



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

2023
ANNUAL
FIRE
SAFETY
AND
SECURITY
REPORT

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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 blue ink, appearing to read 'Paul Jones', written in a cursive style.

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 21st 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 ground floor of the Bond building.

Best Regards,
Antonio L. Fletcher, Chief of Police
antonio.fletcher@fvsu.edu

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 or (478) 825-6280.

The Fort Valley State University Police Department is a dynamic, progressive, and professional organization that is committed to excellence and dedicated to serving our faculty, staff, and students with dignity. To protect life, property, prevent crime and reduce fear of crime, we will educate our police staff and the FVSU community, by being transparent and provide service with understanding, respond with compassion, and perform with integrity while enforcing the law.

Here at FVSU, we police the campus and not the students by educating, protecting, and serving.

We are not just a campus. We are a “Communiversiety.”

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.).

Crimes Involving Student Organizations at Off-Campus Events/Locations

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.



Emergency Phones

There are more than 52 emergency call phones 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 of the emergency call phones are linked directly to the Fort State University Police Dispatch Command Center.

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

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

Statements of Policy regarding Non-Discrimination, Complaints, Retaliation, Confidentiality, and EO

Statement of Policy

Fort Valley State University is committed to maintaining a fair and respectful environment for work, study, and living. Therefore, in accordance with federal law, state law, University System of Georgia policies and Fort Valley State University policies, the University prohibits and will not tolerate discrimination against or harassment of any individual or group based upon race, color, religion, ethnic or national origin, gender, genetic information, age disability, sexual orientation, gender identity, gender expression, veteran status or any factor that is a prohibited consideration under applicable law.

Applicability

Every member of the university community is expected to adhere to this policy as a matter of mutual respect and fundamental fairness. Every member of the university community shall adhere to this policy as a condition of remaining a part of and enjoying the privileges of being a member of the university community. Members of the university community include but are not limited to:

- university, faculty, staff, administrators, employees and independent contractors;
- university students;
- volunteers and participants in any university program or activity;
- guests and visitors to campus and to any property owned or leased by the University or owned or leased by any university-affiliated organization or group; and
- such persons identified herein whether on or off university owned or leased property when such person is acting as a member of the university community.

Complaint Against Students

Students are bound by the provisions of this policy. However, complaints against students acting in their capacity as a student shall be subject to adjudication pursuant to the university's Student Handbook and Sexual Harassment, Prohibited Conduct, and Non-Discrimination Policy. The university's policy on any and all forms of harassment can be found in either the Student Handbook or the Sexual Harassment, Prohibited Conduct, and Non-Discrimination Policy. The policy on harassment defines harassment, explains how to report allegations of harassment, and identifies the procedures that will be used to address allegations of the different forms of harassment so as to ensure compliance with federal laws, specifically, Title IX of the Education Amendments of 1972. A link to the university's code of conduct and compliance office can be found on the university's website(www.fvsu.edu).

Policy Details

Equal Opportunity Policy

It is the policy of Fort Valley State University to provide affirmative action and equal opportunity for all employees, students, and applicants for employment or admission without regard to race, color, sex, age, religion, national origin or disability or veteran status.

Fort Valley State University does not discriminate against any employee or applicant for employment with regard to any opportunity for which the employee is qualified. For additional information or to file a complaint under the provisions of this policy, employees and applicants should contact the equal opportunity office (EOO), Huntington Hall Room 106. Every member of the Fort Valley State University community is expected to uphold this policy as a matter of mutual respect and fundamental fairness in human relations. All members of the faculty, staff, and student body are expected to ensure that non-discriminatory practices are followed at the University.

Fort Valley State University is committed to a policy which ensures the fulfillment of equal opportunity without unlawful discrimination for all applicants for employment, employees, and students. This policy is administered without regard to race, creed, color, sex, sexual orientation, gender identity, national origin, religion, age, veteran status, or disability. The university complies with the requirements of Title VI and Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, as amended, Executive Order 11246, as amended, the Vietnam Era Veterans Readjustment Act of 1974, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans With Disabilities Act of 1990 (Title II), as amended, the Lilly Ledbetter Fair Pay Act of 2009, the Georgia Fair Employment Act of 1978, as amended, and the Genetic Information Nondiscrimination Act of 2008, as well as their implementing and supplemental regulations, save for any Eleventh Amendment legislative and/or judicial interpretations to the contrary.

Faculty, staff, and students who feel that any of their rights under these regulations have been violated are entitled to request a review of the matter. Any complaints dealing with any type of discrimination should be addressed to the university's equal opportunity officer (EOO). The procedures for seeking redress under these regulations are as follows:

Complaint Process

1. If at all possible, the person should first make an attempt to consult and work with the individual involved to resolve the matter.
2. If the person cannot obtain satisfactory results from such a conference, s/he must file a complaint within 20 (twenty) working days in writing with the EOO. This timeframe can be extended or waived by the EOO for good cause shown.
3. In situations involving faculty or staff, the EOO will first engage the director of human resources or his/her designee to investigate the complaint (if this has not already occurred) and issue a recommendation. In situations involving a student, the EOO will first engage the vice president of student affairs and enrollment management or his/her designee to investigate the complaint (if this has not already occurred) and issue a recommendation or decision.
4. If the recommendation or decision is not satisfactory to one or more of the parties, s/he must notify the EOO in writing within five (5) working days. This timeframe can be extended or waived by the EOO for good cause shown.
5. The EOO will then render a decision on the matter within five (5) working days. The EOO will provide a rationale for the decision. Note that if the EOO officer, in his/her discretion, determines that additional

investigative measures are necessary, this time frame may be extended accordingly. Ordinarily, the time frame will not exceed thirty (30) working days.

6. If either party is dissatisfied with the decision of the EOO, the party can request in writing, within five (5) business days of receiving the decision of the EOO, that the president of Fort Valley State University review the matter. S/he will inform the parties in writing of his/her decision, and the decision will be final at the institutional level. The decision will be in writing, typically within ten (10) days from the date of receipt of the appeal.



Sexual Harassment, Prohibited Conduct, and Non-Discrimination Policy

Policy Purpose and Statement

In accordance with applicable federal and state law the University System of Georgia (“USG”) and the Fort Valley State University (“FVSU” or the “University”) adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. FVSU does not discriminate in its admissions practices (except as permitted by law), in its employment practices, or in its educational programs or activities on the basis of sex/gender (including gender and pregnancy discrimination), age, disability, national origin, race, religion, genetic information, or veteran status of any person, to discharge without cause, to refuse to hire, or otherwise discriminate against any person with respect to any matter directly or indirectly related to employment or academic standing.

As a recipient of federal financial assistance for education activities, FVSU is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender. Sex includes sex, sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or parenting status. FVSU is also committed to reducing incidents of Sexual Misconduct, providing prevention tools, conducting ongoing awareness and prevention programming, and training the campus community in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and the Violence Against Women Act (“VAWA”).

FVSU also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by this Policy.

Policy

This Policy ensures compliance with federal and state laws including Title VI of the Civil Rights Act of 1964 (“Title VI”), Title VII of the Civil Rights Act of 1964 (“Title VII”), Title IX of the Education Amendments of 1972 (“Title IX”), Title II of the Genetic Information Act of 2008 (“Title II”), the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, the Age Discrimination in Employment Act (ADEA) and any other applicable federal and state law.

When harassment, prohibited or discrimination does occur, all members of the FVSU community are strongly encouraged to report it promptly through the procedures outlined in this Policy. This Policy applies to all members of the FVSU community. This Policy is not intended to infringe or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, or the due process clauses of Fifth and Fourteenth Amendments.

The University follows the [USG Non-Discrimination and Anti-Harassment Policy 6.6](#), [USG Sexual Misconduct Policy 6.7](#) and [USG Sexual Misconduct Policy 4.6](#). The University also follows [USG Policy to Prohibit Discrimination & Harassment](#) as it relates to employees. In the event there is any conflict between the policy and procedures here and the policy and procedures in the Board of Regents Policy Manual, the language of the Board of Regents Policy Manual controls.

Reporting Structure

FVSU Title IX Coordinator shall have a direct reporting relationship to both the FVSU president or the president’s designee and the USG System director for equity and investigations (“system director”). The

president shall determine the organizational and operating reporting relationships for the coordinator at FVSU and exercise oversight of institutional issues relating to sexual misconduct. However, the system director shall have authority to direct the coordinator's work at FVSU as needed to address system-wide issues or directives. FVSU's president shall consult with the system director on significant personnel actions involving coordinators, to include but not be limited to, appointment, evaluation, discipline, change in reporting structure, and termination.

Title IX Coordinator Contact Information:

Karin D. Vinson, J.D.
Huntington Hall, Rm. 106
Fort Valley State University
1005 State University Drive
Fort Valley, GA 31030

Office Phone: 478-825-4284
Cell Phone: 478-662-6901
Email: Karin.vinson@fvsu.edu

Process/Procedure

Scope and Jurisdiction

This Policy prohibits sex-based discrimination and retaliation. This Policy also prohibits Sexual Harassment as defined in the Title IX Final Rule as a form of sex-based discrimination. Title IX's definition of Sexual Harassment includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking. This Policy also prohibits sexual harassment, discrimination, and retaliation as defined in Title VII of the Civil Rights Act of 1964 ("Title VII"). Collectively, all forms of conduct included in this Policy and accompanying procedures are referred to as "Prohibited Conduct."

Prohibited Conduct allegedly committed is addressed by this Policy when it occurs on institution property, at FVSU-sponsored or affiliated events, or off campus. Alleged Prohibited Conduct in violation of Title IX is addressed by this policy when the Prohibited Conduct 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. Prohibited Conduct in violation of Title IX includes any forms of discrimination that is sex-based and sexual harassment as defined by Title IX. FVSU's Title IX Coordinator is responsible for oversight of the investigation and resolution of all reports of Prohibited Conduct with the exception of conduct that is prohibited by Title VII. If the Title IX Coordinator determines that conduct is prohibited by Title VII, then FVSU's CHRO shall be responsible for the oversight of the investigation and resolution of said report.

Reporting Prohibited Conduct

Prohibited Conduct includes, discrimination, sexual harassment (student on student and other than student of student), and sexual misconduct. Sexual misconduct includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, nonconsensual sexual penetration, sexual exploitation, sexual harassment, and stalking. See specific definitions below. A complainant may, but need not, file a criminal complaint with law enforcement officials; file a report with a "responsible employee" or coordinator; or file both. Although all reports shall be reported to the Title IX Coordinator. A report may be filed anonymously, although anonymous reports may make it difficult for FVSU to address the complaint. Any individual who believes that he or she has been a victim of sexual misconduct is encouraged to report allegations of promptly.

FVSU has designated certain employees on campus as Responsible Employees. All employees are designated as Responsible Employees except for those who are designated as Confidential or Privileged Employees.

Within 24-hours of receiving the disclosure, the Responsible Employee must share all details about a report of Prohibited Conduct including the known details of the incident (e.g., date, time, location), the names of the parties involved, and a brief description of the incident by telephone, by email, or through the [Online Reporting System](#).

Procedure Following Receipt of Actual Notice

A. Initial Assessment

Upon notice of the alleged Prohibited Conduct, the Title IX Coordinator will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the Title IX Coordinator will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether a Formal Complaint must be filed, whether an investigation is appropriate considering 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 Title IX Coordinator will first determine whether the reported conduct falls within the scope and jurisdiction of the Policy, and more specifically, within the jurisdiction of the Title IX Final Rule. Additionally, the assessment will aim to identify what Policies and procedures are most appropriate to use to respond to the reported allegations. The specific procedures for assessing, reviewing, and resolving Prohibited Conduct depend upon the nature of the Respondent's relationship to the University, and when a Respondent is an employee, on the type of Prohibited Conduct alleged.

1. ***The Respondent is a Student:*** Where the facts set forth in the report would constitute Prohibited Conduct as defined by this Policy, regardless of whether the conduct occurred in the United States or in the Educational Program or Activity, the University will follow the procedures outlined within this Policy. Where the allegations do not fall within the jurisdiction of the Title IX Final Rule, the University will dismiss the allegations in the Formal Complaint pursuant to Title IX. While the allegations would be dismissed under Title IX, they could still be investigated by a different process within this Policy or by a different University policy. If there are multiple allegations, the University will evaluate each violation individually to determine whether the procedures in the Policy are followed or the allegation(s) are dismissed.
2. ***The Respondent is an Employee:*** Where the facts set forth in the report are made against a non-Student employee, the Title IX Coordinator will assess whether the allegations fall within the jurisdiction of the Title IX Final Rule. Where the allegations do fall within the jurisdiction of the Title IX Final Rule and a Formal Complaint is filed, the University will follow the procedures outlined with this Policy. Where the allegations do not fall within the jurisdiction of the Title IX Final Rule, the University will dismiss the allegations in the Formal Complaint pursuant to Title IX. While the allegations would be dismissed under Title IX, they could still be investigated by a different process within this Policy or by a different University policy. If there are multiple allegations, the University will evaluate each violation individually to determine whether the procedures in the Policy are followed or the allegation(s) are dismissed.
3. ***The Respondent is both a Student and an Employee:*** The Title IX Coordinator will determine whether student or employee Procedures apply based upon the facts and circumstances, and whether those circumstances relate more closely to the Respondent's status as a Student or an employee.
4. ***The Respondent is a Third Party:*** The University will act to eliminate the harassment, address the behavior, and remedy its effect by providing Supportive Measures to Students or employees who have been impacted by the alleged behavior.

When the Title IX Coordinator receives a report of behavior that could violate this Policy as well as other University policies, the Title IX Coordinator will determine which policy and procedures apply and whether action will be taken under this Policy exclusively, or under multiple policies and/or procedures. In the event that at the time of a report or the conclusion of an investigation it becomes apparent that the alleged conduct, if true, would not constitute Prohibited Conduct, the matter may be adjudicated under another applicable policy or procedure. Further, the Title IX Coordinator will also make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report.

B. Intake Process

Any person may submit information to the Title IX Coordinator regarding alleged Prohibited Conduct. After receiving a report of possible Prohibited Conduct committed by a Student or Employee, the Title IX Coordinator will promptly contact the Complainant, if one is identified or identifiable, to (1) discuss the availability of Supportive Measures; (2) ask about the Complainant's wishes with respect to Supportive Measures; (3) explain that Supportive Measures are available with or without the filing of a Formal Complaint; (4) explain how to file a Formal Complaint, (5) and provide Complainant and Respondent with a Title IX Brochure, Complainant (Respondent) Brochure, Guide to Support Services and Interim Measures .

A. Institutional Reports

An institutional report occurs when the University has notice of a complaint. While there is no statute of limitations on FVSU's ability to respond to a report, the ability to respond diminishes with time as information and evidence may be more difficult to secure. Notice occurs in two instances:

1. When the Title IX Coordinator receives a complaint, or
2. When a Responsible Employee receives a complaint.

Any individual may make a report, but FVSU does not have notice of the report until information is known to a Responsible Employee or the Title IX Coordinator. Complainants, or anyone with knowledge of Prohibited Conduct, may file a report with a Responsible Employee or the Title IX Coordinator. The Responsible Employees must provide a complete report of all information known to them to the Title IX Coordinator. Responsible Employees informed about Prohibited Conduct allegations should not attempt to resolve the situation but must notify and report all relevant information to the Title Coordinator as soon as practicable. The report may be made directly to the Title IX Coordinator in multiple formats to include:

- In writing by completing the [online form](#) or obtaining the form by requesting via email at titleIX@fvsu.edu
- Phone: 478-825-4284 or 478-662-6901
- Fax: 478-827-3100
- Mail-FVSU Office of Legal and Government Affairs 1005 State University Drive, Fort Valley, GA 31030
- In person: Office of Legal and Government Affairs, 1st Floor Huntington Hall
- USG Ethics Hotline or you can also make a report via telephone by calling the number below toll-free 24hours a day, 7 days a week: 1-877-516-3466.

Upon receipt of an institutional report, the Title IX Coordinator will contact the Complainant. The Title IX Coordinator will discuss the availability of supportive measures, the invitation to discuss the Complainant's wishes with respect to implementation of supportive measures and explain the process of filing a complaint. An institutional report does not automatically prompt an investigation.

Title IX Coordinator Contact Information:

Karin D. Vinson, J.D.
Huntington Hall, Rm. 106
Fort Valley State University
1005 State University Drive
Fort Valley, GA 31030

Office Phone: 478-825-4284
Cell Phone: 478-662-6901
Email: Karin.vinson@fvsu.edu

The Title IX Coordinator shall notify the System Director of any allegation(s) of prohibited conduct that could, standing alone as reported, lead to the disciplinary suspension or expulsion of the Respondent(s). The System Director will work with FVSU to determine whether any support services or interim measure(s) are necessary and to assign an investigator who will work under the direction of the System Director or designee, if directed by the System Director. If an allegation is not initially identified as one that would lead to the disciplinary suspension or expulsion of the respondent(s), but facts arise during the course of the investigation that could lead to the Respondent's disciplinary suspension or expulsion, the Title IX Coordinator shall notify the System Director or designee. The System Director shall have the discretion to oversee the handling of the complaint.

B. Law Enforcement Reports

Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police for his or her own protection and that of the surrounding community. FVSU may assist the complainant in reporting the situation to law enforcement officials.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

- clothing worn during the incident including undergarments;
- sheets, bedding, and condoms, if used;
- lists of witnesses with contact information;
- text messages, call history, social media posts;
- pictures of injuries; and/or
- videos

Filing a criminal report does not automatically constitute an institutional report. Any reports of prohibited misconduct made to FVSU Campus Safety will also be reported to the Title IX Coordinator. Law Enforcement Reports can be made by contacting FVSU Campus Safety at 478-825-6211 or by dialing 9-1-1.

C. Anonymous Reports

FVSU provides a mechanism by which individuals can report incidents of alleged Prohibited Conduct anonymously. Individuals should understand, however, that it will be more difficult for the University to respond and to take action upon anonymous reports. Anonymous reports filed at www.fvsu.edu/say-something, Sexual Misconduct [online form](#) or [USG Ethics Hotline](#).

D. Retaliation

Anyone who, in good faith, reports what he or she believes to be misconduct under this policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes that he or she has been the target of retaliation for reporting, participating, cooperating in, or otherwise being associated with an investigation should immediately contact the coordinator. Any person found to have engaged in retaliation in violation of this policy shall be subject to disciplinary action.

E. False Complaints

Individuals are prohibited from intentionally giving false statements to a system or FVSU official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of this policy, shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the student conduct policy.

F. Amnesty

Individuals should be encouraged to come forward and to report sexual misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by an individual during an investigation concerning use of drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

Handling Reports of Sexual Misconduct

A. Support Services

Once the Title IX Coordinator has received information regarding an allegation of Prohibited Conduct, the parties will be provided with written information about support services. Support services are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without charge that are made available to the Complainant and Respondent before or after the filing of a complaint or where no complaint has been filed.

These actions may include, but are not limited to:

1. Referral to counseling, medical, and/or other healthcare services
2. Referral to the Employee Assistance Program
3. Referral to community-based service providers
4. Visa and immigration assistance
5. Student financial aid counseling
6. Education to the institutional community or community subgroup(s)
7. Altering campus housing assignment(s)
8. Altering work arrangements for employees or student-employees
9. Safety planning
10. Providing campus safety escorts
11. Providing transportation assistance
12. Implementing contact limitations (no contact orders) between the parties
13. Academic support, extensions of deadlines, or other course/program- related adjustments
14. Trespass, No Contact, or Be-On-the-Lookout (BOLO) orders
15. Class schedule modifications, withdrawals, or leaves of absence
16. Increased security and monitoring of certain areas of the campus
17. Any other actions deemed appropriate by the Title IX Coordinator

B. Interim Measures

Interim measures may be implemented at any point after the University becomes aware of an allegation of prohibited conduct. These measures are designed to protect any student or other individual in the FVSU community. Such measures are also designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Prohibited Conduct. Interim measures include but not limited to the following:

C. Emergency Removal

Emergency removal 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. When assessing whether a Respondent should be removed, the institution should consider the existence of a significant risk to the health or safety of the Complainant or Campus Community. Additionally, there should be a consideration of the nature, duration, and severity of the risk; the probability of potential injury, and whether less restrictive means can be used to mitigate the risk.

If an emergency removal is issued, the terms of the removal take effect immediately when the Respondent is given notice. Any incident of removal of a Respondent shall be done with the assistance of Campus Safety and/or the Office of Student Counseling & Outreach Services. The University must give the Respondent the opportunity to be

heard on whether the Respondent's presence on campus poses a danger. The Respondent may submit a challenge of the emergency removal to the Vice President. Within three business days of receiving a challenge the University will determine whether the emergency removal should continue.

D. Administrative Leave

An employee-Respondent can be placed on administrative leave pending the completion of the resolution process. Procedures surrounding the implementation of administrative will be consistent with those outlined in the University's Employee Handbook and USG Policy Dismissal, Demotions, or Suspensions.

E. Alteration of Housing Assignment

Immediate removal and prohibition of a student from University housing by the Title IX Coordinator pending an investigation or adjudication. Through the duration of the termination of housing the student will be restricted from entering all residential floors in university buildings. Housing assignments can also be altered by the Title IX Coordinator with the help of the Department of Residential Life.

F. Administrative hold

An administrative hold may be placed on a student's account upon application of formal complaint under this Policy by a designated University official and pending a completion of the grievance process. The University reserves the right to withhold the release of a party's official transcripts and/or diploma, and conferral of a degree until a final decision has been rendered. If an administrative hold is put in place pending completion of the grievance process, the party will be notified of the hold and be advised on how to request the modification to or lifting of the hold. The administrative hold will remain in place until lifted by the Title IX Coordinator or other designated University official with authority to do so. See section below for information on when an Administrative Hold can be placed on a student's account.

G. Mutal No Contact Orders

An order between individuals connected with the University to help create an educational environment that is free from harassment and/or threats of violence. No contact orders shall be mutual orders placed on all parties involved. Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as collateral allegations to an ongoing complaint under the Sexual Harassment, Prohibited Conduct, Non-Discrimination Policy.

Informal Resolutions

The Complainant and Respondent, 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. This process is a restorative voluntary process. The Respondent will not be charged with a violation of the Policy unless it is agreed upon by the parties. The Complainant, the Respondent, and the University must agree to engage in the informal resolution process and to the terms of the informal resolution.

The informal resolution process is designed to eliminate the [Sexual Misconduct] Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the Complainant and Respondent while still maintaining the safety of the overall campus community.

Formal Complaints may be resolved informally, except in the instance of an allegation by a student against an Employee. The following must be met to proceed with the informal resolution process:

1. The parties have received written notice of the allegations
2. The parties have received written explanation of the informal process to include, but not limited to:
 - a. Written agreement of the parties to initiate the informal resolution process;
 - b. Written notice that the parties may withdraw from the process at any time prior to the agreement of the terms of the resolution;
 - c. Written notice that the final resolution precludes any further institutional actions on the allegations
3. The University has agreed to engage in the informal resolution process.

The alleged victim(s) and 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.

Timeframe

Efforts will be made to complete the investigation and resolution within 120 business days. Temporary delays and limited extensions may be granted by the University for good cause throughout the investigation and resolution process. The parties will be informed in writing of any extension or delay and the applicable reason. The Title IX Coordinator, or his or her designee, shall keep the parties informed of the status of the investigation.

Investigations

All sexual misconduct investigations involving a student respondent, whether overseen by FVSU's Title IX Coordinator or the system director, shall follow the investigation process set forth in Section 4.6.5, Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings and the FVSU Sexual Harassment, Prohibited Conduct, and Non-Discrimination Policy.

A. Formal Grievance Process- Process A

The implementing of Title IX regulations requires special handling of complaints of sexual harassment. The following outlines the required specialized handling of the matters involving Prohibited Conduct that is considered a violation of Title IX. It also outlines the process the CHRO will follow in investigating Prohibited Conduct that is alleged to be a violation of Title VII.

Throughout any investigation and resolution proceeding, a party shall receive written notice of the alleged Prohibited Conduct, shall be provided an opportunity to respond, and shall be allowed the right 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 the investigation or resolution process, the investigation and resolution process may still proceed, and policy violations may result.

Until a final determination of responsibility, the Respondent is presumed to have not violated this Policy. Prior to the finalization of the investigation report, timely and equal access to information related to the allegations that has been gathered during the investigation and may be used at the hearing will be provided to the Complainant, the Respondent, and a party's advisor (where applicable).

Formal judicial rules of evidence do not apply to the investigation process. Additionally, the standard of review throughout the process is a preponderance of the evidence.

1. Investigation Procedure

1. The Title IX Coordinator shall provide the parties shall with written notice of the report/allegations with sufficient details, pending investigation, possible charges, possible sanctions, available support services and interim measures, and other rights under applicable institutional policies. For the purposes of this provision sufficient details include the identities of the parties involved if known, the conduct allegedly constituting Prohibited Conduct, and the date and location of the alleged incident, if known. This information will be supplemented as necessary with relevant evidence collected during the investigation. The notice should also include the identity of any investigator(s) involved. If the Respondent is an employee, then the Title IX Coordinator must also send notice of the investigation to the Vice President (or its equivalent) of the division of employment the employee is classified under. However, the notice must not contain the specific allegations. It shall only be stated that the employee is being investigated. Notice should be provided via institution email to the party's institution email.
2. The Title IX Investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The Title IX Investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
3. The Title IX Investigator shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
4. The initial investigation report shall be provided to the Complainant, the Respondent, and the party's advisor (if applicable). This report should fairly summarize the directly related 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.
5. The Complainant and the Respondent shall have at least ten (10) days to review and respond in writing to the initial investigation report and directly related information gathered during the investigation. The Title IX 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. If any response is received from either party, the Title IX Investigator shall immediately send said response to the other party. Although, the receiving party will not have an additional opportunity to respond to the response given by the other party.
6. The final investigation report should summarize the relevant evidence, and be provided to the Complainant, the Respondent, and a party's advisor, if applicable, at least ten (10) days prior to the hearing. The final investigation report should also be provided to all Hearing Panel⁷ members for consideration during the adjudication process. Any possible recommendations or sanctions shall be removed from the final investigation report prior to it being provided to the Hearing Panel.

7.If the parties are given notification that the formal complaint or any allegation(s) is dismissed after the investigation is completed, either party will have the right to appeal such decision.

2. Resolution/Hearing of Formal Grievance Process

All Prohibited Conduct cases shall be adjudicated by a panel of faculty and/or staff. However, Prohibited Conduct covered by Title VII, shall be adjudicated by the Vice President (or its equivalent) of the division of employment the employee is classified under. All institutional participants in the resolution process shall receive appropriate annual training as directed by the USG System Director or Coordinator and required by the Clery Act and Title IX.

In no case shall a hearing to resolve a Prohibited Conduct allegation take place before the investigation report has been finalized. 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. All relevant evidence shall be available at the hearing for the parties and their advisors to reference during the hearing.

Relevant facts or evidence that were not known or knowable to the parties prior to the issuance of the final investigative report shall be admissible during the hearing. Where practicable, parties must submit any new facts or evidence to the Title IX Coordinator. The Title IX Coordinator may consult as necessary with the Office of Legal and Government Affairs to determine the relevance of any newly submitted facts or evidence. The Title IX Coordinator will determine how the facts or evidence will be introduced, which may include, but is not limited to, enclosing the new facts or evidence in communications or materials shared with the parties and the hearing panel prior to the hearing. The admissibility of any facts or evidence known or knowable by the parties prior to the issuance of the final investigative report, and which were not submitted during the investigation, shall be determined by the Title IX Coordinator in compliance with the obligation to provide both parties an equal opportunity to present and respond to witnesses and other evidence. Notice of the date, time, and location of the hearing as well as the selected hearing panel members shall be provided to the Complainant and the Respondent at least 10 calendar days prior to the hearing. Notice shall be provided via institution email to the parties' institution email. Parties may attend the hearing with their advisor.

Hearings shall be conducted in-person or via video conferencing technology. Where the University determines that a party or witness is unable to be present in person due to extenuating circumstances, the University may establish special procedures to permit that individual to provide testimony from a separate location. In doing so, the University must determine whether there is a valid basis for the individuals' unavailability, require that the individual properly separated in a manner that ensures testimony has not been tainted, and make a determination that such arrangement will not unfairly disadvantage any party. Should it be reasonably believed that the individual presented tainted testimony, the hearing panel will disregard or discount the testimony. Parties may also request to provide testimony in a separate room from the opposing party, so long as no party is unfairly disadvantaged, and they have the opportunity to view the testimony remotely and submit follow-up questions.

At all times participants in the hearing process, including parties, a party's advisor, and University officials, are expected to act in a manner that promotes dignity and decorum throughout the hearing. Participants are expected to be respectful to others and follow procedural formalities outlined by this Policy and the institution. The University reserves the right to remove any participant from the hearing environment if the participant refuses to adhere to the institution's established rules of decorum. Please see Appendix A for the University's Rules of Decorum for Interviews and Hearings and Appendix D for Hearing Procedures.

The University 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.

Title IX Hearings

1. Where a party or a witness is unavailable, unable, or otherwise unwilling to participate in the hearing, including being subject to cross-examination, the hearing panel shall not draw an adverse inference against the party of witness based solely on the party's absence from the hearing or refusal to subject to cross-examination.
2. The parties shall have the right to present witnesses and evidence at the hearing.
3. The parties shall have the right to confront witnesses and evidence at the hearing, including the other party, by having their advisor ask relevant questions directly to the witness. The Hearing Officer in consultation with the Hearing Panel shall limit questions raised by the advisor when they are irrelevant to determining the truth of the allegations against the Respondent(s). In any 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.
4. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
5. The Hearing Panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
6. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
7. Following a hearing, the parties shall be simultaneously provided a written decision via FVSU 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 University shall also notify the parties of their right to appeal as outlined below.

Alternate Grievance Process- Process B

The following outlines the handling of Prohibited Conduct that is a violation of this policy, but not considered a violation of Title VII or Title IX because of subject matter or jurisdictional issues. The same procedure for investigations detailed in Process A applies. The procedure for hearings differs. Prohibited Conduct by an Employee Respondent shall be adjudicated by the Vice President (or its equivalent) of the division of employment the employee is classified under. Additionally, the University does not have to provide either party with an Advisor.

Resolution/Hearing of Alternate Grievance Process

1. The parties shall have the right to present witnesses and evidence at the hearing. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard.

2. 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 truth 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.
3. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
4. The Hearing Panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
5. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
6. Following a hearing, the parties shall be simultaneously provided with a written decision via FVSU 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. FVSU shall also notify the parties of their right to appeal, as outlined below.

Advisors

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. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the 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, then pursuant to Process A, the University will provide an advisor for the purpose of conducting cross examination on behalf of the relevant party. Each party is entitled to only one advisor.

Sanctions and Appeals

A. 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 institution will determine sanctions and issue notice of the same, as outlined above.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

Student Sanctions

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

1. *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.
2. *Required Counseling*: A mandate to meet with and engage in either University -sponsored or external counseling to better comprehend the misconduct and its effects.
3. *Required Training*: A mandate to participate in sensitivity training/awareness education programs, alcohol and other drug awareness and abuse prevention programs.
4. *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.
5. *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.
6. *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.
7. *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.
8. *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.
9. *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.

Employee Sanctions

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

1. Verbal or Written Warning
2. Performance Improvement Plan/Management Process
3. Enhanced Supervision, Observation, or Review
4. Required Counseling
5. Required Training or Education
6. Probation
7. Denial of Pay Increase/Pay Grade
8. Loss of Oversight or Supervisory Responsibility
9. Demotion
10. Transfer
11. Reassignment
12. Delay of (or referral for delay of) Tenure Track Progress
13. Assignment to New Supervisor
14. Restriction of Stipends, Research, and/or Professional Development Resources
15. Suspension/Administrative Leave with Pay

16. Suspension/Administrative Leave without Pay

17. Termination

18. 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.

B. Appeals

An appeal may be allowed in any case where sanctions are issued, even when such sanctions are deferred or held “in abeyance,” such as probation or expulsion. An appeal is also allowed from a determination regarding responsibility and from the University’s dismissal of a formal complaint or any allegations. The Respondent and the Complainant shall have the right to appeal the outcome on any of the following grounds:

1. To consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, 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 a conflict of interest or bias by the Title IX Coordinator, Title IX Investigator(s), decision makers(s); or
3. To allege that the finding was inconsistent with the weight of the information.

The Respondent or Complainant may appeal to the President or his or her designee in writing, provided the basis for the appeal is limited to the criteria listed above. Parties who have accepted an Informal Resolution are not eligible for appeal. A Respondent or Complainant will have five (5) days from receipt of the official outcome letter to send their appeal to the Title IX Coordinator. The appeal must be submitted in writing on the appeal deadline and must explicitly state why an appeal is warranted. When an appeal is timely received and appropriately sets forth one or more of the grounds outlined above, the non-appealing party will receive a copy of the appeal and will have five (5) Days from the date of the notice of appeal to submit a response to the Title IX Coordinator. The non-appealing party’s response shall be limited to the matters properly raised on appeal.

The Title IX Coordinator will compile all pertinent information and deliver the appeal packet to the President or his or her designee. The appeal shall be a review of the record only, and no new meeting with the Respondent or Complainant is required.

The President or designee may:

1. Affirm the original finding and sanction;
2. Affirm the original finding but issue a new sanction of greater or lesser severity;
3. Remand the case back to the decision-maker to correct a procedural or factual defect; or
4. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.

The President or his or her designee’s decision shall be simultaneously issued in writing to the parties within a reasonable time period. The President or his or her designee’s decision shall be the final decision of the University. In no case shall there be provided more than one level of institutional appeal.

Following the decision of the President or his or her designee a student may apply to the Board of Regents for further review of the decision pursuant to [USG Policy 6.26 Application for Discretionary Review](#). Appeals received after the designated deadlines above will not be considered unless the Institution or Board of Regents has granted an

extension prior to the deadline. If an appeal is not received by the deadline the last decision on the matter will become final.

Trainings

FVSU will provide students and employees with information regarding the prevention of Prohibited Conduct and the procedure to be followed in filing complaints. Every incoming (freshman and transfer students) student is required to complete a mandatory online training regarding Prohibited Conduct, prevention and intervention, and how to report incidents related to Sexual Harassment and other forms of Prohibited Conduct.

FVSU is also committed to educating its students on awareness of Prohibited Conduct. As a result, every student living on campus is required to complete a mandatory training covering the topic of awareness, consent, and prevention.

In compliance with NCAA policy on Campus Sexual Violence, all student-athletes, coaches, and staff must take a mandatory training to be educated each year on sexual violence prevention, intervention and response.

FVSU will provide all new employees with a mandatory training on this Policy and the related procedures within a reasonable period after each new employee's appointment date. Additionally, the Title IX Coordinator and all other personnel at the FVSU who serve as investigators, decision-makers, hearing panelist, and advisors will participate in annual training.

We also provide the FVSU community as a whole the opportunity to participate in programs aimed at education, prevention, and awareness each semester. Prevention programming and training will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, sexual harassment, alcohol and drug use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

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.



Definitions

Community: Students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

Complainant: An individual who is alleged to have experienced conduct that violates policy

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 either party by using clear words or actions.

Dating Violence: Violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the alleged victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Domestic Violence: Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the alleged victim.

Incapacitation: The physical and/or mental inability to make informed rational judgments. It can result from mental disability, sleep, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking

of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

Nonconsensual Sexual Contact: Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to touching (or penetrating) of a person's intimate parts (such as genitalia, groin, breasts, or buttocks); touching (or penetrating) a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts.

Nonconsensual Sexual Penetration: Any penetration of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.

Confidential Employees: Institution employees who have been designated by FVSU's Coordinator to talk with an alleged victim in confidence. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of alleged respondent (if known) without revealing any information that would personally identify the alleged victim

Privileged Employees: Individuals that are employed by FVSU to whom a complainant or alleged victim may speak to in confidence, as provided by law. Disclosure to these employees will not automatically trigger an investigation against the complainant's or alleged victim's wishes. Privileged Employees include those providing counseling, advocacy, health, mental health, or sexual-assault related services (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by applicable law. Exceptions to confidentiality exist where the conduct involves suspected abuse of a minor (in Georgia, under the age of 18) or otherwise provided by law, such as imminent threat of serious harm.

Respondent: Individual who is alleged to have engaged in conduct that violates this policy.

Responsible Employees: Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Confidential Employee or Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders).

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.

Examples of sexual exploitation may include, but are not limited to, the following:

1. invasion of sexual privacy;
2. prostituting another individual;
3. non-consensual photos, video, or audio of sexual activity;
4. non-consensual distribution of photo, video, or audio of sexual activity, even if the sexual activity was consensual;
5. intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. knowingly transmitting an STD or HIV to another individual through sexual activity;
7. intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances;
8. and/or sexually-based bullying.

Sexual Harassment: Unwelcome verbal, nonverbal, or physical conduct, based on sex or on gender stereotypes, that is implicitly or explicitly a term or condition of employment or status in a course,

program, or activity; is a basis for employment or educational decisions; or is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity.

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, non-consensual sexual contact, sexual exploitation, sexual harassment, and stalking.

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

Available Resources for Students

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:

Title IX Coordinator 478-825-4284

Director of Human Resources 478-825-6301

Title IX Investigator and Student Code of Conduct Specialist 478-825-4321

Student-Athletes, Associate Athletic Director 478-825-6179

FVSU Office of Student Counseling & Outreach Services 478-825-1033

Residential Life 478-825-6100

Dean of Students 478-825-6292

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

U.S. Department of Education, Office for Civil Rights (ocr@ed.gov) 800-421-3481

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>

Surrounding Area – Middle Georgia

Emergency Services 911

Peach County Medical Center 478-654-2000

Peach County Sheriff's Department 478-825-3435

Fort Valley Police Department 478- 825-3383

Crisis Line & Safe House of Central Georgia 478-745-9292

Central Georgia Forensic Examination Nurse 478-397-3040–cell
(Denise Atkinson)

Peach County Health Department 478-825-6939

Benchmark 800-715-4225

Title IX Administrators

Karin Vinson, Title IX Coordinator 478-825-4284

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](#).

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.

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:

1. Change of housing assignment;
2. Issuance of a “no contact” directive;
3. Restrictions or bars to entering certain FVSU’s property;
4. Changes to academic or employment arrangements, schedules, or supervision;
5. Interim suspension; and
6. 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.

1. 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.
2. 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 three business days to respond to or to supplement the notice.

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

4. 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 proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.

5. 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.

6. 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.

1. 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.

2. 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.

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

4. 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.

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

6. 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 broad range of sanctions includes:

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

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 alleged victim 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 period. The President’s decision shall be the final decision of the institution.

Should the respondent or alleged victim (where applicable) wish to appeal 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.

1. The Office Institutional Compliance will maintain an “open door policy” to allow individuals to report problems and concerns.
2. The Office of Institutional Compliance will act upon the concern promptly and in the appropriate manner.
3. 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.
4. Employees and/or students who report concerns in good faith will not be subjected to retaliation, retribution, or harassment.
5. 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.
6. 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

1. 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.
2. 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.
3. Departmental administrators must provide a copy of this policy to all employees.
4. A copy of the policy must be posted in every department/division.
5. If employees and/or students have concerns, they should be addressed in the following order:
 - Immediate Supervisor
 - Department Manager
 - Department Head/Director
6. 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).
7. All concerns will be investigated within 30 days.
8. Confidentiality regarding employee and/or student concerns and problems will be maintained at all times insofar 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.

Voluntary, Confidential Reporting

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.

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

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

Anyone may call FVSU Police at (478) 825-6211 / (478) 825-6500 to report concerning information. Callers may remain anonymous.

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 more than 22 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.

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:

University Police Department
Bywaters Building (Basement)
1005 State University Drive
Fort Valley, GA 31030
(478) 825-6211 or (478) 825-6500

Office of Student Conduct (Judicial Affairs)
Peabody Hall (2nd Floor)
1005 State University Drive
Fort Valley, GA 31030
(478) 825-6258

Vice Provost for Student Affairs and Enrollment
Management
Troup Building (3rd Floor)
1005 State University Drive
Fort Valley, GA 31030
(478) 825-6291

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

Director of Contracts and Compliance/Title IX
Coordinator
Huntington Hall (1st Floor)
1005 State University Drive
Fort Valley, GA 31030
(478) 825-4284

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
(2nd 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. As a matter of policy, the university encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

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.

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 the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the University Police Department, Clery Coordinator, information provided by other university offices such as Student Affairs and Enrollment Management, Residence Life, and other Campus Security Authorities and information provided by local law enforcement agencies surrounding the main campus. Each of these offices provide updated policy information and crime data.

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/>

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.

Crimes Involving Student Organizations at Off-Campus Locations

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

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.

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.

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 Blackboard Connect or Rave Guardian 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.

Blackboard Connect is an emergency notification service available to students, staff, and anyone in the university community who wants to subscribe. Blackboard Connect can be used to send emergency messages within minutes of the occurrence of an incident. Alerts sent by Blackboard Connect are simulcast to the University community via our newswire at <https://www.fvsu.edu/>, Fort Valley State University's Facebook page, Twitter, or at the subscriber's choice, their e-mail account. All FVSU campuses have full access to Blackboard Connect for posting local emergency alerts.

Fort Valley State University performs a university-wide annual test of the system. The following procedures outline the process the university uses when issuing emergency notifications.

The Rave Guardian is a free app 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 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.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, the university has various systems in place for communicating information quickly. Some or all these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include the mass notification system Blackboard Connect or Rave Guardian, the university's email system, and verbal announcement within a building and public address system on police cars. The university will post updates during a critical incident on the homepage. If the situation warrants, the university will establish a telephone call-in center to communicate with the university community during an emergency.

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

The University Police Department and /or other campus first responders may become aware of a critical incident or other emergency situations that potentially affect the health or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the police dispatch recorder or upon discovery during patrol or other assignments.

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors in the University Police Department or other authorized university office to issue an emergency notification.

The university's authorized representatives will immediately initiate all or some portions of the university's emergency notification system. If in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the university may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the university will issue the emergency notification to the campus community.

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

University and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the university community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The university may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the university's mass notification system, the university will also post applicable messages about the dangerous condition on the university homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, university officials will distribute the notification to the entire campus community.

Determining the Contents of the Emergency Notification

The office responsible for issuing the emergency notification (the university police dispatch recorder officers) will, in consultation with university and local first responders, determine the contents of the notification. The university has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no predetermined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Enrolling in the University's Emergency Notification System

We encourage members of the campus community to enroll in the Blackboard Connect system by visiting https://fvsu.gabest.usg.edu/pls/B330/twbkwbis.P_GenMenu?name=homepage, click on quick links for Banner web or Rave Guardian www.fvsu.edu/rave-guardian We encourage university community members to regularly

update their information at the same site.

Local community/public safety officers receive messages when messages are sent to them – messages are sent to them if the message originator requests that they receive that message – messages are sent to them if their contact information (name, phone numbers and email addresses) have been added to the Blackboard Connect system – contact information is added to the Bb Connect system using an “import” procedure – contact information is obtained, for the import procedure, from the office/area/persons wishing to have their information added into the Bb Connect system – their contact information is formatted using template provided and upon receipt of the file with the contact information, it is uploaded into the system – their contact information stays in the Bb Connect system until a request to remove or change it is submitted – if no removal action is taken, their contact information is available when/if a message related specifically to them is sent out.

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 BannerWeb 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.

Campus Carry Law (HB 280)

House Bill 280, commonly known as the “campus carry” legislation, is effective as of July 1, 2017. The following are guidelines developed by the Office of Legal Affairs for the implementation of House Bill 280 which must be followed on all University System campuses on and after that date.

Fort Valley State University (FVSU) is committed to providing a safe environment for students, employees, and visitors. The purpose of this policy is to maintain a safe and orderly environment while honoring the rights of individuals to lawfully possess weapons, within designated areas as articulated herein, on campus. This policy applies to every employee, students, guest, and visitors while in any building or on any real property owned or leased by FVSU unless excluded by state law, July 17, 2017

Policy

The possession, transportation, and use of weapons on campus is prohibited except as otherwise stated in this policy or as otherwise provided by Georgia law. Concealed handguns may be possessed on campus but only in accordance with Georgia law. In accordance with state law, it is the right of a licensee to carry a concealed handgun while on the property leased or owned by FVSU in the State of Georgia. This policy will not allow any other type of gun to be carried on campus property not owned or leased by a FVSU with exception as indicated by state law.

Definitions

- a. **Concealed:** Carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others.
- b. **Preschool or Childcare Space:** Any room or continuous collection of rooms or any enclosed out door facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or regulated under Article 1 of Chapter 1A of Title 20.
- c. **Licensee:** Individual (21 years and older) properly licensed to carry in the State of Georgia pursuant to subsection of Code Section 16-11-126 and pursuant to Code Section 16-11-129 and applies to the carrying of handguns which are concealed.
- d. **Weapon:** Any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart.
- e. **Handgun:** Handgun means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the length of the barrel, not including any revolving, detachable, or magazine breech, does not exceed 12 inches; provided, however, that the term "handgun" shall not include a gun which discharges a single shot of .46 centimeters or less in diameter.

- f. **Electroshock Weapons:** As used in this paragraph, the term ‘electroshock weapon’ means any commercially available device which is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge, including, but not limited to, a stun gun or taser as defined in subsection (a) of Code 26 Section § 16-11-106.” Any person who is 18 years of age or older or currently enrolled in classes on the campus and carry, possess, or have an electroshock weapon while in or on any building or real property owned by or leased by the institution; provided, however, that, if such person uses the electroshock weapon, such use shall be in defense of self or others.

Process/Procedures:

Georgia law regarding the possession of concealed handguns on campus including places where concealed handguns may not be possessed can be found at <http://www.legis.ga.gov/Legislation/en-US/display/20172018/HB/280>.

Locations Where Guns are Disallowed:

Regardless of whether or not you are a license-holder, you shall not carry a handgun into the following locations on university-owned or leased property:

- Buildings and property used for athletic sporting events. This exception includes, but is not necessarily limited to, Wildcat Stadium, Woodward Gymnasium, HPE, and similar facilities in which intercollegiate games are staged.
- Student housing facilities including residence halls and similar buildings where students live such as fraternity and sorority houses. (Note that any housing that is not on property, owned, or leased by FVSU is not covered by this exemption).
- Health, Counseling & Wellness Center (Infirmary). While handguns are allowed in the lobby area, they are disallowed in the counseling and examination offices utilized by the professional staff.
- Spaces – including any room, continuous collection of rooms or outdoor facility – which are used for preschool or childcare. In order to qualify, preschool and childcare spaces must have controlled access (meaning access via personnel stationed at the door or an electronic mechanism) limited to authorized people.
- Rooms and other spaces during the times when they are being used for classes in which high school students are enrolled, whether through dual enrollment and programs such as Dual Enrollment or through college and career academies or other specialized programs such as Early College. Licensee should be aware that high school students are normally enrolled in 1000 or 2000 level courses. Licensee should be aware dual enrollment students can enroll in courses up to the drop/add period; therefore, the licensee must be vigilant of the various enrollment periods. Licensees who want to carry handguns to class will need to visit the institution’s registrar or other designated employee, who, after verifying their enrollment status, will tell them which of their classes, if any, have high school students enrolled. Institutions shall not, however, keep any listing of those who inquire. (Note also that the names of enrolled high school students may not be revealed in accordance with applicable privacy laws.) It is the responsibility of license-holders to seek out this information and make themselves aware of which classrooms fall within this exception.
- Faculty, staff, and administrative offices. This exception includes offices and office suites occupied by faculty, staff, and administrators, but does not include more general public common spaces outside of those areas.
- Rooms, during the times when they are being used for disciplinary proceedings of any kind, including those regarding students, faculty or staff. These would include any meetings or hearings that are part of the university system’s or the institution’s sexual misconduct, student conduct, dispute resolution, grievance, appeals or similar processes.

Also note:

- It is a misdemeanor crime for a license-holder to carry a handgun “in a manner or in a building, property, room, or space in violation of the exemptions listed above. Doing so also will be a violation of the institution’s

- student code of conduct and personnel rules. It is a felony for non-licensed person to carry a gun on campus.
- It will be the responsibility of those licensees who choose to carry handguns on campus to know the law and to understand where they can go while carrying.
 - Institutions will not provide gun storage facilities or erect signs outside restricted areas.

Enforcement of Policy/Law:

- FVSU will not attempt to interfere with the ability of license-holders to lawfully carry concealed handguns on campus. However, FVSU Police will investigate and enforce policy with regards to any party that is suspected of or is in violation of possessing, using or transporting dangerous weapons as it relates this policy, university/USG policies and/or state law.
- Only law enforcement personnel will be responsible for enforcement.
- Violation of this policy may result in criminal penalties based on the police investigation and may constitute violation of the Student Code of Conduct and personnel policies. It is a felony for non-licensed person(s) to carry a gun on campus.

Related Resources:

- State of Georgia House Bill 280: <http://www.legis.ga.gov/Legislation/en-US/display/20172018HB/280>
- University System of Georgia: <http://www.usg.edu/hb280>
- Frequently Asked Questions: http://www.usg.edu/hb280/additional_information

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.

Student Conduct (formerly Judicial Affairs)

Student Code of Conduct

The Office of Student Conduct is responsible for administering the Code of Conduct for Students, which is articulates the behavioral standards and the equitable procedures employed by the university to respond to allegations of student misconduct.

The Code of Conduct for students is administered at all university campuses on university property and may also address off-campus student misconduct when a student's behavior affects a substantial university interest. Students who are found responsible for violations may be subject to sanctions ranging from monetary fines, community service, disciplinary warning, 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.

In instances where there is reasonable cause to believe a student is an immediate threat to the safety of himself/herself or other persons or property or is an immediate threat to disrupt essential campus operations, a student may receive an interim suspension and/or other actions from the dean of students or the vice president for student affairs and enrollment management. This is designed to protect the health and safety of the community and members therein.

Any individual or entity may submit reports alleging student misconduct to the Office of Student Conduct or designee at the campus where the incident occurred.

The Office of Student Conduct also provides outreach programming designed to inform and educate students and to promote Fort Valley State University principles. The Student Code of Conduct is housed in the newly revised version of the Fort Valley State University Student Handbook which can be accessed via this link: <https://www.fvsu.edu/about-fort-valley-state-university/administration/office-of-academic-affairs/office-of-student-success/student-code-of-conduct/>. Also housed within the student handbook are parental notification policy, student records policy and links to all policy and procedural guidelines related to the student conduct process.

Additional Information Regarding the Student Code of Conduct

Fort Valley State University is obligated to provide all students with the University regulations, policies, and procedures governing student conduct. Fort Valley State University policies and procedures, including the Code of Conduct for Students and the Off-Campus Misconduct Policy, are published on the Student Conduct website <https://www.fvsu.edu/about-fort-valley-state-university/administration/office-of-academic-affairs/office-of-student-success/student-code-of-conduct>.

If you have additional questions, special needs, or wish to request a hard copy of this information, please contact the Office of Student Conduct in Peabody Hall at Fort Valley State University.

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.

Sexual Assault Prevention Education Programs

The [Title IX Office along with the](#) Office of Student Health & Counseling Services Center is primarily responsible for sexual assault education and awareness in collaboration with many offices at the university. Together, these offices offer a variety of programming focusing on sexual and gender violence. Below is a list of some of the programs available at the university.

- **Self-defense/self-protection program** – in collaboration with FVSU Police Department. A free 2-hour course to all enrolled students.
- **Welcome Week/New to Campus Initiative** – events with invited speakers to address issues of sexual and gender violence. Coordinated by the Office of Student Life.
- **Student Life resources** from the FVSU web page: [https and www.fvsu.edu/title-ix-](https://www.fvsu.edu/title-ix/)
- **Peer Educator Program** - Coordinated through the Office of Student Health & Counseling Services, the Peer Educator Program prepares FVSU students to facilitate on and off-campus based programming utilizing evidenced-based practices (EBPs) in the areas of HIV/AIDS, substance abuse, sexual assault and suicide.
- **Shepherds in the Valley (SIV)** - Coordinated through the Office of Student Health & Counseling Services and supported through funding from the Department of Public Health, the SIV program empowers young male representatives from athletic and Greek-lettered organizations to become engaged bystanders, trained through the One in Four and Beyond evidenced-based practice to identify precursors to sexual violence and inform their male peers of these risk factors.

Sex Offender Registration- Campus Sex Crimes Prevention Act

Megan's Law

Washington State's 1990 Community Protection Act included America's first law authorizing public notification when dangerous sex offenders are released into the community. However, it was the brutal 1994 rape and murder of seven-year-old Megan Kanka that prompted the public demand for broad-based community notification. On May 17, 1996, President William Jefferson Clinton signed Megan's Law. Megan's Law requires the following two components:

Sex Offender Registration

The 1994 Jacob Wetterling Act requires the states to register individuals convicted of sex crimes against children. Sex offender registration laws are necessary because:

- sex offenders pose a high risk of re-offending after release from custody
- protecting the public from sex offenders is a primary governmental interest
- the privacy interests of persons convicted of sex offenses are less important than the government's interest in public safety
- release of certain information about sex offenders to public agencies and the general public will assist in protecting the public safety.

Community Notification

Megan's Law allows the states discretion to establish criteria for disclosure but compels them to make private and personal information on registered sex offenders available to the public. Community notification:

- assists law enforcement in investigations
- establishes legal grounds to hold known offenders
- deters sex offenders from committing new offenses
- offers citizens information they can use to protect children from victimization

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies, such as GBI (Georgia Bureau of Investigation) to provide Fort Valley State University with a list of registered sex offenders who have indicated that they are enrolled, employed, or carrying on a vocation at Fort Valley State University.

Members of the general public may request community notification information concerning sexually violent predators in a particular community by visiting the chief law enforcement officer in that community. In jurisdictions where the Georgia Bureau of Investigation is the primary law enforcement agency, members of the general public may make such requests at the local sheriff's office in that community. This information is also available on the internet at <https://gbi.georgia.gov/services/georgia-sex-offender-registry>

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 2 business days. This log identifies the type, location, and time of each criminal incident reported to FVSU police. If prohibited by law or would jeopardize the confidentiality of the victim, log information may be withheld. The log is available for up to 60 days and archives within 7 years will be made available within 2 business days.

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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 Students

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.

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.

CRIME STATISTICS, 2020 TO 2022

<u>Offense</u>	<u>Year</u>	<u>On-Campus</u>	<u>Residential</u>	<u>Non-Campus</u>	<u>Public Property</u>
Criminal Homicide					
<i>Murder and Non-Negligent Manslaughter</i>	2020	0	0	0	0
	2021	0	0	0	1
	2022	0	0	0	0
<i>Manslaughter by Negligence</i>	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses					
<i>Rape</i>	2020	1	1	0	0
	2021	2	3	0	0
	2022	0	0	0	0
<i>Fondling</i>	2020	3	2	0	0
	2021	0	2	0	0
	2022	0	2	0	0
<i>Statutory Rape</i>	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
<i>Incest</i>	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	1	1	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	4	4	0	0
	2021	0	4	7	1
	2022	1	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	2	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Unfounded Crimes	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Arrest					
Other Offenses	Year	On-Campus	Residential Facility	Non-Campus	Public Property
Liquor Law Violations	2020	0	0	0	0
	2021	2	1	0	0
	2022	1	1	0	0
Drug Abuse Violations	2020	0	0	0	0
	2021	9	8	0	0
	2022	12	12	0	0
Weapons: Carrying, Possessing, etc.	2020	1	0	0	0
	2021	0	0	0	0
	2022	5	0	0	0

Judicial Referral					
Other Offenses	Year	On-Campus	Residential Facility	Non-Campus	Public Property
Liquor Law Violations	2020	0	0	0	0
	2021	1	0	0	0
	2022	4	0	0	0
Drug Abuse Violations	2020	0	0	0	0
	2021	2	9	0	0
	2022	7	5	0	0
Illegal Weapons Possession	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Amendment Offenses	Year	On-Campus	Residential Facility	Non-Campus	Public Property
Dating Violence	2020	4	4	0	0
	2021	2	5	0	0
	2022	3	3	0	0
Domestic Violence	2020	0	8	0	0
	2021	3	3	0	0
	2022	3	3	0	0
Stalking	2020	1	2	0	0
	2021	0	1	0	0
	2022	1	0	0	0

	Year	On-Campus	Residential Facility	Non-Campus Building or Property	Public Property
Hate Crimes	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Note: It was discovered that after a professional review of the 2013 FVSU—ASR, the Warner Robins Center was not a separate branch complete with its own separate set of administrators, so, therefore, any Clery reportable crimes will be contained with the overall statistical data for the University referenced above and will not be separated.

Crime Prevention Tips

Robbery

Robbery is the attempt to obtain money, personal belongings (i.e., smartphones, tablets) or property by the use of force or the threat of force. Because of the potential for personal injury during a robbery, do not try to be a hero. Hand over your property quickly and quietly. If possible, observe the criminal and make mental notes of the number of thieves present as well as their appearance, clothing, voice, nicknames used, personal items, identifying marks, peculiarities, and weapons. Call the police immediately upon reaching a place of safety. The following precautions can help you reduce your chances of becoming a robbery victim.

- Walk confidently with your head up and do not let your mind wander.
- Pay attention to those passing you and behind you.
- Do not take shortcuts through unlit, sparsely traveled paths, tunnels, or alleys.
- Do not wear a lot of flashy jewelry and carry as little cash as possible.
- Know that weapons are not allowed on campus, but if you carry a weapon off campus, there is a possibility it could be used against you.
- Park in well-lighted, well-traveled lots.

Thefts from Vehicles

You can prevent many car break-ins by thinking ahead and following the suggestions below.

- Always remove the keys from your vehicle, lock all doors and roll up all windows, even if your stop is brief.
- Secure or remove all valuables from view, including items such as handbags, cell phones, loose change, clothing, textbooks, book-bags, CDs, or even umbrellas.
- Never leave personal identification documents or credit cards in your vehicle.
- Park only in areas that are well lit, or in attended parking lots or garages; parking in secluded or dimly lit areas makes your car an easy target.

Bomb Threats

A bomb threat is a federal offense and carries serious penalties. FVSU is committed to identifying and prosecuting any individual calling in a bomb threat. Bomb threats are usually received by telephone. If you receive such a call, ask questions including those below.

- When is the bomb going to explode?
- Did you place the bomb?
- Where is the bomb located?
- What does it look like?
- What is your address?
- What kind of bomb is it?
- What is your name?
- What will cause it to explode?

In addition, note the exact time of the call and write down exactly what the caller said. Try to describe the caller's voice and listen for any background noise, then notify the FVSU Police immediately by calling 478-825-6211.

Avoiding Workplace Violence

The university is committed to creating and maintaining a working, learning, and social environment which is free from violence. Acts or threats of physical violence, including verbal abuse, harassment, terrorism, hate, prejudice, stalking, intimidation, and/or coercion which involve or affect the Fort Valley State community will not be tolerated. Threats or acts of violence include conduct against persons or property which are severe, offensive, and create a hostile, abusive or intimidating work environment.

If you have experienced an incident which is affecting your study or work environment and are feeling overwhelmed and stressed, we encourage you to speak to your supervisor or the dean of your college immediately. You may also seek counseling and relief by contacting the Counseling Center or FVSU Police.

If someone is using abusive language or threatening you, follow the suggestions below.

- Try to back away from the individual.
- Talk calmly.
- Use open body language.
- Do not get upset or take it personally; afterward, you should document the threat and report the threat to management or your dean.

Common Crimes

While the Fort Valley State University campus is a reasonably safe environment, crimes do occur. In addition to those reported through Clery Act crimes statistics information, other common crimes which occur on campus are outlined below.

Theft

Theft is a common occurrence on college campuses. Oftentimes, this is because theft is a crime of opportunity. Confined living arrangements, recreation facilities, and many open classrooms and laboratories provide thieves with effortless opportunities. Occupants of the residence halls often feel a sense of security and home atmosphere and become too trusting of their peers, while others leave classrooms and laboratories unlocked when not occupied for short periods of time.

It is important to be very vigilant when it comes to suspicious persons. Never leave items and valuables lying around unsecured. Doors should be locked at all times. Following is a list of suggestions to help you not fall victim of theft.

- Keep doors to residence halls, labs, and classrooms locked when not occupied.
- Don't provide access to unauthorized persons in the buildings or classrooms.
- Do not keep large amounts of money with you.
- Lock all valuables, money, jewelry, and checkbooks in a lock box or locked drawer.
- Keep a list of all valuable possessions including the makes, models, and serial numbers.
- Take advantage of the engraving programs to have all valuables engraved with specific identifying marks.
- Don't leave laptop computers or textbooks unattended in labs or libraries, even if it is for a short period of time.
- Don't lend credit cards or identification cards to anyone.
- Report loitering persons or suspicious persons to police immediately; do not take any chance.

Identity Theft

Identity theft is a crime in which someone wrongfully obtains and uses another person's personal information in some ways that involve fraud or deception, typically for economic gain. This personal data could be a Social Security number, bank account or credit card information. Persons involved in identity theft often use computers or other forms of media to assist them. There are measures you can take to prevent this from happening to you.

- Do not give anyone your personal information unless there is a reason to trust them, and the release is for good reason.
- Never give your credit card information, date of birth, or other information over the telephone, unless you can confirm the person receiving that information.
- Complete a credit check frequently to assure there is no suspicious activity.
- Examine financial information often to assure all transactions are authorized and accounted for.
- Use computer security software on computers and install firewalls.

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 evacuations 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-Police911
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 2019 TO 2021

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	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
Wildcat Commons 2 1451 State University Drive	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
Wildcat Commons 3 1451 State University Drive	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
Wildcat Commons 4 1451 State University Drive	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
Wildcat Commons 5 1451 State University Drive	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0
Wildcat Commons 6 1451 State University Drive	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	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

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



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