CITATION REFERENCE
Official Title: Sexual Misconduct
Title: Sexual Misconduct Policy
Volume: CCGA Policies
Responsible Office: Public Safety
Originally issued: 10/12/2022
Effective Date: 11/01/2022
Revised: 08/19/2025

Policy: Sexual Misconduct

Policy Statement

The College of Coastal Georgia ('Coastal Georgia') is committed to maintaining a safe learning and working environment free from sexual misconduct. In accordance with federal and state law, including Title IX of the Education Amendments of 1972 ("Title IX") and Title VII of the Civil Rights Act of 1964 (Title VII), the University System of Georgia (USG) prohibits discrimination on the basis of sex in any of its education programs or activities or in employment.

This Policy prohibits Sexual Misconduct, a form of sex discrimination, and establishes procedures for reporting, investigating, and resolving allegations of sexual misconduct. The purpose of this Policy is to ensure uniformity throughout the USG in reporting and addressing sexual misconduct while promoting positive and healthy behaviors and educating the campus community on consent, sexual assault, sexual harassment, alcohol and drug use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

Reason for Policy

This policy ensures compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), and the Violence Against Women Act ("VAWA"). It establishes institutional commitment to reducing incidents of sexual misconduct, providing prevention tools, conducting ongoing awareness and prevention programming, and training the campus community.

Entities Affected by This Policy

All members of the USG community, including students, faculty, staff, contractors, vendors, visitors, and guests.

Who Should Read This Policy

All Coastal Georgia staff, faculty, and students on the Brunswick main campus, Camden Center, and Coastal Teaching Kitchen in downtown Brunswick.

Contacts

Contact	Phone	Email
Title IX Coordinator	(912) 279-5815	mbutcher@ccga.edu
Deputy Title IX Coordinator	(912) 279-4588	mwoodbury@ccga.edu

Website Address for This Policy

- https://www.ccga.edu/title-ixsexual-misconduct/
- Administrative Policies & Procedures (posted on HR Intranet web page)

Related Documents/Resources

- Anonymous Report Form
- USG Sexual Misconduct Policy (https://www.usg.edu/policymanual/section6/C2655)
- Human Resources Administrative Practice Manual

Key Definitions

Community: Students, faculty, and staff, as well as contractors, vendors, visitors, and guests.

Complainant: An individual who is alleged to have experienced conduct that violates this Policy.

Consent: Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation, or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation.

Minors under the age of 16 cannot legally consent under Georgia law. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time by a party by using clear words or actions.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such a relationship shall be determined based on the totality of the circumstances, including: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Domestic Violence: Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the alleged victim.

Incapacitation: The physical and/or mental inability to make informed, rational judgments. It can result from mental disability, sleep or any state of unconsciousness, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

Non-consensual Sexual Contact: Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to the touching of a person's intimate parts (for example, genitalia, groin, breasts, or buttocks); touching a person with one's own intimate parts; or forcing a person to touch their own or another person's intimate parts. This provision also includes "Fondling" as defined by the Clery Act.

Non-consensual Sexual Penetration: Any penetration of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.

Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.

Sexual Harassment (Student on Student): Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes), determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity.

Sexual Harassment (Other than Student on Student): Unwelcome verbal, nonverbal, or physical conduct, based on sex (including gender stereotypes), that may be any of the following: (1) Implicitly or explicitly a term or condition of employment or status in a course, program, or activity; (2) A basis for employment or educational decisions; or (3) Is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment.

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, non-consensual sexual contact, non-consensual sexual penetration, sexual exploitation, sexual harassment, and stalking.

Stalking: Engaging 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.

Overview

In accordance with federal and state requirements, the College will:

- Encourage the reporting of all Sexual Misconduct as soon as possible
- Provide multiple reporting options, including institutional, confidential, law enforcement, and anonymous reports
- Offer support services and interim measures to protect safety and well-being
- Conduct prompt, thorough, and impartial investigations
- Ensure fair and equitable resolution processes
- Provide prevention and awareness programming
- Protect against retaliation
- Maintain appropriate confidentiality
- Coordinate with Title IX and Clery Act compliance efforts

Key Requirements

Reporting Sexual Misconduct

Institutional Reports

An institutional report occurs when the institution has notice of a complaint through: (1) When a Responsible Employee receives a complaint; or (2) When the Title IX Coordinator or their designee receives a complaint. Reports may be made in multiple formats, including writing, email, phone, letter, fax, interview, or other methods that provide the basis of the complaint.

Confidential Reports

Confidential Employees or Privileged Employees may receive reports without the requirement to report that information to the Coordinator, except as dictated by law or professional standards.

Law Enforcement Reports

Complainants have the option of filing a report with campus or local police. The institution may assist in reporting to law enforcement officials. Filing a criminal report does not automatically constitute an institutional report.

Anonymous Reports

Anonymous reports may be submitted through the College's online reporting form. However, it will be more difficult for the institution to respond and take action upon anonymous reports.

Response to Reports

Support Services

Non-disciplinary, non-punitive individualized services offered as appropriate, including counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and other services available at the institution.

Interim Measures

Measures designed to protect any student or other individual in the USG community, restore or preserve equal access to the education program or activity without unreasonably burdening the other party.

Emergency Removal

Emergency removal may occur where necessary to maintain safety and should be limited to situations where the Respondent poses a serious and immediate danger or threat to persons or property.

Investigation Process

Student Investigations

Throughout any investigation and resolution proceedings, parties shall receive written notice of alleged misconduct, be provided an opportunity to respond, and be allowed to remain silent without adverse inference. Where potential sanctions may involve suspension or expulsion, additional safeguards are provided, including:

- Written notice of complaint/allegations, pending investigation, possible charges, and sanctions
- At least three business days to respond in writing
- Thorough investigation with written notes and statements
- Initial and final investigation reports provided to parties
- Independent investigator separate from the hearing officer

Hearing Procedures

Student Hearings

Where charges are contested, matters shall be set for hearing after the investigative report is finalized. Hearings may be conducted by an administrator (Hearing Officer) or a Hearing Panel, with the following standards:

- Right to present witnesses and evidence
- Right to confront witnesses through written questions
- Preponderance of evidence standard
- Documentation of proceedings is maintained
- Simultaneous written decision to both parties

Title IX Hearings

Special procedures apply for Title IX Sexual Harassment cases, including:

- Right to an advisor who may conduct cross-examination
- Live hearing with cross-examination by advisors
- Restrictions on questions about prior sexual behavior
- Protection of privileged records
- Specific documentation requirements

For more detailed information regarding the Sexual Misconduct Policy, please see the Code of Conduct located at: https://www.ccga.edu/campuslife/student-conduct-handbooks/

Key Responsibilities

Party	Responsibility
Title IX Coordinator	Oversee institutional response to all reports; coordinate supportive measures; ensure proper training; conduct initial assessments; oversee grievance process; maintain records; coordinate with other offices
Responsible Employees	Promptly and fully report complaints or information regarding sexual misconduct to the Coordinator
Confidential Employees	Provide confidential support; minimal reporting as required by law
Privileged Employees	Provide confidential counseling and advocacy services
Campus Security Authorities	Report alleged crimes to the Department of Public Safety; participate in Clery training
All Community Members	Report sexual misconduct; participate in prevention programming; respect confidentiality; refrain from retaliation

Forms

- Sexual Misconduct Report Form
- Anonymous Report Form
- Supportive Measures Request Form

Appendices

- Title IX Sexual Harassment Grievance Process
- Appeal Procedures
- Resources and Support Services Directory