



Abraham Baldwin Agricultural College

ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT

2024

This report contains statistics for
ABAC Tifton Campus and Bainbridge Campus
for years 2021, 2022, and 2023

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From the Chief of Police

To the College Community –

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

Frank Strickland, Chief of Police

Notice of Non-Discrimination and Accessibility

Abraham Baldwin Agricultural College (ABAC) does not discriminate on the basis of race, color, national origin, gender or sex, disability, religion, age, veteran status, or genetic information in its programs and activities, including admissions and employment, as required by Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and other applicable statutes, regulations, and USG and ABAC policies. ABAC prohibits inappropriate conduct based on gender or sex, sexual discrimination and harassment, sexual assault and sexual violence in its programs and activities. Sexual harassment is unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature such as sexual touching, sexual comments, jokes, or gestures, or distributing sexually explicit material. Sexual violence is a physical sexual act taken against a person's will or when a person is incapable of consenting due to alcohol or drug use. Sexual violence includes rape, sexual battery, and sexual coercion.

If you need a copy of this report you may obtain one in person at the ABAC Police Department in Evans Hall, or it can be found on the ABAC Police web site at <https://www.abac.edu/campus-life/police-department/>.

ANNUAL SECURITY REPORT

Introduction

The ABAC Police Department (ABAC) is committed to a safe learning and working environment for all College Community members. The College Community includes students, faculty, staff, as well as contractors, vendors, visitors, and guests. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires institutions of higher education to adopt certain campus security policies and disclose plain language summaries of them in an Annual security Report (ASR). This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in non-campus buildings or property owned, leased, or controlled by ABAC. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol, and other drugs. The College distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the College Community.

REPORTING CRIMES AND OTHER EMERGENCIES

The college has several ways for College Community members to report crimes, serious incidents, and other emergencies to appropriate college officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the victim and entire College Community that you immediately report all incidents to ensure an effective investigation and appropriate follow-up actions, including issuing a Crime Alert or emergency notification. Crimes can be reported to the ABAC Police at (229-391-5060) or in person at Evans Hall. Crimes can also be reported on the LiveSafe app or by dialing 911.

ABAC encourages the prompt and accurate reporting of all crimes to ABAC Police, local law enforcement or any campus CSA. Because police reports are public records under state law, the ABAC Police Department cannot hold reports of crime in confidence and therefore, does not have a procedure to allow voluntary confidential reporting of crimes. All complaints are addressed through the official investigative process. Professional and Pastoral Counselors do not notify persons they are counseling of voluntary confidential procedures for inclusion in the annual disclosure of crime statistics because there is no procedure for this.

TIMELY WARNINGS

ABAC Issues Timely Warnings to alert the campus of Clery Crimes considered by the College to represent an ongoing threat to students and/or employees. Timely warnings are issued by the ABAC Police Department with determination made by the Chief of Police, or his designee, as soon as pertinent information is available. Timely Warnings are issued through the LiveSafe app, College email, text messages and the College website. Timely Warnings will not include the names and other identifying information of victims.

EMERGENCY NOTIFICATION

The ABAC police Department issues emergency notifications to all campus communities of conditions considered by the college to represent an ongoing threat to students and/or employees. The police department/officer on duty will confirm any emergency or dangerous situation, will determine segments to receive notification, determine the content of the notification and initiate the notification system. Pre-scripted emergency notifications are issued via LiveSafe app, email, weather phone line, text message and the college web page. The college 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 the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

ABAC Public Relations is responsible for issuing information to local media.

PUBLIC CRIME LOG

The College Police Department will create and maintain a public log of all crimes reported to College Police that occurred at any property owned, leased, or rented by the college or within 500 yards of that property or within granted patrol jurisdiction. The Daily Crime Log must include the nature, date, time, general location, and disposition of each reported crime. All entries must be added to the Daily Crime Log within two business days of the report. The log will be made available for public inspection at the College Police Department during regular business hours.

SECURITY AND ACCESS TO FACILITIES

Academic and Administrative Buildings

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, invitees, and members of the general public. During non-business hours, access to all College facilities is by key or swipe card, if issued, or by admittance via the ABAC Police. ABAC Police will admit only those with prior written approval to all facilities or those with an official verified purpose to be on premises with college identification. ABAC Police conduct routine security patrols of the academic and administrative buildings on campus.

Residence Halls

Residence halls are secured 24 hours a day and only residents, their authorized guests and other approved members of the campus community are permitted access to the buildings. Over extended breaks, the doors of all halls will be secured and routinely inspected by Residence Life Staff and ABAC Police. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Residential facilities have security measures provided by housing staff members and ABAC Police Officers. Emergencies may necessitate

changes or alterations to any posted schedules. Areas that are revealed as problematic may have security surveys conducted of them.

SECURITY AND MAINTENANCE OF FACILITIES

The College considers security in the maintenance of campus facilities in a manner that minimizes physical safety concerns. Malfunctioning locks or light outages are reported to Plant Operations in order to be promptly repaired. The ABAC Police Department partners with Plant Operations to mitigate safety and maintenance concerns. Additionally, throughout the year and at a minimum once a month an inspection is conducted of all College lighting.

ABOUT THE ABAC POLICE DEPARTMENT

The ABAC Police Department serves a population of approximately 3600 students and 500 faculty and staff. ABAC Police exist and serve to protect life and to safeguard property. It is our responsibility to provide law enforcement deterrence and response to violations of state law and applicable local ordinances. ABAC Police consist of 15 certified peace officers who provide continuous patrols of the campus community 24 hours a day 7 days a week. ABAC Police officers complete a training course required of all state certified peace officers in the state of Georgia. They receive 20 hours per year of in-service training certified by the Georgia Peace Officers Standards and Training Council to include the areas of Firearms Re-Qualifications, Use of Force, De-Escalation, and Community Policing. College Police officers are authorized under Georgia O.C.G.A. 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. Officers may operate beyond 500 yards if they are in pursuit of an individual. In the event of a student death or homicide ABAC Police will contact the Georgia Bureau of investigation to conduct the investigation.

ABAC Police Department Mission Statement: "The Abraham Baldwin Agricultural College Police Department will provide the best trained most professional Law Enforcement Officers in the State of Georgia to deliver safety and security services to the campus community and its visitors in an effective and efficient manner."

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

The ABAC Police Department has mutual aid and working agreements with the Tift Co. Sheriff's Department and the Tifton Police Department. These mutual aids and working agreements do not specifically cover the investigation of any one particular type of criminal incident. Each department augments the other within their jurisdictions during mutual investigations, arrests, and prosecutions and works together for the resolution of any incident that may have occurred in one or multiple jurisdictions.

Crimes Involving Student Organizations at Off-Campus Locations

ABAC relies on its close working relationships with local law enforcement agencies to receive information about incidents involving ABAC students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, the ABAC Police will

actively investigate certain crimes occurring on or near campus. If the ABAC Police 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 Affairs, as appropriate.

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

EMERGENCY RESPONSE AND EVACUATION

ABAC maintains an Emergency Operation and Business Continuity Plan. The plan includes information regarding shelter-in-place and evacuation routes posted. The Emergency Operations Plan includes:

- Declaration of a campus state of emergency
- Roles and responsibilities in an emergency
- Drills and exercises, and
- Mutual aid agreements

The ABAC Police Department is responsible for maintaining the plan, conducting at least one annual test of the Emergency Operations and Continuity Plan, and maintaining detailed documentation of each test. Annual emergency response and evacuation tests may be announced or unannounced. Evacuation training sessions are available throughout each year either scheduled or upon request. The college publicizes information about ABAC's Emergency Operations Plan (EOP) in conjunction with one annual test and on an ongoing basis throughout the year including through orientation sessions, social media posts, and tests of the emergency notification system. General information about the emergency response and evacuation procedures are publicized each year as part of the college's Clery Act compliance efforts and is available on the ABAC website www.abac.edu/police.

MISSING STUDENT

If a member of the college community has reason to believe that a student who resides in campus housing is missing, they should immediately notify the ABAC police Department at 229-391-5060. The ABAC Police Department follows internal operating procedures that are triggered upon notification of a missing person, including notification of law enforcement agencies and distribution of information to multiple external law enforcement agencies and state and federal databases. When it is determined that a student is missing, The ABAC Police Department will notify the local law enforcement agency within 24 hours. If the student has designated a contact person, The ABAC Police Department will notify them within 24 hours of the determination that the student is missing. In the event the student is under 18 years of age, and not emancipated, the college must notify a custodial parent or guardian within 24 hours of the

determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Separate emergency contact information is collected for each student at the time of application for student housing. This emergency information is confidential and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. This information is only to be used for notification once a residential student has been determined to be missing.

Residence Life employees receiving a report of a missing student must immediately notify the ABAC Police Department at 229-391-5060.

ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS

Alcoholic Beverages

The possession, use, sale, or distribution of alcohol on the College campus is governed by ABAC Alcohol Policy and Georgia State Law. ABAC Police enforce state and local ordinances pertaining to the illegal possession, use and sale of alcoholic beverages and underage drinking laws. The possession, use, sale or furnishing of alcohol is allowed only when authorized at a social function in designated areas with prior approval of the College President and when authorized for educational or research purposes. While local authorities have primary jurisdiction in areas off campus, ABAC Police officers can and do respond to student-related incidents that occur on campus and in close proximity to the campus.

Illegal Drugs

ABAC is a “Drug Free” institution. The possession, use (without a valid medical or dental prescription), manufacture, furnishing, or sale of any narcotic or dangerous drug controlled by federal or Georgia law is prohibited. The ABAC police Department issues citations and performs custodial arrests in accordance with state law.

In addition to possible fines and imprisonment for violation of local, state, and federal drug and alcohol laws, students are subject to sanctions under the ABAC Student Code of Conduct for violation of policies governing alcohol and other drugs. These sanctions may include but are not limited to fines, community service, mandatory courses on drug and alcohol abuse, parental notification, probation, and suspension or expulsion from the College. The following policies of the Board of Regents of the University System of Georgia also apply to ABAC students who violate drug and alcohol policy.

EDUCATION AND PREVENTION PROGRAMMING

The College 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 the other unfortunate circumstances that arise. Though the college is progressive with its policies, programs, and education, it is up to

each one of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.

Safety and Security

Crime Prevention Programs on personal safety and theft prevention are taught throughout the year. ABAC Police, Student Life and Housing, and the Wellness Center facilitate programs for students, faculty, and staff. Active Shooter Training is held in the Fall Semester for Resident Assistants and faculty/staff. During the Fall and Spring Semester all freshman students are required to attend Orientation and Welcome Week which promotes safety and security training. During each semester mandatory hall training is given to housing students emphasizing safety and security. Campus Safety Week is held in the Spring of each year by the ABAC Police Department and encompasses safety/security issues. Our wellness center provides a training video for all faculty/staff and students on the use of an AED (Automated External Defibrillator).

Drug and Alcohol Abuse Programs

ABAC requires all new, transfer and dual enrolled students to complete an online AlcoholEdu program about alcohol and drug abuse awareness and risk reduction. Every Fall ABAC Police presents an annual program ThinkFast funded by the Governor's Office of Highway Safety. ABAC utilizes Vector Solutions formally Everfi (alcohol and drug education) programming for targeted populations. ABAC Police also offers Public Safety Day to warn students of the dangers of alcohol/drug usage during the break. Every semester RA's (Resident Assistants) are required to complete alcohol/drug training through housing/student affairs. The Student Development Center provides individual counseling to ABAC students for substance abuse and other personal concerns. There is no charge for this service. Clients are informed of the nature and purpose of any assessment, treatment, educational or training procedure and are given freedom of choice regarding participation. When the Student Development Center is not able to provide the necessary services, clients are informed of alternative resources and appropriate referrals are made.

The University System of Georgia has partnered with KEPRO to provide employees and their family members with a comprehensive Employee Assistance Program (EAP) effective July 1, 2019. Services are free and confidential and are available to all regular full-time and part-time employees and their immediate household members. More information can be found by reviewing the USG BOR EAP brochure at:

<https://benefits.usg.edu/work-life/employee-assistance-program>

To the extent permitted by law and ethical standards, all information received in counseling is considered confidential and is not disclosed to any other person or campus unit without the written permission of the clients.

In matters of student discipline, the Student Development staff may provide assessment and consultative services to clients, colleagues, or units of the College in ways which improve the campus environment, maintain the anonymity of clients, and preserve the confidential nature of all counseling relationships.

ABAC conducts a biennial review of the effectiveness of our alcohol and drug abuse awareness prevention programs through analysis of our Clery Crime statistics.

Sexual Misconduct

ABAC requires all new, transfer, and dually enrolled students and employees to complete population specific online Sexual Assault Prevention training, via Vector Solutions formally EverFi, targeted at preventing dating violence, domestic violence, sexual assault, and stalking, while creating a safe environment for those who may have been victims of these crimes. ABAC Employees must complete sexual harassment training during the hiring process through Vector Solutions.

ABAC's Title IX Office offers ongoing bystander intervention and sexual misconduct prevention programs to various student groups, including athletes and athletic staff, Orientation, Housing Personnel and Greek Organizations, as well as the general population across our campuses.

ABAC conducts a biennial review of the effectiveness of our alcohol and drug abuse awareness prevention programs through analysis of our Clery Crime statistics.

DEFINITIONS UNDER GEORGIA STATE LAW

Dating Violence

The State of Georgia does not have a definition for Dating Violence.

Domestic Violence

The State of Georgia does not have a Domestic Violence law, but defines Family Violence as:

O.C.G.A § 19-13-1:

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

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

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

Sexual Assault

Georgia does not have a Sexual Assault Law, but instead has a Sexual Battery law as shown below.

O.C.G.A § 16-6-22.1:

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

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

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

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

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

Rape

O.C.G.A § 16-6-1:

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

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

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

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

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

Sodomy; Aggravated Sodomy; Medical Expenses

O.C.G.A § 16-6-2:

(a)

- (1) A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another.

(2) A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of the defendant shall not be a defense to a charge of aggravated sodomy.

(b)

(1) Except as provided in subsection (d) of this Code section, a person convicted of the offense of sodomy shall be punished by imprisonment for not less than one nor more than 20 years and shall be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

(2) A person convicted of the offense of aggravated sodomy shall be punished by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life. Any person convicted under this Code section of the offense of aggravated sodomy shall, in addition, be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7.

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

(d) If the victim is at least 13 but less than 16 years of age and the person convicted of sodomy is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor and shall not be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

Fondling

The State of Georgia does not have a definition for Fondling; however, the Clery Act definition of fondling is included in the State definition of Sexual Battery provided above.

Incest

O.C.G.A § 16-6-22:

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

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

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

Statutory Rape

O.C.G.A § 16-6-3:

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

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

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

Stalking

O.C.G.A § 16-5-90:

(a)

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

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

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

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

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

Consent

While Georgia does not define consent there is a published definition of "Without his consent" in:

O.C.G.A. § 16-1-3:

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

Sex Offender Registry Information

Information about registered sex offenders in Georgia may be found at

<https://gbi.georgia.gov/services/georgia-sex-offender-registry>

Tift County sex offender registry

<https://www.icrimewatch.net/results.php?SubmitAllSearch=1&AgencyID=54802>

SEXUAL MISCONDUCT

Introduction

Abraham Baldwin Agricultural College is committed to a learning and working environment free from sex-based discrimination for all College Community members. The College Community includes students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

As part of this commitment, the College expressly prohibits sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking consistent with the requirements of Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and University System of Georgia policy. Abraham Baldwin Agricultural College shall each year in the Clery Act Annual Security Report (ASR) disclose, as required by 34 CFR § 668.46(k), a summary of each type (including student, faculty, and staff) of VAWA Sexual Misconduct disciplinary proceedings used by the institution. Such information will be reviewed annually to ensure that it is current and accurate prior to publication of the ASR.

If you or someone close to you are the victim of sex-based discrimination, know that you are not alone. The information in this report will help you navigate some of what you may be experiencing. No matter what you have experienced or how you are feeling now, it is important to prioritize your safety. You don't have to go through this alone, and this information is intended to help you navigate the process. The college will provide a student or employee who reports they have been a victim of dating violence, domestic violence, sexual assault, or stalking whether the offense occurred on or off campus, with a written explanation of their rights and options as described in this report.

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

Complainant is an individual who is alleged to be the victim of conduct that is prohibited by this policy. A complainant may be a student, employee, other affiliate, or unaffiliated with the institution.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement: the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship. For the purpose of this definition 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. Any incident meeting this definition is considered a crime for the purpose of Clery Act Reporting.

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. It can occur when you are deeply in love with someone or happen on the first date, and it can even occur long after a romantic or sexual relationship has ended. Any incident meeting this definition is considered a crime for the purpose of Clery Act Reporting.

Sexual Assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as defined in this policy.

- **Rape** means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is 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** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

Stalking means 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. A 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. For the purpose of this definition a course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to a person, or interferes with a person's property. Any incident meeting this definition is considered a crime for the purpose of Clery Act.

VAWA: Violence Against Women Reauthorization Act of 2013 amendments to the Clery Act, Public Law 113-4 Section 304.

VAWA Sexual Misconduct: Dating Violence, Domestic Violence, Sexual Assault, and Stalking as defined by this policy whether or not it is alleged to have occurred on or off-campus. VAWA Sexual Misconduct need not be on the basis of sex.

Reporting Sexual Misconduct

When sexual misconduct does occur, all members of the College Community are strongly encouraged to report it promptly to the ABAC Police Department at (229) 391-5060 or in person

at Evans Hall. Reports made to the ABAC Police Department will not initiate disciplinary proceedings. Reports of sexual misconduct can also be made to the Title IX Coordinator or Deputy Coordinators as follows:

Richard L. Spancake (Herring Hall Room 105)
Director of Human Resources/Title IX Coordinator
ABAC 33
2802 Moore Hwy. Tifton, GA 31793
229-391-4887
rspancake@abac.edu.

ABAC Title IX Deputy Coordinators for students: Dr. Franzelle Mathis-Pertilla, Associate Professor of Business at 229-391-4837 or fpertilla@abac.edu, Alan Kramer, Athletic Director/Assistant Dean of Students at 229-391-4928 or akramer@abac.edu, Spencer Stewart Bainbridge Campus at 229-243-3021 or Spencer.Stewart@abac.edu. Students and employees are encouraged to report issues involving inappropriate conduct/harassment/ discrimination based upon protected factors. Sexual assault and sexual violence should be immediately reported to the ABAC Police Department at 229-391-5660 or if off campus call 911.

For confidential counseling and assistance: Dr. Shubha Chatterjee at 229-391-5134 or schatterjee@abac.edu.

Responsible Employees have an obligation to report issues regardless of whether information is witnessed firsthand, second hand, or rumored whether confirmed or not. Responsible Employees include: All ABAC Managers/Deans, Department Heads, Community Assistants (CA's), school and department administrative assistants, and ABAC Health Clinic employees.

ABAC also prohibits discrimination based on disability in its programs and activities, including admissions, employment, treatment, and access. The following person has been designated to handle inquiries or assistance – Nicholas Urquhart at 229-391-4917 Director of Academic Support or nurquhart@abac.edu.

The Title IX Coordinator provides a summary of resources, information about sexual misconduct and disciplinary proceedings, and rights and options to a student or employee reporting to ABAC that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, regardless of the location of the offense. Students and employees have the option to notify law enforcement authorities, including College and local law enforcement, with jurisdiction where any crime occurred. The Title IX Coordinator will assist parties in making reports to law enforcement if the victim so chooses. Parties also have the option to decline to notify law enforcement authorities.

The College will provide all students and employees who report an incident of dating violence, domestic violence, sexual assault, and stalking with options to pursue disciplinary proceedings, supportive measures, and protective measures regardless of whether the victim chooses to report the crime to the ABAC Police Department or local law enforcement.

Regardless of how the College becomes aware of alleged sexual misconduct, the Title IX Coordinator shall ensure a prompt, fair and impartial review and resolution of complaints

alleging sexual misconduct. Where a report of sexual misconduct has been made, the Title IX Coordinator shall review the complaint to determine whether the allegation(s) describe conduct in violation of the College's Sexual Misconduct Policy.

Understanding Trauma

The trauma of sexual misconduct can have profound effects on the brain and body. This may look like emotional, behavioral, and cognitive responses as well as potential bodily complaints. Some of the common emotional responses to trauma include anxiety, shame, depression, grief, guilt, and anger. Changes in behavior are often the most obvious responses to sexual violence.

Although these behaviors may seem extreme or may even be harmful, they often make sense in the context of a traumatic experience. Some typical behavioral responses to violence may be hypervigilance, avoidance, isolation, sleep changes, changes in eating habits, self-injury, or substance abuse.

Trauma can even change the way you think and how you view the world. Some of these responses may include shock, disbelief, feelings of stigma, disturbances in memory, difficulty concentrating, or intrusive thoughts. If you identify with some of these reactions, you may find therapy or counseling beneficial.

No matter what you have experienced or how you are feeling now, it is important to prioritize your safety. What happened to you is not your fault. Everything you did helped you to survive. Consider talking to someone you trust or reaching out for help. You don't have to go through this alone.

Preserving Evidence

If you are a victim of sexual assault, domestic violence, dating violence, or stalking, it is important to preserve evidence that may be helpful in documenting the criminal activity. Things you may do to preserve evidence include not bathing, douching, smoking, changing clothes or cleaning the linens or area where an assault occurred if the assault occurred in the past 96 hours. If you have changed clothes or linens, do not wash them until you have met with a law enforcement agency and/or health care provider. Seeking medical care does not mean you must report to law enforcement, so be sure to prioritize your health and safety when making decisions. Local hospitals can complete a forensic examination for collecting evidence that helps preserve your options should you choose to notify law enforcement. Photos, text messages, social media posts, instant messages and any other communications or documents may provide information useful for college hearings or investigations, so save those, too.

No Contact Orders

ABAC follows Georgia law in recognizing and enforcing orders of protection, including, but not limited to, restraining orders, temporary protective orders, and stalking orders issued in Georgia or any other state, with the understanding that orders from other states are subject to laws in the issuing state. Anyone having an order of protection should submit the order to the ABAC Police Department and/or the Title IX Coordinator.

The ABAC Police Department keeps the order on file for easy access in the event a violation occurs. The ABAC Police Department has the authority to arrest and charge any individual in violation of the order.

Confidentiality of Victims

ABAC strictly protects victim confidentiality to the highest degree possible. ABAC does not make assumptions as to whether it is safe to disclose information to family, friends, employer, or news media about the assault or the victim's sexual preference. Such information is protected with the least level of access. All publicly available records, including Clery Act reporting and disclosures, exclude personally identifying information about victims. If the victim reports to the ABAC Police Department, that information is subject to the Georgia Open Records Act and confidentiality cannot be guaranteed in that situation.

Supportive Measures

If you have been the victim of sexual misconduct, the College offers confidential options to ensure your continued safety and equal access to educational opportunities. These services are available regardless of whether the Complainant chooses to report the crime to ABAC Police or local law enforcement. In addition, these services are made available to the Complainant and Respondent before and after the filing of a complaint or where no complaint has been filed.

When the Title IX Coordinator has received information regarding an allegation of sexual misconduct, the involved individuals will be provided with written information about support services. Support services are non-disciplinary, non-punitive individualized services offered as appropriate, upon request, and without charge. Support services include counseling, advocacy, housing assistance, academic support, disability services, health, and mental services, changing workplace arrangements, transportation, and other services.

The College will maintain as confidential any supportive measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the supportive measures. Available support services, including both on- and off-campus options are listed below.

On campus

Abraham Baldwin Agricultural College Police	(229) 391-5060
Abraham Baldwin Agricultural College Counseling	(229) 391-5135

Off Campus

Victim Witness Assistance Program	(229) 386-7903
Ruth's Cottage Tifton DV Hotline	(229) 388-1541
Tift County Behavioral Health	(229) 391-2300
The Haven Valdosta GA	(229) 242-1544
The Haven Domestic Violence Hotline	(800) 334-2836
Dept. of Family and Children Services	(229) 386-3338
The Lily Pad Albany GA	(229) 435-0074
National Suicide Hotline	(800) 273-8255

Richard L. Spancake (Herring Hall room 105)
Director of Human Resources/Title IX Coordinator
ABAC 33
2802 Moore Hwy. Tifton, GA 31793
229-391-4887

Disciplinary Proceedings

Abraham Baldwin Agricultural College strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. This policy covers alleged misconduct whether or not it is alleged to have occurred on or off-campus, and whether or not it is on the basis of sex. In addition to facing criminal investigation and prosecution, students, employees, and other affiliates may also face disciplinary action by Abraham Baldwin Agricultural College. Individuals found responsible for having committed such a violation face permanent expulsion, termination of employment, suspension, probation, and/or prosecution. The College processes complaints against students using the Student Code of Conduct and against employees using the Employee Handbook. Pursuant to U.S. Department of Education regulations, effective August 14, 2020, implementing Title IX of the Education Amendments of 1972 (Title IX) which govern the handling of complaints of sexual harassment, as defined by the U.S. Department of Education, the College provides specialized handling of these matters as explained by this statement of policy. A complaint may be made by any member of the College Community. The Title IX Coordinator is responsible for determining which type of proceeding will be used for each complaint. Case-by-case determinations will be made based on the criteria in this statement of policy including the nature of the reported incident, who is involved, and the context of and/or where it occurred. The Title IX Coordinator will provide simultaneous notification, in writing, of their determination to both the complainant and respondent.

Standard of Evidence

All College disciplinary proceedings involving dating violence, domestic violence, sexual assault, and stalking are resolved using the preponderance of the evidence standard. This standard requires that the evidence shows that it is more likely than not that the incident, act, or behavior alleged did occur. Formal judicial rules of evidence do not apply to the investigation process.

Possible Sanctions

The College may impose any of the following broad range of sanctions on students found responsible:

- 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.

The College may impose the following sanctions on employees found responsible: verbal warning, coaching, documentation of warning, unpaid suspension, demotion, and/or termination.

Protective Measures

Interim measures may be implemented at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect any student or other individual in the College community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter sexual misconduct and retaliation. Interim measures must be provided consistent with the provisions in applicable University System of Georgia and institutional policies and procedures. Abraham Baldwin Agricultural College may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities. Violation of this provision is subject to the disciplinary process of Human Resources or Student Integrity.

Rules Governing Sexual Misconduct Proceedings

All VAWA sexual Misconduct proceedings involving reports of dating violence, domestic violence, sexual assault, and stalking shall be conducted in a prompt, fair, and impartial manner, from the initial investigation to the final result as defined by 34 CFR § 668.46(k)(3)(i). This includes, but is not limited to, the following procedural safeguards for all parties:

- Abraham Baldwin Agricultural College will provide timely and equal access to the complainant, the respondent, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.
- Abraham Baldwin agricultural College will provide simultaneous notification, in writing to both the complainant and the respondent of:
 - The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - The institution's procedures for the respondent and complainant to appeal the result of the institutional disciplinary proceeding;
 - Any change to the result; and
 - When such results become final.
- If an appeal is filed by either party Abraham Baldwin Agricultural College will notify the other party in writing within 5 business days and afford them an opportunity to respond in writing within 10 business days.

Efforts will be made to complete the investigation and resolution within 60 business days. Temporary delays and limited extensions may be granted by the College for good cause throughout the investigation and resolution process. The parties will be simultaneously informed in writing of any extension or delay and the applicable reason. The College shall keep the parties informed of the status of the investigation.

The Title IX Coordinator will provide parties with timely notice of meetings, at which the complainant, respondent or both may be present.

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 at the party's own expense. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the sexual misconduct process, including providing questions, suggestions, and guidance to the party, but may not actively participate in the process except as described under the special procedures for Title IX Proceedings. All communication during the sexual misconduct process will be between the institution and the party and not the advisor. With the party's permission, the advisor may be copied on all communications.

Investigation

Throughout any investigation and resolution proceeding, a party shall receive written notice of the alleged sexual misconduct, 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 the Sexual Misconduct Policy. Prior to the finalization of the investigation report, timely and equal access to information directly 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, their advisors, and appropriate officials.

The parties shall be provided 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 College policies. Sufficient details include the identities of the parties involved (if known), the conduct allegedly constituting sexual misconduct, 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. Notice should be provided simultaneously to parties via institution e-mail to each party's institution e-mail.

Upon receipt of the written notice, the parties shall have at least three business days to respond in writing. In that response, the respondent shall have the right to admit or deny the allegations and to set forth a defense with facts, witnesses, and supporting materials. A complainant shall have the right to respond to and supplement the notice. Throughout the sexual misconduct processes the complainant and the respondent shall have the right to present witnesses and other inculpatory and exculpatory evidence.

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

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

An 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.

The initial investigation report shall be provided to the complainant, the respondent, their advisors, and appropriate officials. This report should fairly summarize the relevant evidence gathered during the investigation and clearly indicate any resulting charges or, alternatively, a determination of no charges. A charge is not a finding of responsibility.

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

The final investigation report should be provided to the complainant, the respondent, their advisors, and appropriate officials at least 10 calendar days prior to the hearing. The final investigation report will also be provided to all hearing panel members for consideration during the adjudication process.

Resolution

The respondent and the complainant, as parties to the matter, may have the option of selecting informal resolution as a possible resolution in certain cases where the parties agree, and it is deemed appropriate by the College. The respondent and complainant have the option to end informal resolution discussions and request the formal resolution process at any time before the terms of an information resolution are reached. However, matters resolved informally shall not be appealable.

Hearing

When a matter is not resolved through informal resolution, (Informal Resolution is not applicable to employee on student complaints), a hearing shall be set. All sexual misconduct cases shall be heard by a panel of faculty and/or staff. All institutional participants in the sexual misconduct resolution process shall receive appropriate annual training on issues related to dating violence, domestic violence, sexual assault, and stalking, how to conduct an investigation, and how to conduct a hearing that protects the safety of victims and promotes accountability as directed by the System Director or Title IX Coordinator and required by Title IX and the Clery Act. In no case shall a hearing set to resolve a sexual misconduct 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 directly related evidence shall be available at the hearing for the parties and their advisors to reference during the hearing.

The Hearing Panel follows the hearing guidelines set forth in the Student Code of Conduct and ABAC Dispute Resolution policy.

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

Both the complainant and the respondent have the right to appeal the findings.

Hearing – Faculty Respondent

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

Additional procedures for faculty Respondent matters:

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

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

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

Training

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

Student Appeals

If an appeal is submitted, the other Party shall receive notice of the appeal, including a copy of the submission. That Party may submit, in writing and within 5 business days from the date of notification, a response to the appeal submission.

The parties have the right to appeal a decision made by the Hearing Panel based upon the following limited appeal criteria. Neither Respondent nor Complainant can appeal an Informal Resolution.

An appeal must be submitted in writing and must be received by the Appellate Officer (the Vice President for Student Affairs or his/her designee) within five (5) business days of the date of notification of the findings of the Hearing Panel. A decision on an appeal may not be rendered until the filing deadline has passed. Appellate decisions should be rendered, and proper written notification provided to the Title IX Coordinator no later than ten (10) days after the filing deadline. The Title IX Coordinator shall notify in writing all parties, as appropriate, of the results of the appeal simultaneously.

Appeal Criteria

Appeals shall be made and considered for the following situations only. The party must address one of the below in their letter requesting appeal:

- Procedural irregularity that affected the outcome of the matter;
- Newly discovered evidence that could affect the outcome of the matter; or
- Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

Available Actions

The Appellate Officer is limited to taking one of the following actions as a result of a successful appeal. A decision to accept an appeal is not a decision on the responsibility of the parties. Under no circumstances shall the Appellate Officer supplant the function of the Hearing Panel; the appellate process exists solely to review the procedures used in the proceedings, and not to rehear a complaint in its entirety.

- Affirm the finding(s) of fact and sanctions imposed by the Hearing Panel;
- Affirm the finding(s) of fact but modify the sanction(s) imposed; or
- Remand the complaint for a new hearing before a new Hearing Panel.

Should the Respondent or Complainant (where applicable) wish to appeal the final institutional decision, they may request review by the Board of Regents in accordance with the Board of Regents' Policy on Discretionary Review. Appeals received after the designated deadlines above will not be considered unless the College 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.

Employee Appeals

If an appeal is submitted, the other Party shall receive notice of the appeal, including a copy of the submission. That Party may submit, in writing and within 5 business days from the date of notification, a response to the appeal submission.

As stated in the ABAC Dispute Resolution Policy, the final decision made by the applicable divisional Vice President may be appealed to the President in writing within 20 days following the decision of the Vice President. The President's decision will be rendered within 10 working days. Applications for Discretionary Review of the President's decision by the University System of Georgia may be made pursuant to BOR Policy 6.26 and must be submitted in writing to the University System Office within 20 calendar days following the final institutional decision. Appeal applications from employees are limited to instances in which an employee is terminated, demoted, or otherwise disciplined in a manner that results in a loss of pay. An application may be reviewed if (1) the record suggest that a miscarriage of justice might reasonably occur if the application is not reviewed; or, (2) the record suggests that the institutional decision, if not reviewed, might reasonably have detrimental and system-wide significance.

Prohibition on Retaliation Abraham Baldwin Agricultural College, or an officer, employee, or agent of the institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this policy.

Bias Prohibition for Student Respondents

Any party may challenge the participation of any institution 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 institution's designee will determine whether to sustain or deny the challenge and, if sustained, the replacement to be appointed.

Title IX Proceedings

When the Title IX Coordinator has determined a complaint meets the Title IX definition of "sexual harassment," including both the nature of the alleged misconduct and context where it is alleged to have occurred (see definition of Title IX Sexual Harassment in this policy statement), federal regulations require the College to apply specialized handling of these matters that may differ from the handling of other Sexual Misconduct.

A Formal Complaint is a written document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment, as defined by Title IX and its implementing regulations, against a respondent and requesting that the College open an investigation. To file a Formal Complaint, the complainant must be participating in or attempting to participate in the education program or activity of the College occurring within the United States at the time of the filing.

Informal Resolution

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

- The parties have received written notice of the allegations.

- The parties have received written explanation of the informal process to include, but not limited to:
 - Written agreement of the parties to initiate the informal resolution process.
 - Written notice that the parties may withdraw from the process at any time prior to the agreement of the terms of the resolution.
 - Written notice that the final resolution precludes any further institutional actions on the allegations.

The College has agreed to engage in the informal resolution process.

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 sexual misconduct process but may not actively participate in the process except to conduct cross-examination at the hearing. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross examination on behalf of the relevant party. All communication during the sexual misconduct process will be between the institution and the party and not the advisor. The institution will copy the party's advisors prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

Immigration and Visa Information

ABAC has access to law firms through our Human Resource Office that can be used to refer a faculty/staff member to for assistance with immigration and visa information.

ABAC Students who need assistance with immigration or visa information are directed to Michelle Barton at mbarton@abac.edu who is the (PDSO) Primary Designated School Official for the Student and Exchange Visitor Information System (SEVIS).

DEFINITIONS OF PROHIBITED CONDUCT UNDER TITLE IX & CLERY ACT

Dating Violence

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

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

(ii) For the purposes of this definition—

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

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

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

Domestic Violence

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

(ii)

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

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

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

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

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

Sexual Assault

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

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.

Stalking

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

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

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

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

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

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

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

DEFINITION OF TITLE IX SEXUAL HARASSMENT

Under Title IX “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee conditioning the provision of an aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s education program or activity; or
- Dating violence, domestic violence, sexual assault, or stalking as defined in this policy statement.

Alleged misconduct is addressed by Title IX when the misconduct occurs against a person in the United States on College property, or at College-sponsored or affiliated events where the College 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 College. As required by the Clery Act, the College also prohibits dating violence, domestic violence, sexual assault, and stalking irrespective of whether it is based on sex, and regardless of location.

RECORDKEEPING

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

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

For a period of seven (7) years, the college will maintain records of:

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

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

CLERY CRIME STATISTICS REPORT

ABAC is presenting a three-year report of Clery reportable crimes. The following information is presented by campus location.

Annual Disclosure of Crime Statistics

The College Clery Act Coordinator, within College Compliance, is responsible for collecting crime reports from Campus Security Authorities (CSAs), as defined below, for the purposes of compiling annual crime statistics. A centralized database is used to import data from electronic databases used by College Police to inform the tabulation and reporting of Clery Act crimes. The coordinator also gathers reports from CSAs and local law enforcement agencies for inclusion in the central database.

The Clery Act Coordinator leads the Clery Act Classification Review in determining the classification and counting of crime statistics.

CSAs are individuals who, because of their responsibilities at ABAC, have an obligation to share information with the College about alleged Clery crimes that are either reported to them and/or personally witnessed by them. At ABAC some common examples of CSAs include, but are not limited to, College Police, Resident Assistants and Residence Life personnel, Deans of Students personnel, coaches, and Title IX personnel.

Criminal Offenses, ABAC – Tifton Campus

Type of Offense		On-Campus	Residential Facility	Non-Campus Building or Property	Public Property
Criminal Homicide					
Murder/Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses					
Rape	2023	2	2	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Fondling	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Incest	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Burglary					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	2	2	0	0
Motor Vehicle Theft					
	2023	1	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Arson					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Domestic Violence					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking					
	2023	0	0	0	0
	2022	2	2	0	0
	2021	0	0	0	0

Arrests and Disciplinary Actions, ABAC – Tifton Campus

Type of Offense		On-Campus	Residential Facility	Non-Campus Building or Property	Public Property
Arrests					
Liquor Law Violations	2023	1	1	0	0
	2022	0	0	0	0
	2021	16	16	0	0
Drug Abuse Violations	2023	1	1	0	0
	2022	1	1	0	0
	2021	0	0	0	0
Illegal Possession Weapon	2023	0	0	0	0
	2022	2	2	0	0
	2021	3	3	0	0
Disciplinary Referrals					
Liquor Law Violations	2023	25	25	0	0
	2022	54	54	0	0
	2021	90	90	0	0
Drug Abuse Violations	2023	4	4	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Illegal Possession Weapon	2023	0	0	0	0
	2022	0	0	0	0
	2021	1	1	0	0

Hate Crimes: ABAC – Tifton Campus

There were no reported hate crimes for the years 2021, 2022 or 2023 on the Tifton campus of Abraham Baldwin Agricultural College.

Unfounded Reports – Tifton Campus

There were no unfounded incident reports in 2021, 2022 or 2023.

Criminal Offenses, ABAC – Bainbridge Site

Type of Offense		On-Campus	Residential Facility	Non-Campus Building or Property	Public Property
Criminal Homicide					
Murder/Manslaughter	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Sex Offenses					
Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Fondling	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Incest	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Robbery					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Aggravated Assault					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Burglary					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Motor Vehicle Theft					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Arson					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Domestic Violence					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Dating Violence					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Stalking					
	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Arrests and Disciplinary Actions, ABAC – Bainbridge Site

Type of Offense		On-Campus	Residential Facility	Non-Campus Building or Property	Public Property
Arrests					
Liquor Law Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Illegal Possession Weapon	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Disciplinary Referrals					
Liquor Law Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0
Illegal Possession Weapon	2023	0	0	0	0
	2022	0	0	0	0
	2021	0	0	0	0

Hate Crimes: ABAC – Bainbridge Site

There were no reported hate crimes for the years 2021, 2022, or 2023 on the Bainbridge campus of Abraham Baldwin Agricultural College.

Unfounded Reports – Bainbridge Site

There were no unfounded incidents for reportable crimes for 2021, 2022, or 2023.

Main Campus
Tifton, Georgia 31793

Abraham Baldwin Agricultural College



Academic

- 5 Edwards Hall
- 9 Lewis Hall
- 11 Health Sciences
- 13 Beef Unit
- 14 King Hall
- 15 Bowen Hall
- 23 Conger Hall
- 24 Britt Hall
- 26 Lab Sciences
- 27 Environmental Horticulture
- 28 Chambliss Building
- 30 Yow Forestry-Wildlife
- 31 Agricultural Sciences
- 33 JG Woodroof Farm

Athletic

- 1 Gressette Gymnasium
- 2 Foundation Legacy Pool
- 3 Thrash Wellness Center
- 36 Rodeo/Tractor Pull Arena
- 37 Stallion Baseball Field
- 38 Red Hill Athletic Center
- 39 Fillies Softball Field
- 40 Intramural Field and Track
- 41 Intercollegiate Soccer Field
- 42 Athletics Field

Administration

- 7 Herring Hall
- 8 Tift Hall
- 17 Plant Operations
- 18 Evans Hall
- 29 Gaines Hall
- 32 Alumni House

Student Services

- 16 Branch Hall
- 22 Carlton Center
- 44 Health Center

Points of Interest

- 4 Howard Auditorium
- 6 Stallion
- 10 Baldwin Memorial Gardens
- 12 Driggers Hall
- 25 Water Tower
- 35 Rowan Pavilion

Housing/Dining

- 19 Donaldson Dining Hall
- 20 ABAC Place
- 21 John Hunt Town Center
- 34 ABAC Lakeside

Parking

- V Visitors Parking
- A Accessible Parking




Main Campus
Tifton, Georgia 31793

 USG Property Boundary



Georgia Museum of Agriculture & Historic Village
Tifton, Georgia 31793

 Georgia Museum of Agriculture & Historic Village



**ABAC ANNUAL
FIRE SAFETY REPORT
2024**

FIRE SAFETY DISCLOSURE FOR ON-CAMPUS STUDENT HOUSING

Reporting a Fire

If a resident discovers a fire, they should activate the fire alarm system by pulling one of the pull stations while evacuating and should immediately report it to the ABAC Police Department by calling 229-391-5060 or by calling 911.

Residence Hall Evacuation Procedures

All residents are required to evacuate the residence hall if a fire alarm sounds. Failure to evacuate may result in disciplinary action. Residents are to use the nearest exit to evacuate. Evacuation procedures are posted on the door of each apartment, suite, or room.

Fire Safety Education and Training Programming

Each residence hall holds a mandatory hall meeting within the first two days each semester where the protocol for fire evacuation is covered. All Residence Life Staff members receive fire safety training during fall staff training.

Mandatory Supervised Fire Drills

Residence Life requires that each residence life building have at least one fire drill each semester to prepare in the case of a fire. Each of these are supervised and timed. It is required that ABAC Police and the Fire Department be notified prior to these drills. During 2019-2021 there was a fire drill conducted at every residence hall during fall and spring semesters equaling (2) drills for each school year at each building.

Description of On-Campus Student Housing Fire Safety Systems

Lakeside

Lakeside is a suite-style residence hall facility, comprised of one building. The fire system consists of fire alarms, smoke detectors, sprinkler systems, and fire extinguishers. The fire extinguishers are in the kitchenette of each suite, main building kitchen, laundry room, and the hallways on each of the three floors. The fire alarm system is activated by manual pull stations located throughout the building, sprinkler system flow detectors, and smoke detectors throughout the building. The fire alarm system is monitored by a third party who reports to the ABAC Police Department, as well as having audible alarms. ADA rooms are also equipped with visual alarms. Alarms are in both hallways and suites.

ABAC Place

ABAC Place is an apartment-style residence hall facility, comprised of three buildings: John Hunt Town Center, 100 building, and 200 building. The fire system consists of fire sprinklers, fire alarms, smoke detectors, and fire extinguishers. The fire extinguishers are in each apartment kitchen, laundry rooms, and mechanical rooms. The fire alarm system is activated by manual pull stations located throughout the building, sprinkler system flow detectors, and smoke detectors throughout the building. The fire alarm system is monitored by a third party who reports to the ABAC Police Department, as well as having audible alarms. ADA rooms are also equipped with visual alarms. Alarms are located in both hallways and suites.

Use of Electrical Appliances, Open Flames, Smoking

Residents in traditional residence halls are not permitted to have any appliance with open flame or exposed heating element in any residence hall. Smoking is not permitted in or around any building on campus per state and campus regulations.

Future Improvements in Fire Safety

ABAC takes Fire Safety very seriously and continues to enhance its programs to the college community through education, engineering, and enforcement. Educational programs are presented throughout the year to faculty, staff, and students so they are aware of the rules and safe practices. These programs, include identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies and hands-on use of fire extinguishers. The College maintains and tests all fire alarms and automatic fire suppression systems in accordance with the appropriate National Fire Protection Association Standard to insure system readiness and proper operation in the event of a fire emergency.

2024 Fire Safety Systems in Residential Facilities							
Facility	Fire Alarm Monitoring Fire Alarm Monitoring Done On-Site (by UPD)	Partial *1 Sprinkler System	Full *2 Sprinkler System	Smoke Detector	Fire Extinguisher Device	Evacuation Plan & Placards	Number of Evacuation (Fire) Drills Each Calendar Year
ABAC Place 100 Faculty Drive	Off Site	No	Yes	Yes	Yes	Plan & Placard	2
Lakeside 180 Farm Lane	Off Site	No	Yes	Yes	Yes	Plan & Placard	2

Statistics and Related Information Regarding Fires in Residential Facilities						
ABAC Place 100 Faculty Drive	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire ¹
2021	3	3	2 Washing Machine, 1 stove	0	0	500
2022	0	0		0	0	0
2022	0	0		0	0	0

¹ Values are in dollars.

Statistics and Related Information Regarding Fires in Residential Facilities						
Lakeside 180 Farm Lane	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire ¹
2021	1	1	Washing Machine	0	0	0
2022	2	2	Grease/Kitchen Fire	0	0	0
2023	0	0		0	0	0

¹ Values are in dollars.

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