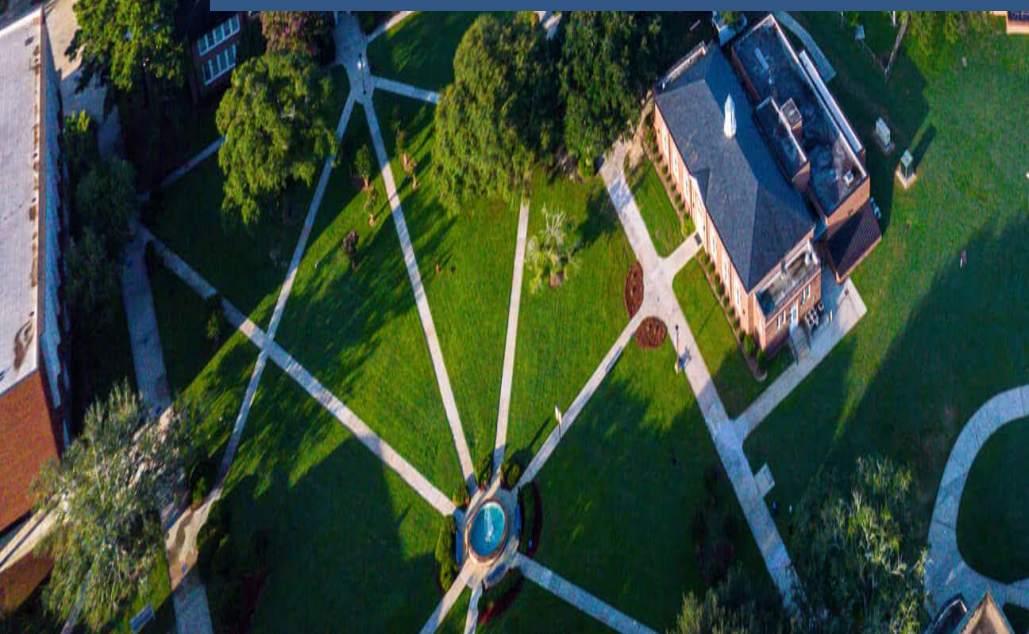




**FORT VALLEY  
STATE UNIVERSITY**

**2024**

# Annual Safety & Fire Report



Prepared by  
The FVSU Campus Police  
Department  
10/1/2024



**FORT VALLEY**  
**STATE UNIVERSITY**  
EMPOWER *the* POSSIBLE.

## Table of Contents

<b>Accessibility Statement</b>	<b>Page 4</b>
<b>Message from the President</b>	<b>Page 5</b>
<b>Message from the Chief of Police</b>	<b>Page 6</b>
<b>About FVSU Police and Campus Safety</b>	<b>Page 7</b>
<b>Reporting</b>	<b>Page 11</b>
<b>Investigating/Resolving Reports</b>	<b>Page 13</b>
<b>Non-Retaliation/Non-Retribution</b>	<b>Page 19</b>
<b>Annual Security Report</b>	<b>Page 21</b>
<b>Crimes Involving Student Organizations</b>	<b>Page 23</b>
<b>Emergency Response/Evacuation Procedures</b>	<b>Page 24</b>
<b>Emergency Notification</b>	<b>Page 25</b>
<b>Missing Student Notification</b>	<b>Page 27</b>
<b>Crime Prevention/Safety Awareness</b>	<b>Page 28</b>
<b>FVSU Alcohol and Drug Policy</b>	<b>Page 30</b>
<b>Preparation of Annual Security Report</b>	<b>Page 35</b>
<b>Annual Disclosure of Crime Statistics</b>	<b>Page 36</b>
<b>FVSU’s Response to Sexual and Gender Violence</b>	<b>Page 39</b>
<b>Disciplinary Proceedings</b>	<b>Page 47</b>
<b>Annual Crime Statistics 2021-2023</b>	<b>Page 56</b>
<b>Annual Fire Safety Report</b>	<b>Page 62</b>
<b>Fire Statistics 2021-2023</b>	<b>Page 66</b>



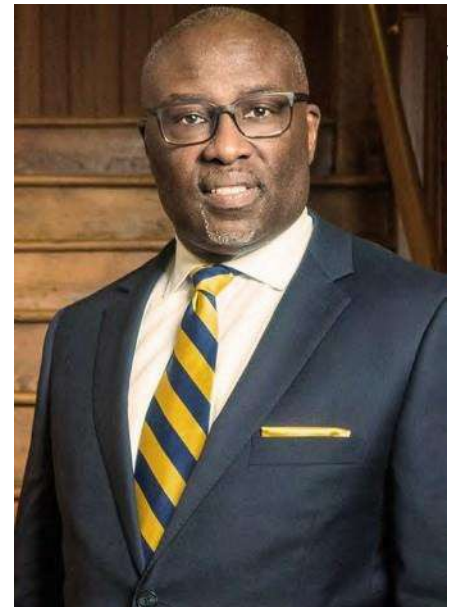
An aerial photograph of the Florida State University campus. The image shows a large, green campus with numerous brick buildings, walkways, and a central fountain. A prominent water tower is visible on the right side. The campus is surrounded by lush greenery and a large body of water in the background.

## Accessibility Statement

If you need this document in an alternate format for accessibility purposes (e.g. Braille, large print, audio, etc.), please contact FVSU's Clery Compliance Officer at [campuspolice@fvsu.edu](mailto:campuspolice@fvsu.edu) or (478) 825-6280.



# Message from Fort Valley State University President **PAUL JONES, PH.D.**



Dear friends and stakeholders:

The incredible educational transformation which takes place at Fort Valley State University is premised on the freedom of students to grow intellectually, professionally, and personally. Safety is vital to our ability to enable that freedom, which is why it is our foremost focus. It is the foundation of the trust our students place in us, allowing them to expand their perspectives, build relationships, seize opportunities, and maximize this turning point in their lives.

Safety at FVSU is a pan-institutional priority, with critical roles embraced by everyone, including administrators, staff, faculty, students, contractors, and visitors. From prevention, information sharing, risk management, and communication efforts to compliance, enforcement, and emergency response activities, we continue to make the well-being and welfare of everyone at FVSU a bedrock responsibility of each member of the university family.

Transparency is also a central value of the institution, and this publication is part of our ongoing commitment to share data and promote accountability. Our goal in sharing this information is to leverage its value not only as a record of past activities, but also as tool for continuous enhancement and ever-increasing effectiveness. Though released in final form, it must still be a "working document" which informs the work we do to "Empower the Possible" at FVSU.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Jones".

Paul Jones, Ph.D. President

## Message from Chief of Police

# Antonio Fletcher



On behalf of the valued men and women of the Fort Valley State University Police Department (FVSU PD), I bring you greetings and welcome you to the Fort Valley State University campus community.

The FVSU PD is committed to providing a safe and secure learning environment in which faculty and staff help facilitate student success in preparation for the global workforce.

FVSU PD patrols and maintains safety and security at the Main Campus and all its historical buildings and sites located at 1005 State University Dr. inside the City of Fort Valley, Georgia. The Campus Police are also responsible for maintaining an equal and optimal level of safety and security at our Warner Robins location, located inside the City of Warner Robins, Georgia.

We partner with other law enforcement agencies and university departments at the university to create and foster policies and procedures that are in the best interest of 21<sup>st</sup> Century policing strategies. Specific university divisions to include, Division of Student Affairs, Enrollment Management, Facilities and Plant Operations and our Title IX coordinator all play integral roles in helping us to maintain both accuracy and transparency as it relates to our Annual Safety Report.

The FVSU PD team consists of both full-time and part-time state certified police officers, as well as non-sworn staff members.

We work hard to meet the safety needs of our campus community and welcome your feedback. If you should need assistance from the FVSU Police Department, please contact us by calling at (478) 825-6500 or by visiting us in person at our headquarters located on the Main Campus directly inside the basement floor of the Bywaters building.

Best Regards,  
**Antonio L. Fletcher, Chief of Police**  
[antonio.fletcher@fvsu.edu](mailto:antonio.fletcher@fvsu.edu)

The Fort Valley State University Police department maintains a cooperative relationship with local law enforcement and other state/university law enforcement agencies such as: City of Fort Valley Police Department, Peach County Sheriff's Department, District Attorney's office, United States Secret Service, Georgia Bureau of Investigations (G.B.I.), and Georgia State Patrol (G.S.P.).

## About FVSU Police and Campus Safety

### Role, Authority, and Training

The Fort Valley State University Police Department protects and serves the university community 24 hours a day, 365 days a year. The department is responsible for a number of campus safety and security programs including Emergency Management, Community Safety, and Security Education, physical security, including security technology, behavioral threat assessment (In Collaboration with the Office of Student Life), and special event management (In Collaboration with the Office of Events Management).

The Department is comprised of:

Certified Police Officers

Security Officers (non-certified)

Certified Dispatchers

The police officers at Fort Valley State University Police Department:

Have a bachelor's degree or HS diploma and in-service hours equivalent to POST requirements.

Complete training courses required of all local and state officers in Georgia.

Receive 20 to 40 hours per year of in-service training, specialized crime prevention training, evidence technology, emergency first aid, CPR/AED training, weapons, and tactics, etc.

Fort Valley State University Police Department officers are commissioned under Peace Officers Standard Training (POST) in Georgia and have the same authority as municipal police officers in the State of Georgia, being authorized to carry firearms and empowered to make arrests. Each certified police officer has attended a law enforcement officer's training course of a minimum of 408 hours to become certified with powers of arrest to handle the reporting, investigation and assist with the prosecution of any crime. All criminal incidents are investigated by the University Police Department on Fort Valley State University campus. All crimes that occur on campus or university property shall be reported to FVSU Police Department.

Fort Valley State University Police Department Officers are authorized under Georgia Official Code 20-3-72 to make arrests on and within 500 yards of any property owned, controlled by the Board of Regents within the State of Georgia. Fort Valley State University Police Department Mission Statement: "To ensure that the quality of campus life is enhanced by working collectively, cooperatively and effectively with the members of the university and within the framework of the U.S. Constitution. Also, our mission is to enforce the laws, preserve the peace, reduce fear and intimidation. We also strive to provide a safe environment for all affiliates of the university. The University Police Department will abide by the rules designed and approved by the Board of Regents, who accredit state schools and universities. We will also adhere to the fundamental principle of a tradition of excellent police service and will remain in a manner that preserves and advance the democratic values of protecting the rights of all members of the university as guaranteed by the U.S. Constitution."

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



The University Police Department maintains a cooperative relationship with the Georgia Bureau of Investigation, Peach County Sheriff's Office, Fort Valley City Police, and surrounding law enforcement agencies. This includes special events coordination and investigation of serious incidents.

Fort Valley State University Police Department participates in an Inter-municipal Mutual Aid Agreement that authorizes police officers and supervisors of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance the public's and/or officer safety and efficiency. The agencies participating in the agreement include Peach County Sheriff's Office, Fort Valley Police Department, Warner Robins Police Department, and Houston County Sheriff's Office. The agreement also allows for joint training and cooperation on other matters, such as pre-planned large-scale special events, amongst the participating agencies.







## Reporting

### Online Reporting Requirements

Sexual harassment can, and frequently does, occur in online environments. The Office of Civil Rights is authorized to enforce Title IX compliance and has identified harassing conduct as including the following: graphics and written statements, which may include use of cell phones or the internet; making sexual comments or jokes; stalking; distributing sexually explicit drawings, pictures, videos or written materials; calling students sexually charged names; rating students on sexual activity or performance; and/or circulating, showing, or creating emails or websites of a sexual nature.

Note that each of these activities can be carried out in purely online environments and apply to both instructor- student and student-student interactions. Most do not require intent to harm or harass. FVSU does not condone and will not tolerate sexual misconduct or sexually exploitative or harassing behavior of any kind. FVSU is committed to providing programs, activities, and an educational environment free from sex discrimination, to include all of its online educational programs. If you are experiencing harassment in an online program, please contact the Title IX Coordinator.

If you are a victim or witnessed sexual discrimination or harassment, you should contact an FVSU official to make a good faith report, as soon as possible. The following is a list of FVSU personnel who may be contacted:

<b>Title IX Coordinator</b>	478-825-4284
<b>Director of Human Resources</b>	478-825-6301
<b>Title IX Investigator and Student Code of Conduct Specialist</b>	478-825-4321
<b>Student-Athletes, Associate Athletic Director</b>	478-825-6179
<b>FVSU Office of Student Counseling &amp; Outreach Services</b>	478-825-1033
<b>Residential Life</b>	478-825-6100
<b>Dean of Students</b>	478-825-6292

Any trusted FVSU faculty member or staff member who is a responsible employee.

<b>U.S. Department of Education, Office for Civil Rights (ocr@ed.gov)</b>	800-421-3481
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If you wish to fill out a complaint form online with the agency, you may do so at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>



<b>Emergency Services</b>	911
<b>Peach County Medical Center</b>	478-654-2000
<b>Peach County Sheriff's Department</b>	478-825-3435
<b>Fort Valley Police Department</b>	478- 825-3383
<b>Crisis Line &amp; Safe House of Central Georgia</b>	478-745-9292
<b>Central Georgia Forensic Examination Nurse</b>	478-397-3040-cell (Denise Atkinson)
<b>Peach County Health Department</b>	478-825-6939
<b>Benchmark</b>	800-715-42 25

**Title IX Administrators**

<b>Title IX Coordinator</b>	478-825-4284
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**FVSU's Policy and Procedure**

The full version of the University's policy on Sexual Harassment, Prohibited Conduct and Discrimination can be found at the following link: [Sexual Harassment, Prohibited Conduct, and Discrimination](#).

## Process for Investigating and Resolving Disputed Reports

**Jurisdiction:** FVSU shall take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, student conduct should be addressed when such acts occur on FVSU's property, at FVSU-sponsored or affiliated events, or otherwise violate the FVSU's student conduct policies, regardless as to where such conduct occurs. If the student has admitted responsibility and has voluntarily decided to participate in the informal process, the procedures outlined in this section will not apply.

**Access to Advisors:** The respondent and alleged victim (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process. The FVSU shall not prohibit family members of a party from attending the hearing if the party requests such attendance but may limit each participant to having two family members present.

**Initial Evaluation of Student Conduct Reports:** Regardless of how FVSU becomes aware of misconduct, the FVSU shall ensure a prompt, fair, and impartial review and resolution of complaints alleging student misconduct. Where a report of student misconduct has been made to the appropriate department and/or person, the institution shall review the complaint to determine whether the allegation(s) describes conduct in violation of the FVSU's policies and/or code of conduct. If the reported conduct would not be a violation of FVSU's policies and/or code of conduct, even if true, then the report should be dismissed. Otherwise, a prompt, thorough, and impartial investigation and review shall be conducted into each complaint received to determine whether charges against the respondent should be brought.

Where a report of student misconduct alleges sexual misconduct or other forms of harassment and/or discrimination, the report will be referred to and the investigation will be conducted through or as directed by the appropriate office trained and equipped to investigate such matters.

Any report that involves allegation(s) of conduct that could lead to the suspension or expulsion of the respondent(s) in an initial violation must be promptly reported to the System Director by the Title IX Coordinator. The System Director will work with the institution to determine whether any interim measure(s) are necessary, to assign an investigator and will collaboratively supervise the investigation with the appropriate FVSU professional (e.g., the Title IX Coordinator, Dean of Students). If an allegation is not initially identified as one that could lead to suspension or expulsion of the respondent(s), but facts arise during the course of the investigation that would require oversight from the System Director, then FVSU shall report that case to the System Director or her designee prior to proceeding.

**Interim Measures:** Interim measures may be provided by FVSU at any point during an investigation and should be designed to protect the alleged victim and the community. To the extent interim measures are imposed, they should minimize the burden on both the alleged victim and the respondent, where feasible. Interim measure

may include, but are not limited to:

- Change of housing assignment;
- Issuance of a "no contact" directive;
- Restrictions or bars to entering certain FVSU's property;
- Changes to academic or employment arrangements, schedules, or supervision;
- Interim suspension; and
- Other measures designed to promote the safety and well-being of the parties and FVSU's community.

An interim suspension should only occur where necessary to maintain safety and should be limited to those situations where the respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the alleged victim or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard on whether his or her presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension take effect immediately. Upon request, the respondent will have an opportunity to be heard by the respective conduct officer, Title IX Coordinator, or System Director, as appropriate, within three business days in order to determine whether the interim suspension should continue. Investigation

Throughout any investigation and resolution proceedings, a party shall receive written notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in an investigation, the investigation may still proceed, and policy charges may still result and be resolved. Additionally, in any investigation involving allegations of sexual misconduct, timely notice of meetings shall be provided to each party of any meeting at which the complainant, respondent or alleged victim may be present. Timely and equal access to information that will be used during the investigation will be provided to the complainant, respondent, and alleged victim (where applicable).

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held "in abeyance," such as probationary suspension or expulsion) the institution's investigation and resolution procedures must provide the additional minimal safeguards outlined below.

The alleged victim and respondent shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of any investigator(s) involved. Notice should be provided via FVSU email to the address on file.

Upon receipt of the written notice, the respondent shall have at least three business days to respond in writing. In that response, the respondent shall have the right to admit or to deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A non-response will be considered a general denial of the alleged misconduct. Any alleged victim shall also be provided with three business days to respond to or to supplement the notice.



If the respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.

If at any point the investigator determines there is insufficient evidence to support a charge or to warrant further consideration of discipline, then the complaint should be dismissed.

An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party's preferred witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.

The initial investigation report shall be provided to the respondent and the alleged victim (where applicable). This report should clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions. For purposes of this Policy, a charge is not a finding of responsibility but indicates that there is sufficient evidence to warrant further consideration and adjudication.

The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the respondent. A copy shall also be provided to the respondent and alleged victim (where applicable) before any hearing. The investigator may testify as a witness regarding the investigation and findings but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.

### **Resolution/Hearing**

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized.

Where the respondent indicates that he or she contests the charges, the matter shall be set for a hearing and once the investigative report has been finalized and copies provided to the respondent and alleged victim (where applicable); however, the alleged victim (where applicable) and respondent may have the option of selecting informal resolution as a possible resolution in certain student misconduct cases where they mutually agree, except where deemed inappropriate by the Vice President for Student Affairs and Enrollment Management (or his/her designee) or the system director.

Where a case is not resolved through informal resolution or informal resolution is not available due to the nature of the charges, the respondent shall have the option of having the charges heard either by an administrator (hearing officer) or a hearing panel. However, all cases involving charges of sexual misconduct that go to

a hearing shall be heard by a panel of staff and/or faculty. Sexual misconduct panel members shall receive appropriate annual training as directed by the System Director or Coordinator and required by the Clery Act. If an administrative hearing is requested, the respondent shall use his or her discretion to determine whether the case should be heard by a hearing panel. Notice of the date, time, and location of the hearing shall be provided to the respondent, complainant, and alleged victim (where applicable) at least five business days prior to the hearing. Notice shall be provided via FVSU email where applicable. Additionally, the following standards will apply to any such hearing:

The respondent shall have the right to present witnesses and evidence to the hearing officer or panel. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. Both parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the hearing officer for consideration. Advisors may actively assist in drafting questions. The Panel shall ask the questions as written and will limit questions only if they are unrelated to determining the veracity of the charge leveled against the respondent(s). In any event, the Panel shall err on the side of asking all submitted questions and must document the reason for not asking particular questions, if any.

Where the hearing officer or panel determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the hearing officer or panel may establish special procedures for providing testimony from a separate location. In doing so, the hearing officer or panel must determine whether there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures testimony has not been tainted, and make a determination that such an arrangement will not unfairly disadvantage any party. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony, the hearing officer or panel will disregard or discount the testimony.

In sexual misconduct cases, the hearing officer reserves the right to allow a party to testify in a separate room, so long as no party is unfairly disadvantaged by this procedure. A party must still give testimony in the presence of the Panel, and the opposing party must have the opportunity to view the testimony remotely and to submit follow-up questions.

Formal civil rules of evidence do not apply to the investigatory or resolution process.

The standard of review shall be a preponderance of the evidence; however, any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.

Institution should maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recordings.

Following a hearing, both the respondent and alleged victim (where applicable) shall be simultaneously provided a written decision via FVSU email (where applicable) of the outcome and any resulting sanctions. The decision should include details on how to appeal, as outlined below. Additionally, the written decision must summarize the evidence in support of the sanction. The same form will be completed, regardless of whether the student opts for a hearing panel or an administrative proceeding.

### **Possible Sanctions**

In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense; history of past conduct; an offender's willingness to accept responsibility; previous institutional response to similar conduct; strength of the evidence; and the wellbeing of the university community. The hearing panel, hearing officer or administrator that found that a policy violation occurred will determine sanctions and issue notice of the same, as outlined above.

The sanctions include:

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

## Appeals

Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided. The alleged offender (and in cases involving sexual misconduct or other forms of discrimination and/or harassment, the alleged victim) shall have the right to appeal the outcome on any of the following grounds: **(1)** to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the hearing; **(2)** to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or **(3)** to allege that the finding was inconsistent with the weight of the information.

Appeals may be made for the above reasons in any case where sanctions are issued, even when such sanctions are held "in abeyance," such as probationary suspension or expulsion. The appeal must be made in writing and must set forth one or more of the bases outlined above and must be submitted within five business days of the date of the final written decision. The appeal should be made to the FVSU's Vice President for Student Affairs and Enrollment Management or his/her designee.

The appeal shall be a review of the record only, and no new meeting with the respondent or any complainant is required. The Vice President for Student Affairs and Enrollment Management, or his or her designee, may affirm the original finding and sanction, affirm the original finding but issue a new sanction of lesser severity, remand the case back to the decision-maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The Vice President or his or her designee shall then issue a decision in writing to the respondent within a reasonable time period.

The decision of the Vice President or his or her designee may be appealed in writing within five business days (as determined by the date of the decision letter) to the President of FVSU solely on the three grounds set forth above.



The President may affirm the original finding and sanction, affirm the original finding but issue a new sanction of greater or lesser severity, remand the case back to the decision maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President's decision shall be simultaneously issued in writing to the complainant, the respondent, and the alleged victim (where applicable) within a reasonable time. The President's decision shall be the final decision of the institution.

Should the respondent or alleged victim (where applicable) wish to appeal to the President's decision, he or she may request review by the Board of Regents in accordance with the Board of Regents' Policy on Discretionary Review.

### **Recusal/Challenge for Bias**

Any party may challenge the participation of any FVSU's official, employee or student panel member in the process on the grounds of personal bias by submitting a written statement to the institution's designee setting forth the basis for the challenge. The designee shall not be the same individual responsible for investigating or adjudicating the conduct allegation. The written challenge should be submitted within a reasonable time after the individual knows or reasonably should have known of the existence of the bias. The FVSU's designee will determine whether to sustain or deny the challenge and, if sustained, the replacement to be appointed.

## **Non-retaliation/ Non-retribution**

### **Background and Purpose**

Fort Valley State University has implemented a compliance program that promotes the highest standard of ethical and legal conduct. Standards of conduct and procedures for faculty members, and staff and students are implemented to guide this effort. Fort Valley State University believes that positive employee relations and morale can be best achieved and maintained in a working environment that promotes ongoing open communication between supervisors and their employees. Open and candid discussions of employee problems and concerns are encouraged. Fort Valley State University believes employees and students should be able to express their problems, concerns, and opinions on any issue and feel that their views are important. To that end, a policy that will encourage employees to communicate problems, concerns, and opinions without fear of retaliation or retribution will be implemented.

### **Policy**

All employees and/or students are responsible for promptly reporting actual or potential wrongdoing, including actual or potential violation of law, regulation, policy, or procedure.

The Office Institutional Compliance will maintain an "open door policy" to allow individuals to report problems and concerns.

The Office of Institutional Compliance will act upon the concern promptly and in the appropriate manner. The Compliance and Ethics Hotline is designed to permit individuals to call, anonymously or in confidence, to report unethical conduct, fraud, waste, abuse or personnel problems and concerns. Employees and/or students who report concerns in good faith will not be subjected to retaliation, retribution, or harassment.

No employee or student is permitted to engage in retaliation, retribution, or any form of harassment against another employee and/or student for reporting compliance-related concerns. Any retribution, retaliation, or harassment will be met with disciplinary action.

Employees and students cannot exempt themselves from the consequences of wrongdoing by self-reporting, although self-reporting may be considered in determining the appropriate course of action.

### **Compliance and Ethics Procedures**

Knowledge of actual or potential wrongdoing, misconduct, or violations of the Compliance plan must be reported immediately to management, the Office of Institutional Compliance, or the Compliance Hotline.

All managers must maintain an open-door policy and take aggressive measures to assure their staff and students that the system truly encourages their reporting of problems and that there will be no retaliation, retribution, or harassment for doing so.

Departmental administrators must provide a copy of this policy to all employees.

A copy of the policy must be posted in every department/division.

If employees and/or students have concerns, they should be addressed in the following order:

Immediate Supervisor

- Department Manager
- Department Head/Director

If an employee and/or student feels uncomfortable with the above, the employee and/or student should report concerns directly to the hotline Office of Internal Audit and Institutional Compliance (877-516-3430).

All concerns will be investigated within 30 days.

Confidentiality regarding employee and/or student concerns and problems will be maintained at all times as far as legally and practically possible. Only those personnel who have a need to know will have access to personal information.

## Annual Security Report

### Reporting Crimes and Other Emergencies

The university has several ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate university officials. FVSU encourages the prompt reporting of crimes or other emergencies to the police department and/or appropriate police agencies even when the victim of a crime elects to or is unable to make such a report. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire University community that you immediately report all incidents to Fort Valley State University Police Department (478-825-6211) to ensure an investigation and appropriate follow-up actions occur, including issuing a Crime Alert or emergency notification.

Fort Valley State University does not currently have a policy regarding voluntary, confidential reporting of crimes by complainants or witnesses for inclusion in crime statistics, nor does Fort Valley State University currently have a policy or procedures that encourage pastoral or professional counselors, at their professional discretion, to inform the persons they are counseling of any such procedures to report crimes on a voluntary, confidential basis for inclusion in crime statistics.

### Reporting to FVSU Police and Campus Safety

We encourage all members of the university community to report all crimes and other emergencies to University Police Department in a timely manner. University Police Department have a dispatch center that is available by phone at (478) 825-6211 or in person twenty-four hours a day at the lower level of the Bywaters Building (Located next to Hunt Library). Though there are many resources available, Fort Valley State University Police Department should be notified of any crime, whether or not an investigation continues, to assure the university can assess any and all security concerns and inform the community if there is a significant threat to the university community.



#### Emergency Phones

The university has installed emergency call posts throughout the university campus. Emergency call posts are located in public areas of buildings including parking lots, elevators, residence hall complexes, administration buildings, and also numerous outdoor locations. Emergency call posts provide direct voice communications to the University Police Department Dispatch Center.

Emergency call phones are installed throughout the Fort Valley State University campus. Emergency call phones are in the public areas to include academic buildings, administration buildings, residence halls, elevators, parking lots and numerous outdoors locations. All the emergency call phones are linked directly to the Fort State University C a m p u s Police Dispatch and Communications Center.

## Anonymous Reporting

If you are interested in reporting a crime anonymously, you can utilize the University Police's Anonymous phone tip line at (478) 825-6211. By policy, we do not attempt to trace the origin of the person who makes the call, unless such is deemed necessary for public safety. Persons may also report crimes through the Crime Stoppers toll-free phone line at 1-800-222-8477 or via the website. You can also submit tips through local Crime Stoppers at (478) 742-2330.

## Reporting to Other Campus Security Authorities

While the university prefers that community members promptly report all crimes and other emergencies directly to the University Police Department at (478) 825-6211 or 911, we also recognize that some may prefer to report to other individuals or university offices. The Clery Act recognizes certain university officials and offices as "Campus Security Authorities (CSA)." The Act defines these individuals as "officials of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

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

### **Campus Police Department**

H. M. Bond Building

1005 State University Drive

Fort Valley, GA 31030

(478) 825-6211 or (478) 825-6500

### **Vice Provost for Student Affairs and Enrollment Management**

Troup Building (3rd Floor)

1005 State University Drive

Fort Valley, GA 31030

(478) 825-6291

### **Director of Contracts and Compliance/Title IX Coordinator**

Huntington Hall (1st Floor)

1005 State University Drive

Fort Valley, GA 31030

(478) 825-4284

### **Office of Campus Life**

Jones Student Amenities Center Room 212

1005 State University Drive Fort Valley, GA 31030

(478)- 825-6628



**Office of Legal Affairs**

Huntington Hall (3rd Floor)  
 1005 State University Drive Fort Valley, GA 31030  
 (478) 825-6315

**The Office of Residence Life, including all RAs, & RLCs**

Commons Clubhouse  
 1005 State University Drive Fort Valley, GA 31030  
 (478) 825-6100

**Director of Human Resources**

Troup Building 2<sup>nd</sup> Floor  
 1005 State University Drive  
 Fort Valley, GA 31030  
 478-825-6301

**Pastoral and Professional Counselors**

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Fort Valley State University to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role.

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

The university takes great pride in the community and offers students, faculty, and staff many advantages. This community is a great place to live, learn, work and study, however, this does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, Fort Valley State University has taken progressive measures to create and maintain a reasonably safety environment on campus. Though the university is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.

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

The university requires all recognized student organizations to abide by federal, state, and local laws, and university regulations. The University may become involved in the off campus conduct of recognized student organizations when such conduct is determined to affect a substantial university interest.

Fort Valley State University relies on close working relationships with local law enforcement agencies to receive information about incidents involving students and recognized student organizations, on and off-campus. Fort Valley State University does not have any off-campus student organizations.

## **Timely Warning- Crime Alerts**

Fort Valley State University issues Timely Warnings to alert the campus community of Clery crimes occurring on campus or in other Clery Geography considered by the University to represent an ongoing threat to students and/or employees. Timely Warnings are issued without delay as soon as the pertinent information is available.

Campus Police and Safety evaluates reports made to them, other CSAs, and local law enforcement to determine if a warning must be disseminated. Timely Warnings are issued by the Department of Public Safety with determination made by department personnel that receive the report of the incident. Timely Warnings are issued via the Rave Guardian app, University email, phone calls, text messages and/or electronic warnings pushed to University computers. Timely Warnings will not include the names and other identifying information of complainants.

Fort Valley State University distributes timely warning notices in various ways. Once the Fort Valley State University determines that an alert will be issued, the Department of Public Safety e-mails the announcement and posts it on its website (<https://www.fvsu.edu/>), and posts alerts on bulletin boards throughout campus when feasible. The Fort Valley State University will also send email, text and voicemail messages disseminating the notice to those who register their cell phone numbers in Banner or Rave Guardian.

## **Timely Warnings and Emergency Notifications**

In the event that a serious ongoing threat to the students or employees, should arise, a campus-wide "timely warning" will be issued. The warnings are sent out as soon as the pertinent information is available.

Emergency Texting: [911fvsu@fvsu.edu](mailto:911fvsu@fvsu.edu)

Web page: <http://www.fvsu.edu/campus-safety/>

## **Emergency Response and Evacuation Procedures**

### **Emergency Management at Fort Valley State University**

The Office of Emergency Management is responsible for the Comprehensive Emergency Operations Plan (CEOP). This plan is designed to be an all-hazards disaster response and emergency management plan which complies with FEMA guidelines for higher education and includes planning, mitigation, response, and recovery actions. Our priorities are:

Life safety, infrastructure integrity, and environmental protection during an emergency

Coordination with university departments to write, maintain, test, and exercise the CEOP

Cooperation, Integration, and Mutual Aid with local, state, and federal planning, response, and public safety agencies and their CEOPs.

A summary of the university's emergency response procedures is located at

<https://www.fvsu.edu/about-fort-valley-state-university/campus-safety/fvsu-emergency-management/>. Included at this web page is detailed information regarding the university's emergency notification policy, including how to enroll in the emergency notification system to ensure you receive emergency notices on university and cellular telephones.

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

Annually, the university conducts an emergency management exercise whether full-scale mock drills or tabletop exercises to test emergency procedures. The scenarios for these exercises change from year-to-year and include several departments from across the campus.

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

In conjunction with at least one emergency management exercise each year, the university will notify the community of the exercise and remind the community of the information included in the university's publicly available information regarding emergency response procedures (<http://www.fvsu.edu/campus-safety/>).

## **Emergency Notification**

Fort Valley State University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification, will in the professional judgement of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Fort Valley State University uses the emergency notification system known as Rave Guardian which is a community outreach notification tool designed to aid in the distribution of important information.

A message can be sent on or off campus by Marketing and Communications, University Police, Plant Operations, or Student Affairs and Enrollment Management to communicate with students, faculty, staff, community, and parents about emergency situations, school events, and important issues impacting FVSU. Messages are sent via voice and/or text messages to homes, work, or cell phones. Essentially, we can make one phone call that reaches faculty, staff, students, parents, and the community within minutes or a district message can be sent to reach all the families within minutes. Fort Valley State University performs a university-wide annual test of the system.

The Rave Guardian is a free application for your iOS and Android devices that provided safety services to Fort Valley State University employees and students. The Rave Guardian will allow communication directly through text, confidential tips, location sharing, to Fort Valley State University Campus Police communication officers. The Rave Guardian also includes a panic button which immediately dials 9-1-1 while simultaneously sending notifications to the police department and officers onsite of the incident.

## **Security of and Access to University Facilities**

At Fort Valley State University campus, administrative buildings are open from 7:00 a.m. until 6:00 p.m., Monday through Friday and academic buildings generally are open from 7:00 a.m. until 6:00 p.m.

Academic buildings are scheduled to be open after 6:00 p.m., pending night classes. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access.

Many cultural and athletic events held in the university facilities are open to the public. Other facilities such as the bookstore, library, and performance center are likewise open to the public. Only those who have demonstrated a need are issued keys to a building.

## **Special Considerations for Residence Hall Access**

At the university campus, all residence halls operate under a computerized access control and security monitoring system. Identification cards are coded so that only students who are residents in a particular hall are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. When any exterior door is left ajar, an audible alarm is activated. Resident assistants (RAs) are responsible for checking and securing doors along with police and security officers when on patrol. When a door is malfunctioning, residence hall personnel should be summoned for immediate repair. Remember to lock your doors and windows.

All residence hall and apartment exterior doors are equipped with locks and mechanisms to ensure a quick emergency exit.

Only residents and their invited guests are permitted in the living areas of the residence halls. It is the resident's responsibility to ensure that his/her guest are aware of the university and residence hall policies. Guests are not provided with room keys or door access cards. Guests of the opposite sex must be escorted by a resident of the building at all times. All exterior doors are locked 24 hours a day. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents.

When university campus police receive a report of an unescorted person in a residence hall, a police officer is dispatched to assist the Office of Residential Life in identifying that person. During low-occupancy periods such as holidays and scheduled breaks, students are consolidated into designated buildings and gain access via the university's electronic access control system. During the summer, when groups who are not regularly associated with Fort Valley State University are using the university residence halls, exterior doors are locked 24 hours a day. Depending on the number of guests, each individual may be issued an identification card which allows him or her to gain access to their assigned building via the electronic access control system. In the event of a large number of guests, the lead counselor/chaperon may be issued five (5) to ten (10) identification cards which will be assigned at his or her call. The individuals with the identification cards will be responsible for ensuring the other guests have access into the residence halls. Residence halls are staffed 24 hours per day. University police personnel also conduct regular checks of residence hall areas.

## Missing Student Notification Policy and Procedure

### Policy

When a student who resides in on-campus student housing has been missing for 24 hours students, employees, and others should make a report to the Fort Valley State University Police Department at (478) 825-6211.

Reports may also be made to the Director of Housing or his/her designee at (478) 827-3965 Any report of a missing student not made to the FVSU PD must be referred to them immediately for the purposes of conducting an investigation.

All students who reside in on-campus student housing can identify a "confidential contact" to be notified by the FVSU PD within 24 hours in the event they are determined by a law enforcement investigation to be missing and have not returned to the campus. This person may or may not be the same as their emergency contact.

Residential students may register their confidential contact when they [i.e., sign housing contract, move-in] register with their Banner Web account. This contact information will be registered confidentially and will only be accessible to authorized campus officials and may not be disclosed except to law enforcement for the purpose of a missing person investigation.

In addition to the confidential contact, if a student is under 18 years of age and not emancipated the FVSU PD will notify their custodial parent or guardian within 24 hours of the determination that they are missing.

Institutional officials including the VP of Student Affairs will also be notified.

FVSU PD will notify the local law enforcement agency with primary jurisdiction for the surrounding community [Fort Valley Police Department or Peach County Sheriff's Office] within 24 hours of when a residential student is determined to be missing unless that agency made the determination.

### Security Considerations for the Maintenance of Campus Facilities

Fort Valley State University is committed to campus safety and security. At the university, locks, landscaping, and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled,

lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled, lighted routes from parking areas to buildings and from buildings to buildings.





## Crime Prevention and Safety Awareness Programs

In an effort to promote safety awareness, the university campus police maintain a strong working relationship with the community. This relationship includes offering a variety of safety and security programs and services and crime prevention programming. If you or your organization would like to request a specific program, please contact FVSU Police Department at (478) 825-6500 or the Office of Student Life at (478) 825-6292. Below are some of the programs and services available. (Programs Conducted by FVSU Police, Office of Student Life and the Office of Student Health & Counseling Services are listed below; this is a list of all programs conducted by various offices at the institution, not just the university police.)



Safety seminars - FVSU Police Department provides safety training/seminars at each of the residence halls once per semester. These seminars are also available upon request by any university department, student organization or group.  
Orientation safety overview - At each orientation session of students, the FVSU Police Department provides safety information to all participants to include notification of where the Annual Security and Fire Safety Report is located.

Fire drills and fire evacuation protection seminars - Fire drills are conducted at each residence hall each semester with a fire safety and active shooter seminar to follow as students evacuate to a central location. Fire Drills and fire education seminars are conducted at each academic and/or education building at least once a year.

Active shooter seminars - FVSU Police Department conducts annual active shooter seminars with various groups around the university community and upon request.

Self-Protection/self-defense training - FVSU Police provides self-protection/self-defense training to all students, groups, and organizations upon their request.

Risk management seminars -The Office of Student Life conducts risk management seminars annually to all student organizations which engage in recruitment and selection processes. During

these risk management seminars, the Office of Student Conduct, FVSU Police, Legal Affairs and Title IX administrators informs the students and their advisors regarding various rules, laws, and legal ramifications associated with their actions.

Security escorts - FVSU Campus Police provides 24-hour escort services to students, faculty, and staff upon their request.

## Personal Safety

Theft, disorderly conduct, and alcohol-related offenses are very common on university campuses. However, they do not stand-alone. Despite law enforcement's efforts, serious crimes do occur on campuses. It is important to report any suspicious incidents to police and always remain alert and vigilant.

One of the more serious crimes that too often is unreported is Sexual Assault. It is important to know what these crimes are because in many cases, victims do not realize that have been victimized. Additionally, crimes of this nature are very difficult for victims to report for several very complex reasons. We provide the following information to assist those who may have been victims of sexual assault or who have a friend who has been sexually assaulted.

There are many guidelines to help you be more alert and aware of the situation to prevent such serious crimes, such as:

know your surroundings

be alert

call for help

report any suspicious people and/or activity, immediately.

## Sex Offender Registration

The Georgia Sex Offender Registry allows for the search of sex offenders by name, address and several other identifiers. The registry also designates sexual offenders as Sexually Dangerous Predators and Absconders based on their histories and allows for searches in these categories as well. Information about registered sex offenders may be found at <https://state.sor.gbi.ga.gov/>.

## Daily Crime and Fire Log

FVSU Police Department maintains a combined daily crime and fire log of all crime and fire incidents reported to the department in the order they are received. FVSU Police Department makes the daily crime and fire log open to public inspection during normal business hours, Monday-Friday, when the university is open. The daily crime and fire log entries are made and updated within two business days. This log identifies the type, location, date, time, and disposition of each criminal incident reported to FVSU Police Department. If prohibited by law or would jeopardize the confidentiality of the victim, log information must be withheld. The log is available for up to 60 days and archives within 7 years will be made available within two business days.

## Fort Valley State University Alcohol and Drug Policy

Fort Valley State University has policies/procedures and sanctions governing the use of alcohol and other substances pertaining to students in the Student Code of Conduct Handbook, located at <https://orgsync.com/21875/files/686965/download>. Also, the Office of Human Resources have policies/procedures and sanctions listed in the Employee's Handbook available at the Office of Human Resources located on the second floor of the C. V. Troup Building of the main campus.

Federal law requires Fort Valley State University to notify annually all faculty, staff, and students of the following: The university prohibits the unlawful possession, use, manufacture or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds or property controlled by the university or used as part of university activities. For students, this includes prohibiting the possession and consumption of any beverage containing alcohol in a residence hall room. In addition, the smoking of any material is prohibited in all facilities of Fort Valley State University at all locations. Treatment of alcohol and/or drug-related problems is available to students at the Office of Student Health & Counseling Services on the main campus of FVSU. Faculty and/or Staff must seek treatment options through the Office of Human Resources.

Currently Fort Valley State University mandates that all incoming students complete a mandatory alcohol education course. The online course is provided by Vector Solutions.

### Areas Open to the Public

Fort Valley State University prohibits the possession and use of alcoholic beverages in areas open to the public, including areas of buildings open to the public. However, the use of alcoholic beverages, subject to the laws of the State of Georgia, may be permitted at university-sponsored activities in areas designated by, and with the prior approval of, the university president, the vice president for university advancement or the chief of campus police.

### Private or Closed Areas

The possession and use of alcoholic beverages are prohibited in conference rooms, offices, office reception rooms, closed buildings, and areas of buildings not open to the public or from which the public has been excluded, except the use of alcoholic beverages, subject to the laws of the State of Georgia, may be permitted in specific private or closed areas designated by, and with the prior approval of, the university president at Fort Valley State University, the vice president for university advancement, and the chief of campus police.

### Education and Research Areas

Fort Valley State University specifically prohibits the use, possession, and dispensing of alcoholic beverages in classrooms, lecture halls, laboratories, libraries, research areas, or within buildings, arenas, areas where

athletic events, lectures, or concerts are held, during such events or activities. Permission will not be granted to use or possess alcoholic beverages in a facility which is being used for one of the above functions. (Consult the Office of the Vice President of University Advancement for more information; located in Huntington Hall on the main campus of FVSU.)

## Policies Specific to Student

**Any student who violates this policy is subject to disciplinary action including sanctions as outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state, and or federal law. Disciplinary sanctions for students who are found responsible for violations include monetary fines, community service, disciplinary warning, and disciplinary probation, up to suspension or expulsion from the university.**

Students residing in university housing may also lose the privilege of living on campus for violating university rules and regulations or conditions of the housing contract. In most cases, the Office of Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision-making for students and to further deter future misconduct.

## Residence Life Alcohol Policy

### Alcohol And Illegal Substances

#### *Alcohol Policy*

The possession of and use of alcoholic beverages is prohibited in all university on-campus residential buildings. It is a violation of state law and university policy for a student under 21 years of age to attempt to purchase, consume, possess, or transport alcoholic beverages. It is unlawful to sell, furnish, and give alcoholic beverages or to permit alcoholic beverages to be sold, furnished, or given to any minor.

It is against residential hall policy for there to be any tailgating activities in the residential quad areas or residential hall parking lots where alcoholic beverages are being served on any football game/event weekend including all home football games. Students tailgating with alcoholic beverages in these defined areas will be confronted and will likely be charged with "open containers in an unauthorized area."

Residents will be held responsible for activities that occur in their rooms and will be referred to the Office of Residential Life, the Office of Student Conduct, and/or university policy if guests are violating the on-campus alcohol policies listed above.

Failure to comply with direction or to present identification to university officials acting in the performance of their duties is a violation of the Student Code of Conduct and will result in a referral to the Office of Residential Life or the Office of Student Conduct.

It is against the Student Code of Conduct to supply false information, such as name, age, etc. to university officials who are acting in the performance of their duties.

#### *Illegal Substances (Drugs)*

It is a violation of state law and university policy to illegally possess, use, distribute, manufacture, sell or be under the influence of other drugs. Students who violate this policy will be referred to the Office of Residential Life, the Office of Student Conduct, and/or university campus police.

It is against residential hall policy for a student to be in a residential area (room, common area, common building, building entryway, or quad area immediately adjacent to the residential halls) and in the presence of an illegal substance. Students who are in the presence of an illegal substance in these areas will be referred to the Office of Residential Life, the Office of Student Conduct and/or university campus police.

Know the signs of alcohol poisoning/drug overdose:

passed out or difficult to awaken  
cold, clammy, pale, or bluish skin  
slowed breathing  
vomiting (asleep or awake)

Know how to respond should you encounter a person in distress:

contact police immediately or dial 911  
turn a vomiting person on his/her side to prevent choking  
clear vomit from the mouth  
keep the person awake  
NEVER leave the person unattended.

## **Policies Specific to Faculty and Staff**

As a condition of university employment, every employee shall abide by the terms and conditions of the FVSU Employee Handbook disseminated by the Office of Human Resources. Any employee who violates these policies as set forth in the handbook is subject to university sanctions, including dismissal, as well as criminal sanctions provided by federal, state, and local law. An employee may be required to participate in a drug abuse or drug rehabilitation program. An employee must notify his or her supervisor or the Office of Human Resources of any criminal/drug arrest within (72) hours and notification of being convicted of a criminal offense within (24) hours. Please consult <https://www.fvsu.edu/?s=faculty+handbook> or [http://www.usg.edu/hr/manual/ background investigation](http://www.usg.edu/hr/manual/background%20investigation).

## **Underage Drinking**

Alcohol is prohibited on the FVSU property. It is illegal for anyone under 21 years of age to attempt to purchase, consume, possess, or knowingly and intentionally transport any liquor, malt, or brewed beverage. It is also illegal to lie about age to obtain alcohol and to carry a false identification card.

By law, the local police department and university campus police are required to notify parents or guardians of all underage-drinking violations.

### **Georgia Statutory Code Section**

#### **TITLE 3 - ALCOHOLIC BEVERAGES CHAPTER 3 - REGULATION OF ALCOHOLIC BEVERAGES**

**GENERAL ARTICLE 2 - PROHIBITED ACTS § 3-3-23** - Furnishing to, purchase of, or possession by persons under 21 years of age of alcoholic beverages; use of false identification; proper identification;



dispensing, serving, selling, or handling by persons under 21 years of age in the course of employment; seller's actions upon receiving false identification.

**O.C.G.A. 3-3-23** (2010)3-3-23. Furnishing to, purchase of, or possession by persons under 21 years of age of alcoholic beverages; use of false identification; proper identification; dispensing, serving, selling, or handling by persons under 21 years of age in the course of employment; seller's actions upon receiving false identification

(a) Except as otherwise authorized by law: (1) No person knowingly, directly or through another person, shall furnish, cause to be furnished, or permit any person in such person's employ to furnish any alcoholic beverage to any person under 21 years of age; (2) No person under 21 years of age shall purchase, attempt to purchase, or knowingly possess any alcoholic beverage;(3) No person under 21 years of age shall misrepresent such person's age in any manner whatever for the purpose of obtaining illegally any alcoholic beverage;(4) No person knowingly or intentionally shall act as an agent to purchase or acquire any alcoholic beverage for or on behalf of a person under 21 years of age; or(5) No person under 21 years of age shall misrepresent his or her identity or use any false identification for the purpose of purchasing or obtaining any alcoholic beverage. (b) The prohibitions contained in paragraphs (1), (2), and (4) of subsection (a) of this Code section shall not apply with respect to the sale, purchase, or possession of alcoholic beverages for consumption.

## Carrying False I.D.

It is illegal for anyone under 21 to possess an identification card falsely identifying that person by name, age, date of birth, or photograph as being 21 or older to attempt to obtain liquor, malt, or brewed beverage by using the identification card of another or by using an identification card that has not been lawfully issued to or in the name of the person who possesses the card.

## Public Drunkenness

Public drunkenness is a crime. It is illegal to appear in any public place manifestly under the influence of alcohol to the degree that you may endanger yourself, other persons, property, or annoy others in your vicinity.

Public drunkenness also leads to other behaviors and important health concerns. Oftentimes public drunkenness contributes to many criminal mischiefs and disorderly conducts on campus. Persons must be responsible for their own actions and know their limits and tolerance levels before consuming alcohol.

## Driving Under the Influence (DUI)

In Georgia, the illegal level for DUI is .08% blood alcohol content (BAC) and .02% BAC for individuals under the age of 21. Also, drivers with any amount of a Schedule I, II, or III controlled substance not medically prescribed (or their metabolites) may not drive, operate or be in actual physical control of a vehicle.

## Refusing a Chemical Test

Georgia law requires you to submit to state administered chemical tests of your blood, breath, urine, or other bodily substances for the purposes of determining if you are under the influence of alcohol or drugs. Any person who drives a motor vehicle automatically gives consent to one or more chemical tests. This implied consent means that a person does not have the right to an attorney before testing. If a person refuses to submit to a chemical test: 1) the test will not be done; 2) the person's license will be suspended for one year; 3) the person will most likely be charged with DUI. Your refusal to submit to the required testing may be offered into evidence against you at trial.

## **Open Container Law**

In Georgia, the state statute prohibiting open alcoholic beverage containers is OCGA 40-6-253. The law prohibits open containers of alcoholic beverages of any kind while the motor vehicle is in operation and in any area accessible to the driver and in the passenger area of the vehicle.

## **Related Offenses**

### **Possession of Marijuana**

A person is unlawful when he unknowingly, knowingly, or intentionally possesses a small or large amount of marijuana (hashish), a Schedule I substance, and is not authorized by law to possess such substance. Persons engaged in such activity will most likely face criminal charges and be charged with a violation of the Student Code of Conduct.

### **Possession of Drug Paraphernalia**

A person is unlawful when he/she possesses, with the intent to use, drug paraphernalia which is used for packaging, manufacturing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation State of Georgia Statute under Official Code of Georgia Annotated 16-13-1.

### **Synthetic Marijuana**

Effective March 1, 2011, the U.S. Drug Enforcement Agency classified synthetic marijuana as an illegal substance. This drug may also be known as "spice," "K2," "demon," "wicked," "black magic," "voodoo spice," and "ninja aroma." Individuals found responsible for manufacturing, possessing, importing/exporting, or distributing these substances will face criminal and civil penalties.

University students engaging in these activities will also be held responsible under the university's illegal substances policies and the Student Code of Conduct.

## **Drug Risks and Consequences**

Alcohol and other drug use during pregnancy increases risk of physical harms to fetus. Additional risks of harm may occur from toxic impurities present in street drugs.

Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed. Drugs taken by injection can increase the risk of infection (e.g., HIV, hepatitis, etc.) through needle contamination.

For more information visit: [www.drugabuse.gov](http://www.drugabuse.gov).

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

The Fort Valley State University Police Department in collaboration with other university officials, prepare this report to comply with Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the University Police Department, Clery Coordinator, information provided from other campus entities, Campus Security Authorities (CSA's), and surrounding local law enforcement agencies..

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

The university distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1st of each year to every member of the university community. Anyone, including prospective students and employees, may obtain a paper copy of this report by:

Contacting the University Police Department at (478) 825-6211, (478) 825-6500 or by visiting <http://www.fvsu.edu/campus-safety/>

## Annual Disclosure of Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The university campus police maintain a close relationship with all police departments where Fort Valley State University owns or control property to ensure that crimes reported directly to these police departments and involve the university are brought to the attention of the university campus police.

The university campus police collect the crime statistics disclosed in the charts through a number of ways. Those ways are inclusive of crimes reported directly to campus police, crimes reported to local law enforcement agencies affecting the university or within the university's Clery geographical area, and through reports made to university partners and colleagues associated with university campus police. Some of the most notable crimes reported and some of which are to be published in the Clery report are as follows:

**Murder/manslaughter:** the willful killing of one human being by another.

**Manslaughter by negligence:** the killing of another person through gross negligence.

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

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

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

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

**Statutory rape:** Sexual intercourse with a person who is under the statutory age of consent.

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

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

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

**Motor vehicle theft:** the theft or attempted theft of a motor vehicle.

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

**Hate crimes:** includes all of the crimes listed as reportable Clery crimes that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes. Hate crimes are defined as criminal offenses which manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. This includes related acts of larceny/theft, simple assault, intimidation, and the destruction or damage of property.

## Categories of Prejudice

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

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

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

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

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

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

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

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

## Dating Violence, Domestic Violence, and Stalking

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

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



**Stalking:** Engaging in a course of conduct directed at a specific person which would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

### **Consensual Relationships in Regard to Sexual Harassment**

When one party has a professional relationship toward the other or stands in a position of authority over the other, even an apparently consensual sexual relationship may lead to sexual harassment or other breaches of professional obligations. Fort Valley State University prohibits all faculty and staff, including graduate assistants, from pursuing or engaging in dating or sexual relationships with any student whom they currently supervise, teach, or evaluate in any way.

Employees are prohibited from having a dating or sexual relationship with an employee that they supervise, evaluate or in any other way directly affect the terms and conditions of the other employee's employment. This provision applies to both student and non-student employees. Any employee who supervises, evaluates or in any other way directly affects the terms and conditions of another employee must immediately disclose the existence of a dating or sexual relationship to his/her supervisor.

Individuals who violate this provision are subject to disciplinary action up to and including termination.

# Fort Valley State University's Response to Sexual and Gender Violence

Fort Valley State University is committed to a learning and working environment for all campus community members that is free from sex-based discrimination. The campus community includes students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

If you or someone close to you are the victim of sex-based discrimination, know that you are not alone. The information in this report will help you navigate some of what you may be experiencing. No matter what you have experienced or how you are feeling now, it is important to prioritize your safety.

You do not have to go through this alone, and this information is intended to help you navigate the process. The Institution will provide a student or employee who reports they have been the victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, with a written explanation of their rights and options as described in this report.

**Victims have the option to: Notify proper law enforcement authorities, including on-campus and local police; Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and Decline to notify such authorities.**

## Reporting

Title IX Coordinator/Compliance.  
Huntington Hall Room 106  
Fort Valley State University  
1005 State University Drive  
Fort Valley, Georgia 31030

Office: 478-825-4284  
Cell: 478-662-6901  
Email: [Karin.vinson@fvsu.edu](mailto:Karin.vinson@fvsu.edu)

If you are a victim of sexual assault, domestic violence, dating violence, or stalking, it can be helpful to preserve evidence that may be useful in documenting the criminal activity. To preserve evidence refrain from:

- bathing,
- douching,
- smoking,
- changing clothes, and
- cleaning the linens or area where an assault occurred.

If you have changed clothes or linens, do not wash them until you have met with a law enforcement agency and/or health care provider. Seeking medical care does not mean you must report to law enforcement, so be sure to prioritize your health and safety when making decisions. Local hospitals can complete a forensic examination for collecting evidence that helps preserve your options should you choose to notify law enforcement. Photos, text messages, social media posts, instant messages, and any other communications or documents may provide

information useful for Institution hearings or investigations, so save those, too.

### **Assistance**

Upon request, Fort Valley State University will make any reasonably available change to a victim's academic, living, transportation, and or working situation regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Students and employees may contact the Title IX Coordinator for assistance. Fort Valley State University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

If a victim reports to law enforcement, they may assist them in obtaining a temporary protection order from a criminal court. Fort Valley State University is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property.

Employees can also contact the Director of Human Resources at (478)-825-6301. Accommodations or supportive measures provided to a victim will remain confidential to the extent that maintaining confidentiality would not impair the ability of the institution to provide the accommodation or protective measures. Immigration and Visa assistance can be obtained by contacting Fort Valley State University's Admissions Office at (478)-825-6520 or Email: [admissions@fvsu.edu](mailto:admissions@fvsu.edu)

Fort Valley State University recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. The Clery Act prohibits the disclosure of a victim's personally identifying information in crime statistics, the crime log, and timely warnings. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused.

Reports made to Fort Valley State University officials will be kept confidential, and identifying information about the victim shall not be made public. Information about reports will only be shared with institutional personnel as needed to investigate and effectively respond to the report. Reports made to medical professionals or licensed mental health counselors will not be shared with any third parties except in cases of imminent danger to the victim or a third party.

### **Resources**

Counseling:

Office of Outreach Director  
Florence J. Hunt Wellness Center  
(478)-825-1036

<b>Fort Valley State University</b> <b>Office of Student Counseling &amp; Outreach Services OUTREACH/PREVENTION INITIATIVES</b> <b>Contact: Alvin K. Lindsey, Director of Outreach</b> <a href="mailto:lindseva@fvsu.edu">lindseva@fvsu.edu</a> (478) 822-1036		
INITIATIVE	DESCRIPTION	FREQUENCY
<p><b>Protective Resources for Inclusion, Dignity &amp; Equity (PRIDE Navigator) (HIV/AIDS &amp; Substance Abuse Prevention Initiative)</b></p> <p><i>Key Evidence-Based Practices: Alcohol Literacy Challenge &amp; VOICES/VOCES (An HIV/AIDS prevention program)</i></p>	<p><b>Focus:</b> 13–24-year-old, minority males, inclusive of the MSM community resulting in the establishment of Just Open Yourself (JOY), FVSU’s first Gay-Straight Alliance housed on campus in the Wellness Center and engagement with local high schools, area Boys and Girls Club, Health Centers and transitional homes through an established FVSU off-site location in Bibb County</p>	Ongoing
<p><b>Shepherds in the Valley (Sexual Violence Prevention Initiative)</b></p> <p><i>Key Evidence- Based Practice/Program:</i></p> <p>a) <i>Sex Signals – live vignettes demonstrating red flagged behaviors of sexual violence, offered yearly</i></p> <p>b) <i>Lipstick, Hugs &amp; Kisses – workshops provided through the City of Fort Valley Links on sexual violence prevention, offered yearly</i></p>	<p><b>Focus:</b> Male members of athletic programs and fraternal organizations designed to build awareness of what constitutes sexual harassment and violence resulting in over 300 males educated on the continuum of sexual violence from victim blaming, consent and objectification of women and other minority populations as well as localized engagement</p>	Ongoing
<p><b>Mary Magdalene Initiative (Sexual Violence Prevention Initiative)</b></p> <p>Key Evidence-Based Practice/Program: Sex Signals – live vignettes demonstrating red flagged behaviors of sexual violence, offered yearly</p>	<p><b>Focus:</b> Female student body - designed to build awareness of what constitutes sexual harassment and violence and the emergence of solidarity amongst women resulting in over 200 females educated on the importance of celebrating the contributions of women, sisterhood, and bystander intervention through direct and supported events i.e. We Rock and partnership with #femalenoftfemale</p>	Ongoing
<p><b>Be the Sober One (Substance Abuse Prevention)</b></p>	<p><b>Focus:</b> Students and residents of Peach County, resulting in over 2000 individuals educated on the risks of driving while impaired and seatbelt utilization</p>	Ongoing
<p><b>Sources of Strength (Suicide Prevention Initiative)</b></p>	<p><b>Focus:</b> TEARs2C Plus sub-initiative targeting building resilience against suicide through the introduction of various protective factors to include: mental health access, medical support, positive friends, spirituality, generosity, etc. Resulting in students gaining education on the foundational values of the evidenced-based programming</p>	Ongoing

<b>See it, Say it, Share it</b>	<i>Focus:</i> An Institutional prevention initiative allowing for the proactive sharing of red-flagged behaviors for immediate intervention via cell phones and laptops resulting in an Institutional platform for bystander intervention	Ongoing
<b>Why Wait (#YW8)</b>	<i>Focus:</i> An HIV/AIDS poster campaign designed to break the reluctance to get tested and overarching stigmatism; as historically the epidemic has changed from that of a terminal illness to that of a chronic disease, resulting in collaborative partnerships with key faculty, staff, non-secular partners, leadership from associations i.e., LINKS, NAACP and celebrities to include such individuals as John Chaffin, star of the Have and Have Nots	Ongoing
<b>On-Campus HIV/AIDS Testing</b>	<i>Focus:</i> Free and confidential testing offered to our students on Wednesdays and Thursdays from 10:00 a.m. until 2:00 p.m. (Time may be subject to change)	Twice a Week
<p><b>Note:</b> All pre-referenced Initiatives, workshops, and trainings are available to FVSU students regardless of classification. In addition, ALC (Alcohol Literacy Challenge) is offered to students who are referred through our Judicial Office in tandem with their Substance Abuse Group Sessions along with Prime for Life which is facilitated by a contracted community-based partner (CBO) in support of Department of Health and Human Services funded initiatives. Other programs are supported by such agencies as the Georgia Department of Public Health and the Governor's Office of Highway Safety. GPRA (Government Performance Results Act) Activities combine ALC and Voices/VOCES (HIV/AIDS evidenced-based practice) (EBPs.) Future on and off-campus programs are facilitated by and marketed and to students via personal engagements by leadership within the Peer Education Program (PEP), as well as several Institutional and departmental social media sites, inclusive of OrgSync and Pride Navigator's Facebook page in our 4 main prevention areas of focus: HIV/AIDS, Substance Abuse, Sexual Violence and Suicide.</p>		

## State Definitions

### Georgia Code § 16-6-1. Rape

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

- (1) A female forcibly and against her will; or
- (2) A female who is less than ten years of age.

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

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

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

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

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

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

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

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

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

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

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

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

### **Georgia Code § 16-6-3. Statutory rape**

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

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

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

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

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

### **Georgia Code § 16-6-22. Incest**

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



- (1) Father and child or stepchild;
- (2) Mother and child or stepchild;
- (3) Siblings of the whole blood or of the half blood;
- (4) Grandparent and grandchild of the whole blood or of the half blood;
- (5) Aunt and niece or nephew of the whole blood or of the half blood; or
- (6) Uncle and niece or nephew of the whole blood or of the half blood.

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

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

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

#### **Georgia Code § 19-13A-1. (Dating Violence)**

As used in this chapter, the term:

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

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

- (A) Any felony; or
- (B) Commission of the offenses of simple battery, battery, simple assault, or stalking.

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

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

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

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

#### **Georgia Code § 16-5-90. Stalking**

(a)(1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating

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

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

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

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

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

### **Georgia Code § 16-1-3. (Consent)**

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

# Disciplinary Proceedings

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

Disciplinary complaints may be made by any campus community member and should be directed to the Title IX Coordinator:

Huntington Hall Room 106  
Fort Valley State University  
1005 State University Drive  
Fort Valley, Georgia 31030

Office: 478-825-4284  
Cell: 478-662-6901

Disciplinary proceedings for accused students will be handled by the [student conduct]. Disciplinary proceedings for accused staff will be handled by the Human Resource Director pursuant to the Sexual Misconduct Policy. Disciplinary proceedings for accused faculty will be handled by the [appropriate official]. In all proceedings, both the Complainant and Respondent are entitled to the same opportunities to have others present including the right to be accompanied by an advisor of their choice.

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

## What to Expect

Upon notice of the alleged misconduct, the institution will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the institution will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether an investigation is appropriate in light of the circumstances, whether the parties prefer an informal resolution, and whether any safety concerns exist for the campus community. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

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

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

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

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

The Title IX Coordinator is responsible for determining which type of proceeding will be used or if a complaint is to be dismissed and will provide simultaneous written notice of their determination to the parties at their institutional e-mails. If the Title IX Coordinator dismisses a complaint the notice provided to the parties will include the reason and a right to appeal. If a complaint moves forward an investigator will be assigned and the notice will include their identity.

### **Prompt, Fair, and Impartial Proceedings**

In all cases proceedings will afford a prompt, fair, and impartial process from the initial investigation to the final result for all parties. Proceedings will be conducted in a manner consistent with the institution’s policies, and be transparent to the Complainant and Respondent.

The institution is responsible for proving cases by the preponderance of the evidence standard in student, staff, and faculty cases. This means that it is more likely than not that the accused committed a violation of policy.

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

### **Timeframes and Notice**

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

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

### **Amnesty**

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

### **Advisor of Choice**

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

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

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

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

### **Interim Measures**

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

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

### **Informal Resolution**

The Respondent and the Complainant, as parties to the matter, may have the option of selecting informal resolution as a possible resolution in certain cases where the parties agree, and it is deemed appropriate by the institution. Where a matter is not resolved through informal resolution a hearing shall be set. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff. Student allegations of Title IX Sexual Misconduct against an employee (staff or faculty) may not be resolved informally.

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

### **Unbiased Proceedings**

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

### **Investigation**

The parties shall be provided with a written notice containing the allegations, possible charges and sanctions as well as available support and interim measures. Upon receipt of the notice parties have at least 3 business days to respond in writing. The Respondent may admit or deny allegations and set forth a defense. The Complainant may respond and supplement their written notice. Throughout both parties may present witnesses and other inculpatory and exculpatory evidence.

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

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

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

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

### **Hearing – Student Respondent**

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

Notice of the date, time, and location of the hearing as well as the selected hearing panel members shall be provided to the Complainant and the Respondent at least 10 open campus days prior to the hearing. Hearings shall be conducted in-person or via video conferencing technology. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.

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

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

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

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



### **Hearing – Staff Respondent**

Matters involving alleged Title IX Sexual Misconduct must be heard at a live-hearing. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff. Formal civil rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence. The institution will determine how the facts or evidence will be introduced.

Notice of the date, time, and location of the hearing as well as the designated Hearing Officer shall be provided via email at least 10 open campus days prior to the hearing. Hearings shall be conducted in-person or via video conferencing technology. Each institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

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

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

### **Hearing – Faculty Respondent**

All Sexual Misconduct involving faculty Respondents where dismissal is a possible sanction shall, consistent with Board of Regents policy, be heard by a live-hearing panel of three to five faculty members appointed by the Faculty Senate. Notice of the panel members shall be provided to parties in writing at least 20 days prior to the hearing, and parties have at least two challenges for bias which must be made in writing at least five days in advance of the hearing. A faculty member may also waive a hearing in which case the panel shall evaluate the record.

Additional procedures for faculty Respondent matters:

An oath or affirmation shall be administered to all witnesses. The parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness.

The Title IX Coordinator shall notify the President and parties simultaneously in writing of the decision and recommendation, if any, of the panel. If dismissal is recommended the President shall either approve the recommendation or if not shall advise the panel in writing of the basis prior to rendering their final decision. The panel may also recommend a lesser sanction. The President may or may not follow the recommendations of the panel.

The President shall notify the parties simultaneously in writing of their decision. Such notice shall include information about applying to the Board of Regents for discretionary review. Upon dismissal, pending possible discretionary review, the faculty member shall be suspended without pay. The Board may reinstate the faculty member with compensation from the date of suspension.

### **Possible Sanctions – Student Respondent**

The following are the common sanctions that may be imposed upon students alone or in combination:

*Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any University policy, procedure, or directive will result in more severe sanctions/responsive actions.

*Required Counseling:* A mandate to meet with and engage in either University -sponsored or external counseling to better comprehend the misconduct and its effects.

*Required Training:* A mandate to participate in sensitivity training/awareness education programs, alcohol and other drug awareness and abuse prevention programs.

*Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

*Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. This sanction will be noted on the student's official transcript while the student is suspended.

*Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend University-sponsored events. This sanction will be noted permanently as a Disciplinary Expulsion on the student's official transcript.

*Withholding Diploma:* The University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating policy.

*Revocation of Degree:* The University reserves the right to revoke a degree previously awarded from the University for fraud, misrepresentation, and/or other violation of university policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

*Other Actions:* In addition to or in place of the above sanctions, the Recipient may assign any other sanctions as deemed appropriate.

For suspension and expulsion, the institution must articulate, in its written decision, the substantial evidence relied upon in determining that disciplinary suspension or expulsion were appropriate. For purposes of this Policy substantial evidence means evidence that a reasonable person might accept to support the conclusion. See FVSU Student Handbook for additional information regarding sanctions and sanction ranges.

### **Possible Sanctions – Staff Respondent**

The following are the common sanctions that may be imposed upon employees alone or in combination:

Verbal or Written Warning

Performance Improvement Plan/Management Process

Enhanced Supervision, Observation, or Review

Required Counseling

Required Training or Education

Probation

Denial of Pay Increase/Pay Grade

Loss of Oversight or Supervisory Responsibility

Demotion

Transfer

Reassignment

Delay of (or referral for delay of) Tenure Track Progress

Assignment to New Supervisor

Restriction of Stipends, Research, and/or Professional Development Resources

Suspension/Administrative Leave with Pay

Suspension/Administrative Leave without Pay

Termination

Other Actions: In addition to or in place of the above sanctions/responsive actions, the Recipient may assign any other responsive actions as deemed appropriate.

An employee found in violation Title IX will be issued sanctions ranging from a formal written reprimand to termination of employment.

### **Appeals**

Appeals may be made in any student and staff cases where sanctions are issued for students, even when such sanctions are held “in abeyance,” such as probationary or expulsion, or recommended for staff. Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures will be provided.

The Respondent or the Complainant shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal); (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing (or appeal), including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Title IX Coordinator or designee, Conduct Officer, investigator(s), decision makers(s); or (3) to allege that the finding was inconsistent with the weight of the information.

The appeal must be made in writing and must set forth one or more of the bases outlined above and must be submitted within five open campus days of the date of the final written decision. The appeal should be made to the President or their designee. If an appeal is submitted, the other Party shall receive notice of the appeal, including a copy of the submission. That Party may submit, in writing and within [insert number] (X) business days from the date of notification, a response to the appeal submission.

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

The President’s decision shall be simultaneously issued in writing to the parties within a reasonable time period. The President’s decision shall be the final decision of the institution. The Complainant or Respondent may request review of the President’s decision as provided in the Board of Regents Policy Manual 6.26 Application for Discretionary Review.

### **Retaliation**

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

### **Additional Information**

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

Fort Valley State University Sexual Misconduct Policy

<https://www.fvsu.edu/title-ix-sexual-misconduct/>

6.7 Sexual Misconduct Policy

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

4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings

[https://www.usg.edu/policymanual/section4/C332/#p4.6.5\\_standards\\_for\\_institutional\\_student\\_conduct\\_investigation](https://www.usg.edu/policymanual/section4/C332/#p4.6.5_standards_for_institutional_student_conduct_investigation)

Human Resources Administrative Practice Manual, Prohibit Discrimination & Harassment

[https://www.usg.edu/hr/assets/hr/hrap\\_manual/HRAP\\_Prohibit\\_Discrimination\\_\\_Harassment\\_Employee\\_Relations.pdf](https://www.usg.edu/hr/assets/hr/hrap_manual/HRAP_Prohibit_Discrimination__Harassment_Employee_Relations.pdf)

8.3.9 Discipline and Removal of Faculty Members

[https://www.usg.edu/policymanual/section8/C245/#p8.3.9\\_discipline\\_and\\_removal\\_of\\_faculty\\_members](https://www.usg.edu/policymanual/section8/C245/#p8.3.9_discipline_and_removal_of_faculty_members)

### **Federal VAWA Offense Definitions for Disciplinary Proceedings**

**Sexual Assault: 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.

**Sexual Assault: 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.

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

**Sexual Assault: Statutory Rape** – 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.

(i) The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

(iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic violence.** (i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

(E) 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.

(ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking.** (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

(C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Definition of Consent**

Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation. Minors under the age of 16 cannot legally consent under Georgia law.

Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

Consent can be withdrawn at any time by a party by using clear words or actions.

## Annual Crime Statistics 2021-2023

Criminal Offenses	Year	Campus - Clery Geography				
		On Campus			Non-campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Murder and Non-negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Rape	2021	2	0	2	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Fondling	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Incest	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2021	4	0	4	7	1
	2022	1	0	1	0	0
	2023	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2022	1	0	1	0	0
	2023	0	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0	0
	2022	2	0	2	0	0
	2023	0	0	0	0	0
Arson	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	X

VAWA Offenses	Year	Campus - Clery Geography				
		On Campus			Non-campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Domestic Violence	2021	3	0	3	0	0
	2022	3	0	3	0	0
	2023	0	0	0	0	0
Dating Violence	2021	5	0	5	0	0
	2022	3	0	3	0	0
	2023	0	0	0	0	0



Stalking	2021	1	0	1	0	0
	2022	1	0	1	0	0
	2023	0	0	0	0	0

Arrests	Year	Campus - Clery Geography				
		On Campus			Non-campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Weapons: Carrying, Possessing, etc.	2021	0	0	0	0	0
	2022	0	5	5	0	0
	2023	0	1	1	0	0
Drug Abuse Violations	2021	8	1	9	0	0
	2022	12	0	12	0	0
	2023	0	0	0	0	0
Liquor Law Violations	2021	1	2	3	0	0
	2022	1	1	2	0	0
	2023	0	0	0	0	0

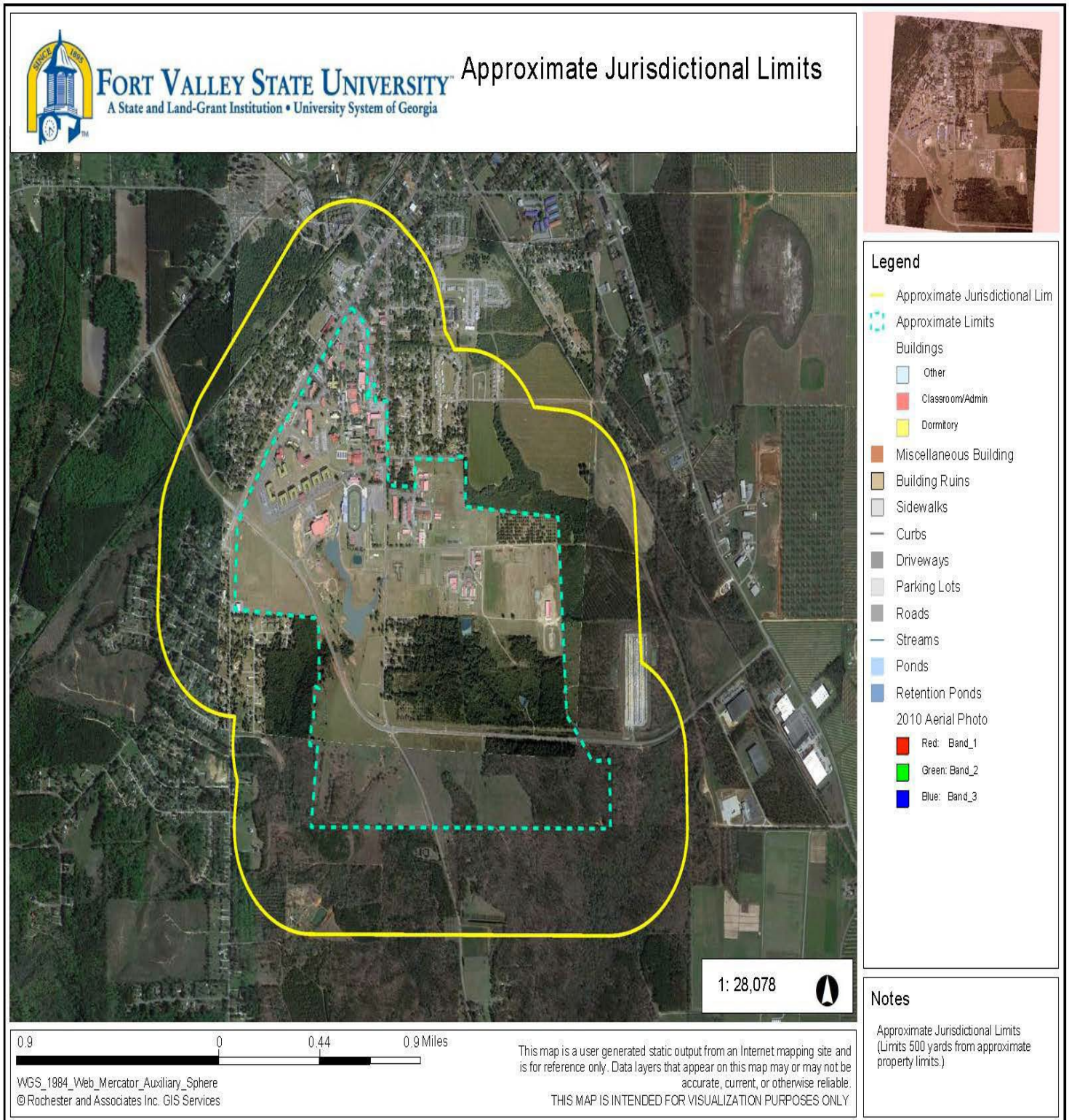
Disciplinary Actions	Year	Campus - Clery Geography				
		On Campus			Non-campus Building or Property	Public Property
		Student Housing Facilities	Other	On Campus Total		
Weapons: Carrying, Possessing, etc.	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Drug Abuse Violations	2021	9	2	11	0	0
	2022	5	7	12	0	0
	2023	0	0	0	0	0
Liquor Law Violations	2021	0	1	1	0	0
	2022	0	4	4	0	0
	2023	0	0	0	0	0

	2021	2022	2023
Total Unfounded Crimes	0	0	0

Fort Valley State University Hate Crimes

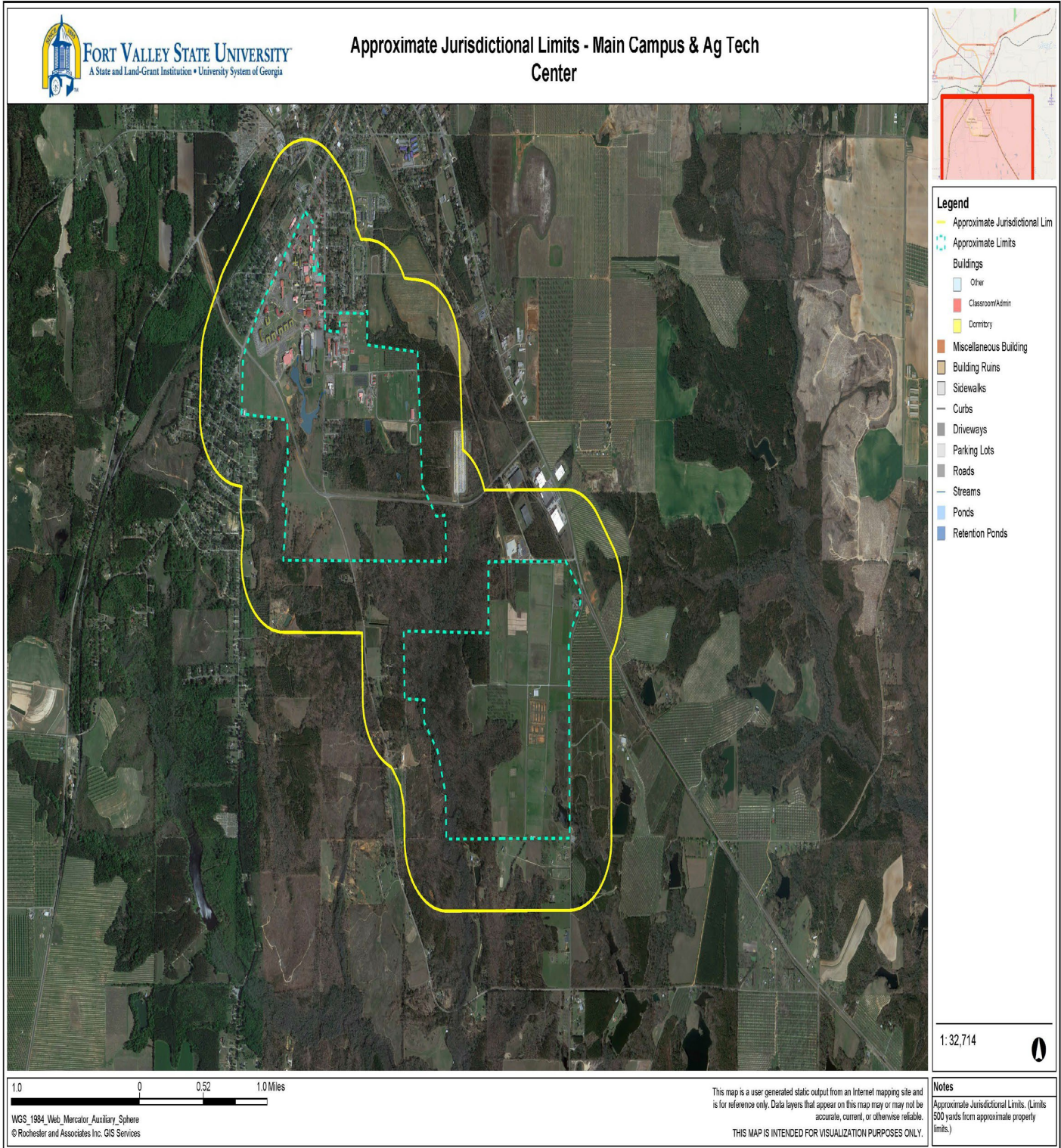
For the 2021, 2022 and 2023 reporting years, there were no crimes committed that fall under the category of Hate Crimes according to Clery definitions at any FVSU Campus geography.

1005 State University Drive, Fort Valley, Georgia  
(Physical Address)





**CLERY GEOGRAPHY MAP (Main Campus & Ag Tech Center)**  
**1005 State University**  
**Drive Fort Valley**  
**Georgia**



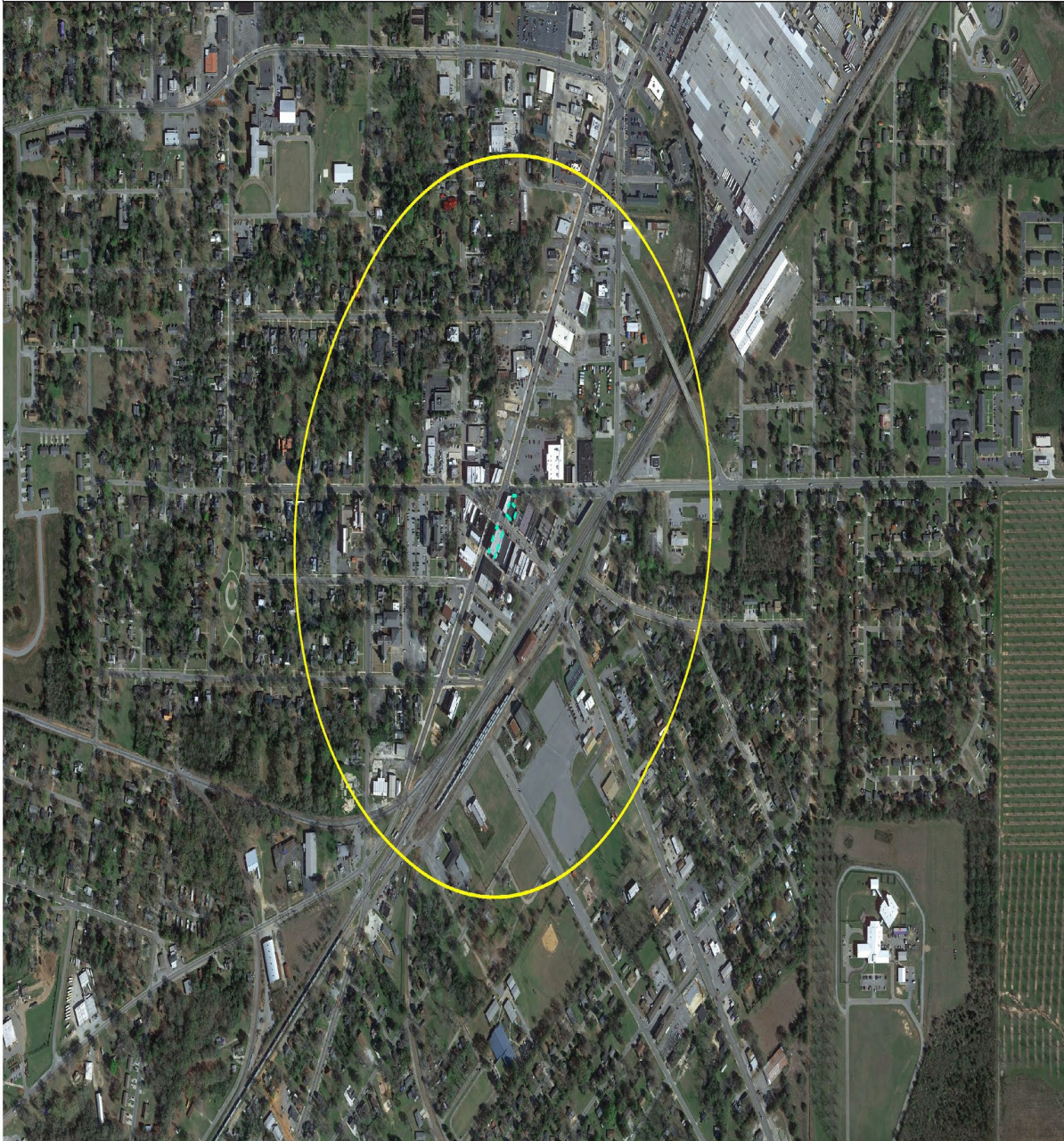
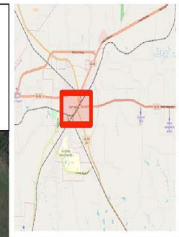


**CLERY GEOGRAPHY (Evans & Fine Arts Center)**

**100 & 103 East Main Street, Fort Valley, Georgia**



**Approximate Jurisdictional Limits - Art Gallery & Evans Center**



- Legend**
- Approximate Jurisdictional Lim
  - Approximate Limits
  - Buildings**
    - Other
    - Classroom/Admin
    - Dormitory
    - Miscellaneous Building
    - Building Ruins
  - Sidewalks
  - Curbs
  - Driveways
  - Parking Lots
  - Roads
  - Streams
  - Ponds
  - Retention Ponds

1:8,178



0 0.13 0.3 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Rochester and Associates Inc. GIS Services

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS INTENDED FOR VISUALIZATION PURPOSES ONLY.**

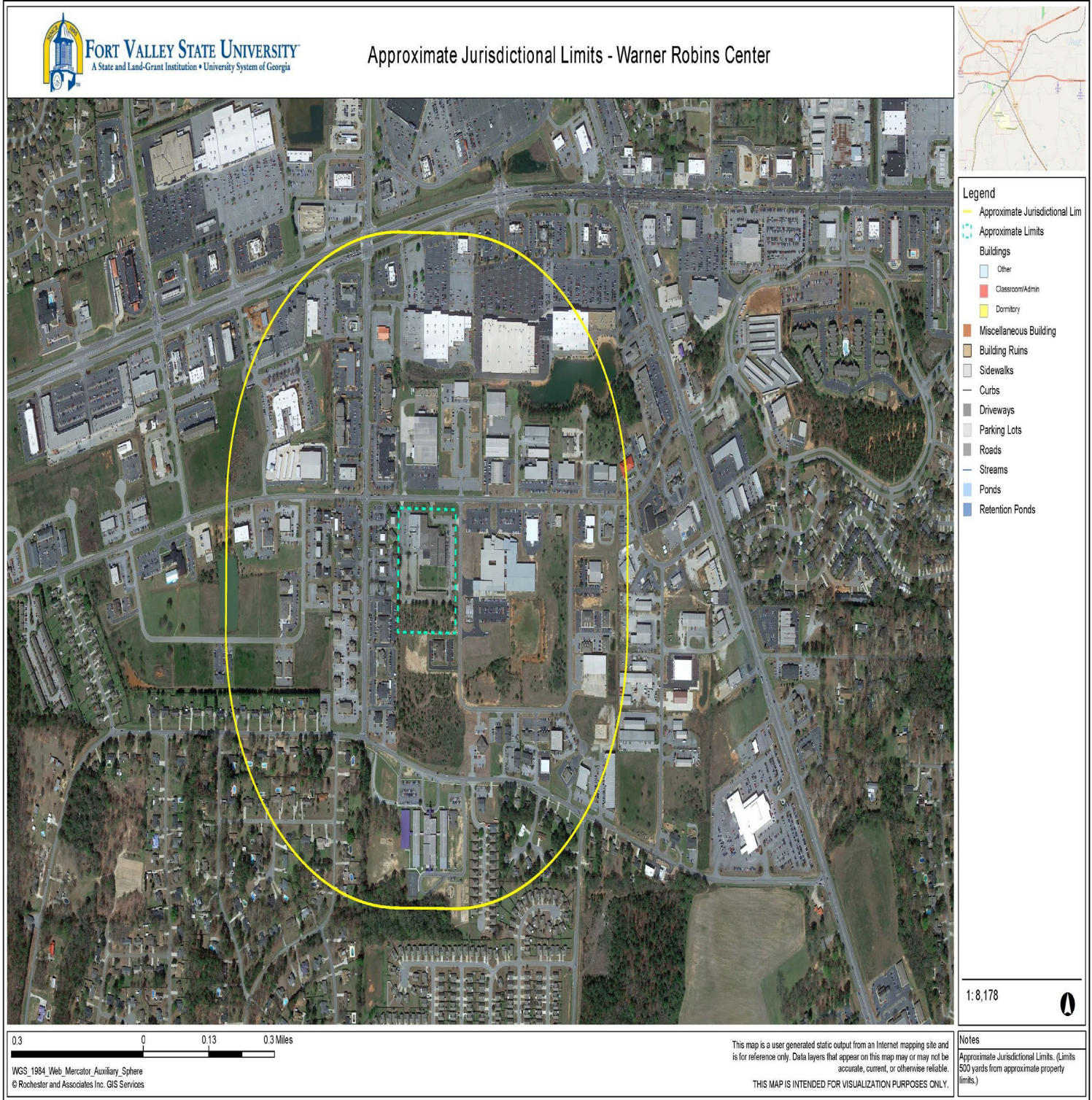
**Notes**

Approximate Jurisdictional Limits. (Limits 500 yards from approximate property limits.)



# CLERY GEOGRAPHY MAP (Warner Robins Center)

## 151 Osigian Boulevard, Warner Robins, Georgia





# Annual Student Housing Fire Safety Report in Accordance with the Higher Education Opportunity Act

Fort Valley State University's fire safety policy and rules are intended to prevent fires and fire-related injuries and/or deaths from occurring or affecting the FVSU community and facilities. All FVSU buildings are inspected annually, and residential rooms are inspected periodically, at random times during the year, to ensure compliance with state fire codes. Because of the seriousness of the consequences which could result from failure to comply with codes and FVSU's fire safety rules, FVSU takes disciplinary action upon the first offense. This may include the imposition of a fine by the Housing Department. The institution also has the right to require students who violate safety rules to vacate the accommodations - without financial credit for the remainder of the semester. FVSU Police and Campus Safety maintains reports of all fires, fire alarms and/or fire drills and prevention efforts for the university. The department's administrative secretary and records clerks annually review the same records computer database as well as actual reports as crime reporting in order to record that statistical data in compliance with Clery rules and within the ASR. Because campus police investigate fires as well as criminal activity, all fire calls are documented on the same daily activity log alongside crime.

## Fire Safety Standards

### Prohibited Behaviors in FVSU Residential Facilities

- **Misusing or tampering with fire safety equipment.** This includes, but is not limited to, fire extinguishers, hoses, horns, bells, conduit sections, alarm-pull trigger devices, fire sprinklers, central-relay control bases, and glass covers for fire extinguishers, as well as pulling false alarms.
- **Obstructing hallways, sidewalks, or stairwells that might impede evacuation from a building during an emergency.**
- **Propping open interior fire doors in common areas, stairwells, and hallways.** Those are in place for added fire protection to slow the spread of fire.
- **Storing bicycles in stairwells or any other location might impede evacuation from a building during an emergency.**
- **Possessing chemicals or substances that are potentially dangerous or highly flammable.** This includes, but is not limited to gasoline, propane, lighter fluid, torches, etc.
- **Leaving food cooking unattended.**
- **Failing to vacate the building when the fire alarm system is activated.**

### Open Flames

- **Candles, incense burners, and other open flame devices are strictly prohibited.**
- **Using items that are potentially dangerous and/or flammable, including fireworks, hazardous materials, etc., is also prohibited.**

### Smoking

- **Smoking is prohibited in all residence hall areas (rooms, apartments, suites, common areas, lobbies, lounges, stairwells, elevators, activity/recreation rooms, bathrooms, etc.).**
- **Smoking is also banned on all university property and buildings at every University System of Georgia institution.**

## Fire Safety Inspections

The FVSU Fire Safety Office, located within the FVSU Police and Campus Safety Department, conducts yearly fire inspections in the residence halls within the first month of each semester, checking rooms for fire or unusual safety hazards and to ensure compliance with the following:

- **No halogen-touquier lights.** The intense heat generated by these bulbs creates a fire hazard and a potential source of burns. These bulbs start fires if they come into contact with curtains, clothes, paper, and other flammables. In addition, the lamps are unstable and can be easily tipped over.
- **No overloaded electrical circuits.** There can be only one major appliance (such as a refrigerator, TV, computer, microwave, etc.) per receptacle plug.
- **No hanging of items from overhead lights, sprinkler heads, or pipes.** No attachments to the ceiling.
- **Immediate and proper disposal of appliances with old or damaged cords.**
- **Use of electrical appliances that meet the Underwriter's Laboratory (UL) or Electrical Testing Labs (ETL) safety standards.**
- **No removal of grounding pins from three-pronged electrical cords.**
- **No unattended operation of coffee makers and other appliances with exposed heating elements.** They must be unplugged after each use and stored appropriately.
- **No running of cords under carpet.** Avoid stapling or tacking electrical wires to fixtures (on walls, over doorways, on ceilings, etc.)
- **No open-element hot plates**

## Regular Mandatory Supervised Fire Drills

Fort Valley State University's Residential Life Department, in conjunction with the FVSU Emergency Management Coordinator and the FVSU Police Department, conducts emergency evacuation drills each year. These drills are conducted each semester. During this past year, there were drills conducted in resident halls, academic and administration buildings across campus. A new evacuation plan was implemented for all university buildings to include the total evacuation of the university campus.

During fire evacuation drills, each fire alarm system in each on-campus student housing facility is activated. Once the alarm has been activated, students and visitors must exit immediately and gather at the designated evacuation safe refuge location. A sweep of all floors and a head count is conducted by a Residential Life representative and an FVSU police officer. Only when the alarm is silenced and the FVSU police officer or local authority gives the "all clear" will re-entry into the building be permitted. Students who do not vacate the building when a fire alarm is activated may be subject to judicial action. Residential Life RLC's and RA's receive classroom and hands-on training in the following areas: fire extinguisher use, evacuation and emergency preparedness, kitchen fire safety, life safety systems, FVSU fire safety rules, and fire inspection programs.

Note: For these drills only, the fire alarm system is reset by the Fort Valley State University Fire Safety Office.



## Fire Protection Systems

### Fire Alarm Systems/Initiation and Pull Stations

Fire alarm pull stations are generally located at exit doors, stairways, and at elevators in FVSU residential facilities. Once the alarm is activated, the Fort Valley State University Police Communications Center automatically receives the signal and responds by contacting FVSU Police and the Fort Valley Fire Department.

### Smoke Detection

Smoke detectors are located throughout each floor of every residential facility on campus. If smoke is detected, the fire alarm system will automatically send a signal to the central station monitor.

### Sprinkler System

Sprinkler heads must not be tampered with or used as a means to hang personal items. This could cause malfunctioning of the system or substantial water damage if one of the heads accidentally discharges. These sprinklers disperse 25 to 40 gallons per minute. The rise of temperature associated with fire in an area will activate the sprinkler system and send an alarm signal to the central station monitor. Currently, 90 percent of FVSU housing beds are covered by sprinkler protection. Future renovation project plans will accomplish 100 percent sprinkler coverage. Future renovations or demolition are projected for Josie Hall, which was built in the 1970's, which will increase the percentage to 100. Fort Valley State University is not responsible for any loss a student may incur as a result of tampering with sprinkler heads. A resident who knowingly or accidentally causes a sprinkler to activate may be charged for the repairs/cleanup and may be subject to judicial proceedings.

Note: It is against federal and state laws to tamper with or interfere with life and safety equipment. Destroying fire exit signs, fire alarm boxes, and other safety items could lead to disciplinary action, and the resident may be charged for the repairs/cleanup.

## Evacuation Plans

### General Procedures

If smoke or a fire is discovered, the fire alarm must be activated immediately. Exit through the nearest door or stairway and proceed to the designated safe refuge area. If the nearest exit or exit stairwell is obstructed by smoke, fire, or other hazards, proceed to an alternate exit or exit stairwell. Do not use elevators. Once assembled outside at the emergency evacuation assembly point, Residential Life RLC's and RAs will account for all occupants and communicate with first responders if anyone is not accounted for and provide other information vital to safety and rescue. Building occupants shall not reenter the building until the authority having jurisdiction gives the "all clear."

## Reporting Fires

To report a fire, students, employees, or visitors should call 911 or the Fort Valley State University Police Communications Center at (478) 825-6500 from any campus landline. Alternatively, callers can dial (478) 825-6211 from a cell phone. Either option will ensure the quickest response and will also ensure that other Fort Valley State University personnel, as appropriate, are notified.

Additional protection is provided by university campus police officers who are trained for initial response to fire incidents occurring at university facilities. Officers provide assistance in building evacuation and the extinguishing/containment of small fires.

A special response mobile unit is available to Campus Police Officers at the university for response to emergencies. The mobile unit provides equipment and protective equipment for officers to extinguish and control small fires involving ground cover, outdoor trash receptacles, and other non-structural type fires.

In addition, laboratory safety and evacuation plans are also part of the environmental health and safety mission. EHS is dedicated to maintaining the safety of our community by conducting annual inspections, plan reviews, and evacuation drills in all laboratories on campus.

## Fire Safety Education and Training Programs for Students, Faculty and Staff

The university's fire safety officer, in collaboration with Environmental Health and Safety (EHS), in coordination with Residence Life and Housing and Food Service, provides annual training to resident assistants (RAs) and residence life coordinators. Topics addressed during this training include:

- fire prevention in the residence hall
- what to do in the event of a fire
- how to report a fire or other emergency
- how residence hall fire safety systems operate.

Resident assistants and residential life coordinators coordinate additional fire safety training and education programs for residence hall students, especially during and after fire drills.

## Important Phone Numbers and Other Contact Information

FVSU Police Dept.....	478.825.6211 or 6500	Fire-Medical-Police .....	911
Counseling Center.....	478.822.1035	FVSU Office of Student Conduct.	478.825.6258
Dean of Students.....	478.825.6290	FVSU Outreach Services.....	478.822.1036
Residential Life .....	478.825.6100	Medical Center Peach County .....	478.654.2000
Health Services.....	478.825.6278	Warner Robins Police .....	478.929.1170
Human Resources .....	478.825.6301	Peach Co. Sheriff Office .....	478.825.8636
Title IX Office .....	478.825.4284	FVSU Emergency Texting.....	911fvsu@fvsu.edu

## Fire Statistics for Fort Valley State University

### On-Campus Student Housing Facilities FIRES

#### IN RESIDENTIAL FACILITIES 2021 TO 2023

#### Fire Statistics

Residential Facilities	Year	# Of Fires	Date	Time	Cause of Fire	# Of Injuries that Required Treatment at a Medical Facility	# Of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Wildcat Commons 1 1451 State University Drive	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Wildcat Commons 2 1451 State University Drive	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Wildcat Commons 3 1451 State University Drive	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Wildcat Commons 4 1451 State University Drive	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Wildcat Commons 5 1451 State University Drive	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0
Wildcat Commons 6 1451 State University Drive	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
	2023	0	0	0	0	0	0	0



## Description of Fort Valley State University On-Campus Student Housing Fire Safety System-Residence Halls/Apartments

### RESIDENTIAL FACILITIES FIRE SAFETY SYSTEMS

Residential Facilities	Number of Floors	Fire Alarm Monitoring Done On Site (by FVSU PD)	Full Sprinkler System	Sprinklered Trash Chute	Smoke Detection	Heat Detector	Fire Extinguisher
Wildcat Commons 1 1451 State University Drive	4	X	X	X	X	X	X
Wildcat Commons 2 1451 State University Drive	4	X	X	X	X	X	X
Wildcat Commons 3 1451 State University Drive	4	X	X	X	X	X	X
Wildcat Commons 4 1451 State University Drive	4	X	X	X	X	X	X
Wildcat Commons 5 1451 State University Drive	4	X	X	X	X	X	X
Wildcat Commons 6 1451 State University Drive	4	X	X	X	X	X	X
Wildcat Commons 7 1451 State University Drive	4	X	X	X	X	X	X
Ohio Hall 206 Rayfield Wright St.	3	X	X	X	X	X	X
Student Housing 101 Memorial Drive	2	X			X	X	X
Home Management Resident Apts. 1101 Carver Drive	2	X	X		X	X	X

<b>Residential Facilities</b>	<b>Fire Alarm Pull Stations</b>	<b>Pressurized Stairwells</b>	<b>Emergency Generators</b>	<b>Emergency Lighting</b>	<b>Evacuation Plans / Movement Plans</b>	<b>Number of Evacuation (fire) drills each academic year</b>	<b>Protected Elevator Lobby</b>
<b>Wildcat Commons 1 1451 State University Drive</b>	X	X		X	X	4	X
<b>Wildcat Commons 2 1451 State University Drive</b>	X	X		X	X	4	X
<b>Wildcat Commons 3 1451 State University Drive</b>	X	X		X	X	4	X
<b>Wildcat Commons 4 1451 State University Drive</b>	X	X		X	X	4	X
<b>Wildcat Commons 5 1451 State University Drive</b>	X	X		X	X	4	X
<b>Wildcat Commons 6 1451 State University Drive</b>	X	X		X	X	4	X
<b>Wildcat Commons 7 1451 State University Drive</b>	X	X		X	X	4	X
<b>Ohio Hall 206 Rayfield Wright St</b>	X	X	X	X	X	4	X
<b>Student Housing 101 Memorial Drive</b>				X		2	
<b>Home Management Resident Apts. 1101 Carver Drive</b>				X		2	



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