

EAST GEORGIA STATE COLLEGE

Information and Support Services for Sexual Misconduct Complainant and Respondents

Approved by President's Cabinet 7/26/16

Immediate Response Procedures for Victims

- Get to a place of safety
- Try to preserve evidence (Sexual assault victims: do not bathe, shower, brush teeth, douche, or use toilet; place clothing in paper bag. Violence victims: take pictures of bruises or other injuries. Stalking victims: save evidence of communications such as texts, emails, voicemails, videos, writings, etc.)
- Obtain necessary medical treatment
- Report the incident so that evidence may be collected in a timely manner; * college official or Public Safety can assist with report
- Role of Public Safety: assist with information for filing a restraining order in local court, and enforce the restraining order issued by local court
- Consider talking to a counselor

Reporting options: reports can be filed with the college either in person or anonymously and/or with law enforcement officials

- EGSC Public Safety 478-455-0150 Swainsboro / EGSC Statesboro 478-455-1606 Augusta 706-721-2911 or call 911;
- EGSC Director of Student Conduct 478-289-2360
- EGSC Title IX Coordinator: 478-289-2035
- Local Law Enforcement 911
- EGSC Counselor 478-289-2039; or Rape Crisis Center* (Confidential Report)
- Anonymous reporting through EGSC Hotline: <https://ega.alertline.com/gcs/welcome>
- Decline to file a complaint (EGSC may continue investigation to the extent that it can as required by Title IX)

Confidentiality

Different officials on campus are, however, able to offer varying levels of privacy to victims and respondents.

- **Public Safety:** not a confidential report; will be referred to local law enforcement; may be made public if criminal prosecution. Clery Act Annual Security Report and "Timely Warning" crime alert will **not** contain victim name or identifying information.
- **Title IX Coordinators:** due to legal mandates requiring investigation of all reports may not be able to offer full confidentiality if doing so prohibits the college's ability to maintain a safe and nondiscriminatory campus environment.
- **EGSC Counselor:** report may be kept confidential and victim identifying information shall not be made public unless disclosure is mandated by law (victim is minor, victim or third party is in imminent danger).
- **EGSC Employee:** due to legal mandates employees have a duty to report any reports received to Title IX Coordinator.

Amnesty:

Individuals are encouraged to come forward and to report sexual misconduct notwithstanding their choice to consume alcohol or 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.

Support Services Available:

Counseling: Immediate crisis counseling will be available through the EGSC Counseling and Disability Services office. Employees will then be referred to an off campus provider. Student and employee client contacts with the EGSC Counseling Center are confidential. Exceptions which require disclosure without consent include instances where the Counseling Center believes the client poses a clear and present danger to himself/herself or others and instances where the Counseling Center has reasonable cause to believe that a child (under the age of 18 years old) has been subjected to maltreatment, which may involve abuse, sexual abuse, neglect, sexual exploitation or abandonment.

Mental Health Resources and Rape Crisis Centers*: Off campus counseling and support services can be obtained through the Ogeechee Behavioral Health in Swainsboro and Statesboro Regional Sexual Assault Center- (912) 489-6060 or www.srsac.org, Rape Crisis Centers- Statesboro (866) 489-2225 and Rape Crisis Center- Vidalia (912) 538-9935 and Rape Crisis Center at University Hospital in Augusta 706-724-5200. Such licensed off campus provider will also have a privilege with his or her clients and are subject to the above Georgia confidentiality provisions.

Victim Advocacy Programs: Victim advocate programs in Emanuel County District Attorney's Office in Swainsboro (478) 237-7846, Bulloch County District Attorney's Office in Statesboro (912) 764-9924, Richmond County (706) 821-1135 can provide on-going information and assistance.

Legal Assistance: Georgia Legal Services (888) 220-8399 can provide legal assistance.

EGSC Interim Measures: Regardless of whether you chose to pursue an investigation of the incident with EGSC or local law enforcement, victims have the option to change their academic schedules, on-campus living, employment arrangements, schedules and supervision, issuance of a no-contact directive, campus property restrictions, interim suspension and other measures designed to promote the safety and well-being of the parties and campus community. Interim measures may be implemented if such changes are reasonably available and implementation minimizes the burden on victim and respondent. If interim measures planned, the respondent may be notified and provided an opportunity to respond, where practical, before the measures are completed. As for all others, the circumstances giving rise to the interim measures will remain confidential to the extent that maintaining confidentiality would not impair the ability of the institution to provide the interim measures.

EGSC Disciplinary Proceedings and Sanctions are detailed in the *East Georgia State College Employee Handbook*, *East Georgia College Faculty Handbook* and the *East Georgia State College Student Handbook*. The Title IX Coordinator may recommend the issuance of a no contact order pending the outcome of a student conduct or employee disciplinary proceeding. Both the Employee Handbook and the Student Handbook provide that the respondent and the victim will each be allowed to choose a hearing advisor, to accompany them throughout the hearing and to attend meetings related to the proceeding. Both the respondent and complainant shall simultaneously be informed in writing of the outcome made by the hearing panel, appeal procedures, if any, any change to the result that occurs prior to the time that they become final, and when such results become final. A student found guilty of violating the EGSC Sexual Misconduct Policy may be criminally prosecuted in the state courts and may be suspended or expelled from the college for the first offense. An EGSC employee found to have violated EGSC Sexual Misconduct policy may be suspended or terminated and may face criminal prosecution.

No Retaliation Policy: East Georgia State College absolutely prohibits any retaliation, at any time, against the complainant or against those individuals participating in the investigation. The Title IX Coordinator will advise both the complainant and the respondent of the prohibition of any retaliation, including retaliation by any individuals associated with the respondent, such as social friends and team members. Anyone under the jurisdiction of the College that retaliates against the complainant or individuals participating in an investigation or proceeding under the EGSC Sexual Misconduct Policy or the college's *Discrimination and Harassment Policy* may be subject to disciplinary action.

Role of the Title IX Coordinator

The Title IX Coordinator will provide this written information to the complainant and respondent. Public Safety will refer reports to the Title IX Coordinator and the Title IX Coordinator will assign an investigator. An investigation will be conducted with full consideration of the complainant's and respondent's confidentiality concerns and balancing such concerns with the college's obligation to maintain a safe and secure campus and meet its compliance obligations under Title IX. East Georgia State College's Title IX Coordinator responsible for overseeing administrative investigations in compliance with Title IX requirements is the Director of Human Resources, twoods@ega.edu, 478-289-2035.

EGSC Sexual Misconduct Policy:

<http://www.ega.edu/policy/08-sexual-discrimination-harassment-and-misconduct-policy.pdf?071216>

MCS 9/22/14

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