

# **Spelman College**

## **2018 Annual Campus Security and Fire Report**

Portions of this report are provided in compliance with U.S. Department of Education Rules and Regulations CFR 34, Part 668.46 which is commonly referred to as the Jeanne Clery Act and the Higher Education Opportunity Act. Paper copies of this report are available upon request from the Spelman College Department of Public Safety, 350 Spelman Lane, SW, Atlanta, GA 30314, (404) 270-5328.

Spelman College does not discriminate in employment or admissions opportunities, or eligibility to participate in activities, programs, or receive services provided to faculty, staff, or students on the basis of race, color, religion, creed, gender, gender identity, ethnicity, national origin, age, disability, sexual orientation, marital status, protected veteran status, genetic tests, genetic information or any other legally protected status.

Spelman College requires the Department of Public Safety to compile this report annually, employing the current guidelines established by the US Department of Education. To create this report, statistical data is collected from individuals serving in the positions listed below who have been designated as Campus Security Authorities as defined by the Jeanne Clery Act, local law enforcement agencies, and administrators of non-campus properties utilized by the College in support of the educational mission of the institution.

No student organizations recognized by the College maintain off campus buildings as housing facilities or sites where activities are routinely held. As a result no data is reported for this category.

The Spelman College Department of Public is a police agency governed by the Georgia Peace Officers Standards and Training Council. Georgia law empowers officers who are certified by the Georgia POST Council to exercise police and arrest powers on the campus and within one quarter mile on public streets leading to and from the campus.

At present State law precludes private institutions like Spelman from entering into formal mutual aid agreements with governmental police agencies. Although no formal agreement exist our Public Safety Department maintains a strong working relationship with the Atlanta Police Department and by practice major crimes that require extensive investigative resources are handled by that department. Additionally, the department works closely with the police departments at each of the Atlanta University Center institutions and the other law enforcement agencies that service our area.

### **REPORTING CRIMES AND EMERGENCIES**

The Department of Public Safety maintains a 24-hour emergency dispatch center that can be reached by dialing 4911 from any phone on the campus phone system, by utilizing any of the emergency call boxes located on campus, or by calling (404) 525-6401.

Students, employees, contractors, vendors and visitors should immediately report any emergency condition including but not limited to injuries, fire, suspicious activity, or criminal acts that they witness or are the victim of two individuals serving in any of the following positions at the College:

All Public Safety personnel, Vice President of Student Affairs, Dean of Students, all housing and residence life staff including resident assistants and desk aides, Director of Student Activities, and all student organization advisors. These individuals will route all reports of alleged or actual criminal activity to the Department of Public Safety for documentation and follow-up.

In certain instances, this information will be used to generate warning reports to members of the college community if the incident is reportable under Jeanne Clery Act guidelines, or is deemed to represent a significant danger to the community.

Currently, there are no processes for including anonymously reported incidents in this report. However, An individual may make an anonymous report of an incident of sex discrimination, sexual harassment, sexual violence or exploitation, dating/domestic violence or stalking. A report may be made without disclosing one's own name, identifying the respondent or requesting any action. The College's ability to respond or take further action may be impacted by the level of information available about the incident or individuals involved.

Anonymous reports to the Title IX and Compliance Director can be made through the [Complaint Form for Discrimination, Harassment and Retaliation](#) or by calling the Spelman College Sexual Misconduct Hotline at (678) 873-5884. Individuals wishing to remain anonymous can report incidents without including any personally identifiable information (name, email address, on campus housing assignment, etc).

Individuals may report crimes on a voluntary, confidential basis to College Counselors in the Spelman Student Counseling Department. These incidents will be included in the institutions Annual Security Report.

## **TIMELY WARNINGS**

It is the policy of the College to issue warnings to the college community to advise members of criminal acts or other emergency occurrences on campus or in the immediate vicinity to help prevent similar incidents.

The Public Safety management team will determine the need to issue alerts and make recommendations to the Vice Presidents of Student Affairs, and V.P. of Business and Financial Affairs accordingly.

Every attempt possible will be made to issue warnings within timeframes that would permit members of the Spelman community to take actions that would minimize the likelihood of them being victimized by risks known to the College.

Criminal acts in each of the categories in the statistical portion of this report shall be prioritized in determining the need for issuing an alert. Warnings may be distributed via flyers, notices posted on bulletin boards, e-mail, campus mailboxes, or other means deemed effective to communicate the message.

## **EMERGENCY NOTIFICATION**

It is the policy of the College upon confirmation of incidents or circumstances that represent an immediate or imminent threat to health or safety to issue without delay notification of such incidents. Notifications will be issued in these instances unless doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

On duty Public Safety staff upon receiving any report of an emergency condition will immediately take steps to confirm the reported condition.

Upon confirmation of an emergency condition the Shift Supervisor and the Director of Public Safety or designee will be informed of the emergency condition. The Public Safety Shift Supervisor, Director of Public Safety, or any member of the College Senior Management Team may authorize the issuance of Emergency Notifications utilizing any or all of the available communications platforms. Notification messages may be prewritten or composed to address the unique circumstances of an event.

Notice of major emergencies on campus or in the immediate vicinity will be communicated by utilizing one or more of the following communication methods to alert the campus of immediate or imminent danger:

- Spelman Alert --- (Free - Enrollment Required) Automated Emergency Notifications via phones, cell phones, web sites, text messages, and email.
- Outdoor Warning Sirens – Audible sirens to alert individuals outdoors of a severe weather condition or other condition requiring shelter in place protocols.
- Building Notification Systems – NOAA Weather radios, phone trees, local radio stations.
- Twitter – Internet communication platform.  
Twitter address <spelmanpolice>

All campus emergency notification and evacuation systems are tested at least annually. Test may be announced or unannounced, and the test description, date time, type of test and results will be shared with the Spelman community.

### **EVACUATION PROCEDURES:**

Evacuation of campus facilities shall be undertaken whenever a facility fire alarm is activated, upon instruction of Public Safety staff, Atlanta Fire Department, or when any of the College Emergency Notification Systems issues instructions for evacuation.

## **CAMPUS SAFETY AND SECURITY:**

Recognized as one of the nation's finest liberal arts colleges Spelman is located less than five minutes from the business and government center of the city of Atlanta. The fenced campus is part of a community which includes private residences, public housing, small businesses, and other Historically Black Colleges. While the incidence of criminal acts on our campus is extremely low, members of our campus community are subject to the same potential for criminal victimization as that confronting everyone living in American urban centers. The information that follows is designed to inform current and prospective students, and employees, of the primary programs, policies, procedures, and services that support safety, security, and well-being at the college.

"Protectors of our Future" is the motto of the Spelman College Department of Public Safety. The motto reflects recognition of the value of past, present, and future contributions of the institution and members of this campus community to our society and global community. It also acknowledges the important responsibility of protecting both the individual members of the campus community, and the physical assets of the institution.

The Department of Public Safety is charged with the provision of those services that impact safety and security at the institution. At Spelman both of these are seen as essential elements in maintaining the quality of campus life we enjoy. Our Department of Public Safety is service oriented and tailored to meet the needs of an urban-centered women's institution.

Spelman is committed to maintaining a staff of competent, committed and concerned professionals to deliver public safety services. Over seventy percent of our staff are Police Officers trained and certified by the State of Georgia. These individuals have the same arrest and police powers as the City of Atlanta Police on and within 500 yards of our campus.

Our entire Public Safety staff receives more than double the State required in-service training annually for their respective position classifications. Members of our staff regularly serve as instructors at the Fulton County Police Academy that services the Metro Atlanta area, and they are active members in a variety of local, State and National law enforcement associations.

### **AROUND THE CLOCK PROTECTION:**

The Public Safety Department provides services twenty-four hours daily including:

- Foot and motorized patrol of the Campus and immediate vicinity by uniformed and plain clothes police officers;
- 24 hour staffing of an emergency communications dispatch center;
- Information services regarding campus activities and community services;
- Response to requests for routine and emergency police and security services;
- Investigation of violations of campus rules and State and City laws;
- Monitoring of vehicular and pedestrian access to campus;
- Parking enforcement
- Monitoring of emergency phones, CCTV, and alarm systems at key campus locations

In addition to a fleet of marked police vehicles, the department is equipped with state of the art communications and computer equipment. This capability allows for constant radio communication between all officers on duty, direct links to other police agencies providing service in the immediate area and contact with the Georgia Crime Information Center, and the National Crime Information Center.

## **PREVENTION AND EDUCATION IS OUR FOUNDATION FOR SAFETY AND SECURITY**

In addition to routine police and security services, Crime Prevention and Educational services play an important role in our overall Public Safety Program.

### **Major programs include:**

- The Adopt a Hall Project which assigns a Campus police officer to meet weekly with resident students in their residence halls to impart crime prevention information and to determine special concerns which students may have related to safety and or security.
- The Fight Back Project offers a variety of self-defense and personal safety courses to commuter and resident students and staff.

Sessions are scheduled during New Student Orientation and several times each semester in partnership with residence hall councils and campus organizations when requested.

- The Public Safety Posse Project provides students the opportunity to develop leadership skills by assisting in the development and implementations of a wide variety of special programs and projects that are offered by the department.
- New Student Safety Orientations are conducted at the onset of each semester.
- Public Safety Round Table Sessions are conducted twice each semester to provide community members the opportunity to meet with Public Safety administrators to discuss suggestions and concerns, and review campus security procedures.
- New Employee Orientations include a review of college safety and security procedures.

In addition, topical displays are set up monthly in high traffic areas to afford the opportunity for students, and employees to receive information about important safety and security topics.



This information routinely addresses practices that can be applied on and off campus to enhance personal and community safety and security.

Every member of our campus community is an important member of our Public Safety Team. If you need assistance or observe anything suspicious on campus or in the immediate vicinity, call our Public Safety Department at (404) 525-6401. An officer will always be dispatched to investigate the situation you are reporting on and the appropriate follow up action will be initiated.

Our Public Safety Department also participates in a variety of Law Enforcement Task Forces that seek to improve operational coordination and information exchange between Campus, City, State and Federal Law Enforcement Agencies that service our community. This ensures that they each are part of our team effort.

### **OFF CAMPUS EMERGENCIES:**

If you need Police, Fire, or Ambulance assistance while off campus in Metro Atlanta dial: 911

Every member of our campus community is encouraged to report all incidents of criminal activity whether they are victims or witnesses. Confidentiality of reporting persons is maintained in every instance in strict accordance with all applicable federal and state laws.

While crime prevention and safety awareness are the primary objectives of the Public Safety Department, it is the policy of the College and the Department to vigorously pursue prosecution of those who commit serious crimes or engage in negligent behavior that creates safety risks for the campus community.

## **MISSING RESIDENT STUDENT POLICY**

In the event that a resident student is reported as missing, the Spelman Department of Public Safety will spearhead an investigation to attempt to determine the student's wellbeing and whereabouts.

The College strongly recommends all resident students to register confidential contact information in the event that they are determined to be missing for a period of more than 24 hours. To register complete the Missing Resident disclosure form during Residence Hall check in, or speak with a Residence Life staff person or Resident Assistant.

The contact information provided will only be used to contact the person you list if you are reported missing.

This information will be kept confidential and will be accessible only to authorized campus and law enforcement officials.

If a Resident student under 18 years old is reported missing her custodial parent or guardian of record will be notified.

## **SHUTTLE SERVICES:**

As an enhancement to student and staff safety when traveling between campuses of other Atlanta University Center Institutions and to mass transit hubs, Spelman and the Robert W. Woodruff Library provide shuttle services daily during class periods and every evening beginning approximately at dusk. Route and schedule information can be obtained at the Public Safety office and is posted in convenient locations throughout the campus. Additional shuttle information may be obtained by calling (404) 577-0306, or (404) 525-6401.

## **ACCESS TO CAMPUS:**

Spelman is a gated community. Pedestrian and vehicular access to campus is monitored twenty-four hours daily. Individuals entering the campus in an unauthorized manner, remaining in campus facilities beyond normal hours of operation or periods of approved visitation are subject to arrest by Campus Police.

Gentlemen visiting the campus are required to present current picture identification to gain entry at all times.

Each resident is issued a key to her residence hall. Residence halls are off limits to visitors except during approved visitation periods. During visitation each resident hall reception area is staffed and visitors are screened.

Access to campus buildings and facilities is restricted after normal hours of operation. Campus facilities are monitored with a variety of silent and audible intrusion alarms, as well as security patrols of all facilities that are conducted around the clock.

Public Safety personnel report all observations daily regarding the condition of campus lighting, entry hardware, and security and alarm systems noted during routine campus patrols to the Facilities Department for repair.

### **CRIME / INCIDENT ANALYSIS:**

Our Department of Public Safety tracks incident trends to ensure the most effective deployment of personnel and to keep abreast of trends which should be addressed in our crime prevention and educational programs.

### **SUBSTANCE ABUSE AWARENESS**

Spelman College is committed to the eradication of illegal drugs and the maintenance of a drug free environment. The college fully supports and endorses federal, state and local laws that prohibit the unlawful possession, use or distribution of illicit drugs or alcohol. In support of this commitment the college has developed a comprehensive Alcohol and Drug Abuse Prevention Policy that has been endorsed by the Board of Trustees of Spelman College. This policy is published in the Faculty and Staff, and Student Handbooks.

It is the responsibility of every administrator and member of the faculty, staff and student body to familiarize her or himself with these policies and the associated sanctions that may include suspension, expulsion, loss of financial aid eligibility, loss of academic credit, or termination and referral to the appropriate federal, state or local authorities for prosecution in the courts. Information regarding substance abuse education, counseling and treatment services can be obtained from any of the following locations.

- College Health Services
- College Counseling Services
- Office of the Dean of Students
- Office of Student Life and Engagement
- Office of Human Resources
- College EAP Counselor

## **Summary of Spelman College**

### **Alcohol and Drug Policies:**

#### **DRUGS**

The unlawful manufacture, distribution, dispensing, sale, possession, use or consumption of any unlawful or dangerous drug or controlled substance by any member of the faculty, staff or student body of Spelman College for which said individual does not have legal license or valid prescriptions is strictly prohibited. Violations of this policy may result in administrative and or criminal adjudication.

#### **ALCOHOL**

The use, sale, consumption, distribution or possession of any alcoholic beverage is prohibited on any property owned or leased by the College or any department or division thereof.

Violations of this policy will result in administrative and or criminal adjudication. These sanctions also extend to violations of all Georgia laws related to underage drinking.

Alcoholic beverages may be served to persons age 21 or older at locations and functions designated by the President or the President's designee subject to the provisions of all College policies.

## **HEALTH RISKS**

The scope and impact of health risks from alcohol and drug abuse are both alarming and well documented ranging from mood altering to life threatening.

Abuse of alcohol and drugs alters behavior, distorts perception, impairs thinking, impedes judgment and sabotages opportunity. Substance abuse may result in deterioration of physical health by causing or contributing to various diseases, illnesses or birth defects which may result in permanent impairment or death.

## **SANCTIONS**

In addition to the College sanctions referred to above, persons convicted of federal, state or local laws prohibiting the unlawful use, possession, manufacture, sale, dispensing or distribution of alcohol or drugs are subject to stiff sanctions which may include heavy fines, incarceration for varying periods of time up to life imprisonment, forfeiture of assets, suspension or loss of driver's, business, or professional licenses; termination or suspension from eligibility for civil service employment; and loss of certain state and federal funds. Presentation of this brief overview in no way diminishes the responsibility of every member of the Spelman College community to become thoroughly familiar with the college Alcohol and Drug Prevention Policy in its entirety.

## **COMBATING**

### **SEXUAL ASSAULTS AND HARRASSMENT**

The College is committed to combating sexual assault and harassment on campus and in the community at large.

College policies for faculty, staff and students prohibit crimes of dating violence, domestic violence, sexual assault, stalking, and sexual harassment in all forms. Our efforts in this area are focused on prevention of these acts and are directed at every member of the college community.

Programmatic efforts include conducting seminars and workshops, providing group and individual counseling services, and distributing materials which focus on all aspects of sexual assault and harassment including: rape, acquaintance rape, incest, domestic violence, stalking, dating violence, sexual assault, and all forms of sexual harassment.

The Director of Title IX Compliance, The Division of Student Affairs and the Office of Human Resources are each charged with providing services related to this topic. Information regarding ongoing programmatic efforts can be obtained by contacting either office.

The following link provides valuable information regarding Spelman and community resources related to Sexual Violence and Assaults: [Title IX Overview and Resources](#)

### **Title IX -Education Initiatives**

The following programs are representative of the on-going programmatic efforts offered by Spelman aimed at enhancing awareness of issues related to sexual violence, prevention awareness, and intervention strategies.

### **Breaking the Silence - Ending the Violence**

This program is designed to educate and raise awareness about sexual health, abusive conduct, sexual abuse, sexual assault and other related issues. Students will also learn how to report violations and where to get support and assistance.

### **Bystander Intervention Workshop**

A workshop designed to teach students strategies to intervene and interrupt sexual violence, while also addressing cultural norms supporting gender violence.

## **Fight Back Self Defense**

Students engage in basic self-defense techniques including learning to recognize danger signs when traveling on foot or by car, especially when conducting financial transactions.

## **Online Educational Modules**

All first-year students will be required to complete the educational modules on or before August 9, 2017. The required modules are listed below.

**HAVEN**-The HAVEN (Helping Advocates for Violence Ending Now) is an educational module designed to recognize the various forms of sexual violence, how to prevent sexual violence, and how to help a friend who has experienced interpersonal violence (harassment, stalking, abusive relationships, and sexual assault).

**ALCOHOL EDU** provides a message that empowers students with the necessary skill set to make safer and healthier decisions about alcohol.

**TRANSIT**-Financial Education module helps students understand how the financial decisions they make today will have a long-term impact on their lives.

## **Sexual Assault Response Team**

The Sexual Assault Response Team brings together key players/first responders to develop common operational definitions, strategies and procedures as related to responding to sexual violence. The members include the Counseling Services, Dean of Students, Housing & Residence Life, Public Safety and Student Health & Wellness Services.

## **Sex Trafficking Education and Prevention Series**

Alumnae, students, parents, families and community members explore the history, culture and politics of sex trafficking in the greater metropolitan area. In addition, the series will provide participants with the skills to identify a victim of sex trafficking and to clearly define the resources available in the community to support victims and survivors.

Students also engage in community service and a letter writing campaign designed to impact current legislation.

## **Sexual Violence Education and Intervention**

Staff engage in training with the Center for Disease Control Sexual Violence Prevention Division and the Georgia Network to End Sexual Violence (GNESA) on issues associated with Sexual Violence Education, Intervention and Prevention.

## **Sexual Violence Education and Prevention Intern**

The Intern works with the Dean to provide awareness, prevention and intervention programs on the various forms of sexual violence.

## **Movie and Small Group Discussions**

Students will explore the glamorization of sexism and violence against women via a movie and dialogue with faculty and staff. In the event a member of this college community is the victim of sexual assault or harassment on or off campus, it is the policy of the College to:

- Encourage prompt reporting to both campus authorities and local police.
- Refer victims for appropriate medical treatment.
- Provide initial post incident counseling services and make referrals to community based victim witness assistance service.
- Maintain the confidentiality of persons associated with a report or complaint.

## **Reporting Sexual Violence or Harassment**

The College is committed to protecting the privacy of all individuals involved in a report of sexual assault or harassment. Every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review and investigation of any allegation of such violations. Individuals reporting incidents of dating violence, domestic violence, sexual assault or harassment shall be provided a written explanation of their rights and options whether the offense occurred on or off campus.



The explanation includes information regarding counseling services, victim advocacy, legal assistance, and other services available both on campus and within the community. This information shall be provided regardless of whether the report is made to law enforcement.

**The privacy of the parties will be respected and safeguarded at all times.** All College employees who are involved in the College's Title IX response, including hearing board members, receive specific training and guidance about safeguarding private information. Privacy and confidentiality have distinct meanings under this policy.

### **Privacy**

Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who "need to know" in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

### **Confidentiality**

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the reporting person.

Those campus and community professionals include medical providers, mental health providers, ordained clergy, and rape crisis counselors, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

In the event of alleged on campus sexual assault or harassment either forcible or non-forcible, all members of the college community are directed to immediately:

- Notify Campus Police and file an official report.
- In all cases where criminal acts are alleged, the Atlanta Police Sex Crimes Unit or the police agency with jurisdiction will be notified.

Victims of sexual assault should consider the need to preserve physical evidence in cases where a criminal assault has occurred. In such cases campus police should be consulted before removing clothing, washing or showering, or altering the scene of the crime in any manner.

Campus Police will assist any victim in making a report to the local police agency with jurisdiction if the victim chooses to make a report of a sexual assault that occurred off campus. In these instances the local police agency with jurisdiction shall assume responsibility for the criminal investigation.

Sexual harassment is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature.

Thus, sexual harassment as defined by Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681 can include conduct such as touching of a sexual nature; making sexual comments, jokes, or gestures; writing graffiti or displaying or distributing sexually explicit drawings, pictures, or written materials; calling individuals sexually charged names; spreading sexual rumors; rating students on sexual activity or performance; or circulating, showing, or creating e-mails or Web sites of a sexual nature. In the event of an allegation of sexual misconduct or criminal sexual behavior by a member of the college community, a thorough administrative inquiry shall be conducted.

This process shall comply with all college policies that pertain to complaints and disciplinary actions as they apply to faculty, staff, and students as outlined in the respective college handbooks applicable to each group.

The Director of Title IX Compliance has overall responsibility for ensuring compliance with all regulations related to complaints of sexual harassment and will focus on receiving and resolving complaints or concerns brought by or involving students, staff, or faculty of the College.

**The Director of Title IX Compliance Nicole Johnson may be contacted directly at (404) 270-5060.**

Complaints of sexual harassment or misconduct may be reported to any employee of the College who shall immediately report the complaint to the Director of Title IX Compliance.

An employee who receives a complaint of sexual harassment or sexual misconduct shall not initiate any action or investigation. The employee shall immediately report the complaint to the Director of Title IX Compliance.

In all cases of allegations of sexual harassment or sexual misconduct both the accuser and accused shall have the same opportunities to have others present during disciplinary proceedings; and both must be informed of the outcome of any institutional disciplinary proceeding brought alleging sexual harassment or sexual misconduct. In all cases of this nature the preponderance of evidence standard shall be applied in determining responsibility.

In the event allegations of sexual misconduct or harassment are sustained against a member of the Spelman College community, the President of the College may impose disciplinary actions including verbal or written reprimand, community service, suspension, expulsion, or termination.

A student who has been the victim of an alleged sexual assault or harassment shall have the option to request a change in academic, living, transportation, and or working situations. These requests will be reviewed by the Deans for Academic and Student Affairs and will be accommodated wherever possible within the scope of College policy and resources.

The State of Georgia Sex Offender Registry can be accessed using the following web address:

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

[GBI Sex Offender Registry](#) You may utilize a computer in the Public Safety Office to access this site if you do not have internet access.

### **Definitions:**

Sexual assault, sexual harassment and other forms of sexual violence are crimes of power and control. Below are short summaries of how these crimes are defined by The Violence Against Women Act, Spelman College and under Georgia law. Regulations require the application of one or a combination of these definitions as may be appropriate in specific situations. The following VAWA definitions are used to classify incidents reportable within this Annual Security Report.

#### ***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,

**(ii)** 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.

## ***Domestic Violence***

- (i) A felony or misdemeanor crime of violence committed -
- (A) By a current or former spouse or intimate partner of the victim;
  - (B) By a person with whom the victim shares a child in common;
  - (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
  - (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

## ***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.
- Additional Definitions which may be applied in classifying, reporting, and or addressing complaints and or imposing sanctions.

## ***Cyberbullying***

Cyberbullying is bullying that takes place using electronic technology.

Examples of cyberbullying include mean text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.

### **Dating Abuse/Dating Violence**

The perpetration or threat of an act of violence by at least one member of an unmarried couple on the other member within the context of dating.

### **Hazing**

Any activity that is intentional, or unintentional due to reckless behavior, occurring on or off campus directed against a student that endangers or is likely to endanger the student's mental and/or physical health or safety regardless of a student's willingness to participate in such activity, or is in connection with or as a condition or precondition of gaining acceptance, membership, office or other status in a school organization.

This activity is commonly associated with the student's membership, initiation, affiliation, pledging and/or association with an organization, but may include other activities.

### **Intimate Partner Violence**

Intimate partner violence is physical, sexual, or psychological harm by a current or former partner or spouse.

This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

### **Sexual Assault**

The oral, anal, or vaginal penetration by a sexual organ of another or anal/vaginal penetration by any means against the victim's will or without his/her consent. An individual who is mentally incapacitated, unconscious, or unaware that the sexual assault is occurring is considered unable to give consent.

The type of force employed may involve physical force, coercion, intentional impairment of an individual's ability to appraise the situation through the administering of any substance, or threat of harm to the victim.

## **Sexual Misconduct**

Sexual misconduct is non-consensual, intentional physical conduct of a sexual nature. Lack of consent may be inferred from the use of force, threat, physical intimidation, or advantage gained by the victim's mental or physical incapacity or impairment of which the perpetrator was aware or should have been aware.

## **Sexual Harassment**

Sexual harassment is unwelcomed sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature which is made either explicitly or implicitly as a term or condition of an individual's employment, academic advancement, or ability to participate in or benefit from the services, activities or privileges provided by the college.

While sexual harassment most often takes place in situations of a power differential between the persons involved, the College also recognizes that sexual harassment may occur between persons of the same or lower college status, which includes students creating a hostile environment for a faculty member.

## **Stalking**

Stalking is any repeated abusive conduct directed specifically at another person that creates fear for his/her safety, following another person, acts that threaten or intimidate another person through fear of bodily injury, or harm to property.

## **Consent**

The act of knowingly and voluntarily agreeing explicitly to engage in sexual activity. Consent must be freely given and can be withdrawn at any time. Consent is as follows:

- A voluntary, sober, creative, wanted, informed, mutual, honest, and verbal agreement
- An active agreement. The absence of "no" does not mean "yes."
- Consent does not involve coercion.
- Never implied and cannot be assumed, even in the context of a relationship. Just because you are in a relationship does not mean that you have permission to have sex with your partner.
- A process, which must be asked for every step of the way.

If you want to move to the next level of sexual intimacy, just ask!

**Circumstances in which a person CAN NOT legally give consent:** (No matter what he or she might verbalize):

- The person is severely intoxicated or unconscious as a result of alcohol or drugs.
- The person is physically or developmentally disabled.
- Once a person says "**NO**" It does not matter if sexual behavior has happened in the past, or what kind of activity has occurred in the current event, earlier that day, or daily for the past six months.
- It does not matter if it is a current long-term relationship, a broken relationship, or marriage. If one partner says, "**NO**," and the other forces unwanted sexual interaction it is a sexual assault.
- The victim is under the age 13 or is elderly.

If consent is not obtained prior to each act of sexual behavior (from kissing to intercourse), it is not consensual sex.

### ***State of Georgia and Sexual Violence***

There are a number of sexual offenses listed in the Criminal Code of Georgia that may be applicable to reports of sexual violence made by members of the Spelman community.

#### **Rape**

Rape is one form of sexual assault. The Criminal Code of Georgia defines rape as a male having "carnal knowledge" of "a female forcibly and against her will."

In this instance, carnal knowledge is defined as "penetration of the female sex organ by the male sex organ." The Georgia Code recognizes that rape can occur even between spouses so the defendant cannot use the fact that he is married to the person accusing him of rape as a defense. Spelman additionally, applies the FBI definition which includes assault with an object as an element of any act of sexual violence.

#### **Aggravated Sodomy**

The Criminal Code of Georgia defines aggravated sodomy is defined in the Code as sodomy that is perpetrated "with force and against the will of the other person." As with a charge of rape, a marital relationship between the defendant and accuser cannot be used as a defense.



## **Sexual Battery**

The Criminal Code of Georgia defines sexual battery when a person “intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person.” The Code defines “intimate parts” as the “primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.”

## **Aggravated Sexual Battery**

The Criminal Code of Georgia defines aggravated sexual battery occurs when a person “intentionally penetrates with a foreign object the sexual organ or anus of another person without the consent of that person.”

## **Domestic Violence, Dating Violence and Stalking**

Sexual discrimination and harassment can also take the form of domestic violence, dating violence and/or stalking.

These are crimes under Georgia law and are strictly prohibited at Spelman College. By law, Spelman is required to track reports of these crimes. Please be advised that Georgia law defines these crimes as follows below.

## **Family Violence**

“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.

## **Simple Battery**

A person commits simple battery when he or she “intentionally makes physical contact of an insulting or provoking nature” with another person, or “intentionally causes physical harm” to another person.

## **Battery**

A person commits battery when he or she “he or she intentionally causes

substantial physical harm or visible bodily harm to another.” The term

“visible bodily harm” means harm that someone other than the victim

can perceive, and might include but is not limited to “substantially blackened eyes, substantially swollen lips or other facial or body parts,

or substantial bruises to body parts.”

## **Aggravated Battery**

A person commits aggravated battery when “he or she maliciously causes bodily harm to another by depriving him or her of a member of

his or her body, by rendering a member of his or her body useless, or by

seriously disfiguring his or her body or a member thereof.”

## **Simple Assault**

A person commits assault when he or she “attempts to commit a violent

injury to the person of another” or “commits an act which places another

in reasonable apprehension of immediately receiving a violent injury.”

## **Aggravated Assault**

A person commits aggravated assault when he or she assaults someone

with the intent to murder, rape, or rob him or her.

In order to be found guilty of aggravated assault, the person committing

the assault must use a deadly weapon or other object, device, or instrument that causes serious bodily injury or is likely to.

## **Stalking**

A person commits 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.”

## **Bystander Intervention**

Intervening can be difficult, but every person on campus, whether a student, staff, or faculty member, has a role in preventing violence or responding to it before, during, or after it happens. It can be as simple as: “See Something? Say Something!”

- Sexual violence may occur if a culture tolerates these behaviors, and it starts with rape jokes or sexist language. If you hear it, remember that you don’t have to laugh or participate.
- If you witness a potentially sexually violent situation, step in. Intervening can be direct or indirect – the important thing is that you do something.

If you don’t feel comfortable addressing the potential perpetrator directly, consider causing a distraction or getting someone else to help you. Even if you don’t know the people involved, you can still help. If it is happening to a member of the Spelman community, it’s your business.

- Being an active bystander might mean helping after an assault occurs. Learn more about options available to victims, and offer help and support if someone you know experiences any form of sexual violence.

## **Addressing Conduct Violations**

Conduct violations where there are allegations of misconduct of sexual assault, dating violence, domestic violence, or stalking will be addressed as follows.

### **Conduct Violation(s) within the AUC**

As a member of the Atlanta University Center Consortium (AUC), Spelman has a reciprocal agreement with the other member institutions regarding student behavior and discipline.

When a Spelman student is accused of misconduct on an AUC campus, Spelman will address the behaviors and conduct violation. Likewise, non-Spelman student conduct violations on the Spelman College campus will be addressed by the student's home institution.

### **Student Conduct Administration Process**

The following section outlines the student conduct process at Spelman College as related to violations of the Community Standards and Code of Conduct.

### **College Jurisdiction**

College jurisdiction relative to community standards and student conduct administration shall include conduct:

- That occurs on college premises
- That occurs at college-sponsored or college-supervised events regardless of where they occur
- That occurs off college premises when the behavior may adversely affect the Spelman community and its interests as an academic community
- That relates to any facet of the relationship between the student and Spelman
- International study abroad and other off campus academic or recognized programs

### **Reporting**

Any member of the Spelman College community may file a written Incident Report regarding the misconduct of a student, group, or student organization. A report must be prepared in writing and directed to the Office of the Dean of Students. Incident Reports should be submitted immediately, preferably within 24 hours, though complaints may be possible at any time after an allegation of a violation. Depending on the circumstances the Dean of Students, Housing and Residence Life staff and Public Safety will determine if the case requires further investigation.

In cases involving more complex behaviors, the Dean of Students will consult with the Behavioral Intervention and Risk Assessment Team to determine the process for addressing student behaviors.

## **Investigation**

Upon receipt of a report or other information about an alleged violation of the Community Standards and Code of Conduct, preliminary investigations may be conducted by Public Safety, Dean of Students, and/or Housing and Residence Life staff to determine the following:

- If the report has merit
- If there is a need for a formal violation notice to be filed
- If the alleged behavior can be appropriately resolved by an informal meeting
- If the information is insufficient to a degree that no formal violation notice will be filed.

## **Formal Notice of Violation**

Students will receive a formal written notification of a violation and asked to appear before a hearing body when there is reasonable basis to believe that the student may have committed a violation of the Community Standards and Code of Conduct. Notice of conduct proceedings and related materials will be expediently sent to the student's email address and/or local address which is listed in the Office of the Registrar. It is the student's responsibility to provide accurate information to the college and to update this information when appropriate.

## **Major Violations**

Incidents involving serious misconduct that potentially or actually endanger the health, safety and general well-being of others, that damages property, that interferes with the Community Standards Review Board process, and/or that involves the possession, use, sale, manufacture or distribution of drugs shall be treated as major violations of the Community Standards and Code of Conduct.

In such cases, the responsible student will typically receive a sanction that includes probation, suspension or expulsion/dismissal, any of which may be issued following a single occurrence.

## **Responsibility for Addressing Conduct Violations**

A time will be set for a hearing, not less than three (3) to fifteen (15) college business days after the student has been notified of the violation of the Community Standards and Code of Conduct. The time limits for the scheduling of hearings may be changed for reasonable cause at the discretion of the hearing officer. On occasion, as a result of the timing of a report or the College calendar, it may not be possible for the Dean of Students or other hearing officer to convene a hearing or the appropriate hearing board. On such occasions, the Dean of Students will determine the appropriate alternative hearing format to be used.

After reviewing an incident report, the Dean of Students or other hearing officer will determine how the incident will be addressed.

The incident may be addressed as follows:

- a. The case may be dismissed or discharged
- b. The Dean of Students or other hearing officer may request to meet with the parties involved to obtain more information
- c. A hearing with a Hearing Officer or Hearing Board may be assigned

## **Student Conduct Administrators**

The following are the representative hearing bodies on the Spelman College campus responsible for hearing violations of the Community Standards and Code of Conduct.

1. Residence Hall Directors
2. Assistant Director, Housing and Residence Life
3. Director, Housing and Residence Life
4. Dean of Students
5. Community Standards Review Board
6. Dean's Hearing Board
7. Vice President for Student Affairs

## **Student Rights in the Conduct Process**

This information applies to both complainant and the accused student, except where noted.

1. To have a copy of the written complaint and have the complaint explained clearly and fully at every level of the conduct process.

2. To request in writing to the Dean of Students that separate hearings are conducted, if more than one student has been accused of a Code of Conduct violation arising out of a common incident.
  3. To hear testimony and/or see written statements concerning the complaint.
  4. To be informed of all witnesses who will provide oral and/or written statements, unless the Dean of Students makes special provision for a witness to remain anonymous, in the event that it is determined that the identity of the witness is not critical information necessary for a party to fully respond to the testimony/written statement.
  5. To refute oral and/or written statements made by witnesses and other parties.
  6. To have a fair and prompt hearing, and to have any delays in scheduling explained.
  7. To be notified promptly of the resolution of the complaint.
  8. To be advised of the appropriate appeal process.
- Complainants do not have the right to appeal all types of violations.

### **Governing Principles for Hearing Processes**

Students have the right to fundamental procedural fairness within an impartial conduct administration system.

The following outlines principles of the campus hearing processes.

1. Hearings will be conducted in private.
2. All conduct hearings will be recorded by the College using a digital recording device, and this shall be the only record of the proceeding.
3. A Hearing Officer or Hearing Board member who is unable to hear a case in an unbiased manner must excuse her/himself from the case.
4. Admission of any person to a College hearing process will be at the discretion of the hearing officer or board members.

5. Students may only be found in violation if the evidence brought forward during the investigation and/or hearing persuades the majority of the hearing board members that it is more likely than not that the accused student's action is a violation of the Community Standards and Code of Conduct.
6. The hearing officers and hearing board members may have access to records of previous disciplinary actions to assist with the determination of sanctions.
7. Where there are suspected patterns of serious offenses, records of previous similar violations of the Community Standards and Code of Conduct may be considered during the hearing and sanctioning process.
8. Witnesses and evidence that is not disclosed in advance of the hearing may be excluded at the discretion of the hearing officer and/or board members.
9. If the accused student has been provided a copy of the complaint and fails to attend the hearing, the hearing board may, at its discretion, proceed with the hearing and arrive at a resolution or hearing outcome.
10. The complainant and accused are permitted to present no more than 3 material witnesses, all of whom may be questioned by the hearing board members and parties represented in the case.
11. The Dean of Students may also contact witnesses to appear at a hearing. The hearing may proceed even if all witnesses are not present.
12. The complainant and accused student each have the right to have one adviser present at the hearing proceedings. The adviser must be a current full-time student, faculty, or staff member of the Spelman College. The adviser cannot be an attorney, law student, or relative.
13. The hearing board will determine the case outcome and provide notice of sanctions within 5-7 business days.



14. A resolution or hearing outcome reached by a hearing board may be appealed by the accused student(s) or the complainant(s) to the Community Standards Appeal Board.

### **Appeal Procedures**

Spelman College will allow one (1) appeal of a hearing case outcome and sanctions. The complainant and/or accused student have the right to appeal the case outcome based on the following:

1. New evidence, unavailable during the original hearing that could determine a different outcome
2. Hearing procedures deviated from the written procedures in the Student Handbook which is perceived to have significantly impacted the fairness of the hearing process
3. Sanction(s) are perceived to be grossly disproportionate to alleged offense
4. The case outcome is not aligned with the evidence
5. Perceived bias on the part of a hearing board member that deprived the process of impartiality

The appeal must be typewritten and addressed to the Community Standards Appeal Board, and submitted to the Office of Dean of Students within three (3) business days from the issuance of the decision letter. The student who is placed on an interim suspension will continue under the provision and/be subjected to limited privileges while awaiting the outcome of the appeal.

Appeals must be detailed and state the grounds for appeal in order to be valid for review. Appeals serve as a review of the written evidence to determine the validity of the appeal and are not intended to serve as another hearing of the case.

The Community Standards Appeal Board will take one of the following actions:

1. Uphold the decision of the Community Standards Review Board
2. Grant the appeal with special provisions or with the removal of some or all sanctions

The appeal decision will be shared with all parties involved in the case, with the expectation for compliance with the decision of the Community Standards Appeal Board.

If an appeal is not filed within three (3) business days of the date, the parties received decision from the hearing officer or hearing board, the right to appeal is waived and the original decision will become final.

### **Sexual Misconduct & Discrimination Complaints**

For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim/survivor is serving as the complainant or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room, or pre-recording the student testimony. In addition, the following provisions will be supported:

1. The past sexual history or sexual character of a party will not be admissible by the other party in hearings unless such evidence is determined to be highly relevant by the Chairperson. All such evidence sought to be admitted into the hearing process will be presumed irrelevant.
2. The alleged victim/survivor in any complaint alleging sexual misconduct will be notified in writing of the outcome and sanction. The student will be informed of the status of appeal.

### **Student Conduct Administration System Limitations**

In recognition of the limitations of the Student Conduct Administration System, it is important to note that students have a right to file civil and/or criminal charges in the Georgia judicial system for any crimes committed. Members of Public Safety and staff in the Office of the Dean of Students can assist students with making contact with the appropriate justice agencies, in addition to providing support to the student throughout the process. Students should be aware that the staff of the College may be bound by law to report certain offenses to the criminal justice authorities.

## **LEVELS OF VIOLATIONS & SANCTIONS**

### **Level I Violations**

*The following are examples of the most common Level I violations and possible outcomes for offenses:*

- Improper Disposal of Trash
- Guest and Visitor Policy
- Pet Policy
- Quiet, Courtesy Hours and Noise
- Room Inspection Policy
- Overnight Guests/Guest Room Policy
- Posting Policy

**Possible Sanctions for Level I violations, include but are not limited to:**

- Letter of Warning
- Counseling
- Education Project

### **Level II Violations**

*The following are examples of the most common Level II violations and possible outcomes for offenses:*

- Use/Abuse of Student ID
- Security Violations
- Smoking
- Solicitation and Sales on Campus
- Technology Misuse or Abuse
- Second "Level I" Violation within a 12-month period
- Violation or conviction of local, state, and/or federal law

**Possible Sanctions for Level II violations, include but are not limited to:**

- Counseling
- Education Project
- Special Assignment
- Restitution
- Restricted Access
- Living Unit Probation
- Living Unit Dismissal
- Disciplinary Probation

## **Level III Violations**

*The following are examples of the most common Level III violations and possible outcomes for offenses:*

- Alcohol/Underage Drinking Policy
- Electronic Copyright Infringement Policy
- Disorderly Conduct
- Disorderly Intoxication
- Fire Safety - Minor (candles, halogen lamps/bulbs, coil appliances, incenses)
- Failure to Appear before a Student Conduct Officer or Hearing Board
- Furnishing False Identification and/or Information
- Gambling Policy
- Hazing/Inappropriate Behaviors by Student Organization
- Illegal Entry/Trespassing
- Intimidation
- Keys - Duplication and Unauthorized Possession
- Second "Level II" Violation within a 12-month period
- Sexual Misconduct
- Theft, Attempted Theft, Possession of Stolen Property (under \$150.00)
- Third "Level I" Violation within a 12-month period
- Violation committed while on living unit or disciplinary probation
- Violation or conviction of local, state, and/or federal law

**Possible Sanctions for Level III violations, include but are not limited to:**

- Education Project
- Restitution
- Restricted Access
- Living Unit Probation
- Living Unit Dismissal
- Disciplinary Probation
- Disciplinary Probation with Restrictions
- Alcohol/Drug/Anger Assessment
- Suspension

## **Level IV Violations**

*The following are examples of the most common Level IV violations and possible outcomes for offenses:*

- Academic Integrity
- Assault
- Concealed Weapons
- Drugs-Possession, Use, Sale and Drug Paraphernalia
- Failure to comply with a student conduct administrative or hearing board decision
- Failure to comply with College official/law enforcement
- Firearms/Firecrackers
- Fire Safety (creating false fire alarms, failure to evacuate a structure, tampering with fire equipment)
- Fourth “Level I” Violation within a 12-month period
- Harassment
- Malicious Destruction of Property
- Second “Level III” Violation within a 12-month period
- Sexual Assault and Sexual Violence
- Theft, Attempted Theft, Possession of Stolen Property (\$150.00 or more)
- Third “Level II” Violation within a 12-month period
- Violations committed while on living unit or disciplinary probation
- Violation or conviction of local, state, and/or federal law

**Possible Sanctions for Level IV violations, include but are not limited to:**

- Restitution
- Restricted Access
- Living Unit Probation
- Living Unit Dismissal
- Loss of Privileges
- Disciplinary Probation
- Disciplinary Probation with Restrictions
- Alcohol/Drug/Anger Assessment
- Suspension
- Expulsion/Dismissal

## **Level V Violations**

*The following are examples of the most common Level V violations and possible outcomes for offenses:*

- Two level IV violations within one-year
- Any offense or series of offenses that pose a threat to the health, safety, and wellbeing of a student, to the College, or to the community
- A violation or conviction of local, state, and/or federal law can also be considered a Level V violation

**Possible Sanctions for Level V violations, include but are not limited to:**

- Suspension
- Dismissal

## **Case Outcome Sanctions**

The following are examples of sanctions that may be assigned in response to students found in violation of the Community Standards and Code of Conduct. Sanctions may be imposed independently or in combination with other sanctions.

1. **Administrative Fees-** Fees may range from \$35-\$300.
2. **Counseling-**The student may be required to attend counseling sessions with a member of the Counseling Staff or referred to a professional off campus.
3. **Dismissal/Expulsion-**Dismissal/expulsion requires that the student completely sever any and all connection with Spelman College within 24 hours of notification. Students will be charged the full housing fee for the entire semester and refunded tuition based on the refund schedule outlined in the Spelman College Bulletin.
4. **Educational Project-**The student is required to conduct research or a project in an area relevant to the offense.
5. **Housing Dismissal-**Students who are permanently dismissed from housing will be required to vacate their residence halls within 24 hours of notification of the disciplinary action. In the event of suspension, students will be charged the full housing fee for the entire semester. The student may not reapply for residency.

**6. Housing Relocation-**If a student is living in a residence hall, she may be required to move to another floor or into another residence hall.

**7. Housing Suspension-**Students who are suspended from College housing will be required to move out of housing within 24 hours of notification of the disciplinary action for the length of time specified by the hearing officer.

**8. Loss of Privileges-**Denial of specified privileges for a designated period of time. This may include limited access to residence halls, participation in clubs, organizations and/or activities, intercollegiate athletics and/or activities, loss of opportunity to participate in housing lottery process, loss of privilege to participate in special weeks organized by Class Council(s), and loss of privilege to participate in Commencement activities (seniors only).

**9. No Contact Order-**A No Contact Order may be imposed in instances where it is determined that a student poses a potential threat to another person. The student will be asked to refrain from making contact in person, via phone, cell phone, text message, instant message, communication via friends or other third parties, etc.

**10. Official Warning-**The official warning is notification to the student(s) that she has been found responsible for a violation and that any other violations will result in more serious sanctions.

**11. Parents/Guardian Notification-** Parents and legal guardians may be notified of violations of College policies pertaining to alcohol and drugs, potentially life-threatening emergencies, incidents involving hospitals or police agencies, and in violations of the any federal, state or local laws. In addition, parents and legal guardians will be notified in cases of suspension or expulsion/dismissal.

**12. Probation-**Probation is a sanction permitting a student to remain enrolled under prescribed conditions. The Probation may be imposed for a specified period of time, or through graduation.

During the Probation, the student must demonstrate that her behavior conforms to College standards of conduct. Student conduct violations are cumulative. Therefore, all subsequent violations of the Community Standards and Code of Conduct will be subject to suspension or dismissal.

13. **Restitution**-The student is required to pay for repair or replacement of damaged or stolen property. The payment required may not exceed the cost of repair or replacement of the damaged or stolen item, but a lesser amount may be specified.

14. **Suspension**-Students will be removed from the College within 24 hours of notification of the disciplinary action. While a student is suspended, she is not to return to the campus, programs, facilities and activities of the university without written permission from the Vice President for Student Affairs or Dean of Students. In the event of suspension, students will be charged the full housing fee for the entire semester and refunded tuition based on the refund schedule outlined in the College Bulletin. All other fees and charges are forfeited. If a student is suspended from the College, a letter will be sent to her parent(s) or legal guardians with notification of the suspension. The student is not eligible for transient status or enrollment at another AUC institution.

#### 15 **Suspension of College Recognition**

Suspension of college recognition refers to the termination of College recognition as a registered student organization for a specific or indefinite period of time.

### **DEAN OF STUDENTS ADMINISTRATIVE OPTIONS**

In certain circumstances following an incident of serious misconduct by an individual or group, the Dean of Students may impose a suspension, expulsion/dismissal, or other sanctions without a formal hearing process.



The Dean of Students may also take the following actions:

**1. Interim Suspension-**When imposed, the student may be temporarily separated from the College until such time as the incident is resolved before a hearing officer or hearing board, and until a final decision including any appeal is issued.

**2.** This interim action may be imposed if there is any reason to believe that it is necessary

a. to ensure the safety and well-being of members of the Spelman College community;

b. to ensure the student's own physical or emotional safety and well-being;

c. if the student poses a threat of disruption of or interference with the normal operations of the college; or

d. when a felonious act has been committed. The interim suspension may also include other losses of privileges.

Examples of behavior that may lead to immediate suspension are, without limitation, physical violence, sexual assault, disruption of the educational mission or civil living environment of the College, larceny, severe damage to property, and possession and distribution of controlled substances.

**2. Medical Leave of Absence.** Spelman College offers Counseling & Disability Services and Student Health Services to assist students with managing emotional and other health and wellness needs. Students may sometimes be referred to off-campus facilities and service providers to assist with managing health and wellness concerns. However, students who cannot adequately be helped by the available facilities and/or refuse to accept recommended emotional and/or medical treatment and whose resulting behavior renders them unable to effectively function in the residential or College community; that is, without harming themselves, others, or disrupting the College community may be required to separate from the College for a prescribed period of time.

## **Boards & Committees**

There are four (4) boards and committees that serve the Division of Student Affairs.

**1. Community Standards Review Board-** The Community Standards Review Board will conduct disciplinary hearings in referred cases.

**2.** The Board will be composed of one student, faculty and staff member(s) of the College community who are selected from a pool of trained and experienced members of the Board. There will be no more than five members for each actual hearing. A quorum consists of three (3) members.

**2. Dean's Hearing Board-** The Dean's Hearing Board is a minimum three-person hearing board comprised of faculty and staff members. The Board will be composed of member(s) from the College community who are selected from a pool of trained and experienced members of the Board. There will be no more than five members for each actual hearing. A quorum consists of three (3) members.

**3. Community Standards Appeals Board-**The Community Standards Appeals Board will convene to review written appeals of the Community Standards Review Board case outcome. The Board will be composed of one student, faculty and staff member(s) of the College community who are selected from a pool of trained and experienced members of the Board. A quorum consists of three (3) members.

**4. Policy and Procedures Committee-** The Policy and Procedures Committee is charged with reviewing and making recommendations regarding the *Student Handbook* and Community Standards and Code of Conduct. The Committee is selected by the Dean of Students and is composed of members of the College community.

## **Campus Resource & Administration**

The Dean of Students administers the *Student Handbook*, the student conduct boards, and the Community Standards and Code of Conduct. The Office of the Dean of Students may also provide conflict mediation and restorative justice programs to assist with managing conflict in the College community.

### **Family Educational Rights & Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of college students' educational records. Such records include, but are not limited to, academic, health, counseling, and disciplinary records. Spelman College will not permit the release of educational records or other information about a student, other than directory information, without the student's written consent. Exceptions to this policy are as follows:

1. Members of the faculty or administration of the College who have a legitimate educational interest
2. Officials of other schools in which the student wishes to enroll
3. To support the student's application for receipt of financial aid
4. Organizations conducting studies for or on behalf of educational agencies
5. Accrediting agencies to carry out accrediting functions
6. To comply with a judicial order or lawfully issued subpoena, provided the student is notified before compliance with the order or subpoena when consent is required. This release must be in writing, signed, and dated by the person giving consent, and shall include:
  - a. Specification of the record to be released
  - b. Reason for the release
  - c. Names of parties to whom the record is to be released

A record will be kept of the parties who have received access to a student's record

Directory information will be furnished to those requesting such information unless the student notifies the College annually not to release this information. Directory information consists of the following:

1. Student enrollment
2. Dates of enrollment
3. Classification
4. Degree earned (if any) and dates
5. Major
6. Honors
7. Local and home address and telephone numbers

If a student does not wish to have any of the above information released, she should notify the Registrar's Office. If you would like additional information about FERPA, please see the *Spelman College Bulletin* at [www.spelman.edu](http://www.spelman.edu).

### **Grievance Policy**

A grievance is a complaint against a person for a perceived unjust or unfair act. Grievances can be filed in the Office of the Dean of Students. The Dean of Students will forward the student grievance form and maintain copies of all pertinent files and records. All other grievances will be addressed on a case-by-case basis.

The Student Grievance should state and specify the following information:

- A. Name of person or persons involved in the perceived unjust or unfair act
- B. A detailed description of the grievance identifying the dates, times, locations and actions that were perceived to be unjust and/or unfair
- C. Names of any witnesses and a typewritten statement detailing a description of actions witnessed
- D. Suggested recommendations for solutions or actions you believe the college should take. Recommended actions must be consistent with college policy. The written grievance must be signed by the student and filed immediately following the alleged unjust or unfair actions/incident.

The Office of the Dean of Students will investigate the concern and/or refer the case to the Dean of Undergraduate Studies, appropriate department head, and to the Office of Human Resources for review and determination of “reasonable fairness” in seeking to resolve the matter. All parties involved in the alleged incident will be notified and will be allowed an opportunity to provide pertinent information in an effort to address the grievance. The investigation process generally is completed within thirty (30) College business days from when the written complaint is filed. A written determination as to the validity of the grievance and a summary of the outcome and/or resolution will be issued by the Dean of Students, appropriate Dean or director or chair, to the student filing the complaint and/or grievance. The case decision will be final.

The right of a student to a prompt and equitable resolution of the complaint filed will not be impaired by the student’s pursuit of other remedies, such as filing of a complaint with the responsible federal department or another agency. Once the resolution is finalized, the process is complete.

### **Human Dignity Policy**

Spelman College requires that the members of our campus community must respect all persons regardless of race, color, creed, gender, gender identity, religion, national origin, age, or disability.

While we realize that acts of intolerance may be the result of ignorance and that a significant part of our mission is to confront ignorance with education, we cannot allow these acts to harm another person. We are committed to the continual task of combating both subtle and obvious intolerance.

Spelman College regards as unacceptable conduct on the part of its students any words or actions that are intended to be, or that are reasonably foreseeable to be, threatening, intimidating, or harassing to any member of the College community.

This includes behavior or actions taken against students, faculty, staff, guests and contracted service employees on the basis of age, race, ethnic origin, gender, sexual orientation, religion or physical or mental condition, marital, protected veteran status, genetic tests, genetic information or any other legally protected status.

## **CAMPUS CRIME STATISTICS**

The statistics that follow represent those incidents known to the college as reported by the public, members of the Spelman College community, Spelman College Campus Security Authorities, and the police agencies listed below when provided. FBI Uniform Crime Reporting definitions and definitions from the Violence Against Women Act are used to classify incidents. The public streets and thoroughfares for which incident data has been requested from the Atlanta Police Department, Morehouse College Police Department, Clark Atlanta University Police Department, and the Morehouse School of Medicine Police Department are as follows:

Lee Street at Park Street North to Westend Ave.

Westend Ave from Lowery Blvd. East to Westview Dr.

Westview Dr. from Chapel St. Westend Ave.

Greensferry Ave from Northside Dr. West to Henry St.

Spelman Lane from Northside Dr. North to Greensferry Ave.

These areas are public property and thoroughfares within the jurisdiction of the Spelman College Police Department.

Spelman is immediately adjacent to three other institutions that are required to report crime statistics under the Jeanne Clery Act. The following contact information is provided to assist you should you wish to obtain campus crime statistics from our neighboring institutions:

Morehouse College  
Department of Public  
Safety  
(404) 215-2666

Clark Atlanta University  
Dept. of Public Safety  
(404) 880-8621

Morehouse School of  
Medicine  
Dept. of Public Safety  
(404) 752-1794

The Spelman Department of Public Safety maintains a Daily Crime and Fire Incident Log that is available for inspection by the public on line at: [Daily Crime and Fire Incident Log](#), or during normal business hours M-F in the Spelman Public Safety Office.

The Daily Crime Log identifies crimes and Fire incidents that are reportable as defined by the Jeanne Clery Act and provides the geographical location, date and time of occurrence, and disposition if known of listed incidents.

For the reporting periods 2015, 2016, and 2017 there have been no incidents in any category classified as Hate or Bias crimes where it was determined that the victim was intentionally selected because of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

During the reporting periods 2015, 2016, and 2017 no reported incidents in any category have been classified as Unfounded. Reported incidents will only be classified as Unfounded in instances where there is undisputed proof beyond a reasonable doubt that the incident did not occur.

## **2017 Annual Fire Report**

Spelman recognizes fire prevention and education as essential to the maintenance of a safe campus. All members of the College community are required to report any instance of fire, or violation of the College smoking or other fire related policies to the Department of Public Safety immediately.

The Department of Public Safety is responsible for conducting fire safety education for all members of the campus community. The department also partners with the Facilities Management Services Department to maintain an active inspection program to ensure that all fire alarm and suppression systems are operational and that the College is consistently in compliance with all applicable fire regulations.

It is the policy of the College to review Fire and Emergency procedures with residents in hall meetings at the onset of each semester, and with new employees during their orientation sessions.

Additionally, several initiatives including the Resident Hall Safety Teams, and The Facility Safety Liaison programs actively engage students and staff in fire safety education and prevention throughout the year.

A minimum of one evacuation drill is conducted in each facility including residence halls each semester.

College policy prohibits smoking in any College facility or vehicle. Additionally, open flames of all types including incense and air fresheners are prohibited except in classrooms under the direct supervision of faculty and staff.

The Public Safety Department staff includes active and retired firefighters with both command and line experience.

All Public Safety staff are trained in responding to fire emergencies and play an active role in the implementation of our fire safety and emergency response programs.

A log of all fire incidents is maintained and may be viewed on the Public Safety page of the Spelman College website at any time.







## CRIME STATISTICS

Offense Type	Year	Residential Facilities	Other Campus	Non-Campus Buildings & Property	Public Property	COMBINED TOTAL
<b>Murder &amp; Non-negligent Manslaughter</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Negligent Manslaughter</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Rape</b>						
	<b>2017</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Fondling</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Statutory Rape</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Campus</b>	<b>Non Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>Combined Total</b>
<b>Incest</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Domestic Violence</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Dating Violence</b>						
	<b>2017</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>4</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Stalking</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Robbery</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Aggravated Assault</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Burglary</b>						
	<b>2017</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>6</b>
	<b>2016</b>	<b>9</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>12</b>
	<b>2015</b>	<b>7</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>15</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Motor Vehicle Theft</b>						
	<b>2017</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Arson</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Arrests/Referrals for Selected Offenses

Offense Type	Year	Residential Facilities	Other Campus	Non-Campus Buildings & Property	Public Property	COMBINED TOTAL
<b>Liquor Law Arrest</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Drug Arrest</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Weapon Arrest</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Liquor Law Referral</b>						
	<b>2017</b>	<b>8</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>15</b>
	<b>2016</b>	<b>26</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>29</b>
	<b>2015</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17</b>
<b>Drug Law Referral</b>						
	<b>2017</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>
	<b>2016</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>9</b>
	<b>2015</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>
<b>Weapon Referral</b>						
	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>