus Security Authorities on campus and distributed by October 1 of each year.
DEFINITIONS OF REPORTABLE CRIMES IN THE CAMPUS SECURITY ACT

Criminal homicide
*Murder and non-negligent manslaughter.* The willful (non-negligent) killing of one human being by another.

*Negligent manslaughter.* The killing of another person through gross negligence.

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

*Rape*
The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

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

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

Dating Violence
Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

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

Stalking
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

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

Aggravated assault
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary
The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor vehicle theft
The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

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

Other Offenses

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

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

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

Hate Crimes
Any of the above-mentioned offenses, if they were committed against a person because of their race, religion, national origin, ethnicity, sexual identity, sexual orientation, and gender.

The below crimes are only required to be reported if they are motivated by bias.
Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by Black's Law Dictionary, 6th ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

SEXUAL MISCONDUCT POLICY, PREVENTION AND RESPONSE

Southern Polytechnic State University is committed to providing programs, activities, and an educational environment free from sex discrimination. Programs on the prevention and response to acts of sexual violence are provided by residence life professional and student staff during orientation, in hall talks and programming, and throughout the year in special events by guest speakers or University employees.

Sexual Misconduct encompasses a broad range of behavior, from sexual harassment to criminal sexual assault. It includes, but is not limited to, any of the following, if non-consensual:

- Sexual intercourse
- Penetration of any body opening with any object, no matter how slight
- Touching of intimate body parts such as genitalia, groin, breast, buttocks, or mouth or any clothing covering them
- The removal of another person’s clothes
- Touching a person with one’s own intimate body parts
- Compelling another to touch one’s intimate body parts

Sexual harassment may further include unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome conduct of a sexual nature where:

- Submission to or tolerance of such conduct is made either an explicit or implicit term or condition of employment or student admissions, enrollment, participation, and programming;
- Submission to or tolerance or rejection of such conduct is used as a basis for employment or for academic, athletic, or other educational decisions affecting an individual;
- The conduct has the purpose or effect of substantially interfering with an individual’s work or academic, athletic, or other educational performance; or
- The conduct creates an intimidating, hostile, or offensive work or educational environment.

REPORTING SEXUAL MISCONDUCT SPECIFICALLY

(The Handbook for Campus Safety and Security Reporting, Chapter VIII, b, c, d)

IF YOU ARE SEXUALLY ASSAULTED, BE SURE TO TAKE THE FOLLOWING STEPS:

- Report the incident as soon as possible to the University Police, which is open 24 hours a day, seven days a week. The University Police Department is located in Norton Hall (Building R2), and can be reached at 678-915-5555.
- Students have the option to notify appropriate law enforcement authorities, including the University Police Department and the appropriate local police agency, depending on where
the assault occurred, and University personnel (Student Counseling and Residence Life professional staff,) will assist the student in notifying these authorities, if the student requests assistance.

- SPSU has appointed Mary Ellen McGhee as the EEO and Title IX Coordinator. Students are encouraged to also report sexual misconduct, to include sexual assault, to her at mmcgee@spsu.edu or by telephone at 678-915-7451.

- Get medical attention. It is important to get medical attention --- as soon as possible after the assault --- from a hospital emergency room, or a private physician. Treatment may include testing for sexually transmitted diseases, and giving medication to prevent pregnancy. Documenting evidence of the sexual assault for use in legal proceedings is also part of the procedure.

- SPSU students who report an incident of sexual assault to University Police may be transported and accompanied to the appropriate community-based hospital for medical attention.

- Be sure to preserve any evidence that may be necessary to prove the assault occurred. Do not shower or bathe, douche, or change or launder any clothing worn during the assault, until you are examined by a doctor.

NOTE: In cases where a sexual assault victim has bathed, showered, or otherwise compromised potential evidence, he/she should still report the assault; as such actions may not prevent prosecution or conduct proceedings from going forward.

RESOURCES AND ASSISTANCE FOR VICTIMS OF SEXUAL ASSAULT

If you have been sexually assaulted and want counseling, follow-up medical care or mental health assistance, you may contact the SPSU Career & Counseling Center at 678-915-7391.

The YWCA of Cobb County has a Rape Crisis Center that provides medical and legal advocacy, support groups and individual counseling. You may reach the 24-hour hotline by calling 770-427-3390.

NOTIFICATION TO STUDENTS OF CHANGE IN ACADEMIC AND HOUSING FOLLOWING AN INCIDENT OF SEXUAL MISCONDUCT

(The Handbook for Campus Safety and Security Reporting, Chapter VIII. e)

The Dean of Students can provide assistance to a student if he/she needs to make changes in his/her academic status or living situation after an assault has occurred.

STATEMENT OF ACCUSED AND ACCUSER NOTIFICATION OF OUTCOME OF DISCIPLINARY PROCEDURE

(The Handbook for Campus Safety and Security Reporting, Chapter VIII, f, i and ii)

In cases where a SPSU student is charged with sexual assault, the student code of conduct provides that both the accuser and accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding and both will be informed of the outcome of any disciplinary proceeding alleging a sex offense. Notification of the final results to both the victim and
the accused should be made in the same manner and the same time frame. SPSU will disclose to
the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of
any disciplinary proceeding conducted by the institution against a student who is the alleged
perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or
offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this
paragraph.

SEX OFFENDERS

(The Handbook for Campus Safety and Security Reporting, Chapter VIII, Advising the
Campus Community about Sex Offenders)

Convicted sex offenders are required by law to register their names and addresses with the State of
Georgia Department of Corrections. You may obtain State information on individuals registered as
sex offenders by visiting the Georgia Bureau of Investigation Sex Offender Registry web site at
www.ganet.org/gbi/disclaim.html
SPSU Sexual Misconduct Policy

Southern Polytechnic State University Sexual Misconduct Policy

As a recipient of federal funds, Southern Polytechnic State University is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in education programs or activities. SPSU is committed to providing programs, activities, and an educational environment free from sex discrimination. Sexual misconduct involves treating someone unfavorably because of that person's sex. Sexual misconduct, as defined below, is a form of sex discrimination prohibited by Title IX.

Southern Polytechnic State University ("SPSU" or the "University") does not condone and will not tolerate sexual misconduct or sexually exploitative or harassing behavior of any kind. SPSU is committed to providing programs, activities, and an educational environment free from sex discrimination. The University has implemented this policy and affirms its responsibility to:

- Respond promptly and effectively to sex discrimination, especially sexual harassment and sexual violence;
- Take immediate steps to eliminate the sexual harassment or sexual violence, prevent its recurrence, and address its effects; and
- Support all students with appropriate resources regardless of their status as complainant or accused.

Questions about this policy should be directed to the SPSU Equal Employment Opportunity (EEO) and Title IX officer by telephone at (678) 915-7451. You may also visit the University's EEO website http://www.spsu.edu/hr/p_ and_p/eoo.htm for more information. Compliance with the provisions of this policy or the procedures to enforce it does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

This policy applies broadly to all SPSU employees, students, and campus visitors. All individuals are encouraged to report and seek assistance regarding incidents of sexual misconduct. A student who is under the influence of alcohol or drugs in violation of the SPSU Student Code of Conduct at the time of a sexual misconduct incident should not be reluctant to seek assistance for that reason. In order to encourage students to come forward, disciplinary violations against a student (or against a witness) for his or her use of alcohol or drugs will not be enforced if the student is making a good faith report of sexual misconduct.

A "student" for purposes of this policy is a person who is registered for classes or actively taking classes at the time the alleged misconduct occurred. This includes periods of time of academic recess if the student is registered for classes upon returning. Additionally, this covers an accused student if he/she is participating in a study abroad program sponsored and controlled by SPSU.

There is no geographical limitation to this policy as it applies to students. This policy also applies to any university-related complaint of sexual misconduct no matter the distance from campus.

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VII. Informal Resolution of Sexual Misconduct Complaints

VIII. Formal Resolution of Sexual Misconduct Complaints

IX. Imposition of Sanctions

X. Appeal Procedures from Sexual Misconduct Panel Decisions

I. Definition of Sexual Misconduct

A. General definition. Sexual misconduct encompasses a broad range of unwelcome behaviors that are committed without consent or by force, intimidation, coercion, or manipulation. The term includes, but is not limited to, criminal sexual assault, sexual harassment, sexual exploitation, domestic violence, dating violence, and stalking as those behaviors are described later in this section. Sexual misconduct can be committed by men or women, and it can occur between people of the same or different sex.

B. Consent. For purposes of this policy, consent is a freely and affirmatively communicated willingness to participate in particular sexual activity or behavior, expressed either by words or clear, unambiguous actions. "Non-consent" means without either explicit verbal consent or overt action clearly expressing consent. Such signals of consent must be mutual and ongoing, as well as offered freely and knowingly. If at any time during a sexual interaction any confusion or ambiguity should arise on the issue of consent, the sexual initiator should stop and clarify the other individual's willingness to continue. Non-communication constitutes lack of consent.

C. Persons unable to give consent. By definition, the following conditions cause a person to be unable to give consent:

1. Persons who are asleep or unconscious;

2. Persons incapacitated by drugs, alcohol, or medication;

3. Persons who are unable to communicate consent due to a physical or mental impairment;

4. Persons who have been threatened or coerced into giving their consent; or

5. Persons under the age of 16.

Engaging in sexual activity with someone who is unable to give consent is considered by law and SPSU to be sexual misconduct. Indications of consent are irrelevant if the person is
incapacitated. When there is ambiguity about whether consent has been given, a person can be charged with, and found responsible for, committing a sexual assault or another form of sexual misconduct.

Examples of incapacitation include, but are not limited to, being highly intoxicated, passed out, or asleep. Consumption of alcohol, in and of itself, does not relieve a person of the responsibility to obtain ongoing consent.

D. **Examples of Sexual Misconduct.** Sexual misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors. Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct as further defined below:

1. sexual assault (paragraph E)
2. sexual harassment (paragraph F)
3. sexual exploitation (paragraph G)

Other forms of prohibited behavior, as defined below, include:

4. domestic violence (paragraph H)
5. dating violence (paragraph I)
6. stalking (paragraph J)

E. **Definition of sexual assault.** Sexual assault is a form of sexual misconduct and represents a continuum of conduct that includes non-consensual sexual contact between an individual and another person.

Examples of sexual assault under this policy include, but are not limited to, the following behaviors, if non-consensual:

- Sexual intercourse;
- Any sexual touching, including penetration, with any object. Sexual touching is contact of a sexual nature, however slight;
- Touching of intimate body parts such as mouth, genitalia, groin, breast, buttocks, inner thighs, or any clothing covering them;
- The removal of another person's clothes;
- Touching a person with one's own intimate body parts;
- Compelling another to touch one's intimate body parts.

F. **Definition of sexual harassment.** Sexual harassment is a form of misconduct that includes verbal, written, or physical behavior of a sexual nature, directed at someone, or against a particular group, because of that person's or group's sex, or based on gender stereotypes, when that behavior is unwelcome. Sexual harassment may include unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome conduct of a sexual nature where:
1. Submission to or tolerance of such conduct is made either an explicit or implicit term or condition of employment or student admission, enrollment, participation, or programming;

2. Submission to or tolerance or rejection of such conduct is used as a basis for employment or for academic, athletic, or other educational decisions affecting an individual;

3. The conduct has the purpose or effect of substantially interfering with an individual’s work or academic, athletic, or other educational performance; or

4. The conduct creates an intimidating, hostile, or offensive work or educational environment.

If in the past a person has welcomed sexual advances or other harassing conduct (whether sexual or otherwise) by active participation in or encouragement of such activity, he/she should specifically inform the alleged harasser if such conduct is no longer welcome in order for any subsequent conduct to be deemed unwelcome. However, failure to give such notice does not prevent SPSU officials from taking appropriate corrective and/or disciplinary action against the alleged harasser for his/her behavior.

G. Definition of sexual exploitation. Sexually exploitative behavior, which occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit, or to benefit anyone other than the one being exploiting. Examples of sexual exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material via email or other channels to non-consenting persons/groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD), including HIV, to another.

H. Definition of domestic violence. Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Georgia...or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

I. Definition of dating violence. Violence committed by a person—(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
   1. the length of the relationship
   2. the type of relationship
   3. the frequency of interaction between the persons involved in the relationship

J. Definition of stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
   1. fear for his or her safety or the safety of others; or
   2. suffer substantial emotional distress

II. Reporting Sexual Misconduct
The University takes all incidents of sexual misconduct seriously. **If you or someone you know may be the victim of sexual assault or other sexual misconduct, you are strongly urged to immediately report the incident.** The incident can be reported 24 hours a day, seven days a week to the SPSU Police (campus extension 5555 or off campus at 678-915-5555). The incident may also be reported to the Cobb County Police Department (770-499-3911). **In an emergency, dial 9-1-1.**

Any student, faculty, staff or third party to the University is strongly encouraged to report to the SPSU EEO/Title IX Officer a complaint of sexual misconduct where the victim or accused is a student, campus visitor, or employee of SPSU. The report may be made by telephone at (678-915-7451), by email at mmccooe@spusu.edu, or in person at SPSU as soon as reasonably possible to report any sexual misconduct believed to have occurred.

There is no geographical limitation to this policy as it applies to students. This policy also applies to any university-related complaint of sexual misconduct no matter the distance from campus.

**A. Timing of Complaints and Availability of Procedures**

The University will hear complaints of sexual misconduct when the accused is a student or employee. You are encouraged to report incidents of sexual misconduct as soon as reasonably possible in order for SPSU officials to obtain as much evidence and to conduct a thorough and impartial investigation. Timely reporting allows for better preservation of witness testimony and other evidence.

If not reported directly to SPSU Police, statistical data will be reported to the SPSU Police Department under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

Persons, including students, who are victims of sexual misconduct by a student or SPSU employee, may elect to take the following actions:

1. **File a criminal report with the SPSU Police.** The SPSU Police will discuss with the victim the possibility of conducting a criminal investigation and filing criminal charges.

2. **File a formal complaint with the EEO/Title IX officer to request that the incident be adjudicated by a SPSU Sexual Misconduct Panel pursuant to the procedures set forth in this policy,** if the accused is a student; by the procedures set forth in the faculty handbook, if the accused is a faculty member; or by the procedures set forth in the staff handbook, if the accused is staff.

3. **Pursue an informal resolution, which may include mediation of the complaint conducted by the Title IX officer and/or Department of Student and Enrollment Services (SES) in appropriate cases.** **Informal mediation will never be used in cases involving allegations of sexual assault.** Both the complainant and accused (party/parties) must agree to engage in informal mediation, and either party can end the informal mediation process at any time, for any reason. The SES Office has the discretion to determine if it would be inappropriate to informally mediate any particular sexual misconduct complaint involving students.

4. **Students who elect not to pursue any of the above options may nonetheless do any of the following:**

   a. Seek counseling;

   b. Request a rearrangement of class schedule and/or on-campus housing;

   c. Request a no-contact directive;
d. Request the Department of SES address the complainant’s concerns with the accused.

In an effort to eliminate sexual misconduct and encourage reporting, the acknowledgment of use of alcohol or drugs in violation of the SPSU Student Code of Conduct by a student bringing a complaint of sexual misconduct shall not be a basis for a separate charge of misconduct against the student.

B. Retaliation and Related Misconduct

No person shall be subject to coercion or reprisal for action taken in good faith to seek advice concerning a sexual misconduct grievance, to file a grievance, or to serve as a witness, Panel member, or representative in the investigation and hearing of a grievance. Acts or threats of retaliation are a violation of the SPSU Student Code of Conduct and will be adjudicated accordingly.

C. False Reports

An allegation that is both intentionally false and malicious may be a violation of the SPSU Student Code of Conduct and will be investigated and adjudicated accordingly.

D. Reporting Procedures for Sexual Misconduct by Employees or Visitors

If you or someone you know may be the victim of sexual misconduct by a University employee or visitor, you may also report such conduct to the University’s EEO/Title IX Officer; however, complaints will follow the procedures outlined in SPSU’s Sexual Harassment Policy located in the SPSU Policy and Procedure Manual.

III. Educational Programming

The University provides programming for students and employees addressing the issues of sexual misconduct (including sexual assault and sexual harassment), domestic violence, dating violence, and stalking. Education programs include:

A. Primary prevention and awareness programs for all incoming students and new employees

B. Safe and positive options for bystander intervention

C. Information on risk reduction to recognize warning signs of abusive behavior

D. Ongoing prevention and awareness programs for students and employees.

IV. Available Resources

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

<table>
<thead>
<tr>
<th>On-Campus Resources</th>
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<tbody>
<tr>
<td><strong>Dean of Students</strong></td>
</tr>
<tr>
<td><strong>Director, Human Resources</strong></td>
</tr>
<tr>
<td><strong>University Police</strong></td>
</tr>
</tbody>
</table>
Office of Equal Employment Opportunity (EEO)/Title IX Coordinator
Norton Hall (Building R2) 678-915-7451 mmcgee@spsu.edu

Student Conduct Norton Hall (Building R2) 678-915-5032

SPSU Career & Counseling Center Joe Mack Wilson Student Center (Building A) 678-915-7391

Director, Residence Life Housing Office (R10) 678-915-7335 cbruno@spsu.edu

Off-Campus Resources

<table>
<thead>
<tr>
<th>Local Police</th>
<th>911</th>
</tr>
</thead>
<tbody>
<tr>
<td>YWCA Women’s Crisis Center</td>
<td>48 Henderson St SW, Marietta, GA 30064</td>
</tr>
<tr>
<td>Victim Information and Notification Everyday (VINE) Cobb County</td>
<td>770-427-3390</td>
</tr>
<tr>
<td>Cobb County</td>
<td>1-800-785-8463</td>
</tr>
</tbody>
</table>

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

http://www.rainn.org – Rape, Abuse and Incest National Network
http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice
http://www2.ed.gov/about/offices/list/ocr/index.html - Department of Education, Office of Civil Rights

V. University Investigation of Student Sexual Misconduct Reports

SPSU will undertake an appropriate inquiry of all reports of alleged sexual misconduct involving students, regardless of whether the person making the complaint wishes to pursue resolution of any kind. The specific steps in SPSU's inquiry will vary depending on the nature of the allegations, the information available to SPSU officials, whether the person complaining of the sexual misconduct (the "complainant") elects to pursue criminal charges, files a formal complaint with the EEO/Title IX officer, or requests SPSU not to pursue action, and other factors.

SPSU officials will communicate with the complainant prior to conducting an investigation or taking any remedial action.

A. Interim Measures

Upon receiving a report and making the appropriate inquiries, the EEO/Title IX officer, in collaboration with the Dean of Students and/or appropriate academic dean, may take interim and non-disciplinary measures before the final outcome of an investigation or hearing, if any. These interim and non-disciplinary measures include, but are not limited to, a no-contact order, alteration of class schedules, or a change in housing arrangements.

B. Concurrent Investigations and Criminal Proceedings
1. Complaints of sexual misconduct may constitute not only a violation of University policy but also a violation of Georgia criminal statutes. SPSU encourages you to promptly report sexual misconduct to the SPSU Police Department at (678) 915-5555. The standards for finding a violation of criminal law are different from the standards for finding a violation of SPSU’s Sexual Misconduct Policy, so criminal investigative findings shall not be determinative of whether sexual misconduct has occurred.

2. SPSU’s Police Department, upon receiving a complaint of sexual misconduct that constitutes a possible violation of Georgia state law, will alert the SPSU EEO/Title IX Officer that a complaint has been made and will assist in implementing immediate steps deemed necessary to protect the complainant. Steps could include a change in housing or the implementation of a no-contact directive to the alleged offender. The SPSU Police Department will inform the complainant of his/her right to file a Title IX complaint and will also share with the EEO/Title IX Officer the name of the complainant and that the complainant has lodged a criminal sexual misconduct complaint. Under Georgia law, the name of the victim of a sexual assault may not be made public.

3. The EEO/Title IX Officer will document that a complaint of sexual misconduct has been brought to the attention of the SPSU Police Department and note what immediate steps have been taken to protect the complainant. The commencement of the Title IX sexual misconduct investigation will pause while the Police Department conducts initial fact finding in the matter. Such initial fact finding typically should take three to 10 calendar days. The Title IX sexual misconduct investigation will not be delayed until the conclusion of a criminal investigation or criminal proceeding. Depending on the ongoing nature of the criminal investigation, the Police Department may share pertinent information with the EEO/Title IX Officer at the conclusion of the initial fact finding. Regardless of whether information is able to be shared or not, at the completion of the SPSU and Police’s initial fact finding, the Title IX sexual misconduct investigation will resume and will be completed within 60 days, unless reasonable cause is documented as to why it should take longer.

4. If the EEO/Title IX Officer receives the complaint, the officer or designee will advise the complainant of his/her right to report the incident to personnel within the SPSU Police Department for the purposes of initiating a criminal investigation. In collaboration with the SPSU Dean of Students, the EEO/Title IX Officer may determine the necessary steps to protect the complainant, which could include a change in housing or the implementation of a no-contact directive to the alleged offender. If the complainant declines participation in a law enforcement process, the EEO/Title IX Officer shall refer the necessary data to the Clery compliance officer in the SPSU Police Department.

C. Options for Resolution of Sexual Misconduct Complaint

There are generally three options by which persons, including students, who are victims of sexual misconduct by a student, may seek resolution. As detailed more specifically below, complainants may:

1. decide to pursue a formal resolution, which will be adjudicated by the Sexual Misconduct Panel pursuant to the procedures set forth in this policy,
2. decide to pursue an informal resolution, or
3. may request that SPSU not pursue any resolution or action.

VI. Requests for Confidentiality/Not to Pursue Investigation or Resolution

SPSU’s ability to respond to a sexual misconduct complaint, to prevent its recurrence, or to address its effects may be severely limited if the complainant requests confidentiality, does not provide the name of the alleged perpetrator, or asks that the report not be pursued. In cases where the complainant requests confidentiality or requests SPSU not to pursue an investigation, the EEO/Title IX Officer or his/her designee will conduct a preliminary assessment of the alleged sexual
misconduct and may weigh the complainant’s request against the following factors, including, but not limited to: the severity of the alleged sexual misconduct, the complainant’s age, or whether there have been other complaints or reports of sexual misconduct against the same accused student. The EEO/Title IX Officer may determine that, in the interest of providing a safe and nondiscriminatory environment for students, it is necessary for SPSU to act on information it has received.

In cases where the complainant files a formal complaint and seeks a formal resolution, or where SPSU is required to conduct a formal investigation, SPSU cannot keep the complainant’s identity from the accused student. A charge of sexual misconduct is a serious offense and the accused student has the right to know the identity of the complainant/alleged victim. However, SPSU may provide options during the hearing before the Sexual Misconduct Panel for questioning without confrontation, including using a room divider, using separate hearing rooms, or using technology such as Skype.

VII. Informal Resolution of Sexual Misconduct Complaints

A complainant may elect to pursue an informal resolution to a sexual misconduct complaint. An informal resolution is designed to resolve complaints quickly, efficiently, and to the mutual satisfaction of all parties involved. Informal resolutions include, but are not limited to, mediation of the complaint conducted by the Title IX office and/or staff of the Department of Student and Enrollment Services in appropriate cases. Informal mediation will never be used in cases involving allegations of sexual assault. Both the complainant and accused must agree to engage in informal mediation. Either party can end the informal mediation process at any time, for any reason, and begin the process to pursue a formal resolution. The SES Department has the discretion to determine if it would be inappropriate to informally mediate any particular sexual misconduct complaint involving students.

VIII. Formal Resolution of Sexual Misconduct Complaints

A complainant may elect to pursue a formal resolution, which involves a hearing before the Sexual Misconduct Panel.

IX. Imposition of Sanctions

Standards Unless specifically limited by a provision of this policy, the SPSU Student Misconduct Panel may consider possible sanctions in any case in which a complainant elects to pursue a formal resolution and where a violation is found or admitted. The Panel should attempt to fairly fit the sanction(s) to the violation(s) as seen in total context. Possible sanctions include those available under the SPSU Student Code of Conduct and may involve, but are not limited to, the following:

1. Expulsion: permanent severance of one’s relationship with the University;

2. Probated expulsion: further convictions of major offenses, as specified by the Panel, shall result in expulsion;

3. Suspension: temporary severance of one’s relationship with the University;

4. Probated suspension: notice to the student that further convictions of major offenses, as specified by the Panel, shall result in suspension;

5. Suspension from on-campus housing arrangements;

6. Disciplinary probation: notice to the student that any further major disciplinary violation may result in suspension; this action might also include one or more of the
following: the setting of restrictions on social activities, the issuing of a reprimand, or other restrictions as determined;

7. **Restrictions**: exclusion from enjoying or participating in social activities or from holding office in University organizations;

8. **Reprimand**: Oral reprimand: an oral disapproval issued to the student. Written reprimand: a written disapproval issued to the student;

9. **Other educational or developmental sanctions.**

The sanctions of expulsion, probated expulsion, or suspension, involving loss or interruption of educational opportunity, are appropriate only when the violator's continued membership in the SPSU community is judged to (i) fundamentally be at variance with the integrity of its educational mission, (ii) pose a specific threat to the minimal internal order of the community, or (iii) pose a specific threat to his/her own emotional health.

X. **Appeal Procedures from Sexual Misconduct Panel Decisions**


Students may also file a complaint with the U.S. Department of Education’s Office of Civil Rights (OCR). If the student uses the University’s sexual misconduct complaint process but decides to also file an OCR complaint, he/she must file the complaint with the OCR within 60 days after the last act of the SPSU grievance procedure. If a complainant does not use the University’s sexual misconduct complaint process and wishes to instead file the complaint with OCR, the complainant must do so within 180 days for the alleged discrimination.

For further information about sex discrimination and your rights under Title IX contact the OCR as shown below.

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100

Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

[1] SES ensures proper handling of alleged violations of the SPSU Student Code of Conduct and promotes campus awareness of issues related to student conduct and academic integrity. However, if a violation includes an offense that constitutes Sexual Misconduct, whether that act occurs on or off campus, the initial formal complaint will be assessed and investigated, if warranted, under the direction of SPSU’s EEO/Title IX officer or designee and subsequently handled according to the procedures set forth in this policy and heard by the SES office.

[2] The SPSU Police Department may be required to disclose some facts regarding the reported misconduct if the information requires the distribution of a "Timely Warning" under the Clery Act.
<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Year</th>
<th>On Campus</th>
<th>Residential Facilities</th>
<th>Non-Campus Building &amp; Property</th>
<th>Public Property</th>
<th>Total</th>
</tr>
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### Crime Statistics for 2011 - 2013

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<td>Dating Violence</td>
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</table>

### Hate Crimes:

There were no reported hate crimes for the years 2011, 2012 or 2013.
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<tr>
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2014 Annual Fire Safety Report for Campus Housing

Overview:

The Higher Education Opportunity Act (Public Law 110-315) became law in August, 2008, requiring all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to Southern Polytechnic State University.

General Statement of University On-Campus Student Housing:

Southern Polytechnic State University has 1 Residence Hall (Howell), 3 Apartment Communities (University Commons, University Courtyard, and Hornet Village), and one Special Interest Housing Community (University Columns).

Fire Statistics & Fire Log:

The University Police Department maintains the campus housing fire log and all statistics on fires and related injuries, death, and loss in campus housing as defined by the Higher Education Opportunity Act of 2008 in section 668.49.

According to our records, there were no fires reported in any residence on campus in 2013.

Fire Safety Systems:

All existing residential buildings are protected with an automatic sprinkler system integrated with the campus fire alarm system. The fire alarm system is continuously monitored by University Police.

(Please see chart below for a description of the fire safety system for each on-campus student housing facility)
### Residence Hall:  

<table>
<thead>
<tr>
<th>Location</th>
<th>Fire Extinguishers</th>
<th>Fire Suppression System</th>
<th>Alarm System</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Courtyard</td>
<td>Located in the kitchen of each unit and corridors on each floor</td>
<td>Sprinklered – Wet System</td>
<td>Simplex 4010 panel in each building – monitored by University Police</td>
</tr>
<tr>
<td>(3 buildings)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University Commons</td>
<td>Located in the kitchen of each unit and corridors on each floor</td>
<td>Sprinklered – Wet System</td>
<td>Simplex 4010 panel in each building – monitored by University Police</td>
</tr>
<tr>
<td>(5 buildings)</td>
<td></td>
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</tr>
<tr>
<td>Howell Hall</td>
<td>Located in the corridors on each floor</td>
<td>Sprinklered – Wet System – 1000 gpm Fire Pump</td>
<td>Simplex 4020 panel – monitored by University Police</td>
</tr>
<tr>
<td>Hornet Village</td>
<td>Located in the corridors on each floor</td>
<td>Sprinklered – Wet System</td>
<td>Simplex 4100U panel – monitored by University Police</td>
</tr>
<tr>
<td>(2 buildings)</td>
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</tr>
<tr>
<td>University Columns</td>
<td>Located in the common areas and Kitchen</td>
<td>Sprinklered – Wet System</td>
<td>Simplex 4010 panel in each building – monitored by University Police</td>
</tr>
<tr>
<td>(10 buildings)</td>
<td></td>
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</table>

### Student Housing Fire Safety Systems:

### Fire Drills:

Southern Polytechnic State University Department of Housing & Residence Life in conjunction with University Police and Facility Safety Personnel plan to conduct fire drills in on-campus residential buildings once during the fall and spring semester. Each resident of the on-campus housing is required to participate with the drill. The Resident Assistants (RA’s) assist with orderly and timely evacuation of the building. There is a post drill follow up with responders to discuss the success of the drill, safety concerns and any additional actions that may be needed for future fire drills.
Fire Drills were conducted on the following dates in 2013:

September 4, 2013 – Hornet Village Building 200 and Howell Hall

September 5, 2013 – University Commons and University Courtyards

September 6, 2013 – Hornet Village Building 100 and University Columns

March 25, 2014 – University Courtyards, University Commons, Howell Hall, Hornet Village Building 100, Hornet Village Building 200, and University Columns

Policies on Cooking, Portable Electrical Appliances, Smoking, and Open Flames in Campus Housing (as stated in the 2012-2013 Guide to Residential Living):

Cooking: With the exception of the on-campus apartments, residents are not permitted to cook in the residence hall rooms. Because of the fire hazards, sanitation problems, and power consumption involved, cooking is restricted to the University Apartments and the common kitchen areas (where applicable).

Appliance Policy: On-campus apartments provide a full-size refrigerator, microwave, full-size washer and dryer, dishwasher, garbage disposal, and stove/oven. Residents are not permitted to bring additional appliances. Residence occupying the residence halls and suites are limited to one microwave up to 700 watts per room/suite. Residents are prohibited from having hot plates in all areas. A limited number of electrical outlets are available in each room. Any hazardous appliance found in a room may be confiscated by Housing & Residence Life.

Smoking: Smoking is not permitted inside any University housing building, apartment, residence hall and/or room. Smoking is permitted outside campus housing buildings and facilities; however all smoking shall occur at least twenty-five (25) feet away from all entryways, doorways, windows, and ventilation systems.

Open Flames: Open flames (from any source) and burning materials of any kind are absolutely prohibited in campus housing.

Procedures for student housing evacuation:

If a fire occurs in a residential building, everyone should quickly exit the building using available stairways. The emergency signal for a fire is a continuous sounding alarm. After reaching safety, call University Police at 678-915-5555.

Evacuation routes are posted in the stairwells of each building.

Fire Safety Education and Training Programs:

The University Police Department provides fire safety education training for faculty, staff, and students. In addition fire extinguisher training is offered to all members of the campus community.
How to Report a Fire:

If a fire is discovered in any residential building, residents and staff are required to call the University Police at 678-915-5555 or extension 5555 from a campus landline and should sound the building fire alarm by pulling an alarm station. The fire alarm emergency signal is a continuous sounding of the fire alarm. In case of a fire each person in the building (residence halls, apartments, and suites) should leave the building as quickly as possible, using available stairways. Each resident should close the door upon exiting their room. Residents should walk quietly and quickly downstairs and stand in a designated area away from the building.

Emergency Telephone and Campus Numbers:

University Police: 678-915-5555 or extension 5555 from a campus landline.

Plans for Future Improvements in Fire Safety:

Emergency evacuation signs are being developed in order to communicate emergency building evacuation plans as well as identified emergency gathering points for building evacuees.