

# Albany Technical College Anti-Hazing Policy

Participation in student clubs, organizations, and campus groups at Albany Technical College (ATC) is an essential component of a well-rounded college experience. Meaningful involvement in these co-curricular activities fosters personal growth and helps students develop valuable skills in leadership, self-governance, decision-making, and strategic planning. Albany Technical College is dedicated to the health, wellbeing and safety of all students, therefore we do not condone or encourage any act of hazing conducted by or associated with any ATC organization or ATC community member.

In accordance with the Max Gruver (Hazing) Act (O.C.G.A. 16-5-61) and (O.C.G.A. 20-1-30), the Stop Campus Hazing Act, state and federal law, Albany Technical College (ATC) will not tolerate any form of hazing.

## Purpose

Albany Technical College is dedicated to fostering a safe environment for all students to train, meet workforce needs, and promote growth free from hazing. This policy outlines the colleges comprehensive approach to preventing, prohibiting, reporting, investigating, and adjudicating hazing allegations.

## Scope

This policy applies to all students, prospective students, faculty, staff, and affiliated school organizations within Albany Technical College.

## Definitions

- A. **“Haze or “Hazing** means: any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—
- i. is committed in the course of an initiation into, an affiliation or connection with, the maintenance of membership in, or any other condition or precondition connected to a student organization or school organization; and
  - ii. causes or creates a risk, above the reasonable risk encountered in the course of participation in institution or organization activities (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
    - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
    - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
    - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

f. any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and

g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law.

**B. School / student organization** means an organization (such as a club, society, association, corporation, order, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, student government, or group living together) in which two or more of the members are enrolled students or alumni, including local affiliate organizations, whether or not the organization is established or recognized by the institution.

### **Prohibited Conduct**

It shall be unlawful for any person to haze any student in connection with or as a condition or precondition of gaining acceptance, membership, office, or other status in a school organization.

### **Procedure**

#### **A. Filing a Complaint**

1. Any person may file a complaint with the Vice President for Student Affairs or the Technical College designee against any student for an alleged violation of the Student Code of Conduct. The individual(s) initiating the action should complete a Student Code of Conduct Complaint Form and provide it to the Vice President for Student Affairs or the Technical College designee.

2. Academic Misconduct may be managed using this procedure or a separate Academic Misconduct Procedure at the discretion of the Technical College President.

#### 3. Investigation and Decision

a. Within five business days after the Student Code of Conduct Complaint Form (the "Complaint") is filed, the Vice President for Student Affairs or the Technical College designee will acknowledge receipt of the complaint and shall begin a preliminary investigation of the incident. A meeting will be scheduled with the student against whom the complaint was filed in order to discuss the incident and the allegations. If additional time is necessary, the Student will be notified. After discussing the complaint with the Student, the Vice President for Student Affairs or the Technical College designee shall determine whether the Student committed the alleged conduct and whether the alleged conduct constitutes a violation of the Student Code of Conduct.

b. The Student shall have five business days from the date contacted by the Vice President for Student Affairs or the Technical College designee to schedule the meeting. This initial meeting may only be rescheduled one time. If the Student fails to respond to the Vice President for Student Affairs or the Technical College designee within five business days to schedule the meeting, reschedule the meeting more than once, or fails to appear at the meeting. In that case, the Vice President for Student Affairs or the Technical College designee will consider the available evidence without student input and decide.

c. If a Complaint alleges violations of the Student Code of Conduct by more than one Student. In that case, each Student's disciplinary proceeding and any appeals relating to that proceeding shall be conducted individually.

d. If the Vice President for Student Affairs or the Technical College designee determines that the Student has violated the Student Code of Conduct. In that case, they shall impose one or more disciplinary sanctions consistent with those described below. However, if the Vice President for Student Affairs or the Technical College designee determines that the alleged conduct did not occur or that the conduct was not a violation of the Student Code of Conduct. In that case, the college shall not impose disciplinary sanctions on the Student, and the investigation shall be closed.

## **B. Disciplinary Sanctions**

### **1. Violation of the Student Code of Conduct**

a. Based on the severity of the incident, the Vice President for Student Affairs may take one of two actions, no referral to the Hearing Body or referral to the Hearing Body.

i. After a determination that a student has violated the Student Code of Conduct, the Vice President for Student Affairs or the Technical College designee may impose one or more of the following sanctions without referral to the Hearing Body. The notification shall be sent to the Student.

**Restitution:** A student who has committed an offense against property may be required to reimburse the Technical College or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to the actual cost of repair or replacement.

**Reprimand:** A written reprimand may be given to any student. Such a reprimand does not restrict the Student in any way. However, it signifies to the Student that there is being given another chance to conduct themselves as a proper member of the Technical College community and that any further violation may result in more severe sanctions.

**Restriction:** A restriction upon a student's privileges for a period of time may be imposed. This restriction may include but is not limited to denial of the right to represent the Technical College, denial of use of facilities, alteration or revocation of parking privileges, or restrictions from participating in extracurricular activities.

**Disciplinary Probation:** Continued student enrollment on probation may be conditioned upon adherence to specified terms. Any student placed on probation will be notified of the terms and length of probation in writing. Any conduct determined after due process to violate these terms while on probation may result in the imposition of more serious disciplinary sanctions, as specified by the terms of probation.

**Failing or lowered grade:** In cases of Academic Misconduct, the Vice President for Student Affairs or the Technical College designee will make a recommendation to the Vice President for Academic Affairs or their designee, who may authorize the instructor to award a failing or lowered grade in the course, or a loss of credit on the assignment or examination.

ii. After a determination that a student has violated the Student Code of conduct, the Vice President for Student Affairs or the Technical College designee may recommend the imposition of one of the following sanctions if appropriate. The Vice President for Student Affairs' recommendation will be forwarded to the Hearing Body, which may impose one or more of the following sanctions, as well as those described in section VI.C.1 above, following a hearing. A copy of the written recommendation shall be provided to the student.

**Disciplinary Suspension:** If a student is suspended, they are separated from the Technical College for a stated period. Conditions of reinstatement, if any, must be stated in the notice of suspension.

**Disciplinary Expulsion:** Removal and exclusion from the Technical College, Technical College controlled facilities, programs, events, and activities. Vice President maintains a record of the reason for the Student's dismissal for Student Affairs or the Technical College designee. Students dismissed from the Technical College for any reason may write to the Vice President for Student Affairs for reinstatement twelve (12) months following the expulsion. If approval for reinstatement is granted, the Student will be placed on disciplinary probation for a specified term. The probationary status may be removed at the end of the specified term at the discretion of the Vice President for Student Affairs or the Technical College designee.

**System-Wide Expulsion:** Where a student has been expelled or suspended two times from the same or different colleges in the Technical College System of Georgia in the past seven years, the Student will not be permitted to register at any college in the Technical College System of Georgia for ten years after the most recent expulsion/suspension. Depending on the action that results in expulsion from a college, the student may qualify for system-wide expulsion after the first incident. The General Counsel of TCSG will review the case and determine if system-wide expulsion is appropriate.

## **2. Violation of Federal, State, or Local Law**

a. If a student is convicted or pleads with nolo contendere to an off-campus violation of federal, state, or local law but not with any other violation of the Student Code of Conduct. In that case, disciplinary action may be taken, and sanctions for misconduct detrimental to the Technical College's vital interests and stated mission and purpose.

b. Disciplinary proceedings may be instituted against a student charged with a violation of a law that violates the Student Code of Conduct if both violations result from the same factual situation, without regard to criminal arrest and/or prosecution. Proceedings under this Student Code of Conduct may be conducted prior to, simultaneously with, or following criminal proceedings.

c. When a student is charged by federal, state, or local authorities with a violation of law, the Technical College will not request or agree to special consideration for that individual because of their status as a student. The Technical College will cooperate fully with law enforcement and other agencies in enforcing criminal law on campus and the conditions imposed by criminal courts for rehabilitating student violators. Individual students, acting in their capacities, remain free to interact with governmental representatives as they deem appropriate.

## **3. Interim Disciplinary Suspension**

a. As a general rule, the status of a student accused of violating the Student Code of Conduct should not be altered until a final determination is made regarding the allegations against him/her. However, an interim suspension may be imposed by the Vice President for Student Affairs or their designee if determined that the continued presence of the accused Student on campus constitutes a potential or immediate threat to the safety and well-being of the accused Student or any other member of the Technical College community or its guests, or that the continued presence of the Student on campus creates a risk of substantial disruption of classroom or other Technical College-related activities. If an interim disciplinary suspension is imposed, the matter must be referred as soon as possible to the Hearing Body. The Student need not request an appeal.

## **4. Conditions of Disciplinary Suspension and Expulsion**

- a. A student suspended or expelled from the Technical College shall be denied all privileges afforded a student and shall be required to vacate Technical College Premises at a time determined by the Vice President for Student Affairs or the Technical College designee.
- b. In addition, after vacating the Technical College Premises, a suspended or expelled Student may not enter upon the Technical College Premises at any time, for any purpose, in the absence of written permission from the Vice President for Student Affairs or the Technical College designee. A suspended or expelled student must contact the Vice President for Student Affairs or the Technical College designee for permission to enter the Technical College Premises for a limited, specified purpose.
- c. If the Student seeks to submit a signed Disciplinary Sanction Appeal Form. In that case, the Vice President for Student Affairs or the Technical College designee must accept the form by mail or fax if their refuses the Student's request to enter the Technical College Premises for that specified purpose.
- d. A scheduled appeal hearing before the Hearing Body shall be understood as expressed permission from the Vice President for Student Affairs or the Technical College designee for a student to enter the Technical College Premises for the duration of that hearing.

### **C. Mediation**

1. At the discretion of the Technical College President, the Technical College may adopt a mediation procedure to be utilized prior to the appeals set forth herein. However, mediation may never be used in cases of alleged sexual misconduct.

### **D. Hearing/Appeals Procedure**

1. A student who wishes to appeal a disciplinary decision by the Vice President for Student Affairs or the Technical College designee regarding an assigned sanction of restitution, reprimand, restriction, disciplinary probation, or failing or lowered grade must file a written notice of appeal through the Technical College President's office for review by the Hearing Body within five business days of notification of the decision. The person filing the initial complaint against the Student must be notified of the hearing date.
2. If the Vice President for Student Affairs or the Technical College designee recommends a sanction of disciplinary suspension, disciplinary expulsion, or system-wide expulsion. In that case, the matter will be referred to the Hearing Body by the Vice President for Student Affairs. The Student need not file a written notice of his or her desire to appear before the Hearing Body. However, the person filing the initial complaint shall also be notified of the hearing.
3. The Student will then have the right to appear in a hearing before a Hearing Body assigned by the Technical College President or their designee within ten business days to present evidence and/or testimony. If the Student has been placed on an interim disciplinary suspension, the hearing must be held as soon as possible, preferably within five days. The Student has the right to be assisted by any single advisor they choose, at their own expense. The Student is responsible for presenting their case; therefore, advisors are not permitted to speak or participate directly in any hearing before a Hearing Body. The Hearing Body may consist of a single person or group from the Technical College community. There shall be a single official record of all hearings before the Hearing Body, such as a tape recording. The official record shall be the property of the Technical College. The standard of proof in all hearings shall be a preponderance of the evidence. The chairperson of the Hearing Body shall notify the Technical College President and the Vice President for Student Affairs in writing of the Hearing Body's decision. The

Technical College President or their designee will notify the Student in writing of the Hearing Body's decision.

4. If the Student appeared before the Hearing Body to appeal to the Vice President for Student Affairs or the Technical College designee's sanction of restitution. In that case, reprimand, restriction, disciplinary probation, or failing or lower grade, the Hearing Body's decision regarding the appeal is final. A copy of the Hearing Body's written decision will be provided to the Student.

5. If the Student appeared before the Hearing Body after the Vice President for Student Affairs, or the Technical College designee recommended disciplinary suspension, disciplinary expulsion, interim disciplinary suspension, or system-wide expulsion. In that case, the Student should be able to appeal directly to the Technical College President.

6. If entitled to an appeal to the Technical College President, the Student shall have five business days after receiving written notification of the Hearing Body's decision to request in writing an appeal. The Student shall ensure that all relevant information is included with this request. In addition, the person who filed the original complaint shall be notified of the Student's appeal.

7. The President of the Technical College or their designee's review shall be in writing and only consider evidence currently in the record; new facts not brought up in earlier stages of the appeal shall not be considered. The Technical College President or their designee shall deliver the decision to the Student within ten business days. The decision of the Technical College President or their designee shall be final and binding. (See Procedure: 6.7.2p1 for more information)

**Individual Violations (Max Gruver Act):** Any person who violates Code Section OCGA 16-5-61 shall be guilty of a misdemeanor of a high and aggravated nature. Hazing is classified as a misdemeanor in Georgia, but if it results in serious bodily injury or death, it can be charged as a felony. Those found guilty may face legal consequences, including fines and imprisonment, depending on the severity of the offense and the resulting harm.

**Organizational Responsibility:** The law also holds organizations accountable and can impose penalties on the organization involved in hazing. ATC will apply appropriate disciplinary sanctions for individuals and school organizations found responsible for hazing violations, which may include suspension or expulsion.

### **Prevention and Awareness Programs (Stop Campus Hazing Act Compliance)**

As required by the Stop Campus Hazing Act, ATC will implement training and workshops that address hazing prevention and awareness programs. These programs will aim to educate students and school organizations about the dangers and consequences of hazing, promote safe campus environments, and encourage reporting. Faculty and Staff will receive annual updates during mandatory PDI trainings held each year.

### **Public Disclosure and Transparency**

ATC is committed to transparency regarding hazing incidents, in compliance with both state and federal requirements.

### **Mandatory Disclosure (Max Gruver Act):**

• **Public disclosure of administrative adjudications of hazing or hazing-related convictions will occur within 15 calendar days** of final adjudication or public notice of criminal conviction.

- This public disclosure will be **posted prominently on the school's website for a period of not less than five years** after final adjudication or conviction. ATC shall provide **mandatory reports of hazing-related violations** at the institution on the ATC website on the Campus Safety page.

Minimum information for disclosure will include:

- The name of any school organization involved.
- The date or dates on which the hazing occurred.
- A description of the specific hazing related findings, sanctions, adjudications, and convictions for any person or school organization.
- Public disclosure will **not include the personal identifying information of any individual student** and shall be subject to the requirements of the Family Education Rights and Privacy Act (FERPA), 20 USC 1232g. Campus Hazing Transparency Report (Stop Campus Hazing Act):
- ATC will compile and publish a **Campus Hazing Transparency Report** that summarizes findings concerning any student organization found to be in violation of the institution's standards of conduct related to hazing. ATC shall publish the transparency report on the ATC website on the Campus Safety page.

This report will include:

- The name of the student organization.
- A general description of the violation that resulted in a finding of responsibility.
- Related dates (the date of the alleged incident, the date of the initiation of the investigation, the date the investigation ended with a finding, and the date the institution provided notice to the organization of the finding).
- The Campus Hazing Transparency Report must be updated at **least two times a year**.

#### **Hazing Statistics in Annual Security Reports (Stop Campus Hazing Act):**

- ATC will include statistics for hazing incidents that were reported to campus security authorities or local law enforcement in its Annual Security Report.

#### **Implementation Timeline (Stop Campus Hazing Act)**

ATC will adhere to the following federal implementation timeline:

- January 1, 2025: Begin collecting hazing statistics to include in the annual security report.
- June 23, 2025: Hazing policies (including prevention and awareness) implemented.
- July 1, 2025: A process for documenting violations of the institution's standards of conduct relating to hazing established.
- December 23, 2025: The Campus Hazing Transparency Report, which includes violations documented from July 2025, will be publicly available and updated annually.
- October 1, 2026: Hazing statistics will first be included in the 2026 Annual Security Report (reflecting 2025 statistics).

**Policy Review and Updates**

This policy will be regularly reviewed and updated as necessary to enhance effectiveness and ensure ongoing compliance with all applicable state and federal laws and regulations.

**Last update**

September 2025