



**THOMAS UNIVERSITY**  
**ANNUAL SECURITY AND FIRE SAFETY REPORT**  
**2023**

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## THOMAS UNIVERSITY ANNUAL SECURITY AND FIRE SAFETY REPORT 2023

### Introduction

Thomas University Annual Security & Fire Safety Report and Statement of Campus Security Policy is prepared, published and distributed in accordance with the requirements of the Campus Security Act of 1990, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, The Higher Education Amendments of 1998, and all implementing regulations issued by the U.S. Office of Education (34 C.F.R. Part 668.46; hereinafter the “Regulations”).

This report includes statistics for the previous three calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned by Thomas University; and on public property within, or immediately adjacent to and accessible from the campus. This report also includes institutional policies governing campus safety and security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. Additionally, emergency response and evacuation information will be included in the institution’s report.

This report is prepared in cooperation with the local law enforcement agencies and the Office of Student Life. Thomas University will distribute a security report or a notice of the report by October 1 of each year. Email notifications will be sent to all current students and employees providing information on how to access the Thomas University Annual Security Report and Annual Fire Safety Report online by providing them with the exact electronic address, a brief description of the report’s contents, and a statement that the institution will provide a paper copy upon request. Furthermore, this information will be provided and available to prospective students and employees.

## **Preparing the University's Annual Security Report**

The Dean of Students at Thomas University collects and compiles the statistics, information, and other data required for this report in accordance with the latest statutory and regulatory requirements. The Office for Student Life maintains and records incident reports on an annual basis. These records are kept by date and crimes reported that have occurred "on-campus", or on a "non-campus building or property". As required by law, Thomas University Office for Student Life determines which crime classification to assign to a reported incident by using the definitions of crimes found in the Federal Bureau of Investigation's Uniform Crime Reporting Guidelines (UCR). The University also makes the determination as to whether or not a particular crime can be classified as a "hate crime" by using the UCR's definition of that term. Crime statistics based not only on information that the University receives directly, but also from crimes reported to the following sources on or near all TU campuses: (a) other "campus security authorities" include the security officer, residence life personnel, and campus personnel; and (b) crimes reported to local police authorities. Thomas University receives daily reports of crimes and arrest made by the Thomasville Police Department. A formal police report of a crime is not necessary for the crime report to be included in the statistical compilation. Crime victims' names are not disclosed in the statistical report. The Dean of Students notifies all students and employees by email annually of the posting of the Safe and Secure Report on the Internet. A paper copy will be provided upon request.

### **Annual Crime Statistics Report**

In response to the rising concerns of the American public about crime on college campuses, the U.S. Congress passed the Clery Act. According to the Act, all colleges receiving federal aid are required to publish an annual report to the students, faculty and employees by October of each year. The ASC Department of Public Safety provides all of the required information (statistics, policies and procedures) to the college community through a variety of sources. The Department publishes the Annual Security Report in the fall semester and distributes the report at various crime prevention programs throughout the year. In the event of a serious crime or criminal attempt occurs on campus or in the surrounding community, safety advisories are sent to inform the community of the situation. Thomas University presents the following crime statistics in compliance with the Clery Act. All crime categories reported to Thomas University and to local police or campus officials that occurred are recorded. Specific locations and crime definitions are as follows:

#### **LOCATIONS**

**On Campus:** any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls (NOTE: because this definition includes residence halls, any crime occurring in a residence hall will be counted both under the Residential Facilities and the On Campus columns. Therefore, the total in the Total column does not count those incidents in the Residential Facilities column because they are also reported under On Campus.); and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes.

#### **Residential Facilities: residential facilities for students on campus**

**Non-Campus Buildings & Property:** any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property:** all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to, the institution's educational purposes.

## CRIMES

### Campus Crime and Arrest Statistics

The information below provides context for the crime statistics reported as part of compliance with the Clery Act. The statistics in this report are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law. Thomas University submits the annual crime statistics published in this report to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the university community obtained from Thomas University Security, other Campus Security Authorities, and the Thomasville Police Department.

#### ● Criminal Homicide

- Manslaughter by Negligence: The killing of another person through gross negligence.
- Murder and Nonnegligent Manslaughter: The willful (nonnegligent) killing of one human being by another.

● **Forcible Sex Offenses:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- Forcible Rape
- Forcible Sodomy
- Sexual Assault with an Object
- Forcible Fondling

● **Non-forcible Sex Offenses:** Unlawful, non-forcible sexual intercourse.

- Incest & Statutory Rape

● **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

● **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny

● **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

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

● **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, and
- Where the existence of such relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship
  - the type of relationship; and
  - the frequency of the interaction between the person involved in the relationship.

● **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress

● **Domestic Violence:** means a felony or misdemeanor crime of violence committed by

- a current or former spouse or intimate partner of the victim
- a person with whom the victim shares a child in common
- a person who is cohabitating with or has a cohabited with the victim as a spouse or intimate partner
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

● **Weapons Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

● **Drug Abuse Violations:** Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

● **Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition).

● **Hate Crimes:** Hate crimes are words or actions that are prejudice nature used to intimidate or subject a person(s) to tyranny, which occurs as the result of the victim being of a particular group. Groups that are affected by bias-motivated crimes include: ethnic, religion, gender, gender identity, national origin, disability, race and sexual orientation. Hate crimes can include but are not limited to physical attacks, rapes, bombing, murders, and terrorist threats. Hate crimes include all reported crimes in the general disclosure as well as any other crime involving bodily injury and reported to local police or campus security authorities.

## CRIMES REPORTED TO CAMPUS SECURITY AND LOCAL POLICE

Criminal Offense	Year	On - Campus	Student Residential Facility	Non Campus Bldg./Property	Public Property
Murder & Non Neglect Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Fondling	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Incest	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft (do not include theft from a motor vehicle)	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Offense Type Hate Crime	Year	On - Campus	Student Residential Facility	Non Campus Bldg./Property	Public Property
Murder & Non Neglect Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Fondling	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Incest	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft (do not include theft from a motor vehicle)	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Simple Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Larceny - theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Intimidation	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Destruction/damage/vandalism of property	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Women Against Violence Act 2013 (VAWA)	Year	On - Campus	Student Residential Facility	Non Campus Bldg./Property	Public Property
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Arrests	Year	On - Campus	Student Residential Facility	Non Campus Bldg./Property	Public Property
Weapons: carrying, possessing, etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug abuse violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor law violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Disciplinary Actions	Year	On - Campus	Student Residential Facility	Non Campus Bldg./Property	Public Property
Weapons: carrying, possessing, etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug abuse violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor law violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Unfounded Crimes	Year	On - Campus	Student Residential Facility	Non Campus Bldg./Property	Public Property
Total Unfounded Crimes	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

## Who are the Campus Security Authority?

Campus Security Authority is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution.

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Thomas University Campus Security Authorities include:

- The Director of Communications
- Security Officer
- Dean of Students or designee
- Dean of Academic Affairs
- Athletic Director
- Director of Human Resources
- Housing Manager
- Resident Assistants
- Coaches

## CRIME PREVENTION / SAFETY PROGRAMS

Thomas University provides Rape Awareness / Sexual Assault Acquaintance Rape programs as well as Alcohol Education opportunities which are mandatory for first year students. These types of educational opportunities are provided through *Vector Solutions* a third party vendor. Crime prevention tips and guidelines are made available to all persons within our community through presentations conducted by the local police department. Additionally, TU offers comprehensive Title IX information/training to better serve our university community beyond. This training is offered through *Vector Solutions* courses and is required for all employees of Thomas University.

## EMERGENCY NOTIFICATION PROCEDURES

The Thomas University Emergency Notification System is a method to effectively communicate emergency information to a large number of people at virtually the same time. It allows the University to contact the community in the event of an emergency by sending messages via:

- Text message
- Email
- Voice message (mobile or land-line)

When an emergency occurs that requires University community attention or action, the emergency notification system will be activated and you will be notified by the methods noted above using the personal information you have provided. The system will never be used to send non-emergency, routine or spam messages. It is imperative that your contact information is accurate and up to date in order for you to receive emergency notifications.

- Students can update their information through the Registrar's Office.

- Faculty and Staff members can update their information through Human Resources. If there is an immediate and ongoing threat to the health or safety of students or employees occurring on campus, the Director of Communications or designee, will issue timely warnings through the emergency notification system. Situations for which the Thomas University emergency notification system will be used may include but are not limited to:

- Facility Emergencies
  - Fire or Explosions
  - Power Outages
- Campus Evacuations
- Dangerous Weather Conditions
  - Tornado
  - Flooding
- Violent Criminal Behavior
  - Murder
  - Robbery
  - Active Shooter
- Off campus incidents that may have an immediate threat to the health or safety of students or employees.
  - Chemical or Hazardous Material Spills or Accidents
  - Violent Criminal Behavior

**Conditions that will prevent emergency notification messages from being received.**

- If you are not a registered student or an active employee at the time of notification
- If the information provided to the College is not up-to-date
- Issues with your mobile device service provider
- Spam filter may have blocked an e-mail from being delivered

Not every emergency can be anticipated, however, the University has developed some emergency messages that can be modified easily for use in a number of situations. This will allow notifications to be sent quickly. The University will not use this Information for any other purpose than emergency notification.

**Testing Emergency System**

Testing the emergency notification system will be conducted periodically.

**Timely Warnings**

If there is an immediate and ongoing threat to the health or safety of students or employees occurring on campus, the University will issue timely warnings through the emergency notification system.

A timely warning notice is considered for distribution to the TU community for crimes that are (1) reported to campus security authorities or local police and (2) determined by the institution to represent a serious or continuing threat to students and employees. The decision to issue a timely warning shall be decided on a case-by-case basis.

The decision is made by the Director of Communications or his/her designee or the Dean of Students considering all available facts, including whether the crime is considered to be a serious or continuing threat to students or employees.

Timely warning notices are typically distributed to the TU community via ALERTUS. The TU Director of Communications is primarily responsible for determining the content and distributing a timely warning notice to the community, and such notifications are distributed via official TU email. If unable to distribute the notice, the

Dean of Students is also authorized to distribute a timely warning notice to the community. The Director of Communications or designee notifies the Dean of Students and provides detailed information. The Dean of Students informs other University personnel as appropriate i.e., the President's Cabinet and President's Cabinet in advance of notice distribution.

### **Designation of Emergency Contact Information**

Emergency Notification Federal law also requires the University to provide emergency notifications for any other significant emergency or dangerous situation that presents an immediate threat to health and safety of the campus community.

Emergency notifications are issued upon confirmation of an emergency. The Director of Communications or his/her designee, determines whether to issue an emergency notification on a case-by-case basis, using the best information available to the Department at the time of the incident. Timely warnings and emergency notifications are important, and they will be issued to assist community members in making informed decisions about their personal safety and in preventing similar incidents from occurring. The University urges all of its community members to take any such warning seriously.

**A. Emergency Updates and Final Notifications** - The University will communicate updates and revised health and safety guidance, as necessary, throughout the duration of an emergency warranting a timely warning or emergency notification. Once emergency conditions abate, the University will distribute a final notification confirming that emergency conditions have abated. If necessary, additional health or safety instructions will accompany any final notification.

**B. Procedures for Issuing Emergency Communications** - When it is confirmed there is an emergency or dangerous situation posing a serious and continuing threat to the health or safety of the Thomas University community, the Cabinet in coordination with the Office of Communications will, without delay collaborate to determine the content of an emergency message to be broadcast to the relevant segment of the University community.

**C. Methods of Communicating Timely Warnings and Emergency Notifications** - Timely warnings, emergency notifications, and related updates may be distributed to the campus community through any one or more of the following mechanisms:

- ◆ ALERTUS - a secure emergency notification service that allows the University to send information and instructions simultaneously to individuals through land line phones, cellular phones, text messaging, and e-mail
- ◆ Directed communications e-mail - Messages distributed through the Thomas University e-mail system alerting students, faculty, and staff
- ◆ Information posted on bulletin boards, exterior doors in academic buildings, residence halls, outdoor boards, and administrative buildings

### **MISSING PERSON POLICY**

In compliance with the Higher Education Reauthorization Act of 2008, the purpose of this policy is to provide the procedures for reporting, investigating and making emergency notifications regarding any residential student of Thomas University who is reported and believed to be missing. A Thomas University residential student is presumed to be "missing" when the student's absence is inconsistent with the student's established patterns of behavior and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures should be taken to determine whether or not the person is at their home or campus residence and whether or not anyone familiar with the person has seen or heard from the person recently or is aware of where

they may be. Any member of the Thomas University community, including both employees and students, who is concerned that a member of the University community is missing should contact the Dean of Students, as soon as it is determined that the individual is missing as defined above. The University will then determine the next appropriate course of action within Federal guidelines.

### **Emergency Contacts**

Every student (resident and non-resident) has their own student account and may either enter or change, under personal information/address, a designated contact person at any time by updating their emergency contact information. Only authorized campus officials, as part of their responsibilities, and law enforcement officers in furtherance of a missing person investigation, may have access to this information.

### **Reporting and Investigating Missing Persons**

Any report of a missing student will be fully investigated by appropriate University personnel under the joint coordination of the office of the Dean of Students and the local police department. Further, the assistance of the Georgia State Police, or other appropriate law enforcement agency, will be sought if such assistance is indicated and deemed necessary by the initial campus investigation.

When a student is reported missing, Thomas University will/may:

- Involve the Dean of Students office in the report and share all relevant information
- Initiate an investigation to determine where the student might be and if the student can be located
- Make reasonable efforts to contact the reported missing student via phone, cell phone, email, and in person via a visit to the student's residence
- Contact faculty, peers, roommates, and other university members to determine the potential whereabouts of the missing student
- If the student cannot be located and remains missing, Thomas University will, according to the law, contact the Thomasville City Police and/or the Georgia State Police within 24 hour of the initial internal report
- Notify the emergency contact or legal guardian of the status of the investigation within 24 hours of the initial report unless the student has been contacted.

In situations that may indicate a serious threat to a student's wellbeing, Thomas University may notify law enforcement agencies and emergency contact(s) immediately. Contact information will be kept confidential as appropriate.

The Dean of Students is required by law to inform the designated contact person of a missing person who resides in University property-or the custodial parent or guardian in the case of a minor-within 24 hours of receiving a missing person report.

- Students under the age of 18: if a student under the age of 18 is determined to be missing, the university is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing.
- Students age 18 and above and emancipated minors: Students will be given an opportunity during the registration process to designate an individual(s) to be contacted by the university no more than 24 hours after the time that the student is determined to be missing. The designation will remain in effect until changed or withdrawn by the student.
- All residential students (both cases above). If a student is determined to be missing, the university will notify the appropriate law enforcement agency not later than 24 hours after the determination has been made.

## **Thomas University Sexual Misconduct Policy**

It is the policy of Thomas University to maintain an environment for students, faculty, administrator, staff and visitors that is free of all forms of discrimination and harassment including sexual misconduct. The University has enacted this Sexual Misconduct Policy (the "Policy") to reflect and maintain its institutional values and community expectations to provide for fair and equitable procedures for determining when this Policy has been violated and to provide recourse for individuals and the community in response to violations of this Policy. The Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct including sexual assault, non-consensual sexual contact, domestic violence, dating violence, sexual exploitation, and stalking. This Policy also prohibits retaliation against a person who reports complaints about or who otherwise participates in good faith in any matter related to this Policy. All of the foregoing conduct shall be referred to as "Prohibited Conduct."

Thomas University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

No person in the United States shall on the basis of sex be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

This Policy prohibits sexual harassment against Thomas community members of any sex, sexual orientation, gender identity, or gender expression in the context of education or employment. This Policy also prohibits gender-based harassment that does not involve conduct of a sexual nature.

Upon receipt of a report of or once the University has obtained notice of the occurrence of Prohibitive Conduct, the University will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. In addition, the University will fulfill its obligations under the Violence Against Women Reauthorization Act ("VAWA" amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") in response to reported Prohibited Conduct. The University's process for investigating and responding to allegations of Prohibited Conduct are explained in detail below. Students or employees who are found to have violated this Policy may face disciplinary action up to and including expulsion (students) or termination of employment (faculty and staff).

Thomas University also prohibits other forms of discrimination and harassment including discrimination and harassment on the basis of race, color, national origin, ancestry, age, religious belief, marital status, physical or mental disability, medical condition, veteran status, or any other characteristic protected by federal, state, or local law. Such prohibited conduct is addressed in other University policies prohibiting discrimination, harassment and retaliation based on protected status (other than sex or gender).

### **Scope of Sexual Misconduct Policy**

#### **A. Person Covered**

When used in this Policy, "Complainant" refers to the individual who is identified as the subject of Prohibited Conduct. "Respondent" refers to the individual alleged to have engaged in Prohibited Conduct.

A "Third-Party" refers to any other participant in the process, including a witness or an individual who makes a report on behalf of a Complainant. This Policy applies to all Thomas University community members including students, faculty, administrators, staff, volunteers, vendors, contractors, visitors, and individuals regularly or temporarily employed, conducting business, studying, living, visiting, or having any official capacity with the

University and the broader campus community. It is the responsibility of all employees and students to comply with this Policy and to report violations or suspected violations.

### **B. Locations Covered**

This Policy applies to all on-campus conduct and some off-campus conduct as described below. The College strongly encourages reports of Prohibited Conduct regardless of location. Even if it is determined that the Policy does not apply to the conduct. The University will take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

- On-Campus Conduct. This Policy applies to conduct that occurs on-campus including conduct which occurs on property owned or controlled by the College.
- College Programs. This Policy applies to conduct that occurs in the context of College employment or education programs or activities including but not limited to Thomas University study broad or internship programs.
- Off-Campus Conduct. This Policy also applies to conduct that occurs off campus and has continuing adverse effects on or creates a hostile environment for any member of the Thomas University community on-campus or in any University employment or education program or activity.

### **Definition of Key Terms:**

#### **Consent**

Consent is a clear, informed, unambiguous, mutual and voluntary agreement that must be given by participants in order to engage in sexual activity. Consent must be actively, not passively, given throughout the activity and may be revoked at any time. Neither a prior relationship or silence is a sufficient indication of consent. A person who is asleep, drugged, intoxicated, or unconscious may not give consent. A minor or a person whose capacity or ability to provide informed consent is impaired may not give consent. Being under the influence of alcohol or drugs does not diminish one's responsibility to obtain consent. If a person is under the influence of alcohol or drugs-even if they were consumed prior to the sexual encounter and the other person has no knowledge of the consumption-may not be able to give consent as it is defined by law. Likewise, an individual accused of sexual assault or misconduct.

#### **Intimidation**

Intimidation is the use of threats to overcome an individual's freedom of will to choose whether to participate in sexual activity or provide consent. Consent cannot be obtained by intimidation.

#### **Incapacitation**

Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g.,) to understand the who, what, when, where, why or how of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if the individual is asleep, unconscious or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated is the person cannot understand the nature of the activity or communicate due to a mental or physical condition.

#### **Retaliation**

Retaliation includes adverse action taken against a person for making a good faith report of Prohibited Conduct or participating in any proceeding under this Policy. Adverse action may include conduct that threatens, intimidates, harasses, discourages, or coerces. Retaliation can be committed by or against any individual or group of individuals, not just a Respondent or Complainant.

#### **Force**

Force is the use or threat to physical violence to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent cannot be obtained by force.

**Coercion**

Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity against that individual's will. Consent cannot be obtained through coercion. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity. When someone indicates, verbally or physically, that they do not want to engage in a particular sexual activity, that they want to stop a particular activity, or that they do not want to go past a certain point of sexual interaction, continued activity or pressure to continue beyond that point can be coercive.

**Sexual Violence**

Sexual Violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual intimidation and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

**Sexual Assault**

Sexual Assault is having or attempting to have sexual intercourse with another individual by force or threat of force; without effective affirmative consent; or where that individual is incapacitated. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand) or object, or oral penetration involving mouth to genital contact.

**Sexual Harassment**

Sexual Harassment is conduct that creates an intimidating, offensive or hostile working or learning environment or that unreasonably interferes with work or academic performance based on a person's protected status, including sex, sexual orientation, gender identity, or gender expression. All such conduct is unlawful. "Sexual Harassment" is any unwelcome sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, physical, graphic, or otherwise.

**Gender-Based Harassment**

Gender-Based Harassment is harassment based on sex, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, physical, graphic, or otherwise. To qualify as Gender-Based Harassment, the conduct need not involve conduct of a sexual nature.

**Stalking**

Stalking occurs when a person engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. A course of conduct consists of two or more acts including but not limited to acts in which a person directly, indirectly, or through third parties by any action, method, device, or means, follows, monitors, observe, surveils, threaten or communicates to or about another person or interferes with another person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant, substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Dating Violence**

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to such violence. Whether there was such a relationship will be

determined based on among other factors the complainant's and respondent's statements and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the parties involved in the relationship.

### **Domestic Violence**

Domestic Violence is a felony or misdemeanor crime of violence committed by: (1) a current or former spouse or intimate partner of the victim; (2) a person with whom the victim shares a child in common; (3) a person who is cohabiting with or has cohabitated with the victim as a spouse or intimate partner; (4) 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 (5) 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 has occurred.

### **Sexual Exploitation**

Sexual Exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for one's own advantage or benefit or to benefit or advantage anyone other than the one being exploited. Examples Thomas University Student Handbook & Policies<sup>25</sup> Vol. V of Sexual Exploitation include but are not limited to surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity of the person being exploited or distribution of such without the knowledge and consent of all parties involved; exposing one's genitals or inducing another to expose their own genitals in non-consensual circumstances; knowingly exposing another individual to a sexually transmitted disease or virus without their knowledge and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

### **Confidentiality and Privacy**

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. The University also is committed to assisting students, employees and third Parties in making informed choices. With respect to any report under this Policy, the University will make reasonable efforts to protect the privacy of participants while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation but its ability to do so may be limited based on the nature of the request by the Complainant. Where the University is unable to take action consistent with the request of the Complainant the Title IX Coordinator will inform the Complainant about the chosen course of action, which may include the University seeking disciplinary action against a Respondent. Alternatively, the course of action may also include steps to limit the effects of the alleged harassment and prevent its recurrence that do not involve formal disciplinary action against a Respondent to revealing the identity of the Complainant.

### **Reporting**

The University strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response.

The University also strongly encourages all individuals to make a report to the College and to local law enforcement although neither is required. These reporting options are not mutually exclusive both internal and criminal reports may be made simultaneously. The University has designated Chris Lyons to serve as the University's Title IX Coordinator. The University encourages individuals to immediately consult with or report

incidents of Prohibited Conduct to the Title IX Coordinator. The Title IX Coordinator can be contacted by telephone, email or in person during regular office hours: Chris Lyons 229-221-9154 [cl Lyons@thomsu.edu](mailto:cl Lyons@thomsu.edu). Incidents may also be reported to the Thomasville Police Department: the University's Title IX Coordinator can assist individuals with contacting the Police Department. Inquiries or complaints concerning the College's compliance with Title IX may be referred to the U.S. Department of Education's Office for Civil Rights.

### **Amnesty**

The University reserved the right to grant amnesty from drug, alcohol or other violations of the social code for parties reporting allegations under this Policy (i.e. if alcohol was involved in the incident, the reporting party would not then be charged with an alcohol infraction. Decisions regarding amnesty under this Policy will be made by the Dean of Students in conjunction with the Title IX Coordinator.

### **Resources**

Off-Campus Resources Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the University unless the student/employee requests the disclosure and signs a consent or waiver form.

**Halcyon Home Inc.** Domestic/Sexual Violence Shelter 600 E. Clay Street Thomasville GA 31792 (229-226-5096) Services are available to respond to allegations of a domestic violence upon male victims. Support for adult male victims does not include residential. Residential is for women only.

The Treehouse Advocacy Center 229-977-1639 Website: [treehousecac.com](http://treehousecac.com) or email: [treehousecac@gmail.com](mailto:treehousecac@gmail.com). Provides adult sexual assault services in Thomas County Domestic Violence Hotline: 800-799-7233 (SAFE)

**Rape Crisis Center in Thomas County:** (866) 577-3600 Georgia Network to End Sexual Assault (GNESA) <http://gnesa.org>.

**DHR Protective Services** (child/disabled adult) 866-552-4464. Provides individual investigation of all allegations and present if necessary to the court for action as recommended by investigators.

### **Sex Offender Notification and Information (Megan's Law)**

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act has been amended by the Campus Sex Crimes Prevention Act of 2000 to require sex offenders who are enrolled in or work at institutions of higher education to register with the state's sex offender registration program.

The state in turn is obligated to notify the school's law enforcement unit as soon as possible. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

Below are links to websites that list registered sex offenders:

- <http://gbi.georgia.gov/georgia-sex-offender-registry> this website is operated by the Georgia Bureau of Investigation and allows you to search by offender name, city, county or zip code in Georgia.
- <https://usvi.nsopw.gov/> this website is operated by the United States Department of Justice and allows you to search by offender name, city, county or zip code of participating states.

## **DRUG AND ALCOHOL POLICIES**

Thomas University is committed to establishing and maintaining a drug-free campus. The unlawful manufacture, distribution, dispensation, possession or use of any illegal drug is prohibited in all areas of Thomas University, including buildings, vehicles, and grounds. Thomas University is a tobacco and smoke-free campus.

The use, possession, sale, or being under the influence of illegal drugs, including but not limited to narcotics, hallucinogens, cocaine, amphetamines, or illegally used prescription drugs, or evidence of drug paraphernalia is strictly prohibited and may result in immediate dismissal from residence halls and/or from Thomas University.

Thomas University will cooperate with all law enforcement agencies in the enforcement of such laws, on or off campus and off. Anyone who violates the drug policy is subject to the University's sanctions and to criminal sanctions. Therefore, in addition to the University sanctions listed below, criminal penalties may be imposed upon a person convicted of an offense.

The primary objectives of Thomas University's policies and procedures related to alcoholic and other drugs are:

- to promote responsible behavior and attitudes among all members of the University community and
- to educate the university community concerning the use and effects of alcoholic and other drugs in order to promote responsible decision-making.

### **Alcohol Policy State/Local/University**

#### **A. Georgia**

1. The legal age for purchasing and possessing alcoholic beverages is 21. It is against the law to either sell or furnish alcoholic beverages to anyone under the legal age.
2. It is illegal to appear in an intoxicated condition or to evidence boisterous or vulgar behavior on any public street or in any public place, in any private residence other than one's own or in any mode of transportation. Bottles of alcohol with broken seals cannot be kept in cars.
3. It is illegal to misrepresent age in any manner for the purpose of obtaining alcohol.

#### **B. Thomasville**

It is unlawful to drink alcoholic beverages in automobiles—parked or moving—on the streets, highways or alleys of the city. It is unlawful to carry any type of open liquor container in public.

#### **C. Thomas University**

Alcohol is strictly prohibited on campus. The possession, sale, distribution, and /or consumption of alcoholic beverages is not permitted on campus or any campus sanctioned university housing or university activity. Violations of these policies shall be considered sufficient grounds for disciplinary dismissal.

## **Fire Safety Policy and Annual Fire Safety Report**

### **Fire Safety**

The safety of the residents and visitors to the residence halls at Thomas University is paramount. All residence halls are equipped with smoke detectors, visible and audible alarm systems, and sprinkler systems. Alarm systems are monitored off campus by Georgia-Florida Burglar Alarm Co., Inc. Thomasville Fire Department Station 2 has a station located less than a half mile from the main campus. The TU Office of Communications and campus security works closely with the Thomasville County Fire Department regarding training and fire drills.

**Fire Safety Policy:** Fire Drills to prepare students for emergency situations, periodic evacuation drills are conducted in the halls. Refusal to evacuate during a drill will result in disciplinary action and/or charges.

### Fire Evacuation Drills

Unannounced drills are conducted by the Thomasville Fire Department in collaboration with the residence life office once per semester. Drills are conducted to let resident students practice safe evacuation procedures and to evaluate staff performance. Buildings that do not pass a drill (e.g., evacuation too slow, students remain in building, etc.) are reported to resident life for follow-up educational and/ or disciplinary action and are subject to retesting.

### Fire Emergencies Procedure

Upon sounds of alarm or notification of evacuation immediately exit your room and proceed to nearest exit. All classrooms and residence halls have emergency exits posted in the rooms. Do not use the elevator in the Smith-Bonvillian Building.

- If you suspect a fire is in the hallway, do not open your door. If the door is hot or smoke is entering under the door immediately place material under the cracks of the door (damp if possible).
- If there is smoke in the hallway, please cover your nose and breath lightly through it
- Remain as low to the ground as possible, do not stand straight up. Go to your window and check to see if there is you can see smoke or flames. If not, you can open your window for fresh air
- If you are trapped inside of your room hang something on the outside of your window to notify emergency personnel, you are inside. If able call 911 and notify them of your location (building name and room number)
- Do not attempt to handle emergency situation on your own
- When exiting your room do not stop to dress, but grab shoes and exit immediately
- Upon leaving, turn off the light and close the door
- Don't forget your key
- Should you get trapped, take action to make yourself safe by any means necessary
- Once outside of the building, proceed to the area designated as a safe area and more information will be made available as soon as available. Designated areas are posted on the emergency exits located in each room and in the "Emergency Flip Booklet" located in each residence hall.

Fires - Summary	Year	Fires	Injuries	Deaths
Pinetree Residence Hall	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
House	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Broad Loomis	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Magnolia Dorm 1700	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Magnolia Dorm 1702	2022	0	0	0
	2020	0	0	0
	2020	0	0	0

## Fire Safety Systems in Residential Facilities Thomas University

Facility	Fire Alarm Monitoring (on site)	Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills Each Academic Year
Pinetree Dorm 126 S. Pinetree	X	X	X	X	X	2
Magnolia 1700 Dorm 1550 Magnolia Street	X	X	X	X	X	2
Magnolia1702 Dorm 1550 Magnolia Street	X	X	X	X	X	2

### Emergency Numbers

#### In Case of Emergency

**Dial 911 for Fire, Ambulance, and Life-Threatening Emergencies**

#### Non-Emergency Numbers

If in a Thomas University Office All extensions must dial "9" to reach an outside line.

**Thomas County Sherriff's Department: 229-225-4151**

**Thomas County Fire Department: 229-225-4191**

**Thomasville Police Department: 229-226-2101**